

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 13/01425/FUL
Parish: Rillington Parish Council
Appn. Type: Full Application
Applicant: Mr & Mrs L Roger
Proposal: Erection of 2 no. semi detached three bedroom dwellings with attached single garages, 2 no. detached 4/5 bedroom dwellings with integral garages and formation of vehicular access
Location: Land To Rear Of 43 Scarborough Road Rillington Malton North Yorkshire

Registration Date: 12 December 2013 **8/13 Week Expiry Date:** 6 February 2014
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	Recommend condition
Highways Agency (Leeds)	Direct conditions
Archaeology Section	Recommend condition
Environmental Health Officer	Recommend conditions
Yorkshire Water Services	Comments only
Tree & Landscape Officer	No objection
Property Management	Contribution sum required

Neighbour responses: Tom A Greaves, Sally Skelton, Mrs Norma Moore, Mr And Mrs M Moon, Mr Brian Davis,

Overall Expiry Date: 3 March 2014

This application was deferred from the March meeting for a Committee Site Inspection, which took place on 26 March 2014. Members are asked to refer to the March agenda for copies of the officer report, plans and other relevant documents relating to this application.

Since the March meeting a further letter of objection has been received from a neighbour relating to highway safety, which has been forwarded to the Highways Agency. A copy of that letter and Highways Agency's response is appended to this report.

The two key issues that were given consideration both at the meeting and during the site inspection related to; highway safety; and the heights of the proposed dwellings. To confirm, the Highway Agency has stated that the proposed access to serve the existing dwelling and the four proposed dwellings can operate safely and within current guidelines. Vehicles, including a refuse wagon, can access and leave the site in a forward gear. The new access also allows two cars to pass one another at the junction, and avoids vehicles having to wait in the highway.

PLANNING COMMITTEE

8 April 2014

Finally, the existence of the pedestrian island opposite No 43 Scarborough Road, together with other access positions, including the 'T' junction to the east (Sands Lane), the visibility splays of the proposed access, and the movements to and from the site has been considered by the Highways Agency. The Agency has directed that conditions should be imposed on any approval. As a result there are considered to be no reasonable grounds to refuse planning permission in terms of highway safety. It should also be noted that the local Highway Authority has no objection in terms of the parking and turning facilities within the site and recommends a standard condition.

The heights of the proposed dwellings, 8.6m for the semi-detached dwellings and 9m for the detached dwellings, are not considered to be objectionable. Members on the site inspection were able to view dwellings located outside the development limit at Birtley Court to west, which had very similar ridge heights. Furthermore, views of the proposed dwellings from public viewpoints will be limited given the existing landscaping to the east and the narrow gaps between existing buildings. Although, in any case, the ridge heights proposed in this location are not considered to be excessive. A replacement planting scheme is also recommended along the front boundary.

For the reasons, both outlined above and within the previous Committee report, this application is recommended for approval subject to the Section 106 Agreement in respect of developer contributions.

RECOMMENDATION: Approval subject to S106 Agreement

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

3 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

4 Before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by the National Planning Policy Framework.

5 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/organisations to undertake the works set out within the Written Scheme of Investigation.

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 National Planning Policy Framework as the site is of archaeological interest.

6 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

7 No development shall commence on site until details of the existing ground levels and finished ground floor levels in relation to a measurable datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels details.

Reason: To ensure that the appearance of the area is not prejudiced and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Access to the development from the A64 'T' shall be constructed in accordance with the drawings supplied by Fore Consulting ref(s): 3130/SK001/005, 3130/SK001/006 and 3130/SK001/007, prior to any demolition or construction in relation to the consented development before commencing.

Reason:- To ensure the continued safe operation of the Strategic Road Network in the Area, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 A temporary wheel washing facility shall be installed and be fully operational, at the single point of access and egress with the A64 'T', prior to any demolition or construction in relation to the consented development above commencing, to be removed post full construction completion.

Reason:- To ensure no debris is carried from the site to the Strategic Road Network whilst under demolition or construction, in order to ensure the continued safe operation of the Strategic Road Network in the area, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 10 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing ROG-305-001 10. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy, and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

- 11 Prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 12 Unless otherwise agreed in writing with the Local Planning Authority , development shall not commence until actual or potential land contamination at the site has been investigated and a Phase 1 Desk Study Report has been submitted to and approved in writing by the Local Planning Authority. Should further intrusive investigation be recommended in the Phase 1 Report or be required by the Local Planning Authority, development shall not commence until a Site Investigation Report and if required, or requested by the Local Planning Authority, a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175(2011) Code of Practice for the Investigation of Potential Contaminated Sites. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to fully assess potential land contamination and to comply with the requirements of the National Planning Policy Framework.

- 13 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 1995 (or any Order revoking, re-enacting or amending that Order), development of the following classes on the 2 semi-detached properties as shown on drawing ROG-305-001 10 shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable materials and/or structure(s) and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 14 Prior to the commencement of the development hereby approved, precise details of the method of construction of the access and access road into the site along the eastern boundary shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect the adjacent tree root systems on the eastern side which provide an important amenity, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 15 Prior to the commencement of the development, precise details of ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect the visual amenity of the area, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 16 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drawing No. ROG-305-001 Location Plan;

Drawing No. ROG-305-001 02 - Existing Site Plan;

Drawing No. ROG-305-001 10 - Proposed Site Plan;

Drawing No. ROG-305-001 10 Rev B - Proposed Site Plan;

Drawing No. ROG-305-001 11 - House Type 1, Units 1 & 2;

Drawing No. ROG-305-001 12 - House Type 2, Unit 3;

Drawing No. ROG-305-001 13 - House Type 2(A), Unit 4;

Drawing No. 3130/SK001/005 - Auto TRACK Swept Path Analysis Large Car & Refuse Vehicle;

Drawing No. 3130/SK001/006 - Visibility Splays; and

Drawing No. 3130/SK001/007 - Auto TRACK Swept Path Analysis Internal Servicing Arrangement Refuse Vehicle

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

- 1 You should satisfy yourself, prior to commencement of any work related to this project, that no part of the works hereby approved (including foundations and/or guttering) extended onto or over adjoining land unless you have first secured the agreement of the appropriate landowner(s).

- 2 The applicant is advised that this decision notice should be read in conjunction with the Agreement made under Section 106 of the Town and Country Planning Act 1990.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties