

## PLANNING COMMITTEE

Tuesday 16 December 2014 at 6.00 pm

Council Chamber, Ryedale House, Malton

### Agenda

16 Late Observations

(Pages 2 - 16)

# Agenda Item 16

RYEDALE  
DISTRICT  
COUNCIL



Please Contact: Mrs Karen Hood  
Extension 386  
Email: karen.hood@ryedale.gov.uk

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All Members of the Planning Committee  
Council Solicitor  
Head of Planning & Housing  
Development Manager  
Managing Development Team Leader

Ref: Agendas/Planning/2014/2015

12 December 2014

Dear Councillor

**Meeting of the Planning Committee - 16 December 2014**

With reference to the above meeting I enclose for your attention the late observations received since despatch of the agenda.

Yours sincerely



Mrs Karen Hood  
Managing Development Team Leader

Enc

GH Recommend Refusal & additional comments

## NORTON-ON-DERWENT

### TOWN COUNCIL

Town Clerk: Mrs R. Tierney  
Tel/Fax: 01653 695348  
Council Chamber and Office  
The Old Courthouse  
84B Commercial Street  
Norton-on-Derwent  
Malton  
North Yorkshire YO17 9ES



9 December 2014

Head of Planning Services,  
Ryedale District Council,  
Ryedale House,  
Malton.  
YO17 7HH

RYEDALE DISTRICT COUNCIL

- 9 DEC 2014

DEVELOPMENT

Dear Sir,

#### PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Monday, 8 December 2014 the Town Council made the following recommendations in respect of the applications listed below:-

- 14/01161/LBC      Installation of CCTV camera to front wall above left side of fascia sign.  
Ryedale Taxis, Railway Station, Norton Road, Norton, Malton, YO17 9PD  
For: Station Taxis (Norton) Ltd (Mrs Lisa Ridsdale)  
**RESOLVED:** Recommend Approval
- 14/01184/HOUSE      Removal of shop front window and replacement with UPVC double glazed  
window in smaller opening.  
15 Church Street, Norton, Malton, YO17 9HP  
For: Mr Adrian Carter  
**RESOLVED:** Recommend Approval
- 14/01220/FUL      Change of use of land and buildings to a non-residential education and  
training centre (use class D1) to include a change of use and alteration of  
outbuilding to form training and workshop areas for use by Acorn  
Community Care to include kitchen and toilet facilities and sensory room  
together with replacement of main entrance doors and installation of a  
removable access ramp to side entrance (part retrospective application)  
Whinflower Hall, Scarborough Road, Norton, Malton, YO17 8EE  
For: Acorn Community Centre  
**RESOLVED:** Recommend Approval
- 14/01289/HOUSE      Erection of single storey rear and side extension  
20 Glenmoore Drive, Norton, Malton, YO17 9DE  
For: Mrs H Wilson  
**RESOLVED:** Recommend Approval

E. Mail: [norton.tc@btconnect.com](mailto:norton.tc@btconnect.com)

Recommend Refusal &  
additional comments

14/00947/MFUL

Erection of 37no. one bedroom apartments 20no. two bedroom apartments, 3no. three bedroom dwellings and 2no. four bedroom apartments with undercroft parking, private and communal amenity areas, landscaping, management office, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above.  
ATS Euromaster, 25 to 27 Commercial Street, Norton, Malton, YO17 9HX.  
For: Mr P Sedman

RESOLVED: Recommend Refusal, as per our recommendation and commentary in our letter dated 9<sup>th</sup> October 2014, the comments therein still stand in full.

In addition we would comment as follows:

Within the letter submitted as part of the application from Dudleys, Structural and Civil Consultants, Horsforth, we note that under heading 3 Sewer, that the surface water from impermeable roof areas is to be disposed of into the sewer and that our understanding is that surface water in medium to large scale developments within the town should be dealt with by alternative measures due to historic and ongoing flooding problems.

Whilst the increase in parking allocation is favourable, both surface and undercroft, we consider that the site access should be retained, and made as wide as possible and the shop unit to the Commercial Street curtilage not be developed, due to the increase in volume in traffic from the addition of further car parking.

