

PLANNING COMMITTEE

Tuesday 13 January 2015 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Minutes of meeting held on 16 December 2014** (Pages 3 - 7)
- 3 **Urgent Business**
To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.
- 4 **Declarations of Interest**
Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.
- 5 **Part B - Developer Contributions from Small Sites** (Pages 8 - 13)
- 6 **Schedule of items to be determined by Committee** (Pages 14 - 15)
- 7 **14/00947/MFUL - ATS Euromaster, 25-27 Commercial Street, Norton** (Pages 16 - 44)
- 8 **14/00960/FUL - Hutton Brothers Car Sales, Railway Street, Slingsby** (Pages 45 - 61)

- 9 **14/01083/FUL - Land Adj Rose Cottage, Goose Track Lane, West Lilling** (Pages 62 - 82)
- 10 **14/01111/FUL - Land At 6 Parliament Street, Norton** (Pages 83 - 94)
- 11 **14/01228/HOUSE - Buckle Yeat, Pottergate, Helmsley** (Pages 95 - 109)
- 12 **14/01293/73A - Steam and Moorland Garden Centre, Malton Road, Pickering**
(Pages 110 - 122)
- 13 **14/01295/73A - Land At High Barn Farm, Green Lane, West Lutton** (Pages 123 - 134)
- 14 **14/01207/MOUT - Land At Manor Farm, Sherburn** (Pages 135 - 138)
- 15 **Any other business that the Chairman decides is urgent.**
- 16 **List of Applications determined under delegated Powers.** (Pages 139 - 143)
- 17 **Update on Appeal Decisions**

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 16 December 2014

Present

Councillors Mrs Burr MBE, Cussons (Substitute), Mrs Frank (Vice-Chairman), Mrs Goodrick, Hicks, Maud, Richardson, Mrs Sanderson, Windress (Chairman) and Woodward

Substitutes: Councillor D Cussons (for Councillor E Hope)

In Attendance

Jo Holmes, Gary Housden, Rachel Smith, Jill Thompson, Mel Warters, Daniel Wheelwright and Anthony Winship

Minutes

135 Apologies for absence

Apologies were received from Councillor Hope.

136 Minutes

| Decision | | |
|---|-----------|------------|
| That the minutes of the Planning Committee held on 18 November 2014 be approved and signed by the Chairman as a correct record. | | |
| [For 9 | Against 0 | Abstain 1] |

137 Urgent Business

There was no urgent business.

138 Declarations of Interest

| Councillor | Application |
|------------|-------------|
| Goodrick | 6 |
| Sanderson | 6,9 |
| Burr | 6 |
| Maud | 6 |
| Woodward | 6 |
| Richardson | 6,7 |

139 **Schedule of items to be determined by Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations there on.

140 **14/00947/MFUL - ATS Euromaster, 25 - 27 Commercial Street, Norton**

14/00947/MFUL – Erection of 37no. one bedroom apartments. 20no. two bedroom apartments, 5no. three bedroom dwellings with undercroft parking, private and communal amenity areas, landscaping, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above.

| Decision | | | |
|-------------------|-----------|---------|----|
| DEFERRED – | | | |
| [For 9 | Against 0 | Abstain | 0] |

In accordance with the Members' Code of Conduct Councillors Mrs Goodrick, Mrs Sanderson, Maud, Woodward, Richardson declared a personal non pecuniary but not prejudicial interest. Councillor Mrs Burr declared a disclosable pecuniary interest and left the room.

141 **14/01081/OUT - Land At, Piercy End, Kirkbymoorside**

14/01081/OUT – Erection of dwelling with detached garage (site area 0.1ha).

| Decision | | | |
|--|-----------|---------|----|
| PERMISSION GRANTED – Against Officer Recommendation | | | |
| [For 9 | Against 0 | Abstain | 0] |

Refusal contrary to Officer Recommendation

In considering the application within the context of the policies of the recently adopted Local Plan Strategy read as a whole and all other material considerations, Members of the Planning Committee considered there to be lesser impacts arising from the proposal as follows :

- (i) That the character of the conservation is preserved; and
- (ii) There is no harm to the setting of the listed building .

In the exercise of its statutory discretion to determine planning applications in accord with the development plan unless material considerations indicate otherwise the Planning Committee weighed all the material considerations of

this case in the decision making balance and reached a planning judgement that weighed in favour of approval.

In accordance with the Members' Code of Conduct Councillor Richardson declared a personal non pecuniary but not prejudicial interest.

142 **14/00909/HOUSE - Newlands, 4 St Peters Crescent, Norton**

14/00909/HOUSE – Erection of single storey side and rear extensions to include integral garage with storage above.

| Decision | | | |
|---|-----------|---------|----|
| PERMISSION GRANTED – Subject to conditions as recommended. | | | |
| [For 9 | Against 0 | Abstain | 0] |

143 **14/00980/MFUL - Ryelands Care Home, Hurrell Lane, Thornton-Le-Dale**

14/00980/MFUL – Demolition of existing buildings and erection of 6no. four bedroom dwellings, 4no. three bedroom dwellings, 2no. two bedroom dwellings and 2no. one bedroom dwellings with associated garaging, parking and amenity areas and repositioning of vehicular access.

| Decision | | | |
|--|-----------|---------|----|
| PERMISSION GRANTED – Subject to conditions as recommended and completion of S106 Legal Agreement. | | | |
| [For 10 | Against 0 | Abstain | 0] |

In accordance with the Members' Code of Conduct Councillor Mrs Sanderson declared a personal non pecuniary but not prejudicial interest.

144 **14/01187/FUL - 4 Dale Road, Sheriff Hutton, Malton**

14/01187/FUL – Removal of roller shutter door to north elevation and replacement by 2no. timber windows and surrounding brickwork.

| Decision | | | |
|---|-----------|---------|----|
| PERMISSION GRANTED – Subject to conditions as recommended. | | | |
| [For 10 | Against 0 | Abstain | 0] |

145 **Publication of the CIL Revised Draft Charging Schedule**

| Decision | | | | | |
|--|---|---------|---|---------|----|
| Council is recommended to resolve to: | | | | | |
| (i) Approve the revised Draft Charging Schedule at Appendix 1 for formal public consultation and subsequent submission to the Secretary of State for Examination | | | | | |
| [For | 9 | Against | 0 | Abstain | 0] |

146 **Exempt Information**

Exempt information

Resolved

That under Section 100(A)(4) of the Local Government Act 1972 that the public be excluded from the meeting for the following item as there will be a likely disclosure of exempt information:

Exemption Category: Certain information in this report is considered to be exempt as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

Reason for Exemption: 1) Information relating to any individual; 2) Information relating to the financial or business affairs of any particular person; 3) Information which reveals that the authority proposes-

a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) To make an order or direction under any enactment

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

147 **Policy Report - The Helmsley Plan: Land at Helmsley**

| Decision |
|-----------------|
|-----------------|

Council is recommended to resolve to:

(i) Give authority for the Compulsory Purchase, pursuant to Section 226(i)(b) of the Town and Country Planning Act 1990, of the land edged red shown in Annex 1.

(ii) Agree the use of the New Homes Bonus Reserve to fund the undertaking of the Compulsory Purchase Order and associated work in line with Paragraphs 6.11 to 6.17 and to subsequently reimburse the New Homes Bonus Reserve.

An additional recommendation was also added:

(iii) Adjust the Council's Local Development Scheme to reflect the amended timetable for the Examination and eventual adoption of the Helmsley Plan.

[For 9 Against 0 Abstain 0]

148 **Any other business that the Chairman decides is urgent.**

There was no urgent business.

149 **List of Applications determined under delegated Powers.**

The Head of Planning & Housing submitted for information (previously circulated) which gave details of the applications determined by the Head of Planning & Housing in accordance with the scheme of Delegated Decisions.

150 **Update on Appeal Decisions**

Members' were advised of the following appeal decision.

Appeal Ref: APP/Y2736/D/14/2226929 – The Croft, Foston, York, YO60 7QG.

Agenda Item 5

**RYEDALE
DISTRICT
COUNCIL**



| | |
|-------------------------|--|
| PART B: | RECOMMENDATIONS TO COUNCIL |
| REPORT TO: | PLANNING COMMITTEE |
| DATE: | 13 JANUARY 2015 |
| REPORT OF THE: | HEAD OF PLANNING AND HOUSING GARY HOUSDEN |
| TITLE OF REPORT: | DEVELOPER CONTRIBUTIONS FROM SMALL SITES |
| WARDS AFFECTED: | ALL |

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For Members to consider the implications of a recent Ministerial Statement to Parliament and changes to the national Planning Practice Guidance (PPG) and to subsequently agree this Council's position.

2.0 RECOMMENDATION(S)

2.1 That Council resolves:

- (i) Not to seek financial contributions from small residential sites through the planning process towards affordable housing on sites of five dwellings or less under Policy SP3 of the Ryedale Plan
- (ii) To continue to negotiate the on-site provision of affordable housing in line with SP3 of the Ryedale Plan with the exception that on sites of between six and ten dwellings financial contributions will be sought in lieu of the existing on-site policy requirement and that financial contributions of an equivalent of 40% of provision will be sought on such sites in west and south west Ryedale
- (iii) Not to seek financial contributions towards open space provision from sites of ten dwellings or less
- (vi) To authorise the Head of Planning and Housing to approve the planning applications listed in Paragraph 6.13 without the completion of the Section 106 agreements specified and not to seek affordable and open space contributions from any further applications on small sites which are due to be determined in the interim.

3.0 REASON FOR RECOMMENDATION(S)

3.1 The Ministerial Statement presents a significant clarification of national planning policy in respect of pooled financial developer contributions from small sites. This Council has Development Plan policies which seek to secure financial contributions from small sites towards affordable housing and open space. It is important that members are aware of the implications of the recent change and that consequently, the Council clarifies its position in relation to the implementation of these policies.

4.0 SIGNIFICANT RISKS

4.1 The ministerial statement and change to the PPG are a significant material planning consideration. It is considered that significant weight needs to be given to this in the decision making process. Failure to do so would lead to an increase in planning appeals and increase the risk of costs being awarded against the authority in any appeal situation.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 This report specifically relates to Policies SP3 (Affordable Housing) and SP11 (Community Facilities and Services) of the Ryedale Plan. Although Policy SP22 of the Ryedale Plan covers Planning Obligations, Developer Contributions and the Community Infrastructure Levy, it is generic and covers key principles. It is not specific to contributions from small sites.

6.0 REPORT DETAILS

Background

6.1 The coalition government is committed to freeing up the planning system, supporting growth and increasing housing supply. The recent ministerial statement and changes to the PPG are aimed at supporting small-scale developers and helping people to get the home they want by reducing what the government describes as 'disproportionate burdens' on developer contributions. Following a government consultation in March 2014, the ministerial statement confirms that:

- For sites of 10 units or less and which have a maximum combined gross floorspace of 1,000 square metres, affordable housing and tariff style contributions should not be sought
- In designated rural areas (under Section 157 of the Housing Act 1985), authorities may choose to implement a lower threshold of five units or less, beneath which affordable housing and tariff style contributions should not be sought. If this threshold is implemented then affordable housing and tariff contributions on developments of between 6-10 units should be sought as a financial payment only and only be commuted until after the completion of units within the development
- Affordable housing and tariff style contributions should not be sought in relation to residential annexes and extensions

6.2 Members are aware that the recently adopted Ryedale Plan- Local Plan Strategy

(adopted on the 5th December 2013) specifically seeks to secure the following contributions from residential development sites:

SP3: In the Market Towns and Service Villages

- Pro-rated financial contributions from all residential development below the threshold of 5 dwellings/ 0.2ha
- 35% of dwellings on-site to be affordable on sites of 5 dwellings/ 0.2ha (with a financial contribution equivalent to a further 5% of provision in west and south west Ryedale)

SP11: Financial contributions towards open space provision

Implications for the implementation of the Ryedale Plan and the decision making process

- 6.3 Policies SP3 and SP11 form part of the adopted development plan. Members are aware that Local Planning Authorities are required to make decisions in accordance with the development plan unless material considerations indicate otherwise. Officers consider this recent clarification/change in national policy to be a significant material consideration which in effect, outweighs the provisions of the development plan in respect of those policies that seek to secure financial contributions from smaller residential development sites.
- 6.4 The changes have met with some consternation from a number of Authorities, particularly rural authorities with acute affordable housing need. There is a possibility that Authorities may seek to challenge the Government on this issue and the consultation undertaken to justify the policy change. Additionally, some have expressed the view that as the Government has made these changes to the practice guidance rather than the National Planning Policy Framework itself that it is questionable about whether there has been a change in national policy. It is considered that the PPG is designed to be used to in conjunction with the NPPF and has the effect of clarifying the intent of national policy and the position in terms of interpreting and implementing national policy. For this reason, together with the fact that they have been introduced through a Ministerial Statement, Officers are confident that for all intents and purposes these changes have the effect of clarifying national planning policy. Consequently, elements of SP3 and SP11 are now inconsistent with national policy.
- 6.5 Ryedale receives a steady stream of applications to which this national policy change would apply. For this reason, it is considered important that the Council clarifies its position in relation to this matter. In essence, the Council has two options. It could selectively review the development plan and bring policies in line with national policy or, alternatively it can recognise the implications of national policy and formally agree a position to be applied through the decision making process.
- 6.6 It is emphasised that officers do not consider a 'do nothing' scenario to be realistic or appropriate. It is considered that the primacy which is afforded to the development plan can only remain intact for as long as its policies reflect current national policy. A good test to apply in such circumstances would be to consider whether current development plan policies would be found to be sound if examined against current national policy.

- 6.7 It is inevitable that national policy changes will occur over the life of a development plan. Given the complexity, cost and length of time involved in the plan making process, any decision to review a plan requires careful consideration. It is considered that in this instance, the national policy changes do not warrant a review of the plan. They are limited in the extent to which they affect the Plan as a whole. Additionally, this may be an area of national policy which may be subject to further change or revision in the future.
- 6.8 As an alternative, it is considered that Council could formally resolve to acknowledge the implications of these national policy changes and to agree a position in terms of the implementation of Policies SP3 and SP11. These policies would not be formally changed but Council would resolve to implement them in a different way, having regard to national policy.
- 6.9 The impact of the national changes on Policy SP11 is relatively limited. Although financial contributions towards open space from all residential development, the policy is designed to operate in conjunction with the Community Infrastructure Levy. Once CIL is in place, it would be the mechanism by which developers contribute to off-site open space provision.
- 6.10 Most of Ryedale (with the exception of Malton, Norton and Pickering) is a designated rural area under the Housing Act 1985 and as such, the national policy changes would support the authority seeking to secure financial contributions for sites of between 6-10 dwellings (as oppose to the current position where on-site provision is sought on sites of 5 or more). The authority would no longer be able to secure affordable housing contributions from sites of 5 dwellings or less. The provisions of SP3 to seek on-site affordable housing provision on larger sites would continue to apply.
- 6.11 A less straightforward element of SP3 relates to the differential policy target which applies across the District. Policy SP3, in effect seeks a 40% affordable housing contribution in west and south west Ryedale which is split in terms of on-site provision and a financial contribution. It is considered that this should be applied as a 40% financial contribution from sites of between 6-10 houses in order to reflect national policy.
- 6.12 There is some risk that the Council will be accused of amending its affordable housing policy out with the plan making process. However the suggested way forward is less onerous on developers and landowners than current local policy which itself has been recently justified in terms of housing need and development viability. Additional, the approach would only bring the implementation of the existing development plan policy in line with national policy. For this reason, this risk is considered to be relatively low.

Implications for planning applications pending Section 106 agreements

- 6.13 Members should be aware that there are a number of planning applications relating to small residential sites which are awaiting the completion of Section 106 agreements. These include a combination of applications which have been considered by the Planning Committee and those which fall under the scheme of delegation. They are as follows:

| Application | Section 106 Contribution |
|---|----------------------------------|
| 14/00983/FUL. Land east of Ivy Cottage, Main Street, Whitwell-on-the Hill | Open Space |
| 14/00501/FUL. 47-49 St. Hildas Street, Sherburn | Open Space Affordable Housing |
| 14/00822/FUL. Norton Lodge, 109 Beverley Road, Norton | Open Space |
| 14/00814/FUL. Aucklands Garage, Main Street, Staxton | Open Space Affordable Housing |
| 14/00703/FUL. Land Adj Rose Cottage, Main Street, Acklam | Open Space |
| 14/00392/FUL. West Nook Cottage, 98 Scarborough Road, Norton | Open Space Affordable Housing |
| 13/01087/FUL. Woodyard Barns, Ruffin Lane, Eddlethorpe | Open Space |
| 14/00051/FUL. Barns to rear of Ford View, Brookside, Hovingham | Open Space Affordable Housing |
| 14/00609/FUL. Land Adj to the Meadows, Back Lane South, Middleton | Open Space |
| 13/00728/FUL. The Croft, Main Street, Welburn | Open Space |
| 13/01425/FUL. Land to rear of 43 Scarborough Road, Rillington | Open Space Affordable Housing |
| 13/00650/FUL. Land to rear of 44 Scarborough Road, Rillington | Affordable Housing |
| 14/00584/FUL. Shotton Hall, Oliver Lane, Great Habton | Open Space |
| 14/00585/FUL. Shotton Hall, Oliver Lane, Great Habton | Open Space |
| 14/00983/FUL. Land East of Ivy Cottage, Main Street, Whitwell on the Hill | Open Space |
| 14/00522/FUL. Land at Middlecave Lodge, Middlecave Road, Malton | Open Space Affordable Housing |

6.14 This report seeks the authority to determine/issue the decision notices for these applications without the section 106 contributions.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

The national policy change has undoubted implications for Policies SP3 and SP11 of the Ryedale Plan and if appropriate weight is not given to this, this will give rise to additional planning appeals and potential costs on appeal.

b) Legal

The national policy change is a significant material consideration which has implications for the weight which can be afforded to relevant development plan policies.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime &

Disorder)

Under the approach less financial contributions will be sought towards affordable housing provision. However, Members are reminded that the Ryedale Plan does not rely on small residential sites to deliver significant contributions to affordable housing or to make significant contributions to housing land supply.

8.0 NEXT STEPS

- 8.1 Officers will prepare some text to clarify the Council's response to the Government's changes and to clarify the implementation of Policies SP3 and SP11, which will be placed on the Ryedale Plan pages of the web-site.

Gary Housden
Head of Planning and Housing

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Background Papers:

Written ministerial statement to Parliament by Brandon Lewis MP on support for small-scale developers, custom and self-builders. Delivered on 28 November 2014. First published 1 December 2014. (DCLG)

Planning Practice Guidance. Planning Obligations. Paragraph 012

Background Papers are available for inspection at:

<https://www.gov.uk/government/speeches/small-scale-developers>

<http://planningguidance.planningportal.gov.uk/revisions/23b/012>

Paper copy available in RDC Members Room

Agenda Item 6

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 13/01/15

7

Application No: 14/00947/MFUL

Application Site: ATS Euromaster 25 - 27 Commercial Street Norton Malton North Yorkshire YO17 9HX

Proposal: Erection of 37no. one bedroom apartments. 20no. two bedroom apartments, 5no. three bedroom dwellings with undercroft parking, private and communal amenity areas, landscaping, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above

8

Application No: 14/00960/FUL

Application Site: Hutton Brothers Car Sales Railway Street Slingsby Malton YO62 4AH

Proposal: Change of use and alteration of garage/showroom to form 1no. five bedroom dwelling with attached double garage and amenity area and 1no. two bedroom dwelling with detached double garage and amenity area to include alteration to existing vehicular access, formation of access road to The Bungalow and front boundary wall with metal railings

9

Application No: 14/01083/FUL

Application Site: Land Adj Rose Cottage Goose Track Lane West Lilling

Proposal: Erection of a four bedroom dwelling and formation of 1no. parking space

10

Application No: 14/01111/FUL

Application Site: Land At 6 Parliament Street Norton Malton North Yorkshire

Proposal: Erection of a four bedroom dwelling with 2no. parking spaces and vehicular access

11

Application No: 14/01228/HOUSE

Application Site: Buckle Yeat Pottergate Helmsley YO62 5BY

Proposal: Replacement of 10 no. timber windows with double glazed PVCU windows (5 no. sliding sash and 5 no. casement)

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 13/01/15

12

Application No: 14/01293/73A

Application Site: Steam and Moorland Garden Centre Malton Road Pickering North Yorkshire YO18 7JW

Proposal: Variation of condition no. 16 of approval 11/00749/73A dated 09.12.2011- the removal of Drawing Nos. C834-001, C834-002 and C834-003 and replacement by Drawing Nos. 2225-201 Proposed Plans and section and 2225-202 Proposed Elevations-amendments to building scale and elevation proportions.

13

Application No: 14/01295/73A

Application Site: Land At High Barn Farm Green Lane West Lutton Malton North Yorkshire

Proposal: Variation of plans Condition (i) as added by non-material amendment 14/01205/AMEND dated 20.11.2014 to refusal 13/00699/FUL dated 27.11.2013 as allowed by Appeal Ref: APP/Y2736/A/14/2211925 dated 25.09.2014 to allow substitution of plan "Turbine detail dwg NWA-30m" by plan "Figure 1.01-Turbine Elevation Plan"- increase in tip height of turbine by 2.939m

14

Application No: 14/01207/MOUT

Application Site: Land At Manor Farm Sherburn Malton North Yorkshire

Proposal: Demolition of 1 no. existing cow shed, erection of up to 73 no. residential dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, childrens play area, surface water attenuation, a vehicular access point from Sked Dale road and associated ancillary works (site area 3.16ha)

Agenda Item 7

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: 7
Application No: 14/00947/MFUL
Parish: Norton Town Council
Appn. Type: Full Application Major
Applicant: Mr Paul Sedman
Proposal: Erection of 37no. one bedroom apartments. 20no. two bedroom apartments, 5no. three bedroom dwellings with undercroft parking, private and communal amenity areas, landscaping, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above
Location: ATS Euromaster 25 - 27 Commercial Street Norton Malton North Yorkshire YO17 9HX
Registration Date: 5 September 2014 **8/13 Week Expiry Date:** 5 December 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

| | |
|---|--|
| Building Conservation Officer | No objection |
| North Yorkshire Education Authority | Contribution required |
| Archaeology Section | Recommends condition |
| Highways North Yorkshire | Recommend conditions |
| Parish Council | Recommend refusal and additional comments |
| North Yorkshire Police Architectural Liaison Officer | Comments re: cycle stores, boundary treatments and demarcation of private amenity space. |
| Land Use Planning | Conditional support |
| Sustainable Places Team (Yorkshire Area) | Recommend conditions |
| Environmental Health Officer | Recommend Conditions |
| Tree & Landscape Officer | Recommend conditions |
| Countryside Officer | Confirms proposed landscaping acceptable recommend condition |

Neighbour responses: Sophie Tasker, Mr Keith Nicholson, Simon Jones, Sarah Munro, Sheila And Brian Atkinson, Miss Cherry Potter, Mr Darron Callender, Mr Andrew Douthwaite, Mrs Janet Douthwaite, Mrs Jackie McGibbon, Lee Halsteal, J Wasley, Z M Rea, Julie Parker, Miss Rosie Wardale, Mrs Angela Wardale, Mr Roger Wardale, Mrs Vivienne Nicholson, Mrs Gaynor Johnson, Miss P Simpson, Mrs C J Miers, The Occupier, Hassan - Shoraka, Kenneth Sedman, Brenda Sedman, N Abbey, T Jones, Karen Horton, Miss Katy Sterriker, Mr Paul Kendrew, J Moody, Mr A Pickard, Mr L Armstong, Jean Fisher, Mrs Power, Mr D Brockless, Alison Tuer, Mr J Cook,

Overall Expiry Date: 9 January 2015

PLANNING COMMITTEE

13 January 2015

Introduction

Members will recall that this application was deferred at the December 2014 meeting of the Planning Committee following receipt of an objection relating to the land ownership certificate that had been submitted with the application.

A correct Certificate 'B' has been submitted by the applicants agent on 15 December 2014 and the period for submission of any further comments arising from the notice served on landowners did not expire until 5 January 2015.

A copy of the earlier committee report is attached for ease of reference, together with the proposed plans. Members are, however, requested to refer to the December agenda information relating to the additional detailed supporting documentation which accompanies the application.

Members will note from the earlier committee report that some technical issues were outstanding at the time that the agenda for the December meeting was prepared, and these matters are addressed below.

Highway Safety Parking/Issues

The level of on-site parking provision shown on the amended plans (76 spaces in total) is in line with the requirements of the Highway Authority and no objections are raised. The on-site 'estate road' layout is also confirmed as acceptable in principle, although a permeable surface to any potential adoptable area is a method of drainage that currently NYCC Highways would not be prepared to adopt.

Following these comments, an amendment to the proposed drainage of the intended adopted roadway has been submitted in order that the internal roadway can be considered for adoption. In the light of the sensitivity over drainage issues relating to this site and the locality, both the Environment Agency and Yorkshire Water have been advised of this amendment and Members will be advised if any further comments are made. It is of note, however, that to date both drainage bodies have no objection to the proposal subject to the detailed conditions listed at the end of this report.

Noise

A further noise impact assessment was received from Dragonfly Consulting prior to the December 2014 meeting which has been appraised by the Council's Environmental Health Officer. The report identifies the principle sources of noise as being the adjacent railway line to the north and traffic noise from Commercial Street to the south. In conclusion, the report states that with appropriate ventilation and glazing, the internal noise levels within habitable rooms would meet acceptable levels under current planning guidance. The Environmental Health Officer considers that a noise attenuating banner is also required along the northern boundary in order to provide additional noise attenuation to outside areas at this part of the site and conditions are recommended to control these aspects of the scheme.

Archaeology

NYCC Historic Environment Team have confirmed that the trial trenching report submitted by MAP on behalf of the applicant has revealed Romano-British deposits of at least regional significance on parts of the site. A scheme of archaeological mitigation is, therefore, recommended with the following detailed conditions imposed if planning permission is 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

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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.*

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.

Secured-by-Design

Members will recall that the detailed comments received from the Police Designing Out Crime Officer had identified some detailed security issues relating to the layout (comments reported with the Late Pages to the December 2014 meeting).

A revision to the layout and design of Units 1 and 2 has been received which addresses the issues relating to the security of these particular units. The dwellings shown as Units 1 and 2 have been re-designed to show a revised layout and design have been reduced from four-bedroomed to three-bedroomed units with increased boundary enclosure heights. This amendment, together with an appropriate planning condition is considered to be acceptable.

Impact on the Conservation Area

The Council's Building Conservation Officer considers that the amendments to the scheme, (which show a general reduction in the heights of the tallest buildings, together with amendments to Units 1 and 2 and the 'closing-up' of the gap on the Commercial Street frontage) demonstrate that the scheme clearly enhances the character of the designated Conservation Area. The duty under Section 72 of the Act is therefore satisfied and permission is supported subject to detailed conditions relating to materials and external details and finishes.

Developer Contributions

Affordable housing contributions are set out in the December 2014 committee report.

Other contributions are:-

- Public Open Space; an off-site contribution of £79,500
- Primary School Contribution of £84,975

All of these will be secured by a Section 106 Agreement if planning permission is granted.

Comments from Parish Council and Third Parties

The objections of Norton Town Council were appended in full in respect of this application and the issues raised have been addressed in the officer report.

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Since the agenda was produced for the December 2014 committee meeting, objection letters from 7No. local residents raising objections in relation to parking/access issues; density/increasing number of units proposed; possible overlooking of undeveloped land to the east; flooding; potential adverse impact on Norton town centre; inappropriate design and the probability of adverse ground conditions in the locality.

An additional 15No. letters of support have been received (5 of which are signed but without an address) who welcome the re-development of the site for the scheme proposed.

Full copies of the correspondence received can be viewed on the Council's website.

Most of the issues raised, insofar as they are material to this case, have been already addressed in the original officer report, with those outstanding considered in this update report.

It is considered, therefore, that there are no other outstanding material planning issues in relation to this application and subject to any further detailed comments from the Environment Agency and/or Yorkshire Water, the application is recommended for approval subject to the following conditions and the satisfactory completion of a Section 106 Agreement relation to developer contributions.

RECOMMENDATION: Approval subject to conditions and the completion of a S106 Agreement relating to Affordable Housing, Public Open Space and Education Contributions

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.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

4 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

5 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, unless the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

(1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

- (a) the proposed highway layout including the highway boundary
- (b) dimensions of any carriageway, cycleway, footway, and verges
- (c) visibility splays

(d) the proposed buildings and site layout, including levels

(e) accesses and driveways

(f) drainage and sewerage system

(g) lining and signing

(h) traffic calming measures

(i) all types of surfacing (including tactiles), kerbing and edging.

(2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

(a) the existing ground level

(b) the proposed road channel and centre line levels

(c) full details of surface water drainage proposals.

(3) Full highway construction details including:

(a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths

(b) when requested cross-sections at regular intervals along the proposed road showing the existing and proposed ground levels

(c) kerb and edging construction details

(d) typical drainage construction details.

(4) Details of the method and means of surface water disposal.

(5) Details of all proposed street lighting.

(6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

(7) Full working drawings for any structures which affect or form part of the highway network.

(8) A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

- 6 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason:- In accordance with Policy and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 7 No part of the development to which this permission relates shall be brought into use until the carriageway and any footway/footpath from which it gains access shall be constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before any part of the development is brought into use.

Reason:- In accordance with Policy and to ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.

- 8 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 20 metres into the site from the carriageway on the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number A1 and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason:- In accordance with Policy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 9 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing YEW-277-015 02 Rev C. 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 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.

- 10 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority.

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These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

11 During construction works, there shall be no:

- (a) Light Goods Vehicles exceeding 3.5 tonnes
- (b) Medium Goods Vehicles up to 7.5 tonnes
- (c) Heavy Goods Vehicles exceeding 7.5 tonnes

permitted to arrive, depart, be loaded or unloaded on Sundays or a Bank Holiday, nor at any time, except between the hours of 07:30 to 16:30 on Mondays to Fridays and 09:00 to 13:00 on Saturdays.

Reason:- In accordance with Policy and to avoid conflict with vulnerable road users.

12 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCV's brought onto the site until a survey recording the condition of the existing highway (Commercial Street - for 25 metres either side of the access centre line) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy and in the interests of highway safety and the general amenity of the area.

