

Item Number: 9
Application No: 22/00448/FUL
Parish: Flaxton
Appn. Type: Full
Applicant: Mr Henry Richardson
Proposal: Installation of an access road off Bull Moor Lane Flaxton with associated parking for 10no vehicles
Location: Glebe Barn, Main Street, Flaxton

Registration Date: 21 April 2022
8/13 Wk Expiry Date: 16 June 2022
Overall Expiry Date: 30 March 2023 (extension of time agreed)
Case Officer: Gary Housden

INTRODUCTION:

This application was deferred at the meeting of the Planning Committee that was held on 2nd August 2022. A copy of the earlier Committee report and attached papers is attached to this update for ease of reference.

Since the earlier report was considered a further retrospective planning application has been submitted by the applicant for the retention of a single storey office and storage building (Ref 23/00063/FUL). The second application is also submitted for Members consideration elsewhere on this agenda (see Item No.10).

Since the matter was last considered by Members amended plans have been submitted together with a brief email from the agent confirming the position with regard to the existing and proposed new access.

Re-consultation has occurred with the local Parish Council and interested third parties. Copies of the amended plans and further information received are appended for Members information.

FURTHER RESPONSES:

Flaxton Parish Council– The Council have no objection to this application

Dr Axford – Objection/concerns raised to extent of the blue land showing encroachment onto Common Land. Consequently the application for the proposed new access serving the residential and commercial uses is supported.

*Note: The blue plan has however been subsequently amended to reduce its extent.

CONCLUSION

In light of the above, the recommendation is one of approval subject to the conditions listed below.

RECOMMENDATION: Approval

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. The development hereby approved shall be carried out in accordance with the application form dated 11 April 2022 and accompanying drawings as submitted and hereby approved:
- i. Location Plan, ref. IP/HR/02A
 - ii. Layout Plan as existing, ref. IP/HR/01
 - iii. Proposed Layout Plan, ref. IP/HR/03

Reason: To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

3. Prior to the commencement of the hereby approved development, details shall be submitted to the Local Planning Authority for written approval demonstrating drainage and measures to prevent surface water entering the public highway. The details submitted shall also include a long term management plan of the drainage measures to ensure they function as intended for the lifetime of the development. Once approved, those details shall be adhered to in full.

Reason: In the interests of highway safety and to comply with Policy SP20 of the Ryedale Local Plan.

4. Prior to commencement of the hereby approved development, details of the hedgerow proposed as per the Proposed Layout Plan, ref. IP/HR/03 including appropriate, native species, long term management, including details of how any failures within the first 5 years will be replaced shall be submitted for written approval to the Local Planning Authority.

Reason: In the interests of the Ecology and Landscape of the area and to comply with Policies SP13 & SP14 of the Ryedale Local Plan.

5. Prior to the use of the hereby approved development the crossing of the highway verge and/or footway must be constructed in accordance with the approved details or Standard Detail number E50 rev A and the following requirements:

- Measures to enable vehicles to enter and leave the site in a forward gear;
- Any gates or barriers must be erected a minimum distance of 5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway;
- The final surfacing of any private access within two metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

6. No demolition or construction works shall take place outside the hours of:

07:30-18:00 Monday to Friday;
09:00-13:00 Saturday; and

No Activity on Sundays or Bank Holidays

Reason: In the interests of the amenity of the area and to comply with Policy SP20 of the Ryedale Local Plan.

7. No vegetation clearance works shall take place during the bird breeding season (1 March to 31 August (annually) inclusive). Where works must take place during this period all vegetation should first be checked by a suitably qualified ecologist.

Reason: In the interests of the Ecology of the area and to comply with Policy SP14 of the Ryedale Local Plan.

INFORMATIVES

1. This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement. It is the applicant's responsibility to ensure all necessary agreements/consents are in place prior to the commencement of development and to take appropriate advice thereon if required.
2. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the [County Council's web site: https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%20C%20highways%20and%20pavements/Specification for housing and industrial estate roads and private street works 2nd edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%20C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20estate%20roads%20and%20private%20street%20works%202nd%20edition.pdf). The Local Highway Authority will also be pleased to provide the detailed constructional specifications required by condition.