There are two buildings shown on the Proposed Impermeable Plan, submitted as part of the application, prepared by Dudleys, which immediately flank the entrance to the undercroft parking. These do not appear on any other plan, submitted as part of the application, prepared by The Design Partnership.

Yours sincerely,

Ros Tierney  
Town Clerk

E. Mail: norton.tc@btconnect.com

Colin Douthwaite

NYEA

GH.

Contribution  
Information

**From:** Nicola Howells [Nicola.Howells@northyorks.gov.uk]  
**Sent:** 11 December 2014 09:01  
**To:** Development Management  
**Subject:** RE: Planning Application 14/00947/MFUL  
**Attachments:** 2014-Dev 194 Norton CP - Ryedale.pdf

11/12/14 - cm.

Dear Colleague

Please see the attached pro-forma. As you will see based on 25 2+ bedroom properties a developer contribution of £84975 for primary education facilities would be sought against this development.

Regards

Nicola

Nicola Howells  
Development Support Officer  
Prevention & Commissioning  
Children & Young People's Service  
North Yorkshire County Council  
County Hall, Northallerton  
North Yorkshire, DL7 8AE

01609 532258

[Nicola.howells@northyorks.gov.uk](mailto:Nicola.howells@northyorks.gov.uk)

RYEDALE D.L.

11 DEC 2014

DEVELOPMENT  
MANAGEMENT

-----Original Message-----

**From:** dm@ryedale.gov.uk [mailto:dm@ryedale.gov.uk]  
**Sent:** 04 December 2014 13:31  
**To:** Nicola Howells  
**Subject:** Planning Application 14/00947/MFUL

Please see attached letter

Access your county council services online 24 hours a day, 7 days a week at [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

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**ADVICE ONLY - PLEASE CONSULT RELEVANT PLANNING AUTHORITY**

**Assessment of need for developer contributions towards school buildings - 2014**

<b>District/ Borough Council</b>	Ryedale	<b>Site Address</b>	25 - 27 Commercial Street, Norton	<b>Our Ref</b>	2014-Dev194
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<b>Planning Application Number/ Ref</b>	14/00947/MFUL
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<b>Contact Email</b>	karen.hood@ryedale.gov.uk	<b>Contact Telephone Number</b>	01653 600666
<b>Contact Name/ Case Officer</b>	Karen Hood	<b>Developer / Agent or District/Borough</b>	Mr Paul Sedman
		<b>Details requested for</b>	December 18, 2014

<b>School</b>	Norton Community Primary School	<b>DFE No.</b>	2408
<b>Net Capacity of School (A)</b>	516		
<b>Number of pupils on roll as at October 2014*</b>	495		
<b>Forecast pupils on roll 2019/2020 (B)*</b>	632		
<b>Surplus/Deficit in academic year 2019/2020 (A-B)</b>	-116		
<b>Estimated pupils from a development of</b>	25	<b>2+ bedroom dwellings</b>	6.25
<b>Shortfall of places</b>	122		
<b>Anticipated need for new school places</b>	6.25		
<b>Amount per place. This is the cost multiplier for a whole PRIMARY school place.</b>	£13,596.00		
<b>Contribution sought</b>	<b>£84,975.00</b>		

<b>Notes:</b>	Erection of 36no. one bedroom apartments, 20no. two bedroom apartments, 3no. three bedroom dwellings and 2no. four bedroom apartments with undercroft parking, private and communal amenity areas, landscaping, management office, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above.
<b>Officer providing information</b>	Nicola Howells ☎01609 532258
<b>Date</b>	10 December 2014
<b>CYPS Strategic Planning Officer for above school</b>	Andrew Dixon ☎ 01609 532162

\*Pupil numbers are revised on a termly basis, this can result in a change to the number of pupils both actual and forecast every term. The figures shown above are current as at the date shown and additional requests will be subject to re-calculation. Please be aware that this may result in the contribution sought increasing or decreasing.