13 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

- (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- (ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

14 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site

- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason:- In accordance with Policy and to establish measures to encourage more sustainable non-car modes of transport.

- 15 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason:- In the interest of satisfactory and sustainable drainage.

- 16 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.

Reason:- To ensure that the development can be properly drained.

- 17 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.

Reason:- To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 18 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Yew Tree Associates dated 20 August 2014, and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 20.5m above Ordnance Datum (AOD).
2. The flood proof/resilience measures as detailed in Chapter 6 are incorporated into the development.
3. Undercroft car parking is to be provided in accordance with the FRA and drawing no. YEW-277-015 10 and shall allow the free ingress/egress of possible future flood flows.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason:-

1. To reduce the risk of flooding to the proposed development and future occupants.
2. To reduce the impact of flooding to the proposed development and future occupants.
3. To ensure that the proposed development does not displace possible future flood flows onto others.

- 19 Prior to any of the dwellings hereby approved being brought into use, the developer shall make available the details of the Flood Evacuation Plan and contact details for the Emergency Helpline to future residents as set out in Appendix 2 of the Flood Risk Assessment submitted by Yew Tree Associated dated 20 August 2014.

Reason:- To ensure that residents are made aware of the intended safe exit from the site in a flood event.

- 20 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- A 30% reduction in the discharge or surface water run-off (to include detailed calculations)
- Details of where the site currently drains to and where it is proposed to drain to
- Sufficient attenuation and long-term storage at least to accommodate a 1 in 30 year storm. The design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and drainage system can be stored on the site without risk to people or property and without overflowing into the watercourse
- Details of how the scheme shall be maintained and managed after completion.

Reason:- To prevent the increased risk of flooding, both on and off-site.

- 21 The applicant shall carry out a hydrogeological risk assessment to determine:

- The nature and extent of any land contamination present on the site
- The depth and seasonal range of groundwater levels within the superficial drift
- The level of risk to the River Derwent arising from the proposed development
- Appropriate mitigation measures designed to reduce any unacceptable risk to the river, to acceptable levels.

Reason:- To ensure risks to surface water and groundwater receptors from the proposed development are adequately understood and controlled.

- 22 The applicant shall produce a construction environmental management plan including working practices and methodologies that will minimise the risk of mobilising any contamination present in the subsurface, and introduction of other pollutants during the construction phase of the development.

Reason:- To ensure that risk to the water environment is managed during the construction phase of the proposed development.

- 23 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.
- 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.
- 24 Prior to the commencement of the development a drawing showing the trees to be retained, and the alignment and design of protective fencing to be afforded to those tree to be retained immediately to the north of the site shall be submitted to the Local Planning Authority for approval in writing. The approved fencing shall be erected prior to the commencement of the development and shall remain in situ until its completion.
- Reason:- To ensure that the long-term health of the trees to be retained immediately to the north of the site boundary is not compromised as a consequence of development, in the interests of visual amenity, and in accordance with Policy SP13 of the Ryedale Plan - Local Plan Strategy.
- 25 The landscaping proposals annotated on drawing No. CSN L1 dated August 2014 shall be implemented in its entirety within the first available planting season (Nov ' March) If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.
- Reason: To enhance the development and in accordance with Policy SP13 of the Ryedale Plan - Local Plan Strategy.
- 26 All ecological measures and/or works shall be carried out in accordance with the details contained in section 10 of the Ecological Assessment for site at 25 -27Commercial St, Norton (MAB July 2013) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
- 27 Conditions as required by the Environmental Health Officer in respect of noise attenuation of the proposed dwellings and site boundaries.

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- 28 Ground investigation/remediation condition as recommended by the Environmental Health Officer.
- 29 The development hereby permitted shall be carried out in accordance with the following approved plan(s):.

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

INFORMATIVES:

- 1 In imposing condition 05 above, it is recommended that before a detailed planning submission is made, a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.
- 2 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 3 There shall be no site clearance, demolition, excavation or depositing of material in connection with the construction of the development until proposals to make a Traffic Regulation Order for 'no waiting at any time' along the whole length of the new estate road have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved details shall, at the applicant's expense, undergo the legal process required. Subject to the successful completion of this legal process, the measures will be implemented at the applicant's cost prior to the development being brought into use.

NOTE: Any non-standard design specification or installation proposed may require the payment of a commuted sum to the Highways Authority as part of any Section 38 Agreement under the Highways Act 1980 entered into for infrastructure to be adopted. This is to cover for extra-ordinary maintenance and re-building costs over the lifetime of such works.

Background Papers:

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

**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: 14/00947/MFUL
Parish: Norton Town Council
Appn. Type: Full Application Major
Applicant: Mr Paul Sedman
Proposal: 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
Location: ATS Euromaster 25 - 27 Commercial Street Norton Malton North Yorkshire YO17 9HX

Registration Date: 5 September 2014 **8/13 Week Expiry Date:** 5 December 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

| | |
|---|--|
| Building Conservation Officer | Further design changes recommended |
| North Yorkshire Education Authority | Comments awaited re level of contribution |
| Sustainable Places Team (Yorkshire Area) | Further views awaited |
| Archaeology Section | Further views awaited |
| Highways North Yorkshire | Further views awaited |
| Parish Council | Further views awaited |
| North Yorkshire Police Architectural Liaison Officer | Further views awaited |
| Land Use Planning | Conditional support |
| Sustainable Places Team (Yorkshire Area) | Recommend condition |
| Land Use Planning | Drainage details not acceptable |
| Environmental Health Officer | Recommend Conditions |
| Tree & Landscape Officer | Recommend conditions |
| Countryside Officer | Confirms proposed landscaping acceptable recommend condition |
| Housing Services | No views received to date |
| North Yorkshire Police Architectural Liaison Officer | Comments made in respect of designing out crime |
| Parish Council | Object |
| Highways North Yorkshire | Awaits further plans before making a recommendation |

Neighbour responses: Sophie Tasker, Mr Keith Nicholson, Simon Jones, Sarah Munro, Sheila And Brian Atkinson, Miss Cherry Potter, Mr Darron Callender, Mr Andrew Douthwaite, Mrs Janet Douthwaite, Mrs Jackie McGibbon, Lee Halsteal, J Wasley, Z M Rea, Julie Parker, Miss Rosie Wardale, Mrs Angela Wardale, Mr Roger Wardale, Mrs Vivienne Nicholson, Mrs Gaynor Johnson, Miss P Simpson, Mrs C J Miers, The Occupier, Hassan - Shoraka, N Abbey, T Jones, Karen

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Overall Expiry Date: 28 December 2014

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SITE:

The application site is located within the identified development limits as shown on the Ryedale Local Plan Map - adopted 2002. The frontage of the site is shown within the Town Centre Commercial Limits and the entirety of the site is located within the designated Conservation Area.

Until recently, the eastern half of the rear of the site was occupied by the ATS tyre depot and its associated raised hardstanding area. The ATS buildings have now been demolished and the site gives open views to the rear boundary with the railway line. The River Derwent runs further to the north. There is also a small disused electricity sub-station building in the north-east corner of the site which will be removed as part of the development.

The site frontage with Commercial Street currently has a 13.6m wide open space, between shop units and flats fronting Commercial Street. These are buildings of varying eaves and apex heights - apex heights of the frontage building vary between 8.5, and 12.5m in height. The western site boundary abuts No. 5 Commercial Street and other properties known locally as Buckrose Court. Elevations showing the proportions and sections of the scheme in relation to the adjacent properties are appended to this report.

Parts of the site are located in Flood Zones 2 and 3 and this is addressed later in this report.

PROPOSAL:

The proposed development is for a market-led scheme comprised mainly of apartments (37No. 1-bed units and 20No. two-bed units) and also an attached terrace of 3No. 3-bed dwellings and 2No. four-bed apartments/dwellings. There is also associated undercroft parking for 59No. vehicles and 41No. bicycle storage spaces with 17No. surface parking spaces with associated communal areas and landscaping. In addition, a single commercial (shop) unit is proposed at the frontage of the site with a studio flat above.

The total number of residential units is sixty-three additional units and this gives rise to a requirement of 22.05 units of affordable accommodation based on a policy requirement of 35%. 18No. units are proposed on site, comprised of 11No. 1-bed apartments and 7No. 2-bed apartments. A commuted sum for the remainder is proposed.

The buildings are proposed to be constructed from a combination of predominantly clamp brick walls and clay/plain tiles. It is considered, however, that the final choice of materials should be the subject of a condition requiring the submission of samples to be agreed and sample panels to be constructed if permission is granted.

The heights and proportions of the buildings varies markedly and is described below:-

- 3-bed terraced houses - Each unit 5 metres x 8.4 metres floor area with 5 metres eaves and 8.5 metre apex
- 4-bed apartment/dwellings - Each unit 5.4 metres x 8 metres floor area

- 1 and 2-bedroomed apartments - Located in blocks up to 3.5-storeys with 8 metres eaves and apex heights between 12.4 metres and 13 metres above upper ground level as shown on the submitted plans
- Commercial Unit and Flat fronting Commercial Street - Floor area of 4.7 metres x 5.87 metres with 5 metre eaves and 7.4 metre apex heights

The application is accompanied by a series of detailed technical reports which may be inspected on the Council's website.

Appended to this report, however, for Members information is the Planning Support Statement; Design & Access Statement and Flood Risk Assessment; and a further letter from the agents dated 3 December 2014, setting out the changes to the scheme arising from consultation responses and officer negotiations.

POLICY:

National Policy

National Planning Policy Framework 2012
National Planning Policy Guidance 2104

Ryedale Plan Local Plan Strategy 2013

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP3 - Affordable Housing
Policy SP4 - Type and Mix of New Housing
Policy SP7 - Town Centres and Retailing
Policy SP11 - Community Facilities and Services
Policy SP12 - Heritage
Policy SP16 - Design
Policy SP17 - Managing Air Quality, Land and Water Resources
Policy SP18 - Renewable and Low Carbon Energy
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

HISTORY:

Previous history relating to tyre depot which is not relevant to this scheme.

14/00697/FUL: Demolition of former ATS buildings - Approved

APPRAISAL:

The main considerations in relation to this application are:-

- Principle of the development;
- Layout, scale and design of the scheme;
- Impact on the Conservation Area;
- Impact on the amenity of adjoining properties;
- Flood risk/drainage issues;
- Highway safety/parking;

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- Noise;
- Affordable Housing;
- Other developer contributions; and
- Archaeology.

Principle of development

The site is located within the development limits of Norton. Malton and Norton is the principle focus for new residential development as identified in the Ryedale Local Plan Strategy. The LPS seeks to focus growth on the market towns. The proposal is consistent with the overall approach to development set out in Policies SP1 and SP2 which seek to promote development in sustainable locations. This site has direct access onto Commercial Street and is within walking distance of the railway station and bus depot. It is also within walking distance of Malton town centre.

At present, the Council cannot demonstrate a 5-year supply of housing sites. This means that paragraph 49 of the NPPF is engaged and there is a presumption in favour of the grant of planning permission for sustainable development. Para 14 also advises that proposals that accord with the development plan should be approved without delay and where the development plan is out of date, granting permission., Para 17 also advises Local Planning Authorities to proactively support new development to deliver the homes and business units that the county needs.

Notwithstanding the 5-year supply position, the site lies within the identified settlement limits and there is no objection in principle to the re-development of this brownfield site.

Layout, scale and design of the proposed scheme

The proposed scheme has a vehicular access onto Commercial Street, previously used as the entrance to the former ATS tyre fitting depot. The entrance to the site is currently a relatively unattractive open gap in an otherwise built-up street frontage.

The design promotes the construction of a small street front commercial unit with studio flat above in order to 'close up' the streetscene at this point. A 5.5 metre wide vehicular access with single footway is proposed to the eastern side of the shop unit which enters into the depth of the site to provide a turning area for all vehicles, include both emergency and service vehicles, as well as normal residents and visitors vehicles. A secondary pedestrian access is also shown on the amended plans which exits onto Commercial Street via an existing alley wall to the south-western corner of the site.

The bulk of the scheme is comprised of 37No. one-bed apartments, 20No. two-bed apartments, with 3No. 3-bedroom dwellings and 2No. four-bed apartment/dwellings. The units are provided with a significant area of undercroft parking at basement level with a smaller number of spaces at surface level. Each of the dwellings is provided with a small self-contained curtilge. The apartments are set in a courtyard layout with areas of communal space to the front and rear.

The buildings are comprised of a variety of heights and scales as set out earlier in this report. It is of note, however, that the taller elements of the scheme are set to the sides and rear of the site where they are reasonably well screened by other existing taller buildings on Commercial Street frontage and Buckrose Court. There are limited views from the north because of the presence of the railway line and river and limited public access at that point.

Whilst this is a high density scheme comprised of buildings up to 3½-storey in height, it is set in a town centre location and close to other buildings, some of which area of similar height. The layout, design and scale of the scheme is considered to be generally appropriate to this town centre, urban location.

Impact on the Conservation Area

Notwithstanding the current appearance of the site, it is all located within the designated Conservation Area. The Local Planning Authority therefore has a duty under S72 of The Planning Listed Buildings and Conservation Area Act 1990 to ensure that any development preserves or enhances the character of the designated area.

In this case, the scheme has been amended from a pre-application proposal to promote the introduction of a small commercial unit and flat on the Commercial Street frontage in order to close-up an unattractive gap on the Commercial Street frontage. This is considered to represent a significant enhancement to the character of the Conservation Area. The detail of the scheme in the depth of the site has also been amended to set a general reduction in the height of the tallest buildings and to provide more interest in the design of the scheme throughout. Further amended plans have been received which are currently being appraised by the Building Conservation Officer. Any further comments and responses will be reported on the late pages or at Committee.

Impact on adjoining property

Members will be aware that the site is located adjacent to the buildings on Commercial Street. It is close to Buckrose Court and other properties on the street frontage. At their closest point, the buildings near the western boundary (the 3No. bedroomed two-storey dwellings) are between 11 metres and 12 metres away from the adjoining properties with a side-to-rear relationship. The scheme has been amended in this area of the site in order to address a dispute over the extent of the site boundary red-line and also to ensure that a reasonable level of amenity is provided for both existing and future residents. The adjacent site to the east is a large area of undeveloped land which sits at a generally lower level. The adjacent land is all located in Flood Zone 3 and the nearest other properties to the east are in Wallgates Lane, varying between 60 to 80 metres from the boundary of the site. There are no other properties to the north or the south of the site that are considered to be adversely affected by the scheme.

Flood Risk and Drainage

A small section of the site in the north-western corner is located in Flood Zone 3. A Flood Risk Assessment has, however, been submitted as part of the application because it is categorised as a Major application. The FRA contains a sequential assessment and exception test and this has been considered by officers and the Environment Agency. The Environment Agency raise no objection, but conditions are recommended if planning permission is granted for the scheme, these include finished floor levels and other resilience measures; scheme for sustainable drainage to be agreed (including limiting run-off rates) and mitigation of any contaminates found.

Yorkshire Water had advised that the proposed drainage arrangements are now acceptable subject to conditions.

Highway Safety/Parking Issues

Members will note that a significant number of third party concerns have been raised in respect of highway safety and parking. Indeed, NYCC Highways had also raised concerns about the levels of parking proposed on site and other detailed matters relating to access.

Amended plans have been submitted which increase the levels of on-site parking to 76No. in total on the site, 17No. at surface level and 59No. in the undercroft parking area. In addition, 41No. lockable bike spaces are shown in the undercroft parking together with a cycle store for each of the dwellinghouses on the site. It is understood that these plans satisfy the requirements of NYCC Highways. Written confirmation is, however, awaited and this will be reported to Members on the late pages or to Committee.

Noise

A noise survey has been submitted with the application. However, a further appraisal regarding noise has been requested by the Council's Environmental Health Officer following the demolition of the former tyre depot buildings on the site. Members will be appraised of the further views of the Council's Environmental Health Officer on the late pages or at Committee.

Affordable Housing

Members will appreciate that the application is now being promoted as a market housing scheme. Policy SP3 requires that 35% on-site provision is made as part of such schemes, which will require 22No. units to be affordable. In this case, the applicants are proposing to offer 11No. one-bedroomed apartments and 7No. two-bedroomed apartments on site. These are located in the same block for ease of management purposes for a Registered Provider. The remaining four units are proposed to be offered as a commuted sum. In principle, this is considered to be acceptable by the Council's Housing Manager. However, the detailed comments relating to tenure and size of the units and the level of the commuted sum have yet to be agreed.

Other development contributions

There is a further requirement for an off-site contribution towards Public Open Space of £79,500 in accordance with Policy SP11 of the Ryedale Plan - Local Plan Strategy.

A contribution towards education provision will also be required. The final response from NYCC Education is awaited specifying this figure. These, together with the on and off-site affordable housing provision, these will need to be secured by a Section 106 Agreement.

Archaeology

The site is an area of known archaeological importance and a pre-determination excavation has already been carried out. The developer has submitted a proposed mitigation strategy following the results of the trial trenching which recommends an open area excavation in advance of contributions. The final comments of the NYCC Heritage Unit is awaited.

A number of third party comments have been received which are set out below.

The initial comments from Norton Town Council to the original scheme recommended objection to the scheme for the following reasons:-

- Concern over building heights and impact on the Conservation Area and adjacent property;
- Not in keeping with commercial nature of Commercial Street;
- Insufficient parking - should be at least 1 to 1 ratio;
- Possible congestion at access point and possible safety issues;
- Flooding - much of the site is within Flood Zones 2 and 3 further safety issues and cars trapped in undercroft.

Members will be aware that the scheme has been amended and it is understood that the amended plans will be re-considered by Norton Town Council on 8 December 2014. Members will be appraised of any further comments received at the meeting or via the late pages.

Third Parties

15No. Objection letters raising some or all of the following points:-

- Concern over scale of the scheme - out of character with the Conservation Area;
- Additional noise and disturbance;
- Concerns re infrastructure;
- Increased traffic and congestion;
- Possible anti-social behaviour/increase in crime;

- Impact on surgery;
- Adverse impact on on-street parking on Commercial Street;
- Encroachment on property owned by others;
- Additional overlooking;
- Loss of daylight; and
- Potential adverse impact on other potential future development on land to the east.

14No. letters of Support:

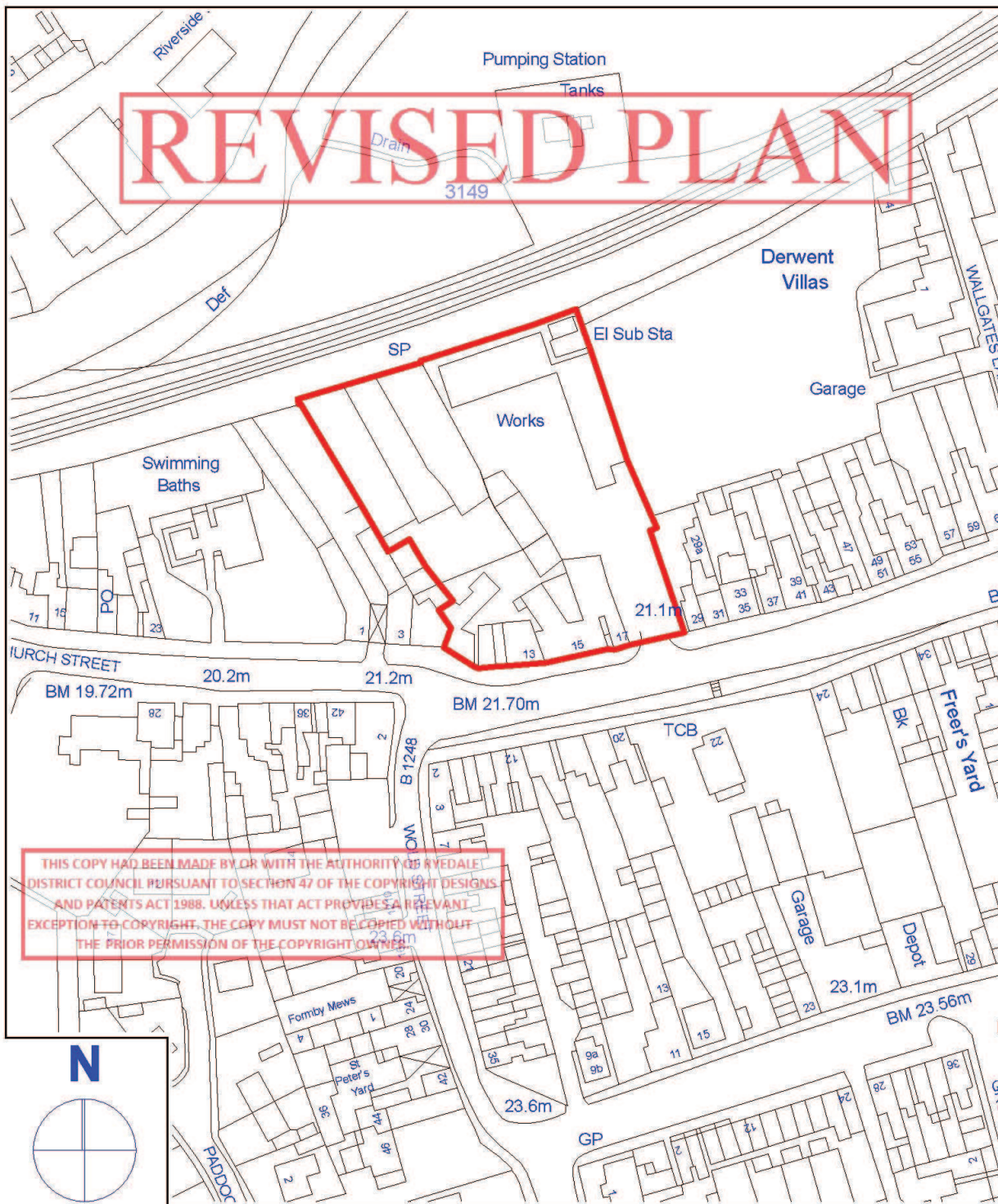
- Will get rid of heavy lorries that previously went to the ATS yard;
- Town needs new investment, jobs and homes;
- More trade for local businesses will arise from increased number of residents;
- Access to existing commercial premises at the rear will become possible;
- Site is an eyesore - this will be a key improvement;
- Ideal for younger people to get onto property ladder;
- Excellent use of a brownfield site; and
- Scale of buildings in keeping with those around.

Further re-consultation has taken place in respect of the amended information and plans received on 3 December 2014. Members will be updated on any further responses received.

RECOMMENDATION: **Recommendation Pending for final responses from outstanding consultees**

Background Papers:

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

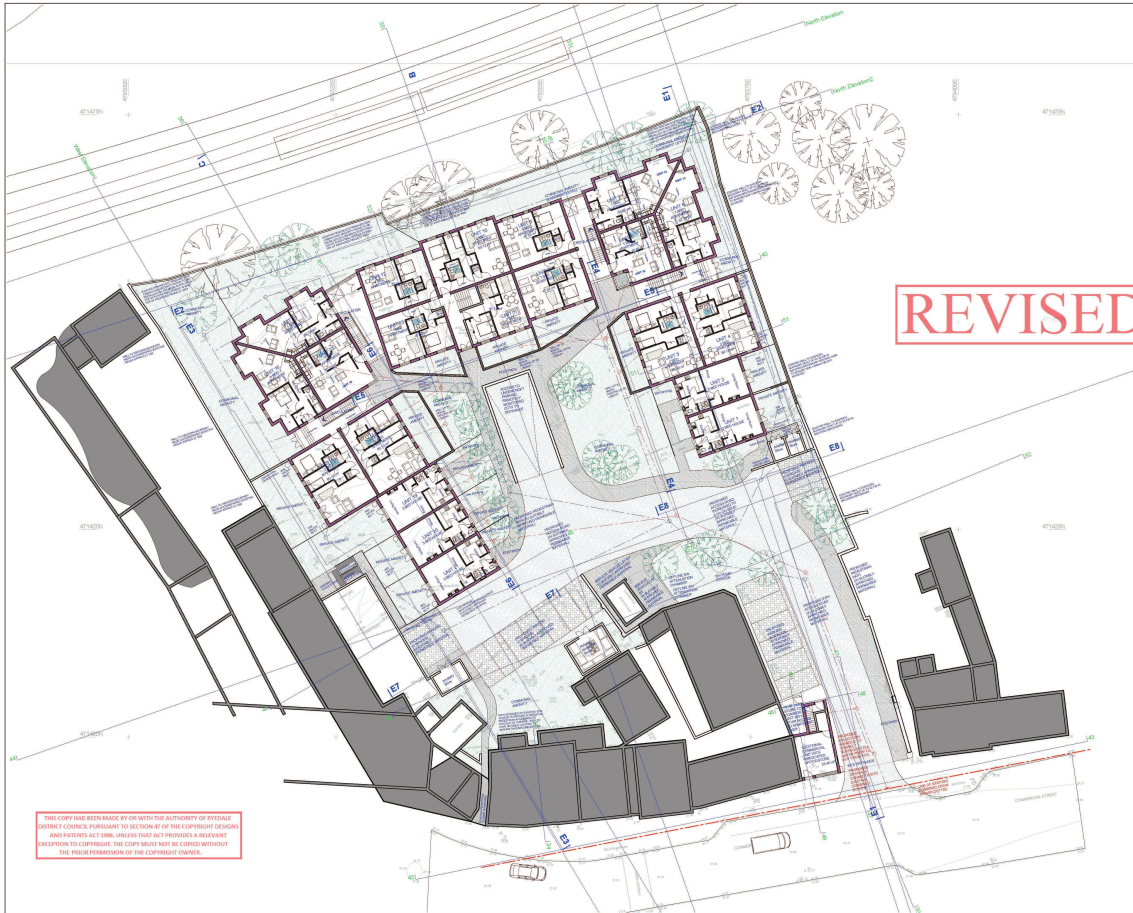


MR PAUL SEDMAN
PROPOSED RESIDENTIAL DEVELOPMENT
 AT TYRE SITE, COMMERCIAL STREET, NORTON
YEW-277-015A LOCATION PLAN
 MAY 13 SCALE 1:1250 @ A4

The Planning & Design Partnership
 PLANNING..ARCHITECTURE..INTERIORS..LANDSCAPE

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REVISIONS
 Please refer to the schedule for the history of revision systems. All drawings for the proposed development must be checked and approved by the Planning & Design Partnership. The Planning & Design Partnership reserves the right to request any necessary amendments to the drawings.