GH Comments

Our Ref: 14526/JS  
Your Ref: 14/00947/MFUL



10<sup>th</sup> December 2014

Partnership Hub

Mr Gary Housden  
Planning Officer  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

RYEDALE DM

10 DEC 2014

DEVELOPMENT  
MANAGEMENT

Dear Mr Housden,

**Proposal:** Planning Application 14/00947/MFUL– erection of 37no. one bedroom apartments, 20no. two bedroom apartments, 3no. three bedroom apartments and 2no. four bedroom apartments with undercroft parking, private and communal amenity areas, landscaping, management office, alterations to existing vehicular access and erection of street front commercial unit with one bed studio above (amended application).

**Location:** ATS Euromaster, 25 – 27 Commercial Street, Norton, Malton.

Thank you for your recent email notification regarding the above. I have read through the associated documents and examined the amended drawings. I comment as follows:

1. I note that many of the issues that I raised in my previous response (14415/JS) have been addressed in this amended scheme, e.g.
  - a) Boundary fencing alongside the railway line is being replaced with 1.8m high security fencing incorporating a low plinth wall.
  - b) Private amenity space has now been provided for Units 4 and 16 (will discuss later re boundary heights)
  - c) The undercroft car parking area will have access control measures fitted to vehicle and pedestrian entrances/accesses. Remotely monitored CCTV will also cover the vehicle entrance.
  - d) Ancillary stores have been re-sited so that better surveillance of the entrance leading to the undercroft car parking area can be achieved.

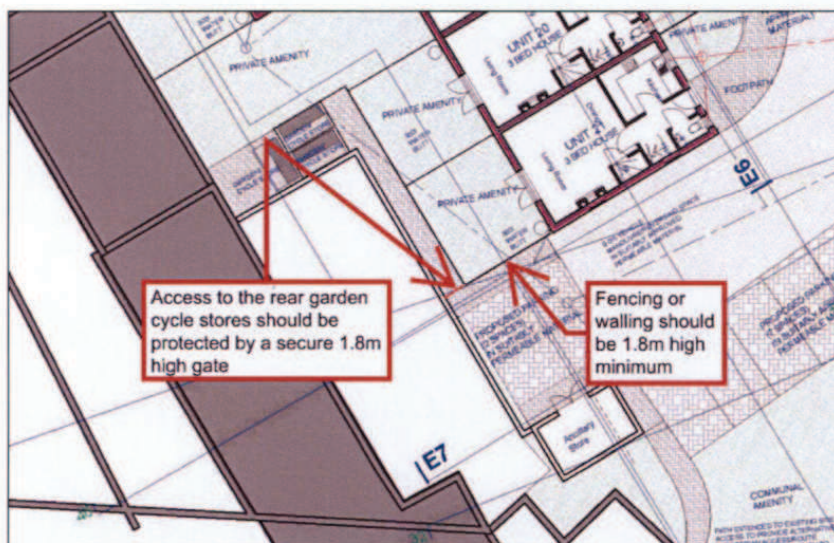
 **CRIMESTOPPERS**  
**0800 555 111**  
Call anonymously with information about crime

Police Station | Fulford Road | York | North Yorkshire | YO10 4BY  
Telephone: 01904 669883  
Fax: 01904 669313  
Email: [jim.shanks@northyorkshire.pnn.police.uk](mailto:jim.shanks@northyorkshire.pnn.police.uk)