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REV C 03/11/10 - ORIGINAL DRAWING TO BE CONSIDERED FOR PLANNING PERMISSION
REV B 02/11/10 - SUBMITTED FOR PLANNING PERMISSION
REV A 02/11/10 - ADDITIONAL PARKING SPACES ADDED FOR THE PROPOSED DEVELOPMENT

The Planning & Design Partnership
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 Email chisneybarn@thedp.co.uk www.thedp.co.uk

Client:
MR PAUL SEDMAN

Project:
**PROPOSED RESIDENTIAL DEVELOPMENT
 AT 15 THREE SITE, COMMERCIAL STREET, WORTON**

Drawing:
PROPOSED SITE PLAN

| | | | |
|----------|-----------------------|-------|----------|
| Date | MARCH 03 | Drawn | |
| Scale | 1:200 @ A1 | Rev | C |
| Block | PLANNING | | |
| Draw No. | YEW-277-015 02 | | |

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EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

REVISED PLAN



VIEW FROM NE

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REV B 08/11/10 DRAWING REVISED TO REFLECT THE ARCHITECT'S COMMENTS
REV A 08/11/10 ARCHITECT'S REVISED DRAWING FOR THE ARCHITECT'S COMMENTS

The Planning & Design Partnership
 PLANNING, ARCHITECTURE, INTERIORS, LANDSCAPE

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| | |
|--|----------------|
| Client | |
| MR PAUL SEDMAN | |
| Project | |
| PROPOSED RESIDENTIAL DEVELOPMENT AT 15 THE SITE, COMMERCIAL STREET, WORTON | |
| Drawing | |
| PROPOSED SITE ELEVATIONS Sheet 1 of 2 | |
| Date | MARCH 03 |
| Scale | 1:200 @ A1 |
| Block | PLANNING |
| Draw No. | YEW-277-015 03 |



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ELEVATION 1
EAST ELEVATION

REVISED PLAN

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ELEVATION 2
NORTH ELEVATION

REV 01 2017/10/20 CORRECTING TYPING ERRORS AND CLARIFYING OPENING DIMENSIONS
REV 02 2017/10/20 ADDING ARCHITECTURAL DETAILS AND MATERIALS TO THE DRAWING

The Planning & Design Partnership
PLANNING, ARCHITECTURE, INTERIORS, LANDSCAPE

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ELEVATION 3
WEST ELEVATION

Client:
MR PAUL SEDMAN

Project:
PROPOSED RESIDENTIAL DEVELOPMENT
AT 3 THE SITE, COMMERCIAL STREET, WORTON

Drawing:
PROPOSED ELEVATIONS
Sheet 1 of 3

| | | | |
|-----------|----------------|--------|---|
| Date: | MARCH 03 | Drawn: | |
| Scale: | 1:200 @ A1 | Rev: | B |
| Block: | PLANNING | | |
| Draw No.: | YEW-277-015 06 | | |



ELEVATION 4
WEST ELEVATION

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REVISED PLAN

REV 6 2017/18 (REVISED) PREPARED FOR THE ARCHITECTURAL RECORDS OF THE RYedale DISTRICT COUNCIL

ELEVATION 5
SOUTH ELEVATION



REVISED PLAN



ELEVATION 6
EAST ELEVATION

The Planning & Design Partnership
PLANNING, ARCHITECTURE, INTERIORS, LANDSCAPE

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Client:
MR PAUL SEDMAN

Project:
**PROPOSED RESIDENTIAL DEVELOPMENT
AT 15 THREE SITE, COMMERCIAL STREET, WORTON**

Drawing:
**PROPOSED ELEVATIONS
Sheet 2 of 3**

| | | | |
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| Date: | MARCH 03 | Drawn: | |
| Scale: | 1:200 @ A1 | Rev: | B |
| Disc: | PLANNING | | |
| Draw No.: | YEW-277-015 07 | | |



FRONT (SOUTH) ELEVATION



SIDE (EAST) ELEVATION



REAR (NORTH) ELEVATION



SIDE (WEST) ELEVATION

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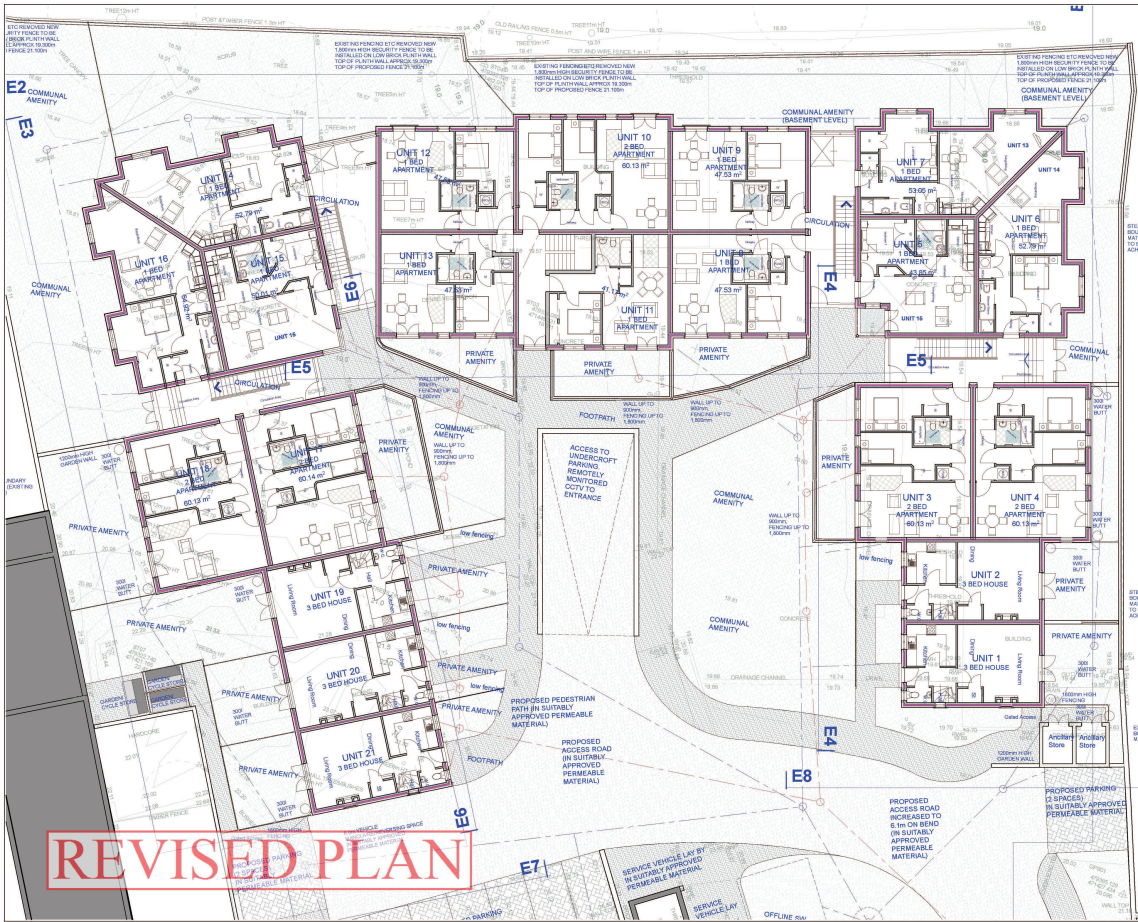
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| Client: | |
| MR PAUL SEDMAN | |
| Project: | |
| PROPOSED RESIDENTIAL DEVELOPMENT AT 3 THIS SITE, COMMERCIAL STREET, WORTON | |
| Drawing: | |
| PROPOSED ELEVATIONS Sheet 3 of 3 | |
| Date: | March 03 |
| Scale: | 1:200 @ A1 |
| Sheet: | B |
| Disc: | PLANNING |
| Draw No.: | YEW-277-015 08 |



REVISED PLAN

REVISIONS
 The proposed development has been revised to accommodate the comments of the Planning Committee. All dimensions and areas are shown in red. The proposed development is shown in red. The proposed development is shown in red. The proposed development is shown in red.

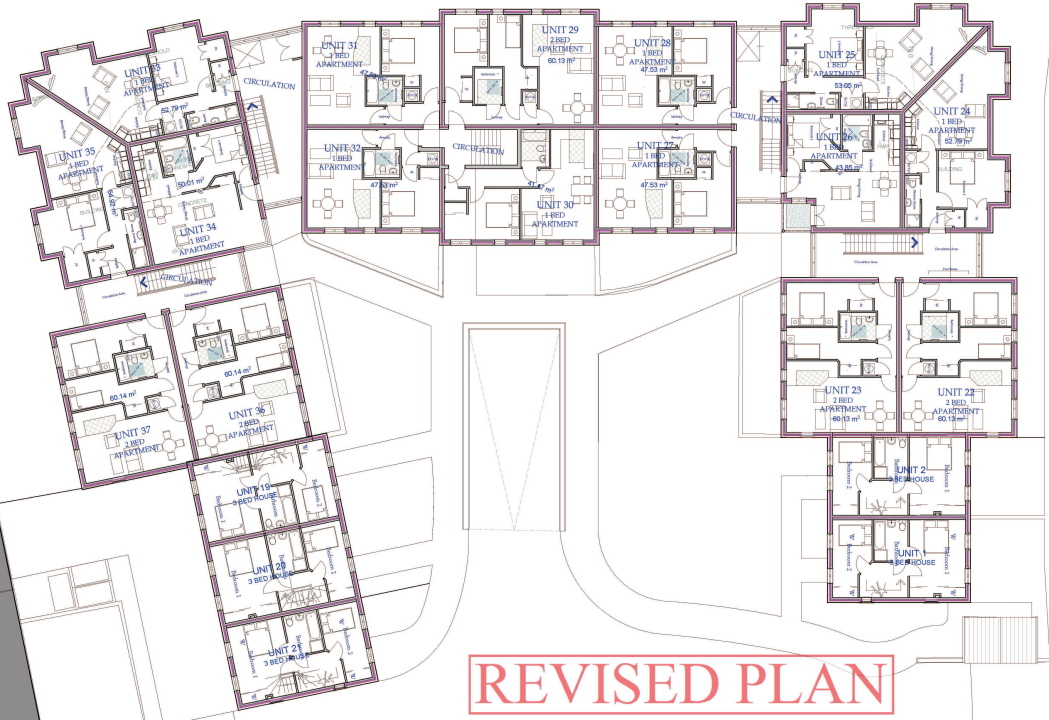
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MR PAUL SEDMAN
 Project: PROPOSED RESIDENTIAL DEVELOPMENT AT THIS SITE, COMMERCIAL STREET, WORTON
 Drawing: PROPOSED GROUND FLOOR PLAN
 Date: MARCH 03
 Scale: 1:100 @ A1
 Sheet: A
 Title: PLANNING
 Draw No: YEW-277-015 11

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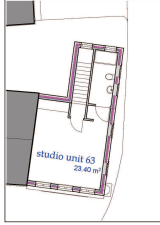
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STUDIO UNIT 63
 23.42 m²

FIRST FLOOR TO COMMERCIAL UNIT

REVA 001/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100

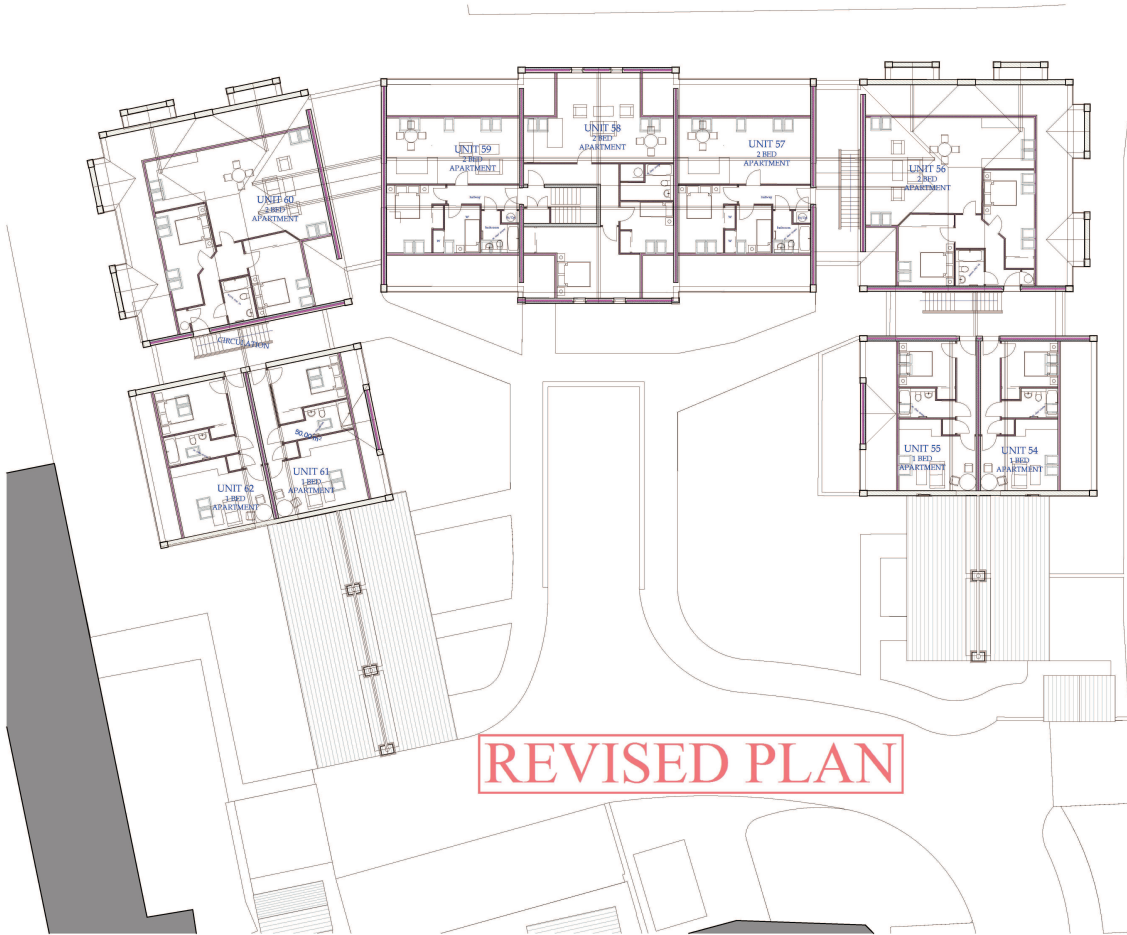
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MR PAUL SEDMAN

PROPOSED RESIDENTIAL DEVELOPMENT
 AT 15 THE SITE, COMMERCIAL STREET, WORTON

PROPOSED FIRST FLOOR PLAN

| | | | |
|----------|-------------|-------|----|
| Date | MARCH 03 | Drawn | |
| Scale | 1:100 @ A1 | Rev | A |
| Sheet | PLANNING | | |
| Draw No. | YEW-277-015 | | 12 |



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REVA 08/17/16 APPROVED FOR THE ARCHITECT AND PLANNING OFFICER

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 Telephone 01759 373656 Fax 01759 371810
 Email: chisneybarn@thedpd.co.uk www.thedpd.co.uk

Client:
 MR PAUL SEDMAN

Project:
 PROPOSED RESIDENTIAL DEVELOPMENT
 AT 15 THREE SITE, COMMERCIAL STREET, WORTON

Drawing:
 PROPOSED THIRD FLOOR/LOFT PLAN

| | | | |
|----------|----------------|--------|---|
| Date: | MARCH 03 | Drawn: | |
| Scale: | 1:100 @ A1 | Rev: | A |
| Disc: | PLANNING | | |
| Draw No: | YEW-277-015 14 | | |

Agenda Item 8

Item Number: 8
Application No: 14/00960/FUL
Parish: Slingsby Parish Council
Appn. Type: Full Application
Applicant: Slingsby Development LLP
Proposal: Change of use and alteration of garage/showroom to form 1no. five bedroom dwelling with attached double garage and amenity area and 1no. two bedroom dwelling with detached double garage and amenity area to include alteration to existing vehicular access, formation of access road to The Bungalow and front boundary wall with metal railings
Location: Hutton Brothers Car Sales Railway Street Slingsby Malton YO62 4AH
Registration Date:
8/13 Wk Expiry Date: 6 November 2014
Overall Expiry Date: 5 December 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

| | |
|--------------------------------------|---|
| Highways North Yorkshire | No objection - recommend conditions |
| Parish Council | No views received to date |
| Building Conservation Officer | No views received to date |
| Environmental Health Officer | Recommend Conditions |
| Countryside Officer | Recommend informative |
| Land Use Planning | No comments required from Yorkshire Water |

Neighbour responses: Mr Dave Birkbeck,

SITE:

The site is situated on the eastern side of Railway Street, within the village development limits and within the designated Slingsby Conservation Area. The buildings and rear courtyard have most recently been used for Hutton Brothers Car Sales and workshop, but the site has been disused for some time. In connection with its use as a garage, the front elevations of the building were significantly altered, with the insertion of a very large commercial shop front.

PROPOSAL:

Permission is sought for the change of use and alteration of the existing buildings to form two dwellings, together with rear garden and garaging. The alterations include part demolition of the single storey end of the frontage building. This is to improve the access to the rear of the site, and to an existing dwelling which lies to the rear.

HISTORY:

11/01112/PREAP: Pre application advice - 10 residential units - concerns expressed

13/00729/PREAP: Pre application advice - 4 residential units - request withdrawn

14/00621/PREAP: Pre application advice - conversion of buildings to 2 residential units and erection of 3 houses - conversion supported in principle, some concerns over other aspects of the scheme.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Policy Statement

Planning (Listed Buildings and Conservation Areas Act) 1990

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP11 - Community Facilities and Services

Policy SP14 - Biodiversity

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

Both Local and National development is supportive of sustainable development. Slingsby is identified as a Service Village and policy supports the conversion and re-development of previously developed land and buildings.

The Planning (Listed Buildings and Conservation Areas) Act (Section 72) places a duty on a Local Planning Authority to have regard to the desirability of preserving or enhancing the character of a Conservation Area. In this case, photographic evidence demonstrates that the frontage buildings were originally two dwellings. The proposed alterations will re-instate their residential character and result in a significant enhancement of the character of the area. The reduction in width of the end portion of the building will not harm this character. The Council's Conservation officer has advised "the improvements to the street scene will make a very positive statement, subject to the detail being of the highest quality."

A small brick building to the rear will be demolished to widen the access. Whilst it has some character, the greater benefits of the enhancement of the development outweigh any harm.

In relation to the impact of the development on the existing amenities of neighbouring occupiers, the traffic generated will be a reduction on the level associated with the former use. The fenestration has also been designed to respect the amenity of neighbouring occupiers, with existing windows blocked up on the northern elevation. It is not considered that the insertion of two roof lights will have a significant adverse impact.

In relation to other considerations, the application was accompanied by a bat emergence survey. This did not demonstrate any evidence of bats inside or around the buildings, and the buildings were considered to have low bat roost potential.

The development will provide three garage spaces, together with room to park further vehicles on the drive, plus one visitor space. Accordingly, there is no objection from the Highway Authority subject to conditions.

In relation to potential land contamination, the application was accompanied by a phase 1 contamination report. This states that given the previous use, it is reasonable to assume that potential contaminants are restricted to the former use of the site as a car garage and to an extent a former agricultural use. The Council's Environmental Health Officer considers that further details should be provided in return to where drainage goes, oil interceptors, vehicle inspection pits and storage of waste oil. No further testing of soil has been included.

It is therefore recommended that a condition be imposed on any approval requiring a phase 2 investigation. It is noted that potential land contamination has been highlighted by a neighbouring occupier. However it is considered that their concerns will be addressed by the imposition of such a condition.

Contributions

Policy SP11 of the Ryedale Plan - Local Plan Strategy requires that all new development will be expected to contribute to the provision of public open space. Policy SP3 also requires contributions towards affordable housing from small sites below the on-site policy.

Members will be aware of the recent Ministerial advice issued on 28th November 2014 in relation to developer contributions. Following that announcement government policy guidance has been amended to advise that tariff style contributions should not be sought from developments of 10 units or less, or potentially from 5 units or less in rural areas. Because of this recent and significant change in material planning considerations As such it is not considered that contributions in respect of affordable housing should be sought from this site.

Recommendation

Given the broad compliance with policy, the recommendation is one of approval subject to conditions.

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 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the extension(s) hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: To safeguard the privacy and amenity of adjoining residents and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy

- 3 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 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.

- 4 Unless otherwise agreed in writing by the Local Planning Authority, all existing windows on the northern elevation at ground and first floor level shall be permanently block up in stone, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of maintaining the existing amenities of neighbouring occupiers, and to satisfy the requirements of policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 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 and SP12 of the Ryedale Plan - Local Plan Strategy

- 6 Unless otherwise agreed in writing by the Local Planning Authority, precise details of the railings that are shown on elevation 1 shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving and enhancing the character of Slingsby Conservation Area, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 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.

Reason: In the interests of preserving the character of Slingsby Conservation Area, and to satisfy the requirements of Policy SP12 of the Ryedale Plan - Development Plan Strategy.

- 8 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: In the interests of preserving the character of Slingsby Conservation Area, and to satisfy the requirements of Policy SP12 of the Ryedale Plan - Local Plan Strategy.

- 9 The guttering to the development hereby permitted shall be fixed by means of gutter spikes and no fascia boarding shall be used unless agreed in writing by the Local Planning Authority.

Reason:- To preserve the character of Slingsby Conservation Area, and to satisfy the requirements of Policy SP 12 of the Ryedale Plan - Local Plan Strategy

- 10 Before the development hereby permitted commences, details of the ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To preserve the character of Slingsby Conservation Area, and to satisfy the requirements of Policy SP12 of the Ryedale Plan - Local Plan Strategy.

- 11 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 proposals for a Phase 2 Site Investigation has been submitted to and approved in writing by the Local Planning Authority. Following the completion of the agreed Phase 2 Site Investigation should remedial work be required, or requested by the Local Planning Authority, development shall not commence until a Remediation Statement 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(2013) Code of Practice for the Investigation of Potential Contaminated Sites. Following remediation, submission of a verification report to be approved in writing by the Local Planning Authority will be required prior to the occupation of any dwellings.

During the development any unforeseen land contamination found on site shall be notified immediately in writing to the Local Planning Authority and work cease until the extent of the contamination has been investigated and remedial action, which has been agreed in writing with the Local Planning Authority, has been completed. On completion of any remedial work a verification report shall be submitted and approved in writing with the Local Planning Authority.

Reason: In the interests of preserving the health and amenities of future occupiers, and to satisfy the requirements of Policy SP20 of the Ryedale Plan -Local Plan Strategy

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

Proposed site plan and setting out plan - dwg no. (05) 13 rev B, Proposed ground and first floor plans - dwg no. (05) 14 rev B, proposed elevations (05) 15 B

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

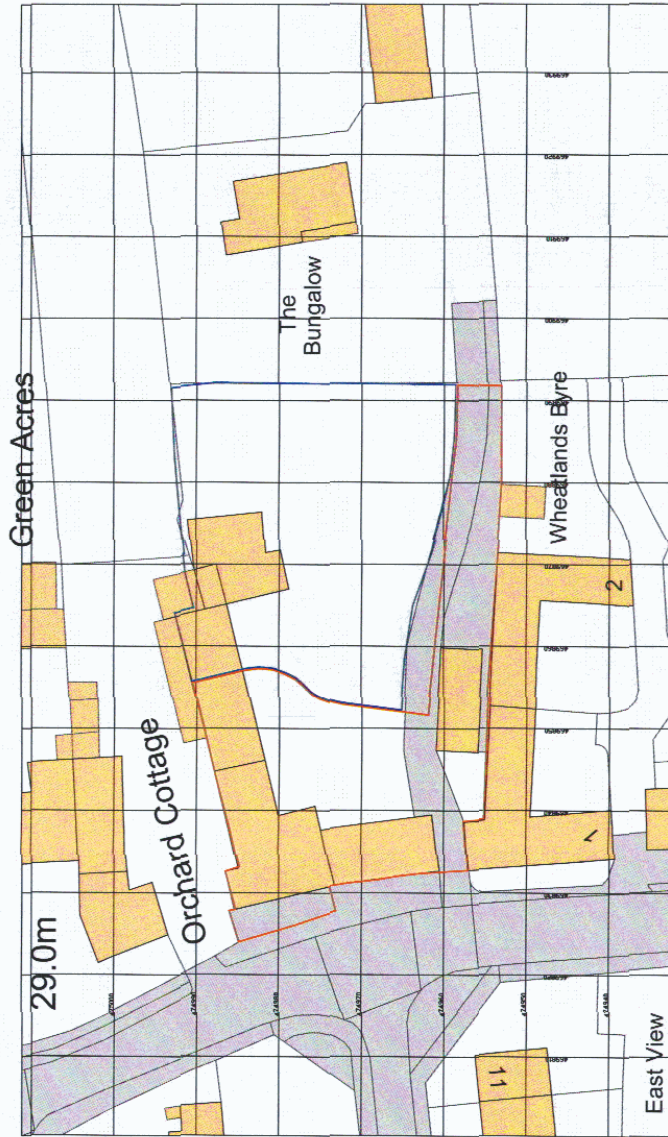
INFORMATIVE:

- 1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under section 41/42 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried out the work.

Background Papers:

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

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| B Plot Boundaries amended to suit OA | | 03.10.14 | VG | 1A |
| A Regular Boundary amended | | 01.09.14 | VG | 1A |
| 1994/14 | | VG | 1A | 1A |

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 Monks Cross, York.
 Former Car Garage
 Railway Street
 Slingsby YO62 4AH

Restoration to reform 2 new dwellings
 Location Plan

| | | | |
|-------------|-----------------|------------------|-------|
| Scale 1:500 | Project No 4008 | Issue No (05) 01 | Rev B |
|-------------|-----------------|------------------|-------|

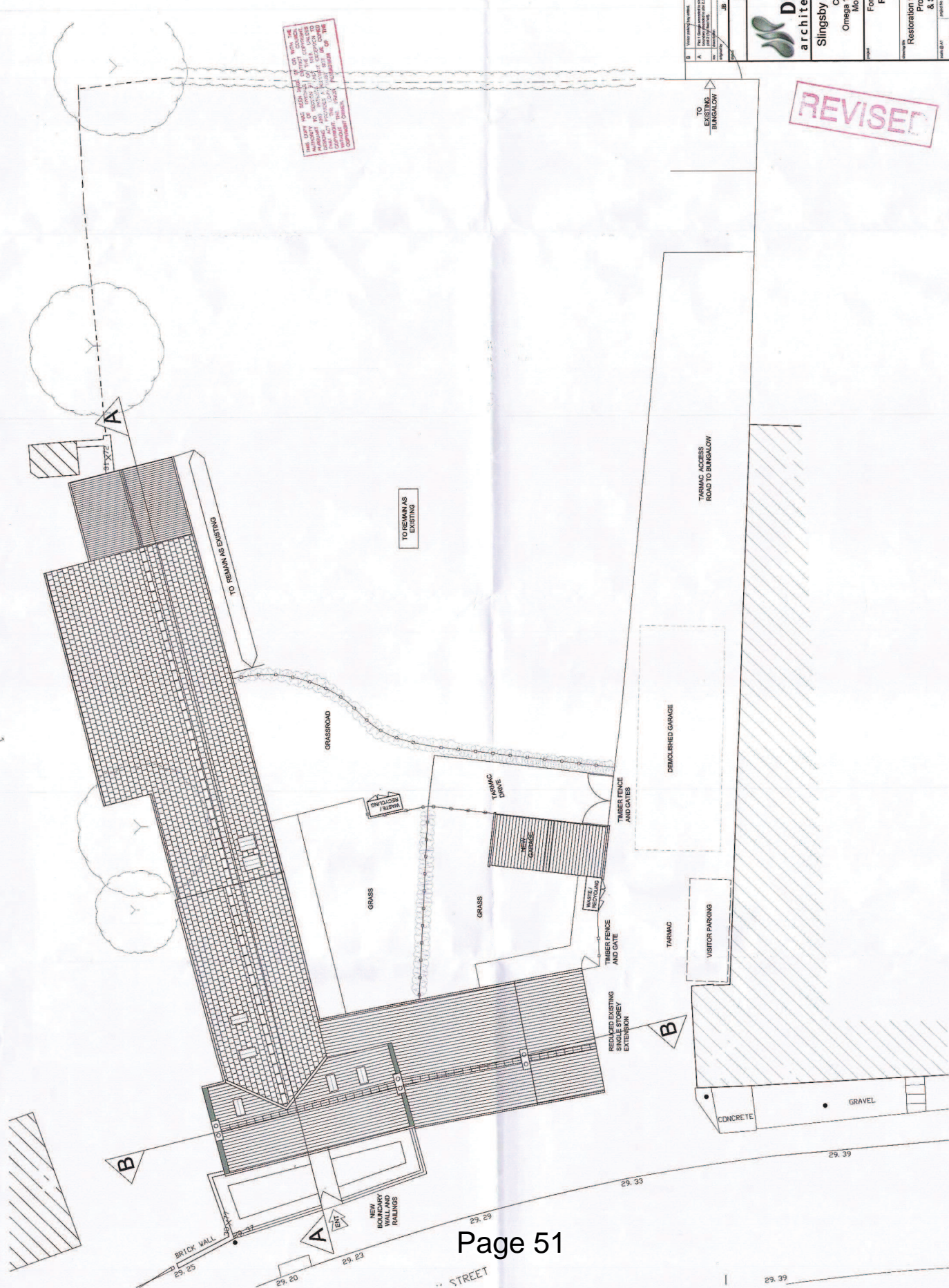
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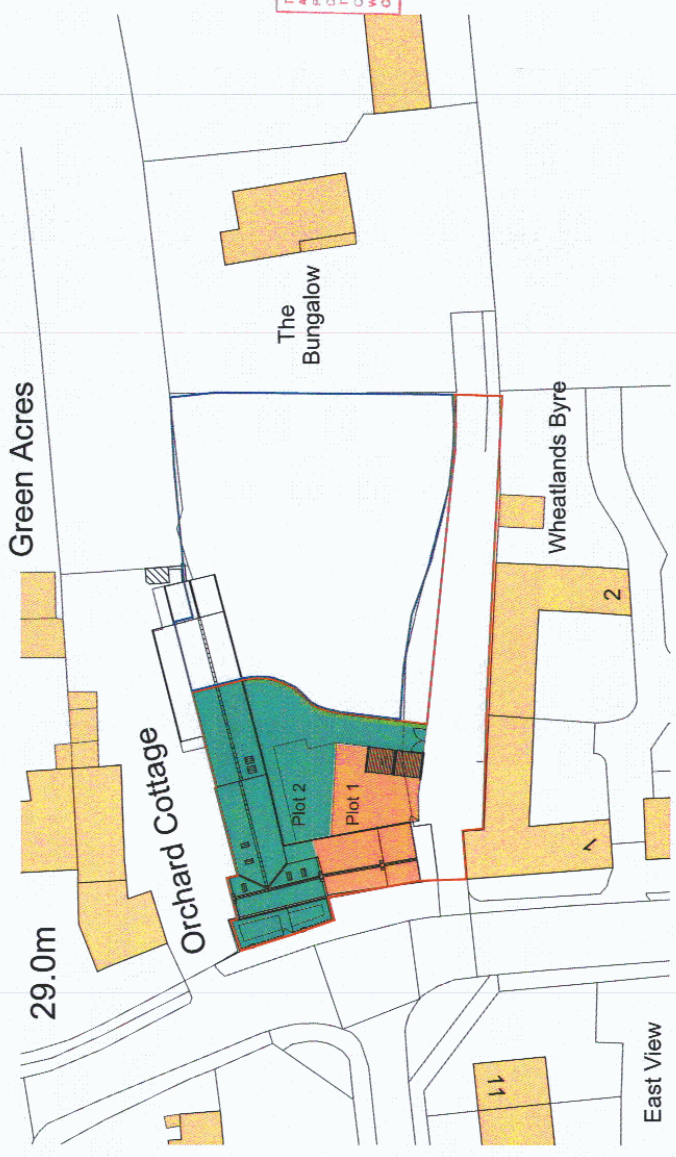
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| | | | | |
|---|----------------|----------------|----------------|--|
| DSP Architects LLP 2000 Park Road New York, NY 10028 | | DATE: 20/05/14 | SCALE: 1:100 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |
| DSP architects Slingsby Development LLP Colenso House, Omega 1, Monks Cross Drive, Monks Cross, York. | | NO: 20/05/14 | DATE: 20/05/14 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |
| Slingsby Development LLP Colenso House, Omega 1, Monks Cross Drive, Monks Cross, York. | | NO: 20/05/14 | DATE: 20/05/14 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |
| Former Car Garage Railway Street Slingsby | | NO: 20/05/14 | DATE: 20/05/14 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |
| Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan | | NO: 20/05/14 | DATE: 20/05/14 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |
| SCALE: 1:100 | DATE: 20/05/14 | NO: 20/05/14 | DATE: 20/05/14 | PROJECT: Restoration to reform 2 new dwellings Proposed Site Plan & Setting Out Plan |

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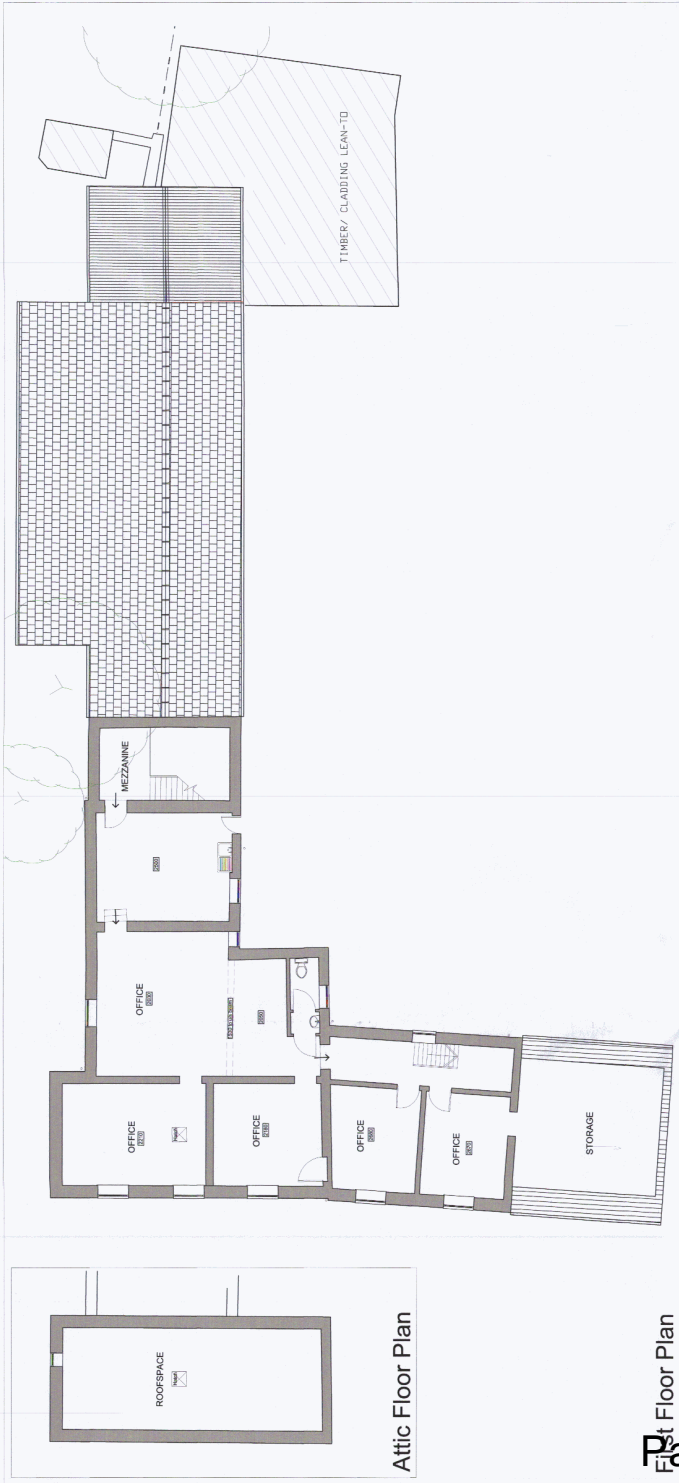


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| A | | Rig boundaries arranged to suit GA | | 02.10.14 | VG | IA |
| DATE | BY | SCALE | PROJECT | DATE | BY | SCALE |
| | | 1:500 | VG | 04/06/14 | IA | |
| <p>Planning</p> <p>DSP architects DSP Architects LLP 24 Colenso Avenue York YO24 4JF United Kingdom Tel: +44(0)1904 897225 Fax: +44(0)1904 897226 E-mail: info@dsparchitects.co.uk Website: www.dsparchitects.co.uk</p> <p>Slingsby Development LLP Colenso House Omega 1, Monks Cross Drive Monks Cross, York.</p> <p>Former Car Garage Railway Street Slingsby YO62 4AH</p> <p>Project No: Restoration to reform 2 new dwellings Scheme Proposals Plot 1 and 2 Locations</p> <p>Scale: 1:500 Project No: 4008 Date: (05) 16 Author: A</p> | | | | | | |



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Attic Floor Plan



Ground Floor Plan

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| Project No. | 200014 |
| Client | Slingsby Development LLP |
| Address | Colenso House, Omega House, Railway Street, Menk's Cross, York. |
| Scale | 1:100 |
| Date | 05/11 |
| Author | JB |
| Check | |
| Drawn | |

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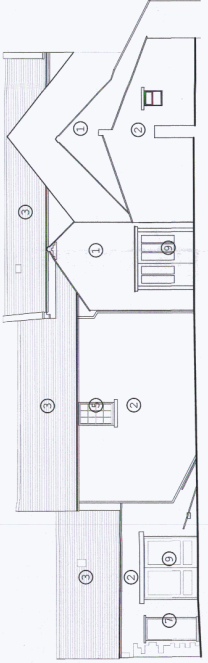
Slingsby Development LLP
 Colenso House, Omega House, Railway Street, Menk's Cross, York.