Non-emergency  
Number



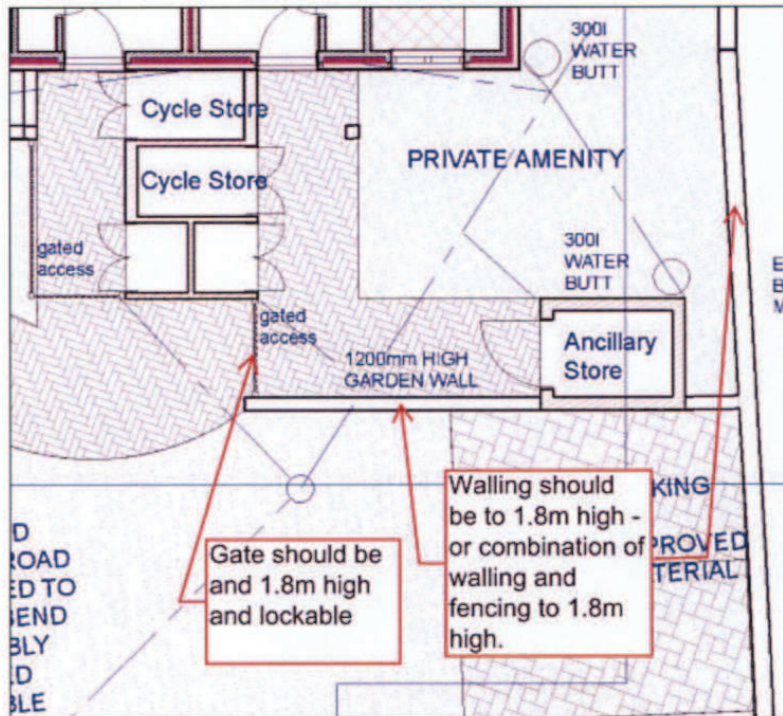
- e) The rear communal amenity areas have been divided into smaller dedicated areas relating to each block.
2. The previous undercroft floor plan indicated that cycle parking would be dispersed among six caged cycle stores containing between 9 and 12 cycles. I now note that these cycle stores have been consolidated into two large stores (20 and 21 cycles) to cater for additional car parking. Parking spaces have been increased from 41 to 59 spaces. I highlighted in my previous response that, "too many cycles parked in a store could jeopardize security by placing a reliance on so many individuals to remember to secure the stores after use. I have seen developments where residents have become reluctant to use cycle stores over security fears, which has resulted in cycles being secured to veranda railings at first floor level or above or kept within the apartments themselves. The average cost of a decent cycle is upwards of £500 these days". This new cycle storage proposal is creating a potential crime risk and will do nothing to encourage residents to use alternative modes of transport.
  3. The use of 1200mm high garden walling or fencing to protect private amenity space is not appropriate both from a security and a privacy point of view. This needs to be addressed. All boundaries should be to a minimum height of 1.8m.
  4. The alleyway leading to the rear gardens of Units 19, 20 and 21 and cycle stores, should be gated off immediately at its entrance (illustrated below)



Unfortunately, alleyways such as this, are frequently exploited by criminals and can become a focus for anti-social behaviour.

5. The boundaries to the private amenity space of Unit 2 are indicated as only being 1.2m high. This space should be protected for security and privacy with walling or a combination of walling and fencing and gate to 1.8m high (as illustrated below).





6. All private amenity space to frontages should be clearly demarcated to show 'ownership' in order to effectively create defensible space. Demarcation to the private amenity space of units 19,20 and 21 is unclear. Failure to clearly define 'territory' could result in neighbour disputes, particularly in respect of maintenance. Building for Life 12 (11) highlights that public and private spaces should be clearly defined.

I have no other comments to make at this time. If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely,

Mr Jim Shanks  
Police Designing out Crime Officer



YorkshireWater

Head of Planning Services  
Ryedale District Council  
Ryedale House  
Malton  
YO17 0HH

Your Ref: 14/00947/MFUL  
Our Ref: Q015061

RYEDALE DM  
- 8 DEC 2014  
DEVELOPMENT  
MANAGEMENT

Land Use Planning  
Yorkshire Water Services Ltd  
Midway  
Western Way  
Halifax Road  
Bradford  
BD6 2LZ

Tel: (01274) 691111  
Fax:  
For telephone enquiries ring:  
Z Fayyaz on (01274) 692072

E-mail Zaffer.Fayyaz@yorkshirewater.co.uk

8th December 2014

Conditional support. BH

Dear Sir/Madam,

**ATS Euromaster 25 - 27 Commercial Street Norton Malton - revised planning conditions**

Further to recent communication. I note the revised planning application now states 'Public Sewer' for surface water disposal. I note the watercourse is difficult to get to with regards the railway line. Soak away testing is still being investigated. If soak away are proven not to be viable, then surface water is proposed to discharge to the existing sewer at an agreed restricted rate (rate yet to be agreed).

With the above in consideration, if planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and YW infrastructure:

**The site shall be developed with separate systems of drainage for foul and surface water on and off site.  
(In the interest of satisfactory and sustainable drainage)**

**No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.  
(To ensure that the development can be properly drained)**

**Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.  
(To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal)**

**Drainage**

**EXISTING INFRASTRUCTURE** - On the Statutory Sewer Map, there is a 450mm diameter public combined sewer recorded in Commercial Street adjacent to the South boundary of the site. In this instance, it would appear that the 450mm diameter public combined sewer is unlikely to be affected by building-over proposals, however, some due care and attention should be taken when working on the road.

There are also minor section 24 sewers within the site. YWS would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000.



FOUL WATER - The development of the site should take place with separate systems for foul and surface water drainage.

Foul water domestic waste should discharge to the 450mm diameter public combined sewer recorded in Commercial Street.

From the information supplied, it is not possible to determine if the whole site will drain by gravity to the public sewer network. If the site, or part of it, will not drain by gravity, then it is likely that a sewage pumping station will be required to facilitate connection to the public sewer network. If sewage pumping is required, the peak pumped foul water discharge must not exceed 12 (twelve) litres per second.

SURFACE WATER - Sustainable development requires appropriate surface water disposal. Yorkshire Water promote the surface water disposal hierarchy. The developer must provide evidence to demonstrate that surface water disposal via:

- infiltration
- or
- watercourse

are not reasonably practical before even considering surface water disposal to a public sewer.

Alternatively, and only upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal..., curtilage surface water may discharge to public sewer via existing on site connections. The developer will be required to provide evidence of existing positive drainage to a public sewer from the site to the satisfaction of YWS/the LPA by means of physical investigation. **On-site attenuation, taking into account climate change, will be required before any discharge to the public sewer network is permitted. Surface water discharges to the public sewer must have a minimum of 30% reduction based on the existing peak discharge rate during a 1 in 1 year storm event.**

Restrictions on surface water disposal from the site may be imposed by other parties. You are strongly advised to seek advice/comments from the Environment Agency/Land Drainage Authority/Internal Drainage Board, with regard to surface water disposal from the site.

The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network.

#### **Water Supply**

A water supply can be provided under the terms of the Water Industry Act, 1991.

Yours faithfully

**Zaffer Fayyaz**  
**Planning & Development**

c.c. Colin Douthwaite <colin.douthwaite@ryedale.gov.uk> 'Mark Newby'  
<mark.newby@yewtreeassociates.co.uk>, Gary Housden <gary.housden@ryedale.gov.uk>,  
"Noel Dobson" <noel.dobson@the-pdp.co.uk>



**North  
Yorkshire County Council**

*Recommendation*

**Your ref:** 14/00947/MFUL  
**Our ref:** 3096 LH CNY13138  
**Contact:** Lucie Hawkins  
**Direct dial:** 01609 532316  
**email:** lucie.hawkins@northyorks.gov.uk

**Historic Environment Team**  
Waste and Countryside Services  
Business and Environmental Services  
North Yorkshire County Council  
Northallerton  
DL7 8AH  
www.northyorks.gov.uk

FAO Mr Gary Housden

Ryedale District Council Development Control  
Development Control Manager  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

RYEDALE

11 DEC 2014

DEVELOP  
MANAGE

11/12/14 - LH.

11 December 2014

Dear Sir or Madam,

**Application No:** 14/00947/MFUL  
**Proposed Development:** ATS Euromaster 25 - 27 Commercial Street Norton  
Erection of 36no. one bedroom apartments, 20no. two bedroom apartments, 3no. three bedroom dwellings and 2no. four bedroom apartments with undercroft parking, private and communal amenity areas, landscaping, management office, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above.

Thank you for the consultation on this planning application.

I have read the archaeological trial trenching report prepared by MAP Archaeological Practice with interest. The evaluation has revealed stratified Romano-British deposits of at least regional significance. The significance of the archaeological deposits in the site's vicinity is illustrated by the Roman remains that were uncovered some time before 1825 in the area immediately to the west of the site.

The pottery assemblage suggests a site on the urban fringe, although the depositional profile was urban and the ceramic building material of relatively high status. In the southwestern part of the site,

/Continued..