Former Car Garage
 Railway Street
 Slingsby

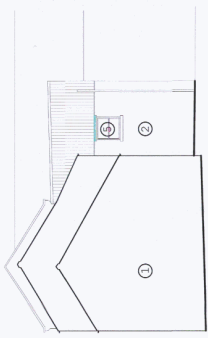
Restoration to reform 2 new dwellings
 Existing Ground & First
 Floor Plans

Scale: 1:100
 Date: 05/11

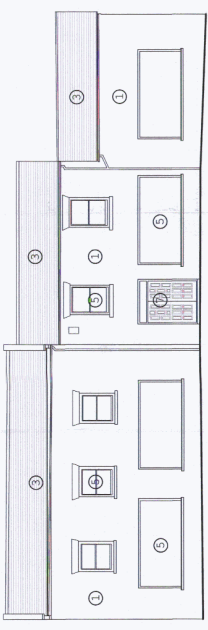
- NOTES
- Materials-
- 1 Stone
 - 2 Brickwork
 - 3 Slates
 - 4 Pantries
 - 5 Timber Framed Windows
 - 6 Galvanised Roller Shutter
 - 7 Timber Door
 - 8 Steel Sheet Roof Covering
 - 9 Glazed Timber Door



Elevation 3



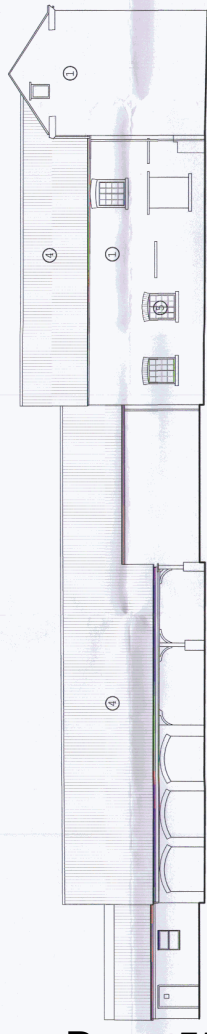
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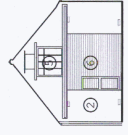
Elevation 1



Elevation 4



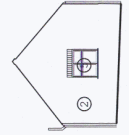
Elevation 5



Elevation 6



Elevation 7



Elevation 8



Elevation 9

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KEY PLAN Scale 1:200

| | |
|--------------|---|
| Project No. | 200014 |
| Client | Slingsby Development LLP |
| Site | Omega 1, Monks Cross Drive, Monks Cross, York. |
| Address | Former Car Garage, Railway Street, Slingsby |
| Project Name | Restoration to reform 2 new dwellings Existing Elevations |
| Scale | 1:100 |
| Sheet No. | 4008 |
| Date | 05/12 |

Planning

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Former Car Garage
Railway Street
Slingsby

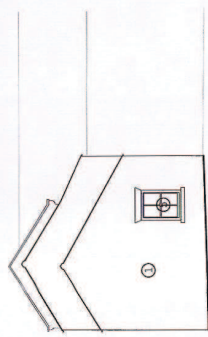
Project No. 200014
Sheet No. 4008
Date 05/12

Restoration to reform 2 new dwellings
Existing Elevations

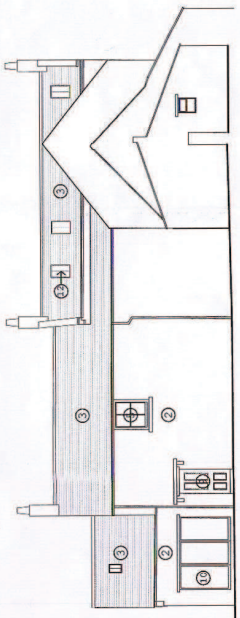
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Elevation 1



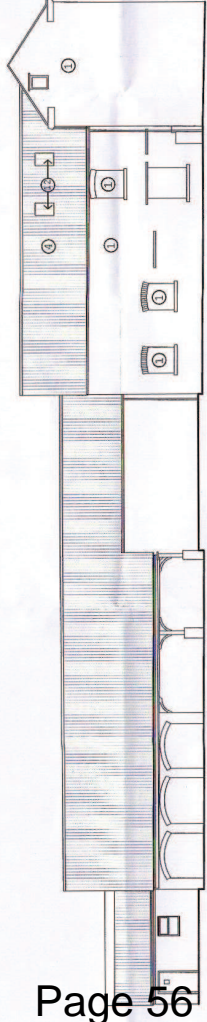
Elevation 2



Elevation 3

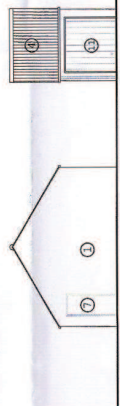


Elevation 4



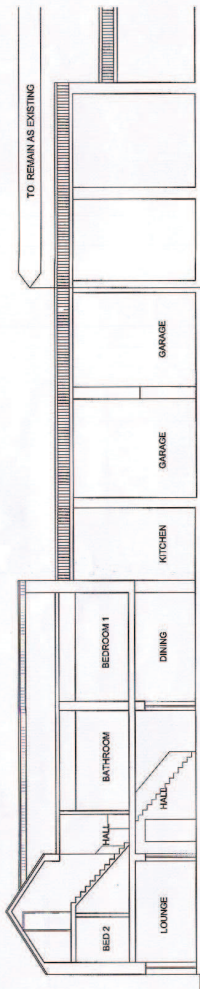
Elevation 5

Proposed New Garage



Elevation 6

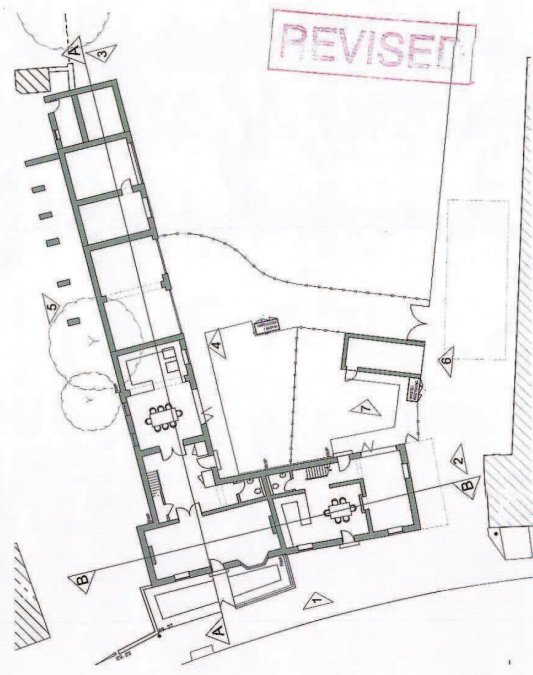
Elevation 7



Section A-A



Section B-B



KEY PLAN Scale 1:200

- NOTES
- Materials-
- 1 Stone
 - 2 Brickwork
 - 3 Slates
 - 4 Pantiles
 - 5 Timber Framed Windows
 - 6 Galvanised Moller Shutter
 - 7 Timber Door
 - 8 Steel Sheet Roof Covering
 - 9 Glazed Timber Door
 - 10 Timber Framed glass bifold doors
 - 11 Timber Garage Door
 - 12 Conservation Rooflight
 - 13 Stone wall & Metal Railings
- All Stone & Brickwork from original building to be retained for reuse in blocking up openings and repair of external walls. All external walls to be repointed.
- All Rainwater goods to be replaced with powder coated aluminium (Colour: Black) existing call brackets to match existing.

REVISIONS

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Planning

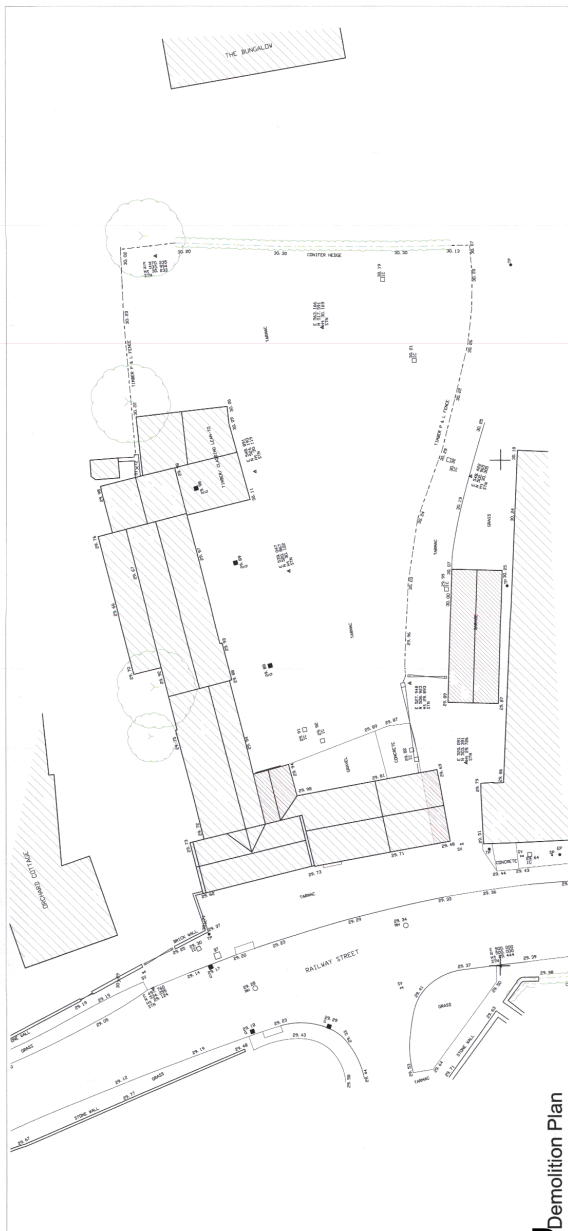
DSP Architects LLP
 DSP House
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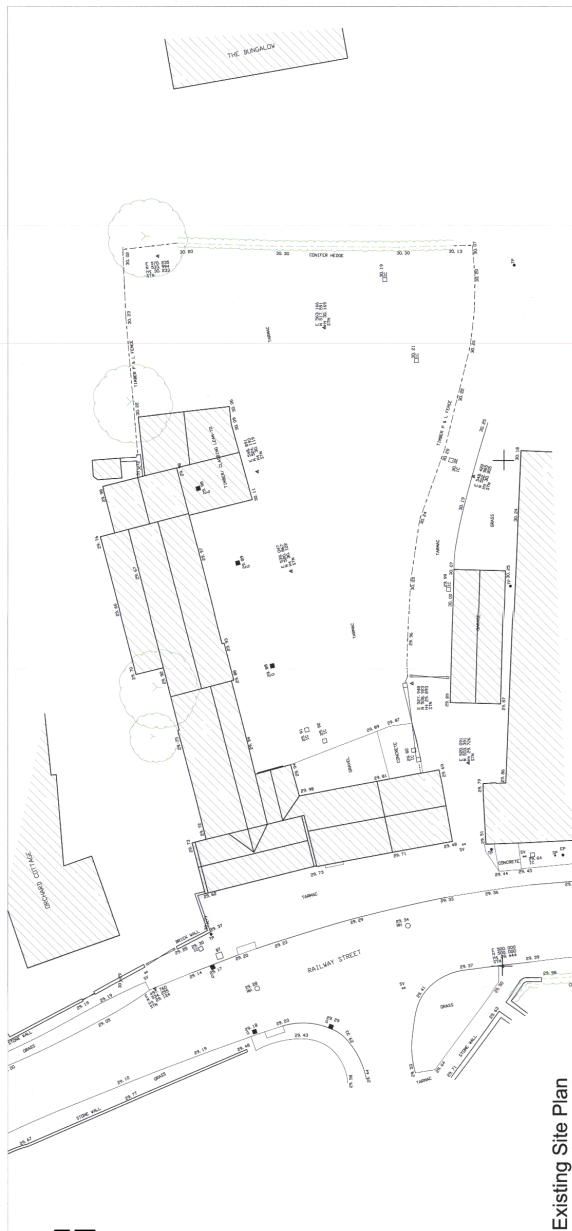
Key :



Areas to be demolished.



Demolition Plan

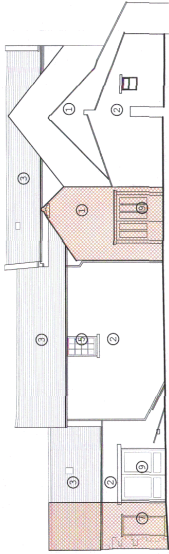


Existing Site Plan

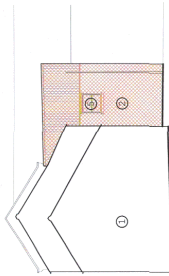
THIS PLAN IS THE PROPERTY OF DSP ARCHITECTS AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF DSP ARCHITECTS.

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| Planning DSP ARCHITECTS LLP 2nd Floor 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000 | |
| DSP architects Slingsby Development LLP Omega House, Omega House Drive, Monks Cross, York. Former Car Garage Railway Street Slingsby | |
| Project No: 1,200 | Drawing No: 4008 |
| Date: (05) 10 | Scale: A |

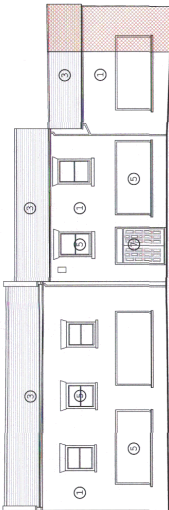
- NOTES
- Materials-
- ① Stone
 - ② Brickwork
 - ③ Slates
 - ④ Paintiles
 - ⑤ Timber Framed Windows
 - ⑥ Galvanised Boiler Shutter
 - ⑦ Timber Door
 - ⑧ Steel Sheet Roof Covering
 - ⑨ Glazed Timber Door



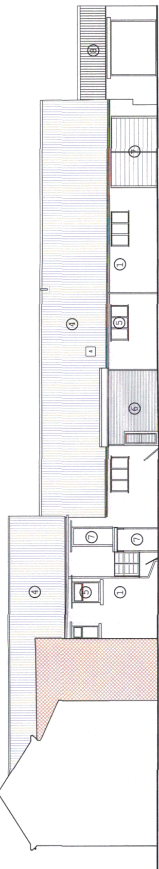
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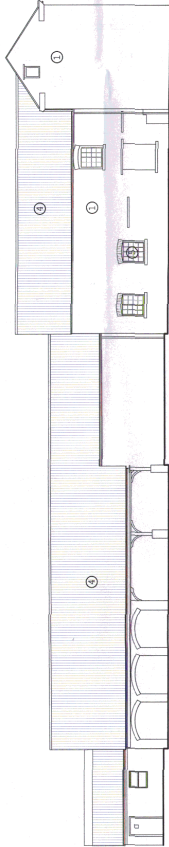
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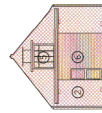
Elevation 1



Elevation 4



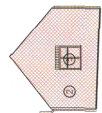
Elevation 5



Elevation 6



Elevation 7



Elevation 8



Elevation 9



Planning

DSP architects

Slingsby Development LLP

Colenso House,
Omega 1, Monks Cross Drive,
Monks Cross, York.

Former Car Garage
Railway Street
Slingsby

Reasonation to reform 2 new dwellings
Existing Plan
Showing Demolition

Scale: 1:100

Date: 04/08 (05) 17

Author: [Name]

Check: [Name]

Drawn: [Name]

Project: [Name]

Site: [Name]

Sheet: [Name]

Revision: [Name]

Notes: [Name]

REFERENCE PLAN Not To Scale (See (05) 10 Demolition Plan)



4008/LA/PS

Proposal for the Restoration of Hutton Bros Garage, Railway Street Slingsby, YO62 4AH to re-form 2 Dwellings

Planning Statement

The submitted proposals are made in the context of pre planning advice ref 14/00612 PREAPP noting that this advice referred to a development approach that included the backland area of the larger site whereas the submission is for the frontage portion only.

The Frontage development as submitted was one welcomed in form and approach by the Pre App assessment.

The Proposals - related to the Local Plan Strategy

The proposal is to restore the frontage buildings to residential use making use of some of the existing curtilage outbuildings to the rear as garaging to Plot 1

This approach is one that directly responds to the SP2 sources of supply that are deemed applicable to the site – in particular the conversion and redevelopment of ‘Previously Developed Land’ and buildings within ‘Development Limits’. It is also an ‘Infill development’

In relation to SP3 and the supply of affordable housing – the proposed development is for 2 dwellings so being below 5 is subject to an affordable housing (off site) contribution negotiated on the basis of 9% of the private sales revenue of a scheme subject to viability.

The proposed dwellings are a restoration so deliver to the available footprint – Plot 1 provides a potential 5B/7P dwelling – Plot 2 a 2B/4P dwelling providing a balanced provision for housing demand.

As an infill and restoration development the proposal strengthens the value of the conservation area and respects the heritage and form of the village.

4008/LA/D&A

Proposal for the Restoration of Hutton Bros Garage Railway Street Slingsby, YO62 4AH
to re-form 2 Dwellings

Design & Access Statement

The site is situated in the Slingsby Conservation area

The building was until recently operating as Huttons Garage & Showroom this being a conversion of the original street frontage houses in which the ground floor accommodation was considerably altered and opened up. The first floor accommodation was also opened up in a way that conflicted with the original party wall separations.

To the rear original stores and garages were utilised by the Garage and a prior use was as a Cooperative Store.

Previous Advice

Previous Pre Application responses indicated that the Frontage buildings were considered important to the streetscape and should be retained, that the end building could in principle be demolished to provide an access point and that the demolition of the stand-alone brick garage outbuilding adjacent the drive to the rear would be acceptable in principle.

It is clear that the frontage buildings were originally houses and the record photograph below gives an indication of the original form and front enclosure.



The Proposals

The proposal is to restore the frontage buildings to residential use making use of some of the existing curtilage outbuildings to the rear as garaging to Plot 1

The narrow rear access to the right hand side serves the rear yard of the frontage buildings and 'The Bungalow' property behind. It is intended to carry out a partial reduction of the width of the end building to Plot 2 to provide a wider 5.5m access which will allow 2 way traffic and better visibility approaching the highway.

The access road to 'The Bungalow' is realigned to maximise the width of the site to the rear of the frontage dwellings. An 'in principle' agreement has been reached for this to be part of the scheme proposals

It is intended to restore the elevational treatment to Plot 1 to that shown in the record photograph above and to Plot 2 an introduction of ground floor windows that will match those above.

The original party wall separations will be restored and for Plot 1 the removal of a recent extension insertion will restore the form of the roof lines with a beneficial release of stonework for re-use on the necessary rebuilding work.

The restored frontage will use the on site reclaimed stone with a matching stone from approved quarry sources.

Access

Rear site access remains as now but is widened to improve visibility and ease of use for 2 way traffic

Frontage access will be pedestrian only to Plot 1 with Plot 2 accessed only from the rear

Agenda Item 9

Item Number: 9
Application No: 14/01083/FUL
Parish: Lillings Ambo Parish Council
Appn. Type: Full Application
Applicant: Mr John Pulleyn
Proposal: Erection of a four bedroom dwelling and formation of 1no. parking space
Location: Land Adj Rose Cottage Goose Track Lane West Lilling

Registration Date:
8/13 Wk Expiry Date: 28 November 2014
Overall Expiry Date: 16 December 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

| | |
|---------------------------------|--|
| Parish Council | No objections |
| Highways North Yorkshire | No highway objections - recommend conditions |
| Land Use Planning | No comments required |
| Parish Council | Object |
| Highways North Yorkshire | Recommends refusal |

Neighbour responses: Mr Richard Armitage, Mr Chris Suter, GM And JM Armitage, Mrs Joan Armitage,

SITE:

The application site is a vacant plot of land located mainly within the development limits of West Lilling at the eastern end of the village. Part of the site comprising the access to a rear parking area, is located outside of the development limits of the settlement within the open countryside.

PROPOSAL:

Planning approval is sought for the erection of a four bedroom dwelling. The original plans were revised following initial concerns from the Highway Authority and Officers. The revised plans have removed the originally proposed projecting gable and included the provision of an additional of street parking space to the dwelling.

The dwelling has a frontage of approximately 11.2 metres and a maximum depth of 7.3 metres. The main element of the house has eaves and apex heights of 5.2 metres and 7.9 metres respectively with a subordinate 'wing' with eaves of 4.7 metres and an apex of 7.4 metres. It is proposed to be constructed with brick and clay tile. Plans, elevations and a street scene drawing are appended to this report.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Policy Guidance

Ryedale Plan- Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of new housing.
Policy SP16 - Design

PLANNING COMMITTEE
13 January 2015

Policy SP18 - Renewable and Low Carbon Energy
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development management issues
Policy SP21 - Occupancy Restrictions
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy.

HISTORY:

14/00363/FUL: Erection of a four bedroom dwelling with integral garage - Withdrawn

14/00593/FUL: Demolition of existing dwelling and agricultural buildings to allow erection of 1no. four bedroom replacement dwelling with detached double garage, erection of two storey and single storey extensions to existing farmhouse to form a five bedroom dwelling following demolition of single storey outbuildings and erection of a terrace of 3no. three bedroom dwellings with block of 3no. detached garages - Approved

APPRAISAL:

The main considerations in the assessment of this application are:

- i) The principle of the development;
- ii) Character and form;
- iii) Residential amenity;
- v) Highway safety.

Principle of the development

The application site is located within an 'other village' as defined by the Ryedale Local Plan Strategy. Policy SP1 of the Ryedale Local Plan Strategy is relevant. This requires development in other villages to be restricted to that which is necessary to support a vibrant, and healthy rural economy and communities. To identify what is necessary to meet the requirements of Policy SP1, Policy SP2 states that in such settlements new residential housing is subject to a Local Needs Occupancy (LNO) Condition. The LNO condition reads as follows:

The dwelling hereby approved shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:

- i) have permanently resided in the Parish, or adjoining Parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock;*
- ii) or do not live in the Parish but have a long standing connection to the local community, including a previous period of residence over three years but have moved away in the past three years;*
- iii) or service men or women returning to the Parish after leaving military service; or are taking up permanent employment in an already established business which has been located within the Parish, or adjoining Parish, for at least the previous three years;*
- iv) or have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.*

The agent has confirmed that the three new properties are to have a Local Needs Occupancy condition and that there are potential occupiers available to meet the requirement of the condition. A list of potential occupiers has been submitted with the application. The principle of the proposal is therefore considered to be acceptable.

Contributions that previously would have been sought under Policy SP11 are no longer capable of being sought following the recent Ministerial Statement in respect of developer contributions.

Character and form

Policy SP16 (Design) of the Ryedale Local Plan Strategy. This states: *“To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surrounding including the type, texture and colour of materials, quality and type of building techniques and elements of architectural detail.”*

Officers had serious concerns that the originally submitted design failed to reflect the character of immediate locality or the local distinctiveness of the West Lilling and was more akin to a dwelling that might be located on a suburban housing estate rather than a rural, edge of village setting such as this. Following negotiations the design and form of the proposed development have been revised. The scheme put to Members is considered to comply with the aims of SP16 (Design).

A more traditional form has been achieved with the removal of the proposed projecting gable and the use of more traditional proportions and detailing of the fenestration. As Members will note from the attached plans, the fenestration previously was randomly sited and of a variety of different sizes. The revised scheme would also be constructed from traditional bricks, subject to recommend conditions, rather than the original which proposed a combination of render and brick.

Policy SP20 (Generic Development Management Issues of the Ryedale Local Plan Strategy states: *“New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses.”*

In 2014 an earlier planning application was withdrawn. A reason for this was that insufficient highway visibility could be achieved through an access located on the plot of the dwelling. As a result, the access to the site for this application has been altered and is proposed via a paddock located further to the east. To prevent the proposed access resulting in an extension into the wider open countryside, which would result in a greater level of urbanisation, it is proposed that a condition is attached to ensure that the details of the proposed access are submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

The Lillings and Ambo Parish Council has also sought confirmation regarding the proposed materials. Conditions are recommended regarding the submission of the materials to be used in the proposed construction prior to the commencement of the development.

Residential amenity

Policy SP20 seeks to protect the residential amenity of neighbouring properties and that of future occupiers of the dwelling.

The proposed development is not considered to have a material adverse effect upon the amenity of adjoining neighbours in terms of potential overlooking and the scale and bulk of the proposed dwelling. The amenity area serving the property is modest, however it is considered that it does provide sufficient levels of privacy to be enjoyed.

All consultees were re consulted following the submission of the revised plans

Highway safety

All four of the original letters of objection, raised concerns with regard to the impact of the proposed development on highway safety. Following the re-consultation of the neighbours on the amended plans one further letter of objection was raised from the occupants of Rose Cottage, regarding the loss of visibility from their driveway. The original scheme submitted was not considered to be satisfactory because of the limitations of the visibility splays. The Highways Authority recommendation was originally one of refusal. However following the submission of the revised plans the Highway Authority raises no objection however has recommended a number of conditions.

Lillings and Ambo Parish Council have subsequently withdrawn their recommendation of refusal and have raised no objection to the proposed development.

Treatment of foul and surface water.

It is proposed that the foul waste will be disposed of via the mains sewer. No comments have at the time of writing been received from Yorkshire Water. However Government Guidance is that the first consideration when processing foul waste is via the mains sewers, it is therefore considered that this is the most appropriate method.

Surface water is proposed would be dealt with via a soakaway. However no details have been provided. Due to the topography of the site, it is recommended that a condition is attached requesting that details of the site drainage are submitted prior to the commencement of the development.

A number of the letters of objection raised an issue relating to a 25 year covenant. However Members will be aware that this private property matter is not a relevant material planning consideration.

In light of the above assessment it is considered that the proposed development as amended accords with both local and National Planning Policies. The recommendation is therefore one of approval.

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 Notwithstanding the submitted details before the development hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning Authority a one metre square free standing panel of brickwork to be used in the construction of the building. The panels so constructed shall be retained only until the development has been completed.

Reason:- To ensure a satisfactory external appearance and to comply with the aims of Policy SP16 of the Ryedale Plan- Local Plan Strategy

3 Notwithstanding the submitted details the roof of the dwelling hereby permitted shall be covered with natural terracotta clay pantiles.

Reason:- To ensure a satisfactory external appearance and to ensure compliance with the aims of Policy SP16 of the Ryedale Plan - Local Plan Strategy.

4 The dwelling hereby approved shall not be occupied or brought into use prior to completion of the approved works for disposal and treatment of sewage.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal.

5 Prior to the commencement of the dwelling hereby permitted details of the surface water discharge should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that no discharges take place until proper provision has been made for their disposal.

- 6 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 90 metres measured along both channel lines of the major road Goose Track Lane from a point measured 2 metres down the centre line of the access road, as indicated on Drawing number P/36-PL-07B. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and in the interests of road safety.

- 7 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided along the whole length of the western section of the application site frontage measured from a point of 0.3 metres minimum back from the rear edge of the adjoining highway footway at a height of 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

- 8 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing P/36-PL-06H. 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 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.

- 9 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 10 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

- 11 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii)(b) The existing access at the eastern section of the application site shall be improved by repositioning to the western boundary of that section and the crossing of the grass verge to the rear of the existing footway shall be upgraded in construction specification in accordance with the approved details and standard construction specification in accordance with the approved details and standard detail number E6.

(ii)(c) The crossing of the highway footway to access the private layby parking area at the western section of the application site shall be constructed in accordance with the approved details and standard detail number E6.

(v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details shown on drawing and maintained thereafter to prevent such discharges.

(vi) The final surfacing of any private access within **** metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

(vii) Provision of tactile paving in accordance with the current Government guidance.

Reason:- In accordance with Policy **** and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 12 Notwithstanding the submitted treatment of the access road further details should be submitted to and agreed in writing prior to the commencement of the development hereby approved and agreed in writing by the Local Planning Authority.

Reason: in the interest of preserving the character and appearance of the area and to ensure compliance with the aims of the Ryedale Local Plan Strategy.

- 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 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

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

14 The dwelling house hereby permitted is to be occupied by persons, spouse and their dependents whom;

Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or

Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving for military service; or

Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or

Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason: To meet local housing need in non service villages and to satisfy the requirement of Policy SP21 and Policy SP16 of the Ryedale Plan - Local Plan Strategy

15 The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing reference P/36/PL-01H received by the Local Planning Authority on the 2 December 2014
- Drawing reference P/36-PL-02F received by the Local Planning Authority on the 2 December 2014
- Drawing reference P/36-PL-03F received by the Local Planning Authority on the 2 December 2014
- Drawing reference P36-PL-04J received by the Local Planning Authority on the 2 December 2014
- Drawing reference P/36-PL-06J received by the Local Planning Authority on the 2 December 2014
- Drawing reference P/36-PL-07C received by the Local Planning Authority on the 2 December 2014

- Drawing reference P36-PL-08A received by the Local Planning Authority on the 2 December 2014

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

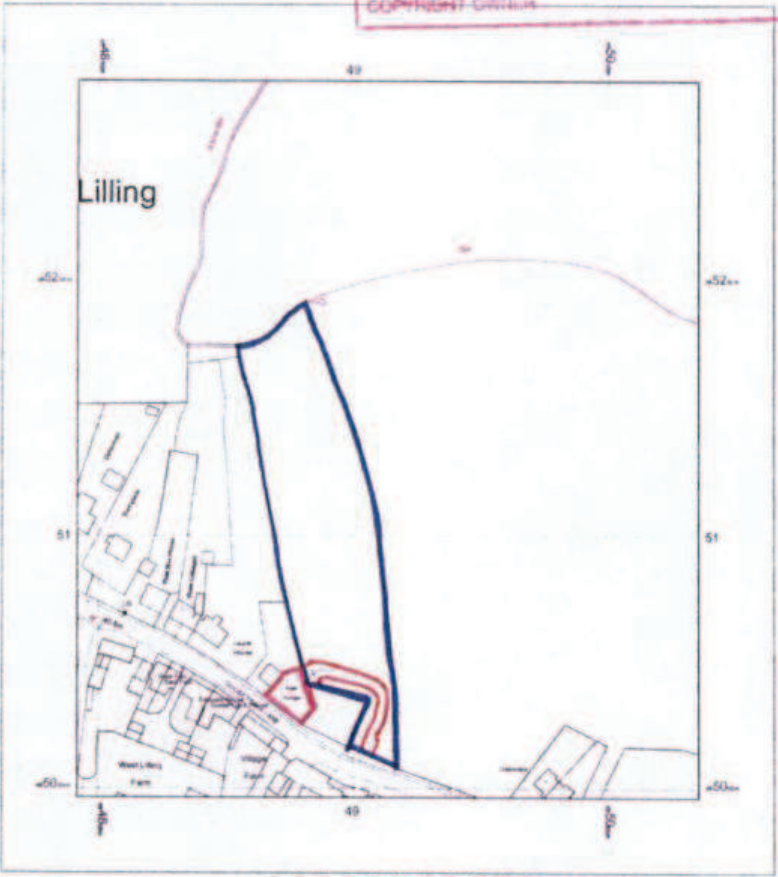
INFORMATIVES:

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 2 An explanation of terms used above is available from the Highway Authority.

Background Papers:

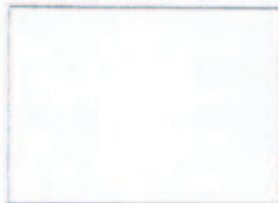
Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

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1:2500

RYEGATE DISTRICT COUNCIL



OS MasterMap 1250/2500/15000
scale
25 March 2014, ID: CM-00309617
www.centremapslive.co.uk
scale print at A5, Centre:
464914 E, 465138 N
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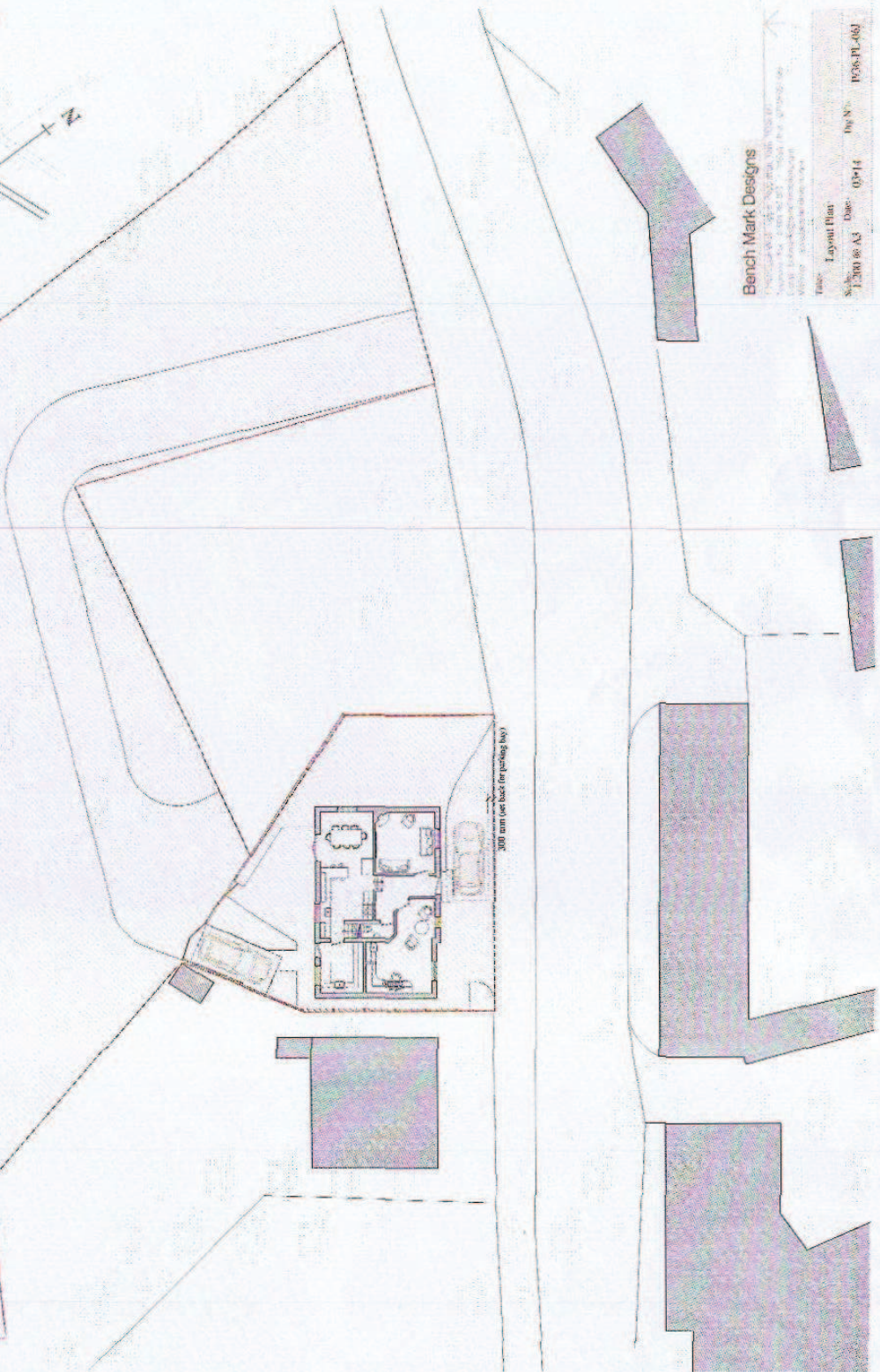
DEVELOPMENT
MANAGEMENT

REVISED PLAN

Building Footprint - no Access, Cottage
West Entry



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300mm grid (not used for parking bay)

Bench Mark Designs

Author: A. J. ...
Date: 09/11

| | |
|--------------|-------------|
| Title: | Layout Plan |
| Scale: | 1:200 @ A3 |
| Date: | 09/11 |
| By: | N. |
| Project No.: | P08/P-08 |

Building Plot adjacent to Rose Cottage
West Lifford

REVISED PLAN

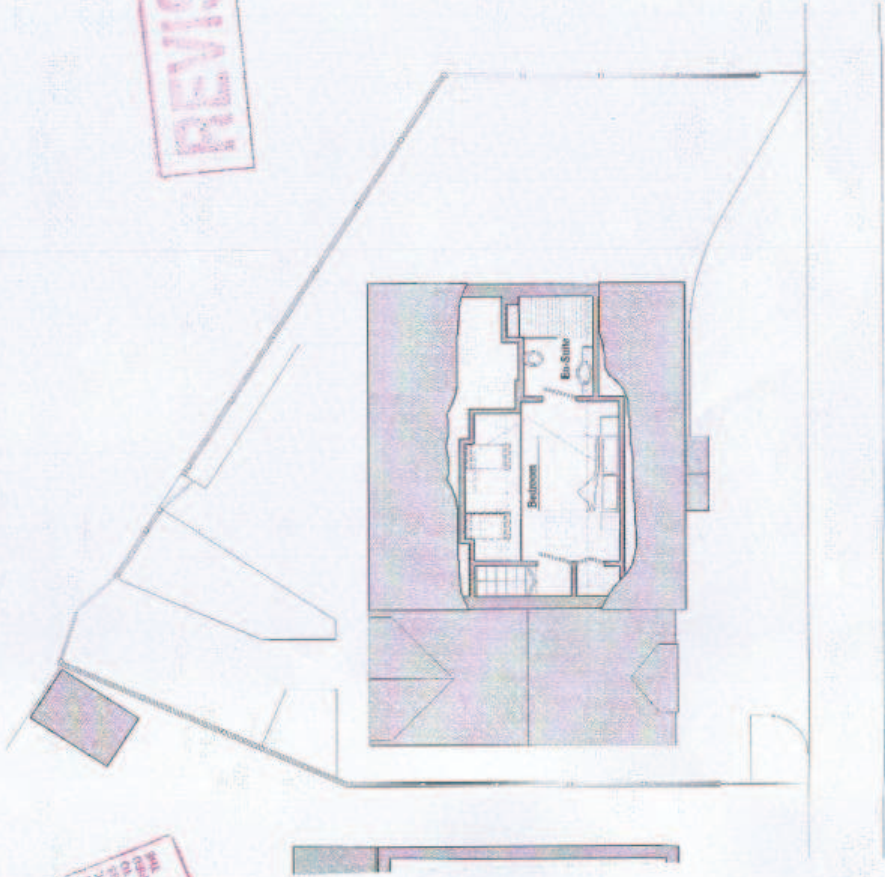
THIS PLAN HAS BEEN MADE IN ACCORDANCE WITH THE BUILDING ACT 1997 AND THE BUILDING REGULATIONS 2007. IT IS A REVISED PLAN AND DOES NOT REPRESENT THE ORIGINAL PLAN. ANY CHANGES TO THE ORIGINAL PLAN ARE SHOWN IN RED. THE ORIGINAL PLAN IS AVAILABLE FOR VIEWING AT THE ARCHITECT'S OFFICE. THE ARCHITECT'S OFFICE IS LOCATED AT 100, WEST LIFFORD ROAD, WEST LIFFORD, CO. DOWN. THE ARCHITECT'S CONTACT DETAILS ARE: ARCHITECT: MR. J. J. O'NEILL, TEL: 087 933 1111, FAX: 087 933 1112, EMAIL: JJO@O'NEILLARCHITECTS.COM



Bench Mark Designs
17 Fiddlers Hall, Upper Lifford, Co. Down
Tel: 087 933 1111
www.benchmarksdesigns.com

Scale: 1:100 or A3
Date: 03/14
By: JJO
Page: PL-0111

REVISED PLAN



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Email: info@benchmarkdesigns.com

Title: Lot Floor Plan
Scale: 1/8" = 1'-0"
Date: 03/14 09:30
Project: P1-038



Bench Mark Designs

1 Montague Walk,
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York. YO26 6JG
Phone/Fax: 01904 782 803 Mobile: 07759 054 683
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Web Site: www.benchmdesigns.com

Design and Access Statement (revised)

New House, Goose Track Lane, West Lilling

Initial Concept

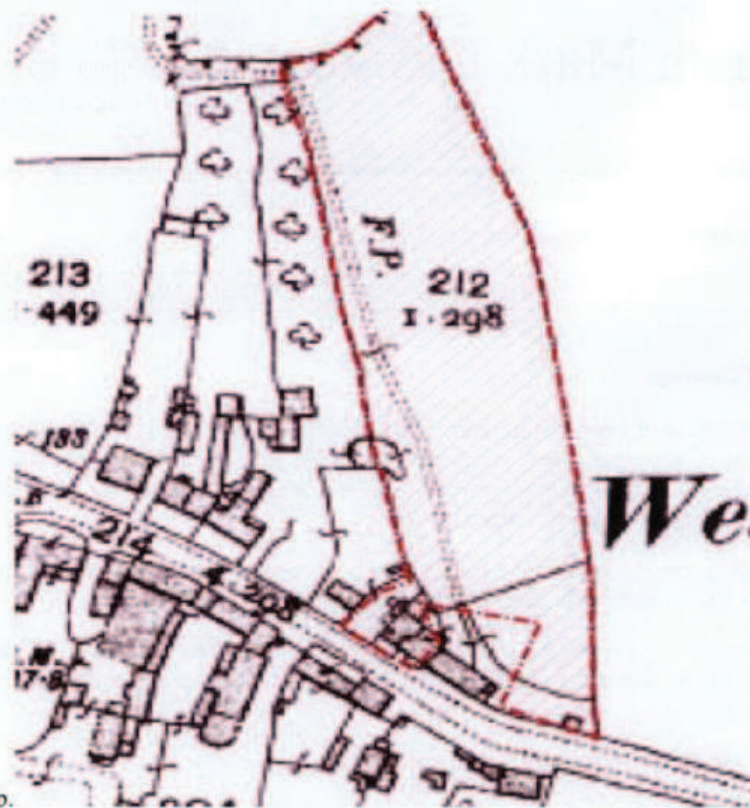
This design and access statement is to support the planning application for a single dwelling adjacent to a property known as Rose Cottage West Lilling. This scheme is to build an infill development on land that was previously two dwellings in a simple cottage style to blend in with the mix of styles within the streetscape.

The new property is intended to be of high performance and built to the code 4 of The Code for Sustainable Homes with a very small carbon footprint.

The site having previously been occupied by at least two dwellings for which the footings are still in place is considered therefore as a brown field site development with a replacement dwelling.

The site is outlined in red.





Enlarged view of map.

The new house would provide much needed housing in the area while occupying what is previously developed land that is unsuitable for gardening as most of it still contains the remains of the previous structure.

The recent addition of the large paddock to the rear makes it a perfect house for a possible smallholding or for some one with horses, both of which are in short supply as most new houses come with no add on space for such activities.

The house would be a good sized family home with the added studio for use by artisan or home worker, it's relationship to the rear paddock gives security for it's use, but access to the paddock is separate and not confined by the house.

Location

The site is located in the small village of West Lilling, just outside Sherriff Hutton and within the Ryedale area.

It is a ribbon arrangement of housing along a country road and the site is at the westernmost end of the development limit but within its boundary.

Land @ Goose Track Lane West Lilling.

The Site

The road frontage is 17.4m and with over 6,000m² the total site is extensive, but the development part is 238m² of which the proposal house occupies 84.5m² (35%).

Design Philosophy

Within the village are a range of styles and materials, the proposal is to blend these into a mixture of brick and render, with staggered face will break down the massing. This is intentional, also it gives best use of the land shape as does the split level layout make best use of the slope of the land across the depth of the house.

Strategy

The site lies in what is termed "other villages" within the local plan so development is limited to consolidation of new development within the current building limits, this site fulfils that policy.

SP21

As the site is brown field and an infill within the open spaces left by demolition of previous structures therefore is a replacement dwelling, but a restriction to local needs would be acceptable.

SP12

The proposal recognises the character of the village and keeps within that framework also removes an unsightly gable end that is Rose Cottage with its large flat roof rear extension.

Plan Policy 13

The proposal will contribute to the overall appearance of the village by removing what looks like and is, a demolition site.

Plan Policy 16

The design is to make best use of the site and create an environment for a family home with space to work for artisan use, with a provision for a working studio as part of the house for home working.

SP19

The proposal is fully in line with the policy for sustainable development, and the general guidance of the National Policy Framework.

Flood Risk

The area is not within any flood risk as clearly shown on the mapping from the Environment Agency.

Ecology

There are no nesting sites for birds or bats on the site and no obvious signs of badgers.

Contamination

The site was walked as part of the measured survey and apart from brick rubble there are no obvious signs of any contamination or spillage of any sort.

Land @ Goose Track Lane West Lilling.

nma
28/10/14 Object.

LILLINGS AMBO PARISH COUNCIL.

Clerk. Mrs A.Bailey, Rose Villa, West Lilling.York. YO60 6RP

24-10-2014

Karen Hood,
Managing Development Team Leader.
Ryedale District Council.

RYEDALE DM
28 OCT 2014
DEVELOPMENT
MANAGEMENT

Dear Karen Hood,

Application No 14/01083/FUL. Mr John Pulleyn. Land Adj to Rose Cottage.

Erection of a four bedroom dwelling and formation of 1 parking space.

The Lillings Ambo Parish Council met on 21st October 2014 to consider this planning application.

This application is turned down on the grounds set out below.

1. Sight Lines. The Council is not satisfied that the sight line requirements as set out by the Highways Authority would be met. Further evidence is required on this matter.
2. Car Parking and Access. The Council supports the position of the revised vehicle access to the property but for a 4 bedroom house of this size a further on site car parking place is required.
The winding nature of the road through the village creates a real traffic hazard whenever cars are parked even temporally on the carriage way and we strongly recommend the applicant to provide a properly surfaced 'pull in' facility on his property immediately adjacent to the proposed new entrance. This would reduce the chances of casual visitors parking on the road opposite the front door of the property.
3. The Council have not been provided with any information on the type and colour of the roof materials or the proposed rendering or the brick type and colour as requested in our response to the original Application. No 14/00363/FUL.

Yours sincerely.

J.L.C.Pratt.
Chairman . Lillings Ambo Parish Council.

mmo

No objections

LILLINGS AMBO PARISH COUNCIL.

Clerk. Mrs A.Bailey, Rose Villa, West Lilling.York. YO60 6RP

9-12-2014

Karen Hood,
Managing Development Team Leader.
Ryedale District Council.

RYEDALE DM

12 DEC 2014

DEVELOPMENT
MANAGEMENT

Dear Karen Hood,

Revised -Application No 14/01083/FUL. Mr John Pulleyn. Land Adj to Rose Cottage. 12/12/14
LM.

Erection of a four bedroom dwelling and formation of 2 parking spaces.

Lillings Ambo Parish Council has considered the revised plans for the above and has no objections.

Yours sincerely,

J.L.C.Pratt.

Chairman . Lillings Ambo Parish Council.

Agenda Item 10

Item Number: 10
Application No: 14/01111/FUL
Parish: Norton Town Council
Appn. Type: Full Application
Applicant: Mr & Mrs S Finnerty
Proposal: Erection of a four bedroom dwelling with 2no. parking spaces and vehicular access
Location: Land At 6 Parliament Street Norton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 9 December 2014
Overall Expiry Date: 13 November 2014
Case Officer: Helen Bloomer **Ext:** 328

CONSULTATIONS:

| | |
|-------------------------------------|------------------------------------|
| Environmental Health Officer | No comments to make on application |
| Archaeology Section | Recommend condition |
| Highways North Yorkshire | Recommend conditions |
| Parish Council | Support |

Neighbour responses: Mr James Holder,

SITE:

The application site forms part of the existing amenity space associated with No. 6 Parliament Street which is within the development limits of Norton. There is an existing garage and outbuilding on part of the site. Norton allotments are to the rear of the development site.

PROPOSAL:

Planning approval is sought for the erection of a four bedroom detached dwellinghouse, with rear amenity space and two off road parking space. The proposed dwelling has eaves and apex heights of 5 metres x 0.3 metres respectively, with a main span of 6.8 metres and a depth of 9 metres. A subordinate one and a half storey element is proposed to the eastern side of the building measuring a further 3 metres x 5.5 metres.

The materials proposed are representative of the local vernacular, being facing brick, red clay pantiles.

HISTORY:

Outline planning permission was granted for the erection of a dwellinghouse, reference 09/01218/OUT. The permission however expired on the 14 January 2013.

APPRAISAL:

The key considerations in assessing the application are;

- i) Principle
- ii) Character
- iii) Impact on residential amenity
- iv) Highways
- v) Archeologically
- vi) Treatment of Foul and Waste Water

Principle

The Ryedale Local Plan Strategy has a settlement hierarchy as outlined in Policy SP1 (General Location and Settlement Hierarchy), which directs the majority of development to the Principle Settlement of Malton and Norton, the principle of the creation of a new dwelling in this location therefore supported by both SP1 and SP2 (Delivery and Distribution of New Housing).

The adopted Ryedale Plan - Local Plan Strategy Policy SP3 and SP11 required both a Public Open Space Contribution and Affordable Housing Contribution. Members will be aware of the recent Ministerial advice issued on 28th November 2014 in relation to developer contributions. Following that announcement government policy guidance has been amended to advise that tariff style contributions should not be sought from developments of 10 units or less, or potentially from 5 units or less in rural areas. Because of this recent and significant change in material planning considerations it is not considered that contributions in respect of affordable housing should be sought from this site.

Character

The site lies to the southern side of Parliament Street within a predominately residential area. The site is currently used for parking and also forms part of the amenity area currently serving No.6 Parliament Street. The immediate vicinity is predominately characterised by terraced properties with a few detached properties.

The proposed dwelling would infill the existing opening within an otherwise continually built up street frontage. The scale and form of the proposed dwelling is representative of the existing detached dwellings within Parliament Street and the surrounding area. Whilst the dormer window on the one and a half storey element is not characteristic, it is sufficiently set back from the principle street frontage so that it would not detract from the character and appearance of the area.

Subject to the recommended conditions regarding the materials to be used in the construction, it is Officers opinion that the proposed development would have a positive effect on the character and appearance of the surrounding area.

Impact on Residential Amenity

Because of the orientation of the proposed dwelling and the neighbouring properties it is not considered that the proposed development would impact on the privacy on either the current or future occupants of the application site or adjacent properties.

A letter of objection has been received from the occupier of the adjacent property No. 18 Parliament Street. The neighbour is concerned that there is the potential for loss of light to the garden. It is Officers opinion that because of the scale of dwelling (which adjacent to the boundary would be one and a half storey) as well as the orientation that the sun would set does not significantly reduce the amount of light currently enjoyed by the occupants to such a degree that it would have a detrimental impact on their amenity.

The neighbour has also raised concern regarding the potential impact of noise (presumably during the construction stage). The Environmental Health Officer has raised no concerns. Given the nature of the development it is not considered appropriate to impose conditions restricting the operating hours. The Environmental Health officer has advised that they do have powers of control if the noise created from the construction of the dwelling does result in a nuisance.

Further concerns raised which do not constitute material planning considerations are, damage to their property and the impact the development would have on the value of their property.

Highways

The application is proposes to make use of the existing access which currently serves the garage and which is to be demolished. The Highway Authority has raised no objections to the proposed development, however a number of conditions have been recommended. Subject to the imposition of these conditions it is not considered that the proposed development would have an adverse impact on the safe functioning of the highway.

Archaeology

The application site is in an area of known archaeological importance. North Yorkshire County Council Historic Environment Team have raised no objection to the proposed development, however they have recommended a number of conditions be attached to a decision.

Treatment of Foul and Waste Water

The proposed dwelling would join the mains sewers and the surface water is to be dealt with via a soakaway and the mains sewers. Yorkshire Water has been consulted and has raised no objection to the proposed method.

The Environmental Health Officer has raised no objection to the proposal.

Norton on Derwent Town Council has resolved to recommend approval.

In light of the above assessment it is considered that the proposed development would accord with both Local and National Planning Policy. The recommendation therefore is one of approval.

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 Notwithstanding the submitted details before the development hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning Authority a one metre square free standing panel of brickwork to be used in the construction of the building. The panel so constructed shall be retained only until the development has been completed.

Reason:- To ensure a satisfactory external appearance.

- 3 The dwelling herby approved shall not be occupied or brought into use prior to completion of the approved works for disposal and treatment of sewage.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal.

- 4 Prior to the commencement of the dwelling hereby permitted details of the surface water discharge should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that no discharges take place until proper provision has been made for their disposal.

- 5 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 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 site investigation and recording
 7. Nomination of competent person or person/ organisation to undertake the works set out within the Written Scheme of Investigation

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

- 6 No Demolition/ development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 5.

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

- 7 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 5 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.

- 8 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme of their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason:- In accordance with Policy and in the interests of highway safety.

- 9 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details shown on Drawing No. 14-1048-2 and/or Standard Detail number E6.

(iii) Any gates or barriers shall be erected a minimum distance of 2.4 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

(vi) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

(vii) Provision of tactile paving in accordance with the current Government guidance.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In accordance with Policy ^IN; and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 10 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 39 metres measured along both channel lines of the major road Parliament Street from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and in the interests of road safety.

- 11 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

- 12 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing 14-1048-2. 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 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.

- 13 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

14 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

15 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 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

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

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

Drawing number 14-1048-1

Drawing number 14-1048-2

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

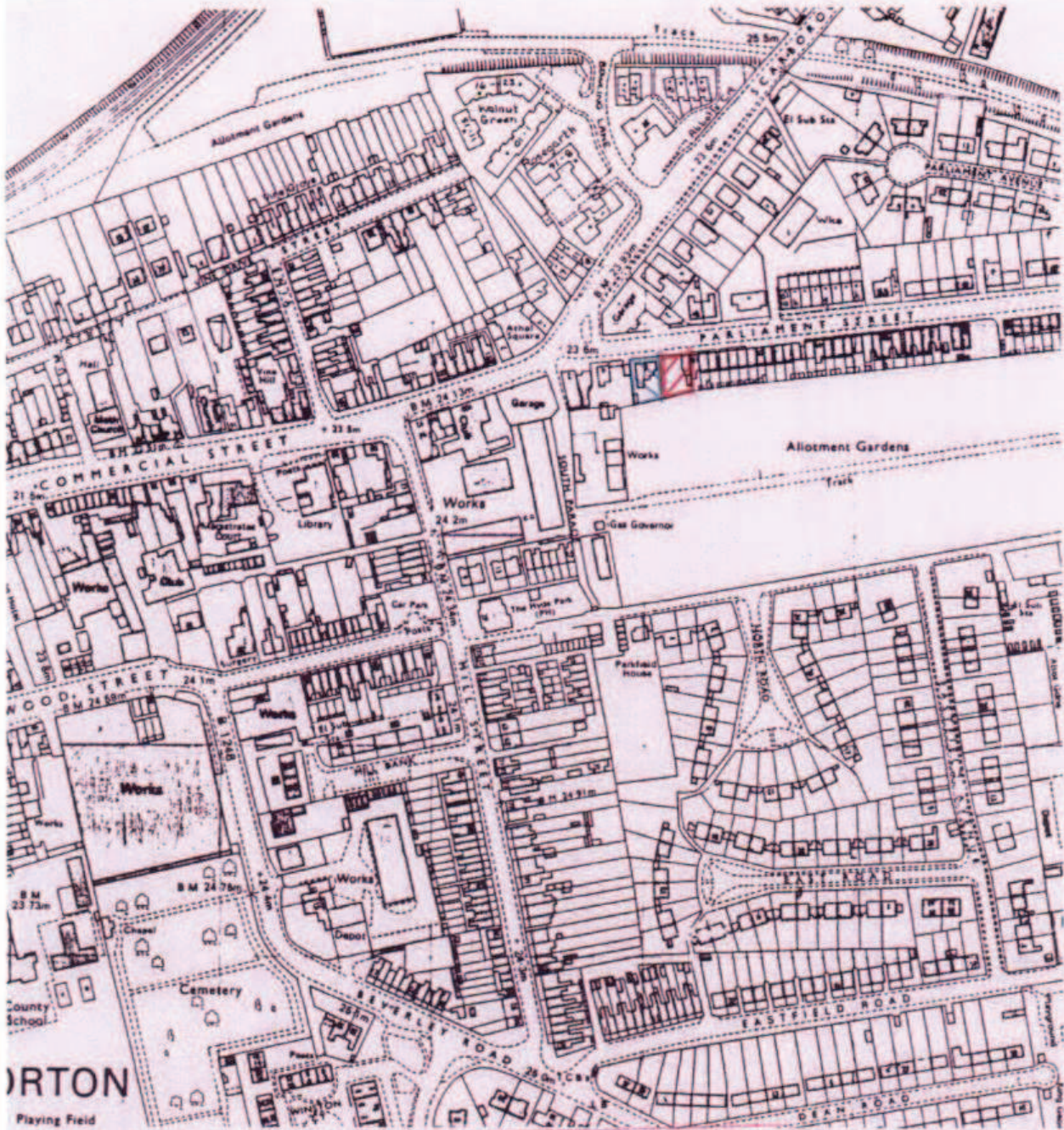
INFORMATIVES:

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

- 2 An explanation of terms used above is available from the Highway Authority.