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on the relatively level area that adjoins the properties fronting Commercial Street, Trench 4 revealed a Roman building of early date that was levelled and then replaced on the same alignment by another building in the early 2nd century, but with more substantial foundations. This building was levelled and robbed in the early 4th century. As well as limestone rubble, the demolition material contained ceramic and stone roof tiles, brick and apparent box tile, opus signinum and painted wall plaster, consistent with having been derived from a bath-house or at least a hypocaust. This suggests a building of some sophistication, echoing the early 19th century findings immediately to the west. Trench 2, at the north of the site, also showed a considerable sequence of Roman activity spanning the 3rd and 4th centuries. The recovery of six human foot bones belonging to the same individual from a Phase 4 pit strongly suggests the disturbance of a grave in the immediate vicinity.

The Roman structures and deposits at the site accord with the nearby remains discovered in the early 19th century, and reflect the site's position directly opposite the Roman fort and civilian settlement on the north bank of the river.

Any ground disturbance at around 0.90m from the present surface for the proposed buildings, services and areas of landscaping will have a negative impact on the archaeological features. The significance and complexity of the archaeological finds merits full archaeological excavation.

Therefore, I would advise that a scheme of archaeological mitigation recording is undertaken in response to the ground-disturbing works associated with this development proposal. This should comprise a targeted programme of archaeological excavation and monitoring, to be followed by appropriate analyses, reporting and archive preparation. This is in order to ensure that a detailed record is made of any deposits/remains that will be disturbed. This advice is in accordance with the historic environment policies within Section 12 of the National Planning Policy Framework, CLG, 2012 (paragraph 141). It should also be noted that the disturbance of human remains will require a licence from the Ministry of Justice.

Those areas with shallower or more limited ground disturbance proposed, have a lower archaeological potential and therefore I would advise that archaeological recording be carried out during ground disturbing works associated with those parts of the development.

In order to secure the implementation of such a scheme of archaeological mitigation recording, I would advise that the following condition be appended to any planning permission granted:

Condition:

A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1.The programme and methodology of site investigation and recording
- 2.Community involvement and/or outreach proposals
- 3.The programme for post investigation assessment
- 4.Provision to be made for analysis of the site investigation and recording
- 5.Provision to be made for publication and dissemination of the analysis and records of the site investigation
- 6.Provision to be made for archive deposition of the analysis and records of the site investigation
- 7.Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

/Continued..

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B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:

This condition is imposed in accordance with Section 12 of the NPPF as the site is of archaeological interest.

If a programme of geotechnical investigation is proposed on site in due course, I would advise an archaeological response may be appropriate.

The Historic Environment Team does not undertake archaeological work of this nature. The applicant/developer is advised to commission a professional archaeological contractor to prepare a written scheme of investigation (WSI) for, and to carry out, the archaeological work. The results of the previous evaluation on the site should be used to inform the mitigation strategy. The WSI should follow the Chartered Institute for Archaeologists' professional standards and guidance, and be formally approved in writing prior to implementation.

I would request that a copy of any resulting reports from the archaeological fieldwork be forwarded to the Historic Environment Record Officer at North Yorkshire County Council for inclusion in the North Yorkshire Historic Environment Record.

Please do not hesitate to contact me if you have any queries.

Yours faithfully,

Lucie Hawkins  
Development Management Archaeologist

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SUPPORT

RYS

9/12/14  
LM

BOA VISTA  
WEST END  
KIRKBYMOORSIDE  
NORTH YORKSHIRE  
YO62.6AD  
TEL. NO.

6<sup>th</sup> DEC 2014

MISS. R. SMITH  
PLANNING DEPT.  
RYEDALE DIST. COUNCIL  
MALTON

RYEDALE

- 9 DEC 2014

DEVELOPMENT  
MANAGEMENT

Applic. No. 14/0181/OUT

Miss Smith,

I am aware of the above numbered planning applications amended plan for Mr. P. STRICKMAN. I think the application should be given favourable consideration due to the condition of this child.

2  
I was very disappointed with the very  
poor attendance of members of the  
planning committee at the site  
meeting on Tuesday 2<sup>nd</sup> December.  
How can this application be given  
a fair hearing?  
yours sincerely.

(JEANNE COSSINS)