Background Papers:

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

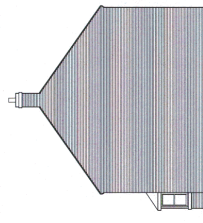


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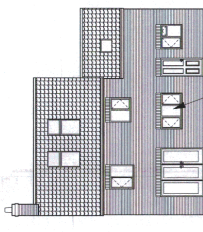
SCALE: ~ 1:2500.

Land adjacent to
6 Parliament Street, Norton, Malton.

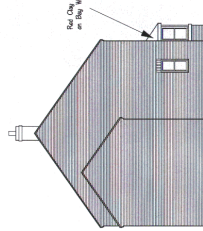
Check All Dimensions on Site.



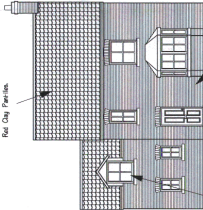
Proposed West Elevation.



Proposed South Elevation.

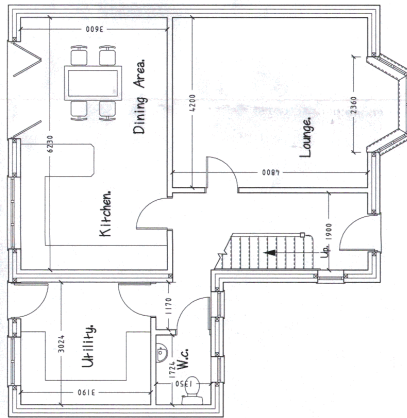


Proposed East Elevation.

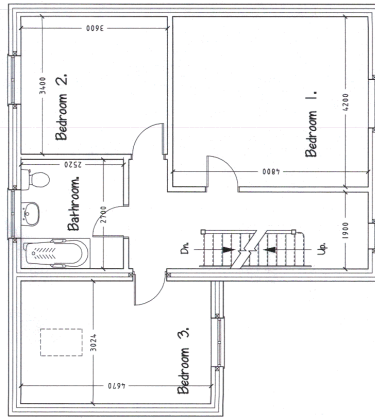


Proposed North Elevation.

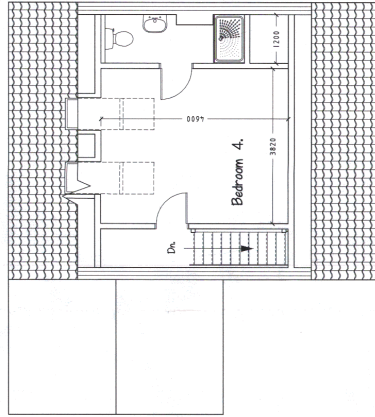
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Proposed Ground Floor Layout.



Proposed 1st Floor Layout.



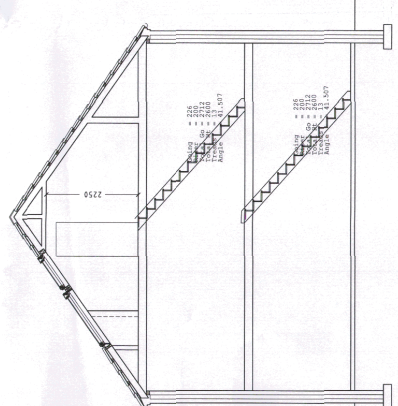
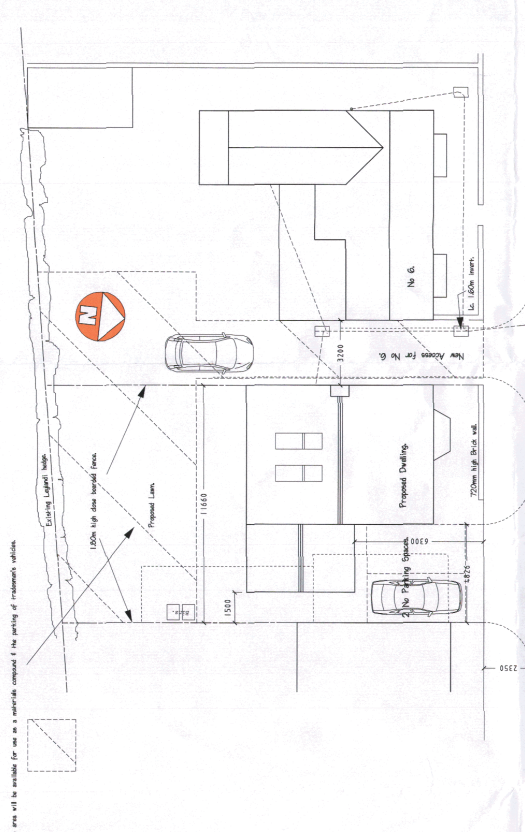
Proposed 2nd Floor Layout.

MIKE PUNCHARD
PLAN DRAWING SERVICE
 9 THE AVENUE, NOTTON, MALTON,
 N. YORKS. YO17 9EP
 TEL: 01653 694276

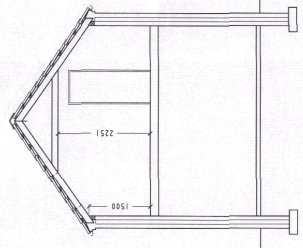
TITLE :- Proposed Dwelling. AT :- Site adjacent to 6 Parliament Street, Norton, Malton. FOR :- Mr & Mrs S. Finnerty.

SCALES :- 1:100, 1:50. DATE :- August 2014. DRAWING No. :- 14-1048-1.

Check All Dimensions on Site.



Proposed Section A-A



Proposed Section B-B
(Building Ref 3)

Proposed Block Plan

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MIKE PUNCHARD
PLAN DRAWING SERVICE
 9 THE AVENUE, NORTON, MALTON,
 N. YORKS. YO17 9EP
 TEL:- 01653 69276

TITLE :- Proposed Dwelling. **FOR :-** Mr & Mrs S. Finnerty.
SCALE :- 1:100, 1:50. **DRAWING No. :-** 14-1048-2.

AT :- Site adjacent to 6 Parliament Street, Norton, Malton. **DATE :-** August 2014.

MIKE PUNCHARD Assoc R.I.C.S.
Plan Drawing Service

9 The Avenue
Norton
Malton
North Yorkshire
YO17 9EF

Telephone 01653 694276

Email: mikepunch2@btinternet.com

3 October 2014

Dear Sir/Madam

Re:- Design & Access Statement in respect of a Proposed Four Bedroomed Detached Dwelling on Land at 6 Parliament Street, Norton, Malton.

Please find attached a Full Planning application in respect of the above proposal.

The site lies within the defined development limits of Norton and with Malton and Norton being defined as the Principle Town within the Ryedale District and which the majority of new housing will be directed within the time span of the latest The Ryedale Local Plan Strategy.

The site lies on the south side of Parliament Street and covers an area of approximately 0.24 hectares and will have a frontage of approximately 11.60 metres. Allotments lie to the South of the site.

Within Policy SP2 of The Ryedale Local Plan - Delivery & Distribution of New Housing - it identifies a range of acceptable housing developments in the Malton & Norton development limit and this includes infill development (small opens sites in an otherwise continually built up frontage).

The proposal fits into this category and indeed the principle of development has already been established by the approval of an outline application in January 2010 (reference 09/01218/OUT). Although that application was determined under the policies of the former local plan I am not aware of any significant Policy change that would result in a change of opinion.

The proposal is to erect a Four Bedroomed Dwelling and set out on three floors with a Bedroom being created in the roofspace area. Two off-street parking spaces will be provided and a new 3.20m wide access will be created for No.6 Parliament Street.

A. 720mm high wall will form the front boundary and will match in with the present boundary wall in front of No.6 Parliament Street.

The new parking areas and driveways will be constructed of porous block paving and laid to falls or the existing drainage channel utilised to avoid discharge of surface water onto the highway. Foul water will discharge to existing Inspection chambers and drain runs serving No.6 Parliament Street.

The applicants live at No.6 Parliament Street and intend to develop the site themselves, so there will be no requirement for temporary office or W.C. facilities on the site when construction takes place. There will also be adequate space at the rear of the site and No.6 for storage of materials and tradesmen vehicles.

The existing concrete hard standing area to the east of No.6 will serve as an adequate temporary access surface during construction and will restrict the potential for debris to be dragged onto the highway. In inclement weather the hard standing will be regularly swept and vehicles washed off to again protect the highway.

The Dwelling will be built of brick under a Pantiled roof and the frontage windows will be of a Double glazed vertical sliding sash type unit with a vertical bar detail. The proportions of the windows will be sympathetic to shape of openings on the adjacent properties. A Bay window is also proposed and which simulates a similar design feature on No.6 Parliament Street.

It is considered that the proposed Dwelling will integrate successfully into the streetscene in terms of scale, design and orientation and that there will be adequate amenity space for both the new Dwelling and No.6 Parliament Street, Norton.

The proposal will accord with the policies & guidance outlined in the relevant sections of The Ryedale Plan & The National Planning Policy Framework.

The Applicant's purchased the property with the knowledge that there was a history of an Outline approval for a Detached Dwelling on the adjacent land (as outlined above). They are now aware that Policy SP3 The Ryedale Plan seeks a financial contribution towards affordable housing & payment of a Community Infrastructure Levy charge. (although this was not a condition on the Outline approval). Paragraph 4.42 in Section 4- Housing. Of The Ryedale Plan state that contributions will be negotiated on the basis of 9% of the private sales revenue. However the development will result in a de-valuation of the existing Dwelling at No 6 Parliament Street & the applicant's will need to compete in the market with the sale of similar properties on the Redrow site etc. The project offers work & income for a small local developer & in order to remain competitive with the larger developer's the applicant's would hope that a reduced contribution is applied.

Yours faithfully

Mike Punchard

Agenda Item 11

Item Number: 11
Application No: 14/01228/HOUSE
Parish: Helmsley Town Council
Appn. Type: Householder Application
Applicant: Mr And Mrs Sinclair
Proposal: Replacement of 10 no. timber windows with double glazed PVCU windows (5 no. sliding sash and 5 no. casement)
Location: Buckle Yeat Pottergate Helmsley YO62 5BY

Registration Date:
8/13 Wk Expiry Date: 14 January 2015
Overall Expiry Date: 31 December 2014
Case Officer: Rachel May **Ext:** 329

CONSULTATIONS:

Parish Council Object
Building Conservation Officer No views received to date

Neighbour responses: None

SITE:

Buckle Yeat is a residential dwelling situated down a track off Pottergate. As a result it is not readily visible from public viewpoints. The application site is located within Helmsley development limit and within the designated conservation area. It also has Article 4 status which is the reason why this proposal requires planning permission.

PROPOSAL:

Planning permission is sought for the replacement of 10 no. timber windows with double glazed PVCU windows (5 no. sliding sash and 5 no. casement).

Members are advised that this application has been referred to Planning Committee for determination because Helmsley Town Council has objected to the proposal raising material planning considerations.

POLICY:

Policy SP12 - Heritage
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

NPPF - National Planning Policy Framework
NPPG National Planning Policy Guidance

Planning (Listed Building and Conservation Areas) Act, 1990

HISTORY:

12/00671/HOUSE - Planning permission granted for the replacement of existing timber front, back and garage personal door with PVC-u doors.

APPRAISAL:

The main considerations to be taken into account are;

- a. Character and Form
- b. Impact upon the Conservation Area
- c. Impact upon the neighbouring occupiers
- d. Other Issues

a. Character and Form

The proposal seeks to replace the existing timber windows with PVC - u. The windows will be in exactly the same size and position of the existing timber windows. Usually the work could be done under 'permitted development', had the property not been within the designated Article 4 area.

The Article 4 direction came into effect in March 2007 and means that alterations to dwellings, including the replacement of windows now need planning permission.

It is considered however that the replacement windows are appropriate and sympathetic to the character of this modern dwelling which is situated in a 'backland' location. It is also considered that the proposal will restore some consistency to the appearance of the dwelling because the front door has already being replaced with PVC - U. The proposal is therefore considered to comply with SP16 Design of the Ryedale Plan - Local Plan Strategy.

b. Impact upon the Conservation Area

Under Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990, the Local Planning Authority has a duty to preserve or enhance the character of the designated Conservation Area.

The Building Conservation Officer undertook a detailed site visit, and has no objections to the proposal.

The consultation response stated:

"No Objection- This modern single storey dwelling is not visible from any public points within the conservation area and is well screened on the majority of its elevations. Surrounding houses have PVC - U windows and this dwelling has PVC - U doors. In my opinion, by virtue of the fact that this is a modern designed property that is not visible from the road and neighbouring properties have PVC - U, I am of the opinion that this application preserves the character of the conservation area.

It should be noted that the Local Planning Authority has resisted PVC - U in Conservation Area locations on more prominent sites, or where the building is of vernacular tradition. However in this case it is accepted that this is a relatively concealed modern dwelling, which is considered to be an exception to the surrounding Conservation Area and designated Article 4 area. In this instance, the proposal is considered to comply with SP12 Heritage of the Ryedale Plan - Local Plan Strategy and also the Planning (Listed Building and Conservation Areas Act) 1990.

c. Impact upon the neighbouring occupiers

It is considered the proposal will have no adverse impact on the neighbouring properties. The replacement windows are proposed in the same position as existing, and therefore are considered to create no additional adverse impact in terms of overlooking or loss of privacy. Therefore it is considered the proposal complies with SP20 Generic Development Management Issues of the Ryedale Plan - Local Plan Strategy.

d. Other Issues

Helmsley Town Council have objected to the application, and state that the dwelling is within the Article 4 Conservation Area. Therefore there is a preference for wooden windows.

As set out above, the Building Conservation Officer has no objections and at the time of writing there have been no comments received from the neighbouring properties or as a result of the site notice. It should be noted that the consultation period runs until the 31st December 2014.

In light of the above assessment, it is considered the proposal complies with the primary legislation and SP12 Heritage, SP16 Design, SP19 Presumption in Favour of Sustainable Development and SP20 Generic Development Management Issues of the Ryedale Plan - Local Plan Strategy and also the National Planning Policy Framework. Therefore the recommendation is one of approval, subject to the following conditions.

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 permitted shall be carried out in accordance with the following approved plan(s):

Proposed Window Detailing - as scanned 25th November 2014

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

Background Papers:

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



North Yorkshire County Council

Public Rights of Way
Waste and Countryside Services
County Hall
Northalerton

Key:
 Claimed Public Footpath
 Public Bridleway
 Restricted Byway
 Byway Open to All Traffic

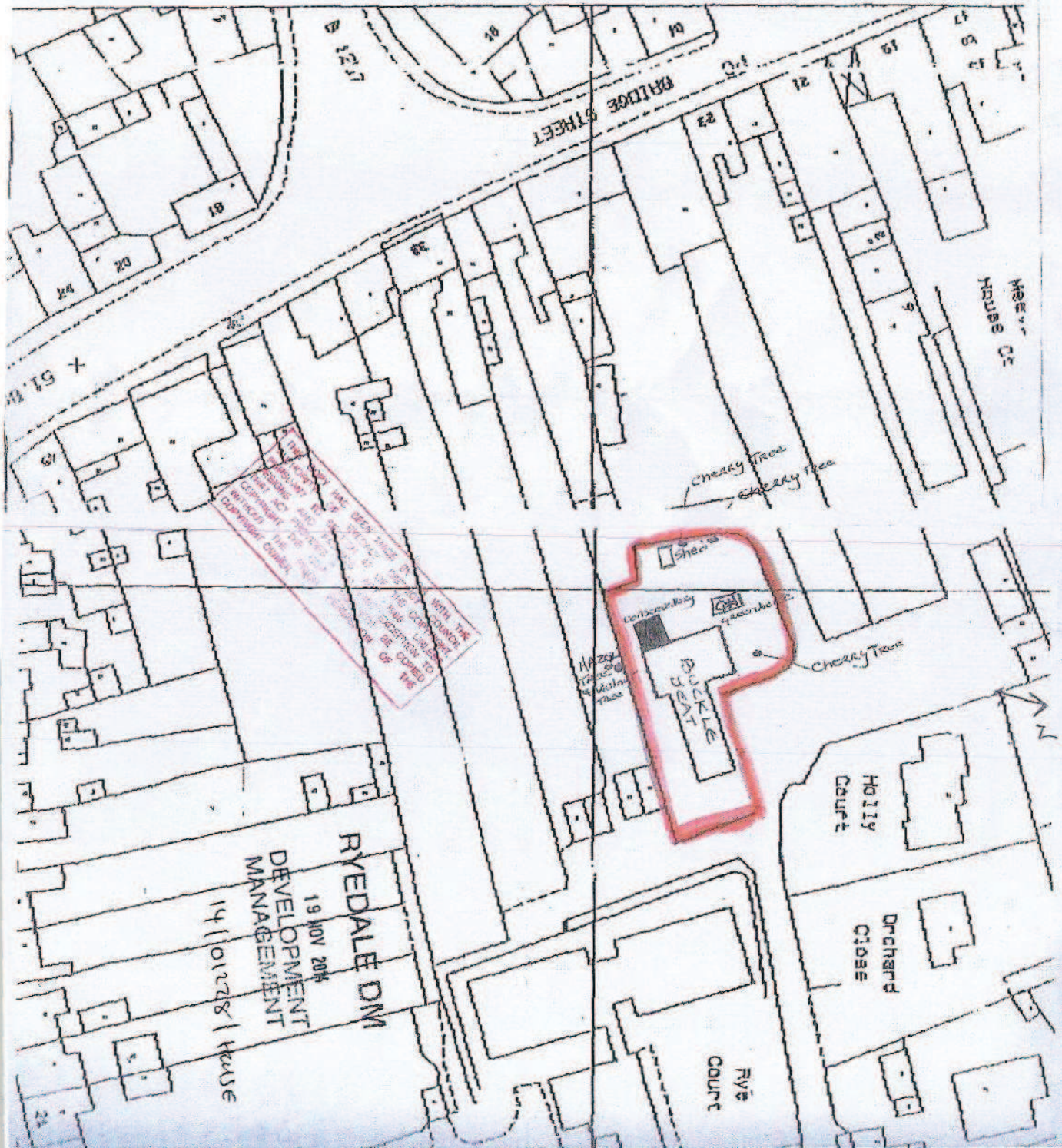
Map drawn on 14 May 2012

North Yorkshire County Council

Plan prepared for the purpose of claiming a right of way in Helmsley

BLOCK PLAN @ 1:500

837



PROPOSED SLIDING SASH

CUSTOMER DETAILS

New Addition Windows Ltd
NAWL001

Address:
The Old School House
26 Long Street
Thirst

Job No:
61071A

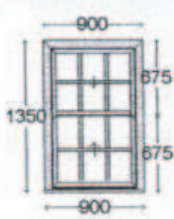
Your Reference:
SINCLAIR

Tel : 01845 524777
Fax : 01845 524678

North Yorkshire
YO7 1AP

Required Date:

Window 1: Overall size 900w x 1350h: Quantity: 1



Window Energy Rating

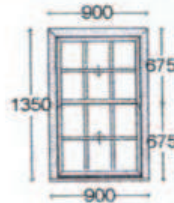
A

Description: Vertical Slider
Colour: White Foil
Hardware: White Hardware
Sash Horns: Run-Through Horns
Travel Restrictors: Not Required
Extras: No ventilator
Fixing Cleats: Not Required
Security Rail: Not Required
Deep Bottom: No
Rain eyes: 2
Sash Lifts: 2
D Handle: Not Required
Frame Extenders:
Top: No add-on **Left:** No add-on **Right:** No add-on

Cill Size: 154mm STD CILL

Glass:
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas

Window 2: Overall size 900w x 1350h: Quantity: 1



Window Energy Rating

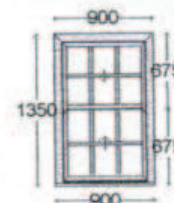
A

Description: Vertical Slider
Colour: White Foil
Hardware: White Hardware
Sash Horns: Run-Through Horns
Travel Restrictors: Not Required
Extras: No ventilator
Fixing Cleats: Not Required
Security Rail: Not Required
Deep Bottom: No
Rain eyes: 2
Sash Lifts: 2
D Handle: Not Required
Frame Extenders:
Top: No add-on **Left:** No add-on **Right:** No add-on

Cill Size: 154mm STD CILL

Glass:
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas

Window 3: Overall size 900w x 1350h: Quantity: 1



Window Energy Rating

A

Description: Vertical Slider
Colour: White Foil
Hardware: White Hardware
Sash Horns: Run-Through Horns
Travel Restrictors: Not Required
Extras: No ventilator
Fixing Cleats: Not Required
Security Rail: Not Required
Deep Bottom: No
Rain eyes: 2
Sash Lifts: 2
D Handle: Not Required
Frame Extenders:
Top: No add-on **Left:** No add-on **Right:** No add-on

Cill Size: 154mm STD CILL

Glass:
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas

RYEDALE DM

19 NOV 2014

DEVELOPMENT
MANAGEMENT

14/01/28/HOUSE

14/10/2014
mark.cooper

Synseal Extrusions Ltd - Common Road - Huthwaite - Nottinghamshire - NG17 6AD
Tel: 01623 443200 - Fax: 01623 554050 - Email: vsorders@synseal.com
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NAWL001
61071A
EV05496

CUSTOMER DETAILS

New Addition Windows Ltd
NAWL001

Address:
The Old School House
26 Long Street
Thirst

Job No:
61071A

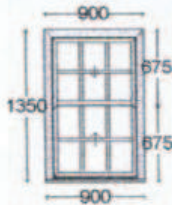
Your Reference:
SINCLAIR

Tel : 01845 524777
Fax : 01845 524678

North Yorkshire
YO7 1AP

Required Date:

Window 4: Overall size 900w x 1350h: Quantity: 1



Window Energy Rating

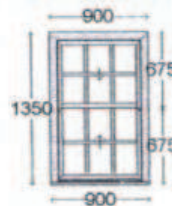


Description: Vertical Slider
Colour: White Foil
Hardware: White Hardware
Sash Horns: Run-Through Horns
Travel Restrictors: Not Required
Extras: No ventilator
Fixing Cleats: Not Required
Security Rail: Not Required
Deep Bottom: No
Rain eyes: 2
Sash Lifts: 2
D Handle: Not Required
Frame Extenders:
Top: No add-on **Left:** No add-on **Right:** No add-on

Cill Size: 154mm STD CILL

Glass:
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas

Window 5: Overall size 900w x 1350h: Quantity: 1



Window Energy Rating



Description: Vertical Slider
Colour: White Foil
Hardware: White Hardware
Sash Horns: Run-Through Horns
Travel Restrictors: Not Required
Extras: No ventilator
Fixing Cleats: Not Required
Security Rail: Not Required
Deep Bottom: No
Rain eyes: 2
Sash Lifts: 2
D Handle: Not Required
Frame Extenders:
Top: No add-on **Left:** No add-on **Right:** No add-on

Cill Size: 154mm STD CILL

Glass:
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas
A/FLT T+/16WE/FLT LIm : 16mm Black Warm Edge Astragal G Bar 21n
Bar White Foil Taped Argon Gas

Extra Items

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14/10/2014
mark.cooper

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Our conditions of sale (visit www.synseal.com) shall apply to the sale of goods to the exclusion of all terms unless agreed in writing by us.

NAWL00:
61071A
EVD5496/

PROPOSED CASEMENT WINDOWS (SINGLE NOT SHOWN)

WORKS ORDER

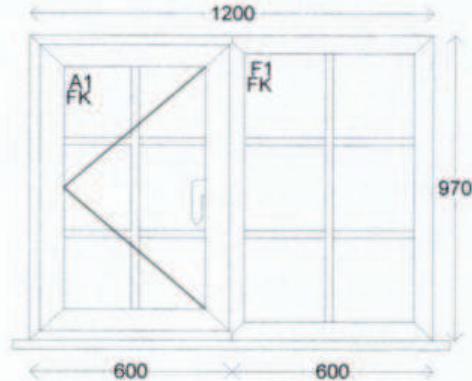
| | | |
|---------------------------|--------------|---------------------------------|
| Customer: SINCLAIR | Unglazed | Input Info: 13-11-2014 Rachel |
| Reference: | Supply & fix | In Production |
| Job No. : 21032 (Item: 1) | Page 1 of 4 | Print Info: 18-11-2014 10:20 am |

Manufacturing Units: 4.60

Main Options:

| | |
|--------------------|---------------------------|
| Product | 70mm Featured Casement RI |
| Size | 1200 x 1000 |
| Quantity | 4 |
| Design | CASE 16 |
| Frame (Head) | 7501 58mm Frame |
| Frame (Cill) | 7501 58mm Frame |
| Frame (Left jamb) | 7501 58mm Frame |
| Frame (Right jamb) | 7501 58mm Frame |
| Mullion | 7532/3 72mm T/Z Section |
| Sash | 6561/60 T/Z Sash |
| Cill | 3640 150mm Cill |
| Colour | White |
| Sash colour | White |
| Cill colour | White |
| Bead type | Feature Black Gasket |
| Handle | White Espag Handle |
| Casement locking | Espag Locking |
| Viewed from | Viewed from outside |
| Open in/out | Open out |
| Glazed in/out | Glazed in |
| Reinforcing rule | Normal Reinforcing |
| Reinforcing type | Steel Reinforcing |
| Tran/Mull joints | Welded joint |

Location: KITCHEN



19 NOV 2014

| Sections required: | | | | Qty | Length | End prep | Reinforcing | Length |
|--------------------|---------|--------------------|---|------|--------|-----------------|-------------|--------|
| Hor | Frame | 7501W50 58mm O/F | 4 | 605 | -/ | | | |
| Hor | Frame | 7501W50 58mm O/F | 4 | 605 | -/ | * TD3570S Steel | | 1074 |
| Hor | Frame | 7501W50 58mm O/F | 4 | 605 | -/ | | | |
| Hor | Frame | 7501W50 58mm O/F | 4 | 605 | -/ | * TD3570S Steel | | 1074 |
| Ver | Frame | 7501W50 58mm O/F | 4 | 975 | -/ | | | |
| Ver | Frame | 7501W50 58mm O/F | 4 | 975 | -/ | * | | |
| Ver | Mullion | 7533W50 72mm Z | 4 | 1003 | <-> | | | |
| Hor | Sash | 6560W50 71mm T | 8 | 562 | -/ | * | | |
| Ver | Sash | 6560W50 71mm T | 8 | 910 | -/ | * TD3573S Steel | | 753 |
| Hor | Cill | 3640W50 150mm Cill | 4 | 1300 | -/ | | | |

* - Denotes bar reversed

| Accessories Required: | | | Qty | Length |
|---------------------------|--|--|-----|--------|
| 12" S/H Friction stay | | | 4 | Pairs |
| 550mm Mushroom Espag | | | 4 | Items |
| Espag keep | | | 8 | Items |
| White Espag Handle | | | 4 | Items |
| SO113 150mm Cill End Caps | | | 4 | Pairs |

| Glass Required: | | | | Qty | Width | Height |
|-----------------|---|------------------|--|-----|-------|--------|
| A1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 4 | 443 | 791 |
| | 25mm Bar White Std Joints | Argon Gas Filled | | | | |
| F1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 4 | 534 | 882 |
| | 25mm Bar White Std Joints | Argon Gas Filled | | | | |

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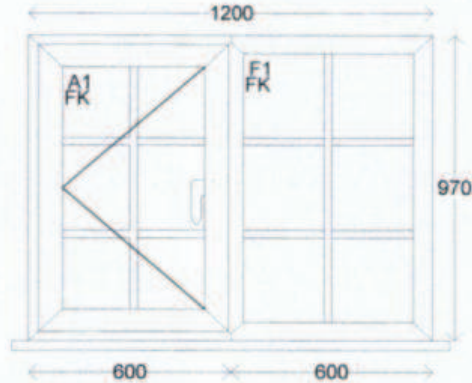
WORKS ORDER

| | | |
|---------------------------|--------------|---------------------------------|
| Customer: SINCLAIR | Unglazed | Input Info: 13-11-2014 Rachel |
| Reference: | Supply & fix | In Production |
| Job No. : 21032 (Item: 2) | Page 2 of 4 | Print Info: 18-11-2014 10:20 am |

Manufacturing Units: 1.15

Main Options:

| | |
|--------------------|---------------------------|
| Product | 70mm Featured Casement RI |
| Size | 1200 x 1000 |
| Quantity | 1 |
| Design | CASE 16 |
| Frame (Head) | 7501 58mm Frame |
| Frame (Cill) | 7501 58mm Frame |
| Frame (Left jamb) | 7501 58mm Frame |
| Frame (Right jamb) | 7501 58mm Frame |
| Mullion | 7532/3 72mm T/Z Section |
| Sash | 6561/60 T/Z Sash |
| Cill | 3640 150mm Cill |
| Colour | White |
| Sash colour | White |
| Cill colour | White |
| Bead type | Feature Black Gasket |
| Handle | White Espag Handle |
| Casement locking | Espag Locking |
| Viewed from | Viewed from outside |
| Open in/out | Open out |
| Glazed in/out | Glazed in |
| Reinforcing rule | Normal Reinforcing |
| Reinforcing type | Steel Reinforcing |
| Tran/Mull joints | Welded joint |



| | |
|-------------------|----------|
| Aperture Options: | Ref: |
| Argon Gas Filled | (A1)(F1) |

Location: KITCHEN

| Sections required: | | | Qty | Length | End prep | Reinforcing | Length |
|--------------------|---------|--------------------|-----|--------|----------|---------------|--------|
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ * | TD3570S Steel | 1074 |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- * | TD3570S Steel | 1074 |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \-/ | | |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \-/ * | | |
| Ver | Mullion | 7533W50 72mm Z | 1 | 1003 | <-> | | |
| Hor | Sash | 6560W50 71mm T | 2 | 562 | \-/ * | | |
| Ver | Sash | 6560W50 71mm T | 2 | 910 | \-/ * | TD3573S Steel | 753 |
| Hor | Cill | 3640W50 150mm Cill | 1 | 1300 | - | | |

* - Denotes bar reversed

| Accessories Required: | | Qty | Length |
|---------------------------|--|-----|--------|
| 12" S/H Friction stay | | 1 | Pairs |
| 550mm Mushroom Espag | | 1 | Items |
| Espag keep | | 2 | Items |
| White Espag Handle | | 1 | Items |
| SO113 150mm Cill End Caps | | 1 | Pairs |

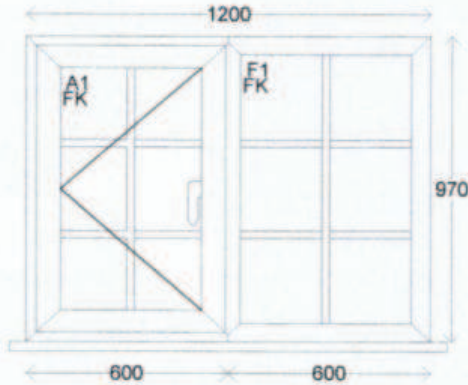
| Glass Required: | | | | Qty | Width | Height |
|-----------------|---|--------------|------------------|-----|-------|--------|
| A1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 1 | 443 | 791 |
| | 25mm Bar White | Std Joints | Argon Gas Filled | | | |
| F1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 1 | 534 | 882 |
| | 25mm Bar White | Std Joints | Argon Gas Filled | | | |

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WORKS ORDER

| | | |
|---------------------------|--------------|---------------------------------|
| Customer: SINCLAIR | Unglazed | Input Info: 13-11-2014 Rachel |
| Reference: | Supply & fix | In Production |
| Job No. : 21032 (Item: 3) | Page 3 of 4 | Print Info: 18-11-2014 10:20 am |

| Manufacturing Units: 1.15 | |
|---------------------------|---------------------------|
| Main Options: | |
| Product | 70mm Featured Casement RI |
| Size | 1200 x 1000 |
| Quantity | 1 |
| Design | CASE 16 |
| Frame (Head) | 7501 58mm Frame |
| Frame (Cill) | 7501 58mm Frame |
| Frame (Left jamb) | 7501 58mm Frame |
| Frame (Right jamb) | 7501 58mm Frame |
| Mullion | 7532/3 72mm T/Z Section |
| Sash | 6561/60 T/Z Sash |
| Cill | 3640 150mm Cill |
| Colour | White |
| Sash colour | White |
| Cill colour | White |
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| Handle | White Espag Handle |
| Casement locking | Espag Locking |
| Viewed from | Viewed from outside |
| Open in/out | Open out |
| Glazed in/out | Glazed in |
| Reinforcing rule | Normal Reinforcing |
| Reinforcing type | Steel Reinforcing |
| Tran/Mull joints | Welded joint |
| Location: KITCHEN | |



| Aperture Options: | Ref: |
|-------------------|----------|
| Argon Gas Filled | (A1)(F1) |

| Sections required: | | | Qty | Length | End prep | Reinforcing | Length |
|--------------------|---------|--------------------|-----|--------|----------|---------------|--------|
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ * | TD3570S Steel | 1074 |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- * | TD3570S Steel | 1074 |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \-/ | | |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \-/ * | | |
| Ver | Mullion | 7533W50 72mm Z | 1 | 1003 | <-> | | |
| Hor | Sash | 6560W50 71mm T | 2 | 562 | \-/ * | | |
| Ver | Sash | 6560W50 71mm T | 2 | 910 | \-/ * | TD3573S Steel | 753 |
| Hor | Cill | 3640W50 150mm Cill | 1 | 1300 | - | | |

* - Denotes bar reversed

| Accessories Required: | | Qty | Length |
|---------------------------|--|-----|--------|
| 12" S/H Friction stay | | 1 | Pairs |
| 550mm Mushroom Espag | | 1 | Items |
| Espag keep | | 2 | Items |
| White Espag Handle | | 1 | Items |
| SO113 150mm Cill End Caps | | 1 | Pairs |

| Glass Required: | | | | Qty | Width | Height |
|-----------------|---|--------------|--|-----|-------|--------|
| A1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | 25mm Bar White Std Joints Argon Gas Filled | 1 | 443 | 791 |
| F1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | 25mm Bar White Std Joints Argon Gas Filled | 1 | 534 | 882 |

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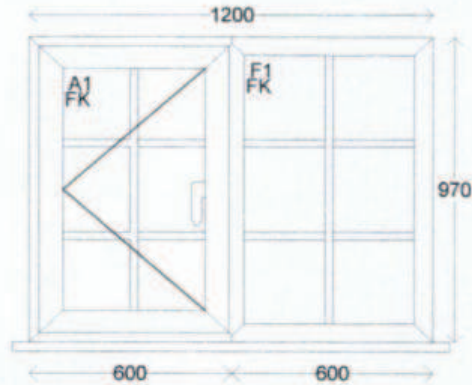
WORKS ORDER

| | | |
|---------------------------|--------------|---------------------------------|
| Customer: SINCLAIR | Unglazed | Input Info: 13-11-2014 Rachel |
| Reference: | Supply & fix | In Production |
| Job No. : 21032 (Item: 4) | Page 4 of 4 | Print Info: 18-11-2014 10:20 am |

Manufacturing Units: 1.15

Main Options:

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| Reinforcing type | Steel Reinforcing |
| Tran/Mull joints | Welded joint |



| | |
|-------------------|----------|
| Aperture Options: | Ref: |
| Argon Gas Filled | (A1)(F1) |

Location: KITCHEN

| Sections required: | | | Qty | Length | End prep | Reinforcing | Length |
|--------------------|---------|--------------------|-----|--------|----------|---------------|--------|
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | -/ * | TD3570S Steel | 1074 |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- | | |
| Hor | Frame | 7501W50 58mm O/F | 1 | 605 | \- * | TD3570S Steel | 1074 |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \- | | |
| Ver | Frame | 7501W50 58mm O/F | 1 | 975 | \- * | | |
| Ver | Mullion | 7533W50 72mm Z | 1 | 1003 | <-> | | |
| Hor | Sash | 6560W50 71mm T | 2 | 562 | \- * | | |
| Ver | Sash | 6560W50 71mm T | 2 | 910 | \- * | TD3573S Steel | 753 |
| Hor | Cill | 3640W50 150mm Cill | 1 | 1300 | - | | |

* - Denotes bar reversed

| Accessories Required: | | Qty | Length |
|---------------------------|--|-----|--------|
| 12" S/H Friction stay | | 1 | Pairs |
| 550mm Mushroom Espag | | 1 | Items |
| Espag keep | | 2 | Items |
| White Espag Handle | | 1 | Items |
| SO113 150mm Cill End Caps | | 1 | Pairs |

| Glass Required: | | | | Qty | Width | Height |
|-----------------|---|--------------|------------------|-----|-------|--------|
| A1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 1 | 443 | 791 |
| | 18mm Bar White | Std Joints | Argon Gas Filled | | | |
| F1 | 4-20-4 Clear Planitherm : 20mm Warm Ed Spacer | Georgian Bar | | 1 | 534 | 882 |
| | 18mm Bar White | Std Joints | Argon Gas Filled | | | |

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CERTIFICATE of DOCUMENT 'L' COMPLIANCE

The Duraflex 70mm Diamond Suite casement window system has been thermally simulated in accordance with BSENISO 10077-2: 2009 and the following specification using the Standard intermediate outerframe achieve –
WER of band 'A' and a 'U' value of 1.3 W/m²

- 28mm unit width comprising of –
- 4mm Float outer pane
- Swisspacer V spacer bar
- 90% Argon cavity fill
- 4mm Planitherm Total + inner pane
- Fully reinforced with Thermal insert

Duraflex simulation no. 545
Approved simulator no. 054

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30th January 2012

David M Riley
Standards & Accreditations Manager
Duraflex Limited

Duraflex Limited, Severn Drive, Tewkesbury Business Park, Tewkesbury, Gloucestershire GL20 8SF
Tel: 08705 351351 Fax: 01684 852701 Email: info@duraflex.co.uk www.duraflex.co.uk Registered in England No. 4294134
A Masco Company





The Old School House
26 Long Street
Thirsk
North Yorkshire
YO7 1AP

VAT Reg. No: 545 7754 10
Registered in England No: 4836492

Design And Access Statement
Re: Buckle Yeat
Pottergate
YO62 5BY

We are proposing to replace existing windows which are in wood to white foiled UPVc, 5No casement 5No sliding sash all A rated windows with authentic Georgian bar. There are no trees that will have to be removed and the works will not affect any waste disposal or the like. Parking access to the property will not be charged at all.

RYEGATE

19 NOV 2014
DEVELOPMENT
MANAGEMENT
14/0128/HUSE

Ellis Mortimer

RMAV Object

From: Helmsley Town Council [helmsleytc@gmail.com]
Sent: 16 December 2014 11:34
To: Development Management
Subject: 14/01228/House and 14/01271/73A

RYEDALE DM

16 DEC 2014

DEVELOPMENT
MANAGEMENT

Hi

At its meeting on the 15th December 2014, Helmsley Town Council made the following the decisions:

a) Application No. 14/01228/House

Applicant Mr and Mrs Sinclair

Proposal Replacement of 10 no. timber windows with double glazed uPVC windows (5 no. sliding sash and 5 no. casement).

Address Buckle Yeat, Pottergate, Helmsley YO62 5BY

Decision This house is within the Article 4 Conservation Area and the council prefers wooden windows within this area. The council would also like to remind Ryedae District Council that in the case of a property on Bondgate where uPVC windows replaced wooden windows without permission that enforcement action was taken. Objection.

b) Application No. 14/01271/73A

Applicant Planactive Ltd (Mr Ritchie Hirst)

Proposal Variation of Condition 10 of approval 12/00366/FUL to allow replacement of drawings nos. 200_10, 200_10C and 200_11 by drawing nos. PL26 previously approved Site Layout, PL25 previously approved Bungalow Plan and Elevations, PL01 Existing and Proposed Plans and Elevations and PL03 Proposed Elevations-amendments to design of Police House.

Address 35 Ashdale Road, Helmsley, York YO62 5DE

Decision No comment

Best regards
Victoria

Ms Victoria Ellis
Clerk to Helmsley Town Council
Helmsley Town Council
The Old Vicarage
Bondgate
Helmsley
YO62 5BP

Office Hours Monday and Tuesday 9:30am-12:30pm. Emails are checked Monday to Thursday.

Agenda Item 12

Item Number: 12
Application No: 14/01293/73A
Parish: Pickering Town Council
Appn. Type: Non Compliance with Conditions
Applicant: Steam & Moorland Garden Centre
Proposal: Variation of condition no. 16 of approval 11/00749/73A dated 09.12.2011- the removal of Drawing Nos. C834-001, C834-002 and C834-003 and replacement by Drawing Nos. 2225-201 Proposed Plans and section and 2225-202 Proposed Elevations-amendments to building scale and elevation proportions.
Location: Steam and Moorland Garden Centre Malton Road Pickering North Yorkshire YO18 7JW

Registration Date:
8/13 Wk Expiry Date: 20 January 2015
Overall Expiry Date: 26 December 2014
Case Officer: Helen Bloomer **Ext:** 328

CONSULTATIONS:

Parish Council No objection

Neighbour responses: Ian & Anne Roger,

SITE:

This application site lies to the south of Pickering outside the defined development limits for the settlement. The site is located on the eastern side of the A169, Malton to Pickering road and currently consists of an established garden centre and garden machinery sales and repair business.

The garden centre occupies a site area of some 1.2 hectares and includes two existing buildings, customer and staff parking, associated facilities and areas for outside display.

The site is accessed via an established vehicular access from the A169.

PROPOSAL:

Planning Approval is sought for the variation of condition no.16 of approval 11/00749/73A dated 09.12.2011 replacing approved drawing numbers C834-002 and C834-003 and the replacement with Drawing Numbers 2225-201, Proposed plans and section 2225-202. The amendments to the buildings elevations in relation to design and proportions as well as the overall scale.

Members may note that works have already commenced.

HISTORY:

00/00400/OUT: Erection of garden centre - Approved 04/08/2000

00/00917/REM: Erection of garden centre with associated parking and access - Approved 03/10/2000

01/00825/FUL: Change of use of land to form children's play area - Approved 06/09/2001

02/00880/FUL: Erection of building for use as garden and agricultural machinery centre and associated parking - Approved 13/09/2004

10/00114/FUL: Erection of a two-storey, link extension between two existing buildings to form covered display and sales area to ground floor and cafe, offices, storage and staff room to first floor - Approved 10/08/2010

11/00749/73A: Variation of Condition 16 of approval 10/00114/FUL dated 10.08.2010 to state "The development hereby permitted shall be carried out in accordance with the following approved plan(s): Red Line Site Plan received by the Local Planning Authority on 9 February 2010, Site Layout Plan received by the Local Planning Authority on 9 February 2010, Drawing C834-001 Rev C 'Infill Building Elevations Sheet 1 of 2' and Drawing C834-002 Rev A 'Infill Building Elevations Sheet 2 of 2', Drawing C834 -003 Rev B 'Infill Building Proposed Floor Plan'" - substitution of some plans. Approved 22/11/2014.

14/01058/COND: Discharge of Conditions 02, 07, 11, 12, 13 and 14 off approval 11/00749/73A 09.12.2011. Pending Consideration.

POLICY:

Ryedale Plan: Local Plan Strategy.

Policy SP1 General Location and Settlement Hierarchy
Policy SP6 Delivery and Distribution of Employment Land and Premises
Policy SP7 Town Centres and Retailing
Policy SP8 Tourism
Policy SP9 The Land Based and Rural Economy
Policy SP16 Design
Policy SP19 Presumption in Favour of Sustainable Development
Policy SP20 Generic Development Issues

National Planning Policy Framework
National Planning Policy Guidance

APPRAISAL:

Members will note that this application is to change some of the approved plans on the 2010 approval, which would result in minor external changes to the appearance of the approved development. In light of the earlier approval it is considered that this appraisal should only deal with the changes which are proposed under the new plans. The economic and highway implications of the development have previously been considered and the principle of the development is therefore accepted.

The amendments sought are:-

- Alterations to window detailing on the front (north) elevation
- Alterations to window detailing on the rear (south) elevation
- Increased eave height of approximately 0.4 metres
- Increased ridge height of approximately 0.3
- Variation of more minor fenestration details.
- Installation of roof lights

The main considerations to be taken into account with this application are:-

- i) Character and form; and
- ii) Impact upon adjoining operations.

Character and Form

The site lies approximately 800 metres to the south of the defined settlement limit of Pickering, within a small cluster of commercial units. The extension provides a central entrance point for the garden centre and machinery business, a covered display and sales area, with café, offices and staff facilities to the first floor.

Due to a miscalculation of the space over which the approved building was to be sited, the height of the structure of the building has increased. The eave height has increased by approximately 0.4 metres and the ridge height by approximately 0.3 metres. In addition to the alterations to the north elevation which are covered in more detail in the section below it is also proposed that the width of glazing proposed on the rear elevation at first floor has been reduced by approximately 1.9 metres

The alterations proposed are minor in nature and do not significantly detract from the appearance of the previously approved linking building. Plans and elevations showing the differences between those previously approved and those the subject of the current application are appended to this report.

Impact upon adjoining operations

Concerns have been raised by the occupiers of the adjoining business immediately to the north of the application site, Rogers Nurseries. The concerns have been raised following from the original application and previous 73A application with regard to overlooking of their land from the first floor glazed areas to the proposed extension. The amended plans and elevations show the first floor windows to the front elevation as obscured glazed with the exception of the top section of panels. Despite the omission of the top panel of obscure glazing the remaining panels would be obscure glazed approximately 3 metres above the internal first floor level. It is Officers opinion that this is of sufficient height to ensure that the privacy of Rogers Nurseries is retained.

The Council is currently dealing with an application for the discharge of Condition 07 amongst others, application reference; 14/01058/COND. Members will be updated if the relevant condition has been discharged.

Subject to the level of obscure glazing being agreed by the Authority it is not considered that the proposed variation to the north elevation would adversely affect the privacy of Rogers Nurseries.

Pickering Town Council has raised no objection.

At the time of writing no further representations had been received.

It is considered that the proposed development meets with the requirements of Development Plan policies and that there are no identified material considerations that would override this compliance. The recommendations therefore is one of approval.

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 Before the development hereby permitted commences, samples of all the external materials proposed, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy EMP6 of the Ryedale Local Plan.

3 No external lighting shall be provided unless with the prior written approval of the Local Planning Authority.

Reason:- In order to protect the character of the area and to satisfy Policy EMP6 of the Ryedale Local Plan.

4 The existing portacabin shall be removed from the site following the first occupation of the building hereby approved.

Reason:- In order to protect the character of the area and to satisfy Policy EMP6 of the Ryedale Local Plan.

5 The ground floor of the building(s) hereby approved shall only be used as a garden centre for the display and sale of the following categories of goods:

(i) Pot and bare rooted plants, ornamental fruit bushes and trees, seeds/bulbs, vegetable and bedding plants, ornamental and fruit trees, cut flowers;

(ii) Garden requisites such as composts, fertilisers, weed killers/disinfectants, spray equipment, netting, cloches, plant supports;

(iii) Gardening and greenhouse tools and equipment;

(iv) Gardening protective clothing and footwear;

(v) Garden pond liners, pumps and equipment, pebbles, aquatic plants, fish and fish food;

(vi) Fencing, path and patio construction materials such as gravel, paving slabs, edging materials;

(vii) Garden furniture and ornaments such as seating, umbrellas, barbecue and barbecue fuel, bird tables, feeders and bird feed;

(viii) Incidentals such as gardening books and videos, cards, artificial flowers, small animal feed (e.g. rabbit food); and

(ix) Natural and artificial Christmas trees, Christmas decorations, table decorations, Christmas cards.

The building(s) and land shall not be used for any other purpose (including any other purpose in Use Class A1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument re-voking or re-enacting that Order with or without modification).

Reason:- In order to comply with PPS4 - Planning for Sustainable Economic Growth, as the site is in open countryside where current planning policy would not normally permit general retail uses.

6 Unless otherwise agreed in writing by the Local Planning Authority, no part of the site outside any building shall be used for the storage or display of any goods or materials subject to that agreed under condition 11.

Reason:- To ensure that the appearance of the area is not prejudiced by the external display and storage of materials and to comply with PPS4 - Planning for Sustainable Economic Growth.

7 Unless otherwise agreed in writing by the Local Planning Authority and prior to development commencing the level, type and extent of frosted glazing at first floor level to the north facing elevation shall be submitted to and agreed in writing with the Local Planning Authority and thereafter retained in perpetuity.

Reason:- In order to protect the amenities of nearby properties as required by Policy EMP6 (i) of the Ryedale Local Plan.

8 The cafe use hereby approved shall remain as an ancillary feature associated with the garden centre currently known as The Steam and Moorland Centre. It shall not be sold or let off separately from the garden centre and shall only be open for customers when the garden centre is open for business.

Reason:- To ensure that the development remains ancillary to the garden centre use and to comply with the requirements of PPS4 - Planning for Sustainable Economic Growth.

9 The premises shall not be used for the sale of hot food for consumption off the premises.

Reason:- To ensure that the development remains ancillary to the garden centre use and to comply with the requirements of PPS4 - Planning for Sustainable Economic Growth.

10 The first floor of the premises hereby approved shall only be used for a purpose included in Use Class A3 of the schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument re-enacting that Order.

Reason:- In order to comply with the requirements of PPS4 - Planning for Sustainable Economic Growth.

11 Unless otherwise agreed in writing by the Local Planning Authority and prior to the commencement of development, a scheme for the storage and display of goods outside of any buildings to include:-

1. Location(s);
2. Layout;
3. Height;
4. Landscaping; and
5. Any other matters considered to be of relevance

shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure that the appearance of the area is not prejudiced by the external storage of materials, and to comply with PPS4 - Planning for Sustainable Economic Growth.

12 As may be recommended by Highways Authority

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

- Red Line Site Plan received by the Local Planning Authority on 9 February 2010;
- Site Layout Plan received by the Local Planning Authority on 9 February 2010;
- Drawing C834-003 'Infill Building Proposed Floor Plans';
- Drawing C834-001 'Infill Building Elevations Sheet 1 of 2'; and
- Drawing C384-002 'Infill Building Elevations Sheet 2 of 2'

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

Background Papers:

Adopted Ryedale Local Plan 2002

Regional Spatial Strategy

PPS1 - Delivery Sustainable Development 2005

PPS4 - Planning for Sustainable Economic Growth

PPG13 - 'Transport' 1994

Responses from consultees and interested parties

11/00749/7317

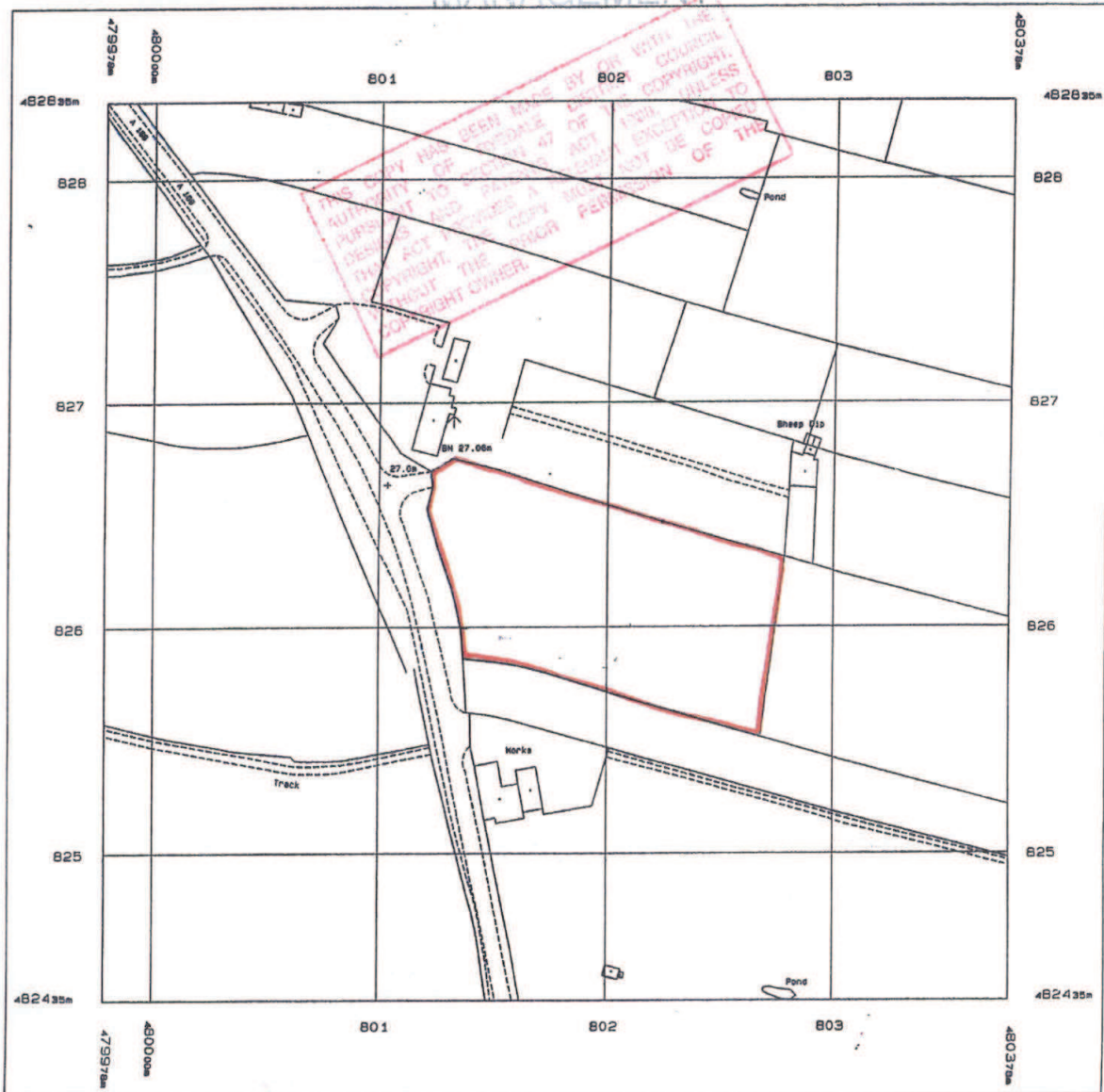
HYEDAILE DM



21 SEP 2011 Planning Extract - 2

DEVELOPMENT MANAGEMENT

Site-centred



**PROPOSED DEVELOPMENT AT STEAM & MOORLAND
GARDEN AND MACHINERY CENTRE, PICKERING
FOR HOPKINSON & SONS**

APPLICATION SITE PLAN

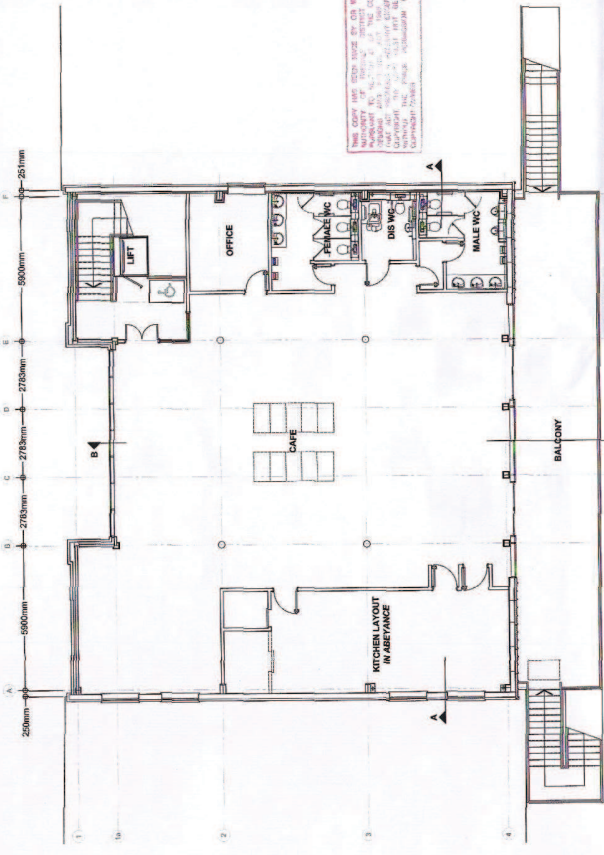
DRAWING NO. C834-005

SCALE 1:2500

JULY 2011

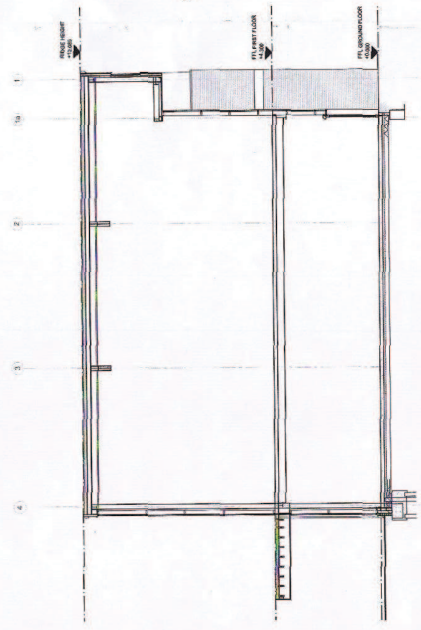
National Grid sheet reference at centre
of this Superplan: SE8082

The representation of a road, track or
path is no evidence of a right of way.

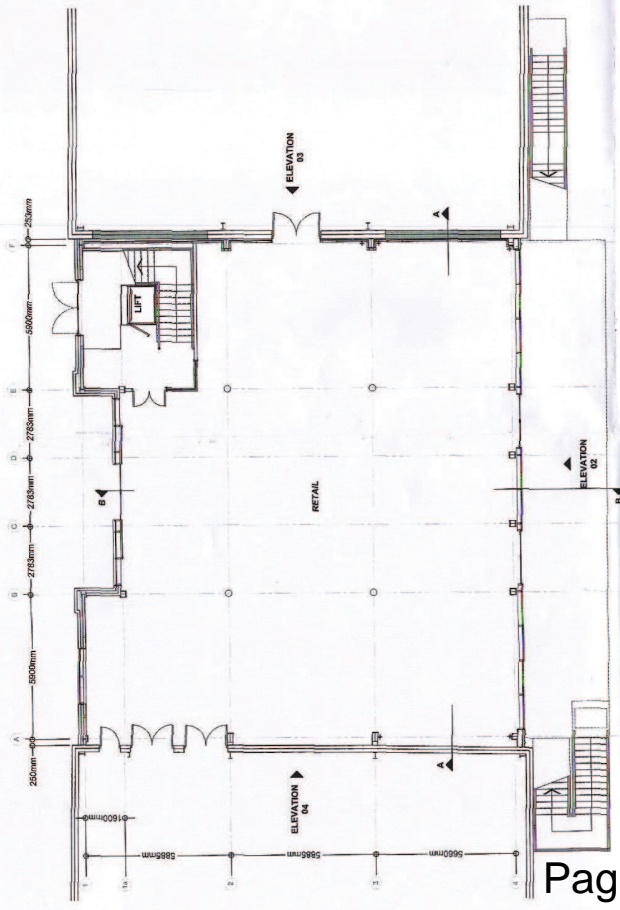


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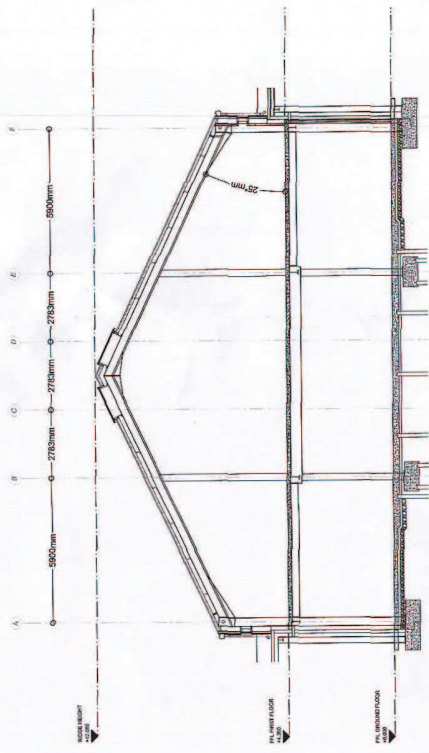
FIRST FLOOR PLAN
Scale 1:100@A1



SECTION B-B
Scale 1:100@A1



GROUND FLOOR PLAN
Scale 1:100@A1



SECTION A-A
Scale 1:100@A1

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PLANNING STATUS
PACY & WHEATLEY
CONSTRUCTION

client
23 NW
DEVELOPMENT
MANAGEMENT
by
STEAM & MOORLAND
GARDEN CENTRE PHASE III
MALTON ROAD
PICKERING

drawing
PROPOSED PLANS & SECTION

date: 15.11.2014
scale: 1:100@A1
drawn by: dmmw SJ
checked by: DR
sheet no: 2.225-201

buildinginkdesign
15, Thorne Road, Doncaster, DN1 5JG
Tel: 01509 337100 Fax: 01509 729266
Email: info@buildinginkdesign.co.uk
www.buildinginkdesign.co.uk
Building Link Design Limited
Company reg. 437750

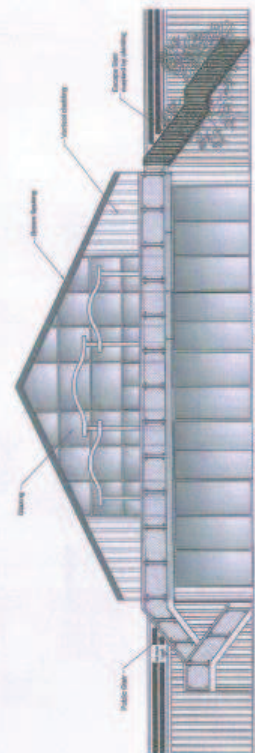
bld
ARCHITECTS



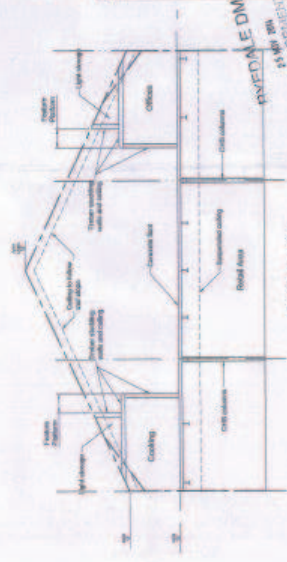
Existing Rear Elevation
Scale 1:200



Proposed Rear Elevation
Scale 1:200



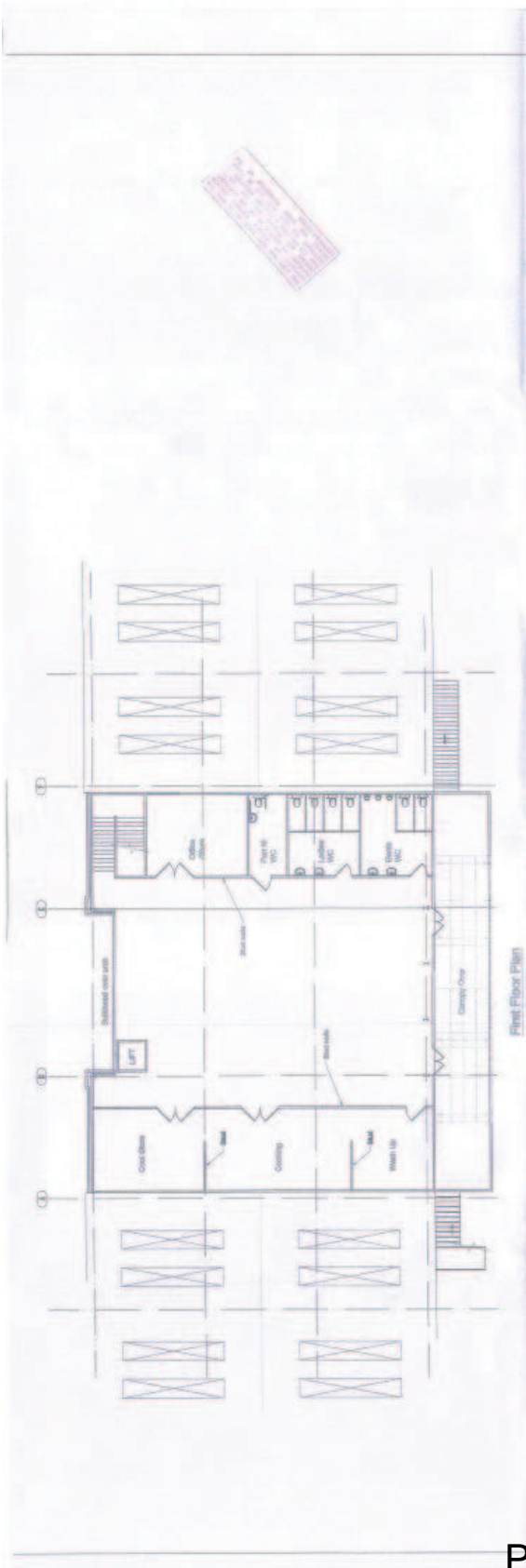
Typical Section
Scale 1:100



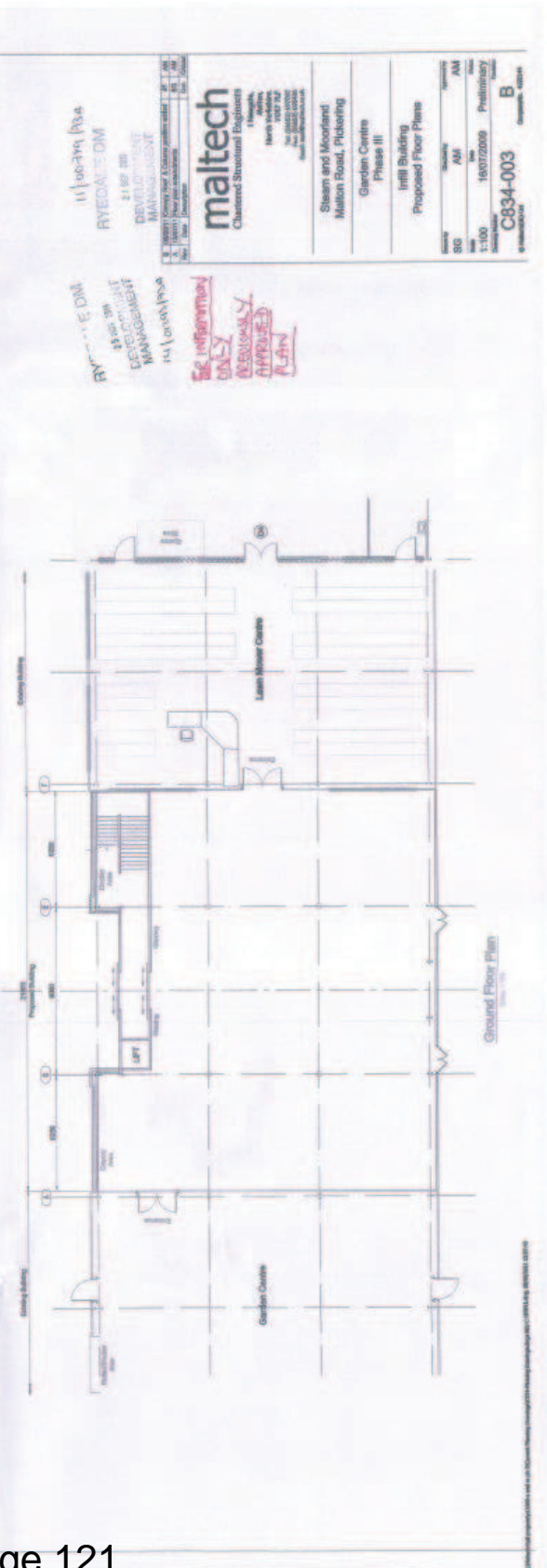
Typical Section
Scale 1:100

11/05/17/20
FOR INFORMATION ONLY
PREVIOUSLY APPROVED PLAN

| | | | |
|--|------------|-------------|---------------------|
| A. 1:1000 (Quarter) elevations | | 1:200 | 1:100 |
| Scale | Drawn | Checked | Approved |
| maltech Chartered Structural Engineers | | | |
| 1 Malton Road, Malton, East Yorkshire YO17 2JZ Tel: 01430 810000 Fax: 01430 810001 Email: info@maltech.co.uk | | | |
| Steam and Woodland Malton Road, Pickering Garden Centre Phase III | | | |
| Mill Building Elevations Sheet 2 of 2 | | | |
| Project | Scale | Date | Author |
| 863 | AM | AM | AM |
| 1:100 | 18/07/2009 | Preliminary | |
| Drawing No. C834-002 | | | Revision A |
| © maltech 2009 | | | Contract No. 000000 |



First Floor Plan



Ground Floor Plan



RYEDALE DM
11/06/2009
43 28 200
DEVELOPMENT
MANAGEMENT
14/06/2009

maltech
Chartered Structural Engineers
11, Moorland
Newboulds Way
1957 7J
Tel: 01243 832200
Fax: 01243 832201
www.maltech.co.uk

Steam and Moorland
Mallan Road, Pickering

Garden Courts
Phase II

Infill Building
Proposed Floor Plans

| NO. | DATE | BY | REVISION |
|-----|------------|----|-------------|
| 1 | 15/07/2009 | AM | Preliminary |

Scale: 1:100
Drawing No: C834-003
Sheet: B

SC Information ONLY APPROVED PLAN

HBL

NO OBJECTION.
16/12/14 - LM.

Glenys Yates

From: Pickering Town Council [townclerk@pickering.gov.uk]
Sent: 16 December 2014 08:00
To: Development Management
Subject: Pickering - recent planning applications

RYEDALE DM

16 DEC 2014

**DEVELOPMENT
MANAGEMENT**

The council has no objections to the applications listed below:

- a) 14/01278/FUL – demolition of existing bungalow and shed on land between Park Street and Burgate adjacent Hill House, Burgate.
- * b) 14/01293/73A – variation of Condition 16 of approval 11/00749/73A dated 9 December 2011 – the removal of ~~Drawing nos C834-001, C834-002 and C834-003~~ and replacement by Drawing Nos 2225-201 Proposed Plans and section and 2225-202 Proposed Elevations-amendments to building scale and elevation proportions, Steam and Moorland Garden Centre, Malton Road.
- c) 14/01273/LBC – dismantling of bell tower to allow access to bell mounting, re-building of the bell tower and installation of bell, mounting bracket and tie restraint, Parish Hall, Hallgarth.
- d) 14/01324/FUL – installation of replacement shop front windows and doors to include installation of full length window to replace existing timber double door, installation of two bollards and resurfacing of car parking area, 99 Eastgate.
- e) 14/01326/FUL – erection of single storey extension to front and rear dormer window to rear of 3 Swansea Lane.

Andrew Husband
Clerk to Pickering Town Council

Item Number: 13
Application No: 14/01295/73A
Parish: Luttons Parish Council
Appn. Type: Non Compliance with Conditions
Applicant: Mr David Morgan
Proposal: Variation of plans Condition (i) as added by non-material amendment 14/01205/AMEND dated 20.11.2014 to refusal 13/00699/FUL dated 27.11.2013 as allowed by Appeal Ref: APP/Y2736/A/14/2211925 dated 25.09.2014 to allow substitution of plan "Turbine detail dwg NWA-30m" by plan "Figure 1.01-Turbine Elevation Plan"- increase in tip height of turbine by 2.939m
Location: Land At High Barn Farm Green Lane West Lutton Malton North Yorkshire
Registration Date:
8/13 Wk Expiry Date: 22 January 2015
Overall Expiry Date: 1 January 2015
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

| | |
|--|------------------------------------|
| Parish Council | Object |
| Highways North Yorkshire | No objection |
| Environmental Health Officer | No views received to date |
| East Riding of Yorkshire Council | No views received to date |
| Mr E Peacock | No views received to date |
| National Air Traffic Services (NATS) | No safeguarding objection |
| Ministry Of Defence | No views received to date |
| The Joint Radio Company Ltd | No views received to date |
| Wind Farm Enquiries | No objection |
| Countryside Officer | No views received to date |
| The Yorkshire And Humber Regional Assembly | No views received to date |
| Archaeology Section | No known archaeological constraint |
| National Grid Plant Protection | No views received to date |
| Atkins Ltd | No views received to date |
| Neighbouring Parish Council -Weaverthorpe | - Objection |
| Neighbouring Parish Council - Kirby Grindalythe | - No views received to date |
| Neighbouring Parish Council - Wintringham | No views received to date |
| Neighbouring Parish Council - Heselton | No views received to date |
| Ofcom | No links found |

Neighbour responses: Mr Evan Ferguson,

.....

SITE:

High Barn Farm is situated to the north of East Lutton. The farm itself is within the open countryside, in an area characterised by a number of more isolated farms. The landholding for the farm lies within an area designated as an Area of High Landscape Value.

PROPOSAL:

The proposal seeks planning permission for the variation of planning permission ref. 14/01295/73A to increase the tip height by 2.939m. The overall tip height will increase from 45.071m to 48.01m. The hub height of the turbine remains the same as previously approved.

The supporting statement submitted as part of this application identifies the reason for the proposed variation. It states:

“The reason we are having to entertain this change is due to the changes in grid connection that has had a significant impact on the viability of the project. The amount of grid capacity has been reduced from 225kw to 180kw... .. A minimal increase in blade length allows a slower rotate of the blade and thus reduces a marginal output of the machine to enable a grid connection at 180kw.”

HISTORY:

2013 - Erection of 1no. 30.5m high (overall tip height 45m) 225kw wind turbine to generate electricity for on farm use. Appeal Allowed.

POLICY:

National Planning Policy Framework

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Ryedale Local Plan – Local Plan Strategy

SP13 – Landscapes

SP14 - Biodiversity

SP18 – Renewable and Low Carbon Energy.

SP19 – Presumption in Favour of Sustainable Development

SP20 – Generic Development Management Issues

APPRAISAL:

This application is presented to the Planning Committee because Luttons Parish Council and Weaverthorpe Parish Council have objected to the planning application. In addition, a resident of Helperthorpe has objected to the proposal.

Members will note the planning history of this site. In November 2013 the Local Planning Authority refused planning permission for the erection of a 30.5m high (overall tip height 45m) wind turbine. The reason for refusal read as follows:

The proposed development would result in an accumulation of the turbines locally in the landscape. This is considered to be detrimental to the character of the Wolds Area of High Landscape Value.

As such the development would be contrary to the principles of para 98 of the NPPF and Policies SP13 and SP18 of the Local Plan Strategy.

The applicant appealed the refusal (appeal ref. APP/Y/2736/A/14/2211925). The Planning Inspector allowed the appeal and planning permission was granted for the wind turbine. A copy of the decision can be found in the appendix of this report.

The objectors to the development raise concerns that the increased height of the development would not only be prominent within the landscape but would also contribute to the accumulation of wind turbines in the locality.

In assessing these concerns it is relevant to consider the Planning Inspectors decision. The Inspector considered both the individual and cumulative impact of the wind turbine concluding his decision by stating:

9. *On balance, whilst I acknowledge that the proposed wind turbine would cause some harm by reason of its individual and cumulative visual impacts, the local landscape has the capacity to absorb the proposed development without causing undue harm to its character. In this respect, the scheme complies with policy SP18 of the Ryedale Local Plan Strategy. I conclude that the adverse effects of the scheme are insufficient to outweigh the presumption in favour of sustainable development and the appeal should succeed.*

Members will note that in assessing the original planning application, the height of the wind turbine was not a matter of concern to the planning officer and did not form part of the refusal of the planning permission. Nevertheless, given the comments of the Planning Inspector, it is not considered that the increase in height of the turbine by 2.939m would materially harm the landscape in terms of the individual and cumulative impact beyond that already approved on appeal. The landscape impact of the proposal is considered to be acceptable in accordance with the requirements of Policy SP13 and SP20 of the Ryedale Local Plan Strategy.

With respect to residential amenity, Members will note that no conditions or noise restrictions were implemented by the Planning Inspector in granting planning permission for the wind turbine. The documents submitted as part of the application do however identify that the revised turbine will operate within the existing noise limits approved as part of the previous planning application. As such, a condition is recommended to ensure the existing noise limits are not exceeded. The proposed development in terms of residential amenity impact is considered to be acceptable in accordance with Policy SP20 of the Ryedale Local Plan Strategy.

CONCLUSION:

To conclude, subject to the recommended conditions, the proposed variation to increase the height of the wind turbine by 2.939m at tip height is considered to be in accordance with the requirements of the development plan and the NPPF. The application is therefore recommended for approval.

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 retained for a period of not more than 25 years from the date of this permission. By no later than the end of the stated 25 year period, the turbine shall be decommissioned and all related above ground structures removed from the site.

Six months before the due date for the decommissioning of the turbine, or the end of the 25 year period, whichever is the sooner, a scheme for the restoration of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the removal of all above ground elements, plus 1m of in depth of the concrete turbine base below ground level together with all associated equipment. The scheme shall include time for the remediation work before returning the land to agricultural use. The scheme shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character of the area of High Landscape Value, and to satisfy the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 3 If the turbine hereby permitted ceases to generate electricity for a continuous period of six months, all the above ground elements plus 1m in depth of concrete below ground level shall be removed from the site within 3 months from that date unless an extension of time is first approved in writing by the Local Planning Authority.

Reason: In the interests of maintaining the character of the area of High Landscape Value, and to satisfy the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 4 Before the commencement of the development hereby permitted, the Local Planning Authority shall be notified in writing of:

- The date construction starts and ends;
- The maximum height of the construction equipment;
- The latitude and longitude of the wind turbine.

Reason: This information is vital as it will be plotted on flying charts to ensure military aircraft avoid this area.

- 5 The noise levels of the wind turbine hereby permitted shall not exceed those agreed as part of planning application reference 13/00699/FUL.

Reason: In the interest of residential amenity in accordance with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

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

Figure 1.01 - Turbine Elevation Plan Nov 2014

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

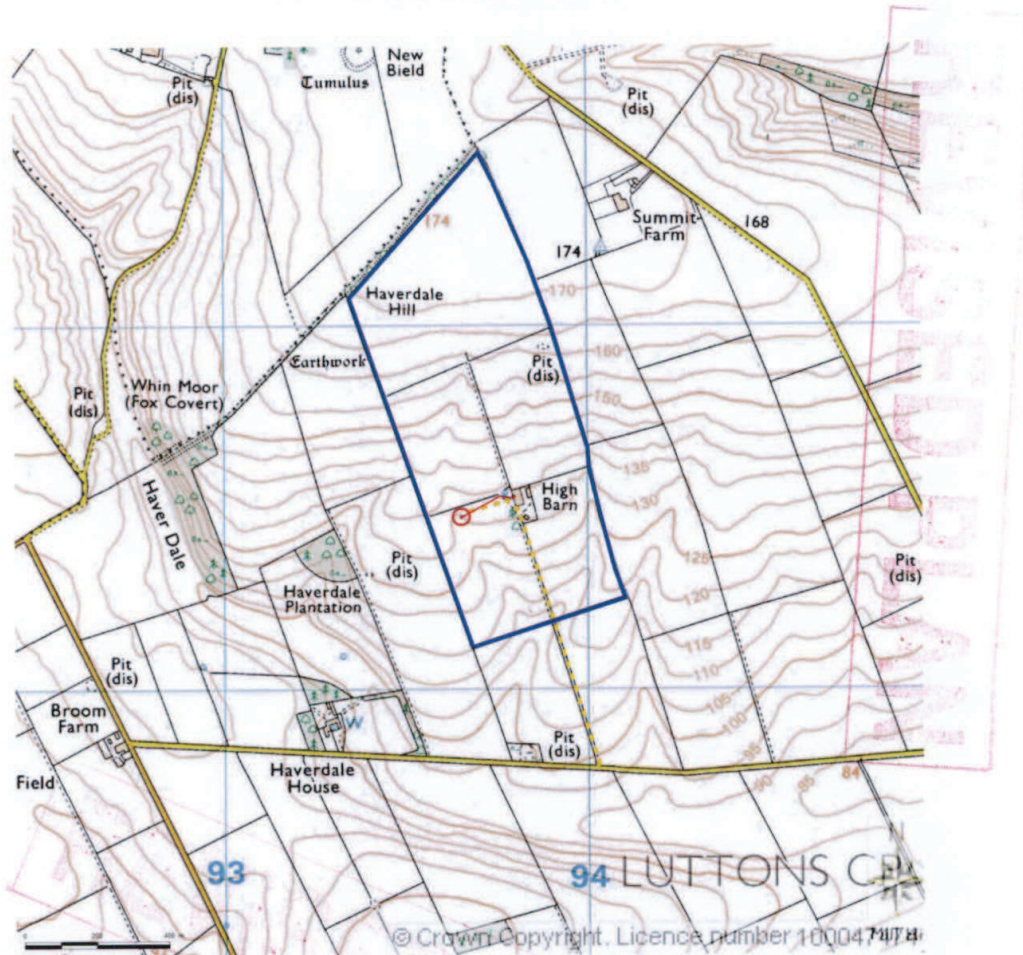
Background Papers:

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



Enabled by
Ordnance
Survey

CENTRE COORDINATES: 493669, 471519



Turbine Co-ordinates: X493631, Y471473



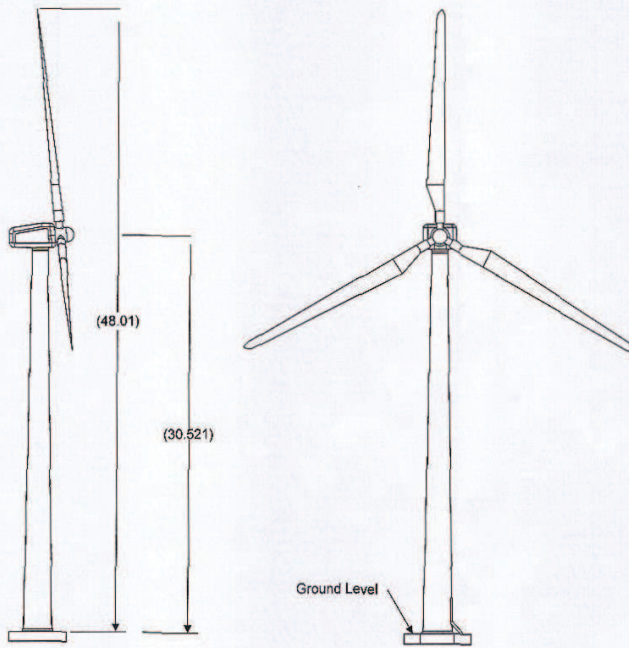
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Figure 1.01 – Turbine Elevation Plan

NOTES

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| Date | By | Paper | Scale | Rev |
|----------|----|-------|-------|-----|
| NOV 2014 | SD | A3 | 1:250 | - |

25 November 2014

Our Ref: 13/00699/FUL

Ryedale District Council
Development Control
Ryedale House
YO17 7HH



Sam Dewar
Office Tel: 01937 581011
Email: sam.dewar@earthmill.co.uk

FAO RACHEL SMITH

**APPLICATION FOR VARIATION OF CONDITION FOLLOWING GRANT OF PLANNING
WIND TURBINE DEVELOPMENT AT HIGH BARN, WEST LUTTON, MALTON**

Thank you for processing our Non Material Amendment application in such a timely manner. Following the receipt of this amendment to affix a condition onto the planning application regarding the approved plans I now submit an application for the variation of this condition as per our agreed approach with yourself and Anthony Windsheep.

To reiterate the turbine hub height is identical to that approved and the only difference would be an increase in blade length of approximately 1.2m, increasing the tip height of the machine by 2.9m. I can also confirm that the different turbine due to it being from the same manufacturer will be within the existing approved noise limits. In addition the photomontages and ZTV's would still be correct as the turbine design and hub heights have not changed.

The reason we are having to entertain this change is due to the changes in grid connection that has had a significant impact on the viability of the project. The amount of grid capacity available has been reduced from 225Kw to 180Kw. Due to strict time constraints set by the distribution network operator if the amended turbine details cannot be processed before Christmas the viability of the project will be significantly compromised. A minimal increase in blade length allows a slower rotate of the blade and thus reduces a marginal output of the machine to enable a grid connection at 180Kw.

APPROVED INSTALLER



Mountain Ridge Wind Limited, Appleby, Wetherby, LS22 7PB
Tel: 01937 554013 Fax: 01937 521126
info@earthmill.co.uk www.earthmill.co.uk
Company Reg: 0546911 VAT Reg: 177 0241 53



I trust this is acceptable and as per your agreement and I look forward to hearing from you shortly.
Thank you again for your help and apologies for taking up so much of your time over the last few weeks.

Yours sincerely,

Sam Dewar
Project Manager

APPROVED INSTALLER



Member of the Solar Energy Association (SEA) and the Solar Trade Association (STA)
Approved installer of solar PV systems
Approved installer of solar water heating systems
Company Reg. No. 11111111 VAT Reg. No. 111111111



MMO

OBJECT
15/12/14 - LM.

Glenys Yates

From: Jeff House
Sent: 12 December 2014 15:35
To: Development Management
Subject: Planning Application no. 14/01295/73A

Weaverthorpe Parish Council met on 10th December 2014 to discuss the above application.

I have been asked to convey their OBJECTION to the request to increase the height of the turbine by 2.939metres. The reason for this is that they consider the original height to be sufficient and the position would mean that with the increased height it would be very prominent and would contribute to the accumulation of wind turbines in an area of high landscape value.

—
Jeff House
Clerk to Weaverthorpe Parish Council
Tel: 01944 738841

RYEDALE DM

15 DEC 2014

MMG

12/1

LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

Holly House
West Lutton
Malton
North Yorkshire
YO17 8TA

RYEDALE

19 DEC 2014

RYEDALE

19/12/14 - um

18 December 2014

Karen Hood
Managing Development Team Leader
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Dear Karen

Application No. 14/01295/73A : Variation to allow substitution by @Figure 1.01 – Turbine Elevation Plan', increasing tip height o turbine by 2.939m : High Barn Farm, West Lutton : Morgan

Luttons Parish Council has received the application for the above variation for comment. The Council is unanimous in reaffirming its **objection** to the application and this variation, for the following reasons.

The drawing included in the original Design and Access Statement June 2013 as 'Image 1', and its amendment September 2013, shows a turbine height of 45000mm to tip and 30400mm to hub; the submitted (and subsequently approved) plan shows a turbine height of 45071mm to tip and 30521mm to hub. In all cases the rotor diameter is 29100mm. The plan submitted for variation shows a turbine height of 48010mm to tip and 30521mm to hub. The latter dimensions give a rotor diameter of 34978mm, an increase of 5878mm, or an increase in hub/blade length of 2939mm, not the 1.2m claimed by the applicant. It is noteworthy that the applicant has omitted rotor dimensions from the revised drawing.

The applicant's claim that the alternative turbine/gearbox and an increase in rotor diameter by 5.9m will remain within approved acoustic limits belies common sense and must be tested.

An increase in the overall height to tip of the turbine by 2939mm will inevitably create a different ZTV and cannot be dismissed on the grounds that the hub height is unchanged.

The Inspector's Decision to allow the appeal repeatedly identifies this turbine as a 'farm-scale wind turbine (ie relatively small turbines designed to provide electricity for the farm upon which they are

Tel: 01944 738520

E-mail: clerkluttonspc@hotmail.co.uk

located)' (para.8). The current application for variation confirms that the applicant intends the turbine primarily to generate electricity for the Grid. Indeed, far from the output of 225kW being related to the farm's needs, this turbine will be one of the largest in the valley and compares unfavourably with another pig farm whose turbine was approved on appeal at 50kW. It appears that the applicant has been economic with technical information relating to its true intentions which are at odds with the Inspector's opinion.

The applicant has a consent (13/00484/FUL) for the erection of an agricultural building for the housing of pigs. In the event that this variation is approved, this Council considers that a condition is appropriate to ensure that the connection to the Grid from the turbine is not made until this unit has been commissioned. This will ensure that the Inspector's emphasis that the electricity generated is for on-farm use is respected, at least in part.

However, it is this Council's view that this variation should be referred back to the Inspector along with detailed consumption figures to demonstrate that the output of this turbine can be consumed on the farm, and that other changes are not material to his original decision.

This Council resents the applicant's cavalier attitude in trying to hasten consultation under the planning system, for purely commercial ends.

Yours sincerely,

Cllr Andy Macdonald
Clerk to Luttons Parish Council

Agenda Item 14

Item Number: 14
Application No: 14/01207/MOUT
Parish: Sherburn Parish Council
Appn. Type: Outline Application Major
Applicant: Gladman Developments Limited (Mrs Emma Tutton)
Proposal: Demolition of 1 no. existing cow shed, erection of up to 73 no. residential dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, childrens play area, surface water attenuation, a vehicular access point from Sked Dale road and associated ancillary works (site area 3.16ha)
Location: Land At Manor Farm Sherburn Malton North Yorkshire
Registration Date:
8/13 Wk Expiry Date: 9 February 2015
Overall Expiry Date: 17 December 2014
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

| | |
|---|--|
| Highways Agency (Leeds) | No objection |
| Sustainable Places Team (Yorkshire Area) | No objection |
| Land Use Planning | Recommend condition |
| North Yorkshire Education Authority | Contributions sought |
| Building Conservation Officer | No objection |
| Countryside Officer | No objection subject to mitigation and enhancement works |
| Tree & Landscape Officer | No objections |
| Environmental Health Officer | Concerns raised re noise levels |
| Archaeology Section | Advises submission of Written Scheme of Investigation and to carry out trial trenching and a High Resolution geophysical survey. |
| Housing Services | Comments received regarding house types |
| Parish Council | Concerns |
| Highways North Yorkshire | Recommends conditions |
| Vale Of Pickering Internal Drainage Boards | No objection |

Neighbour responses: Ms P Adamson, Mr & Mrs A Lewis, Mrs A M Holdsworth, Mrs Fiona Cundall,

.....

SITE:

The application site is rectangular in shape measuring 280m in width at its largest by 120m in depth and approximately covers an area measuring 3.16 hectares. The site is used for agriculture, including grazing land and part of an existing farmstead. The site is located outside the development limits of Sherburn. To the south is arable land, with Sked Dale Road running along the western boundary and farm buildings located to the north east of the application site. The A64 (T) runs along the northern boundary with a large industrial site (Kingspan) and a range of outbuildings (currently being converted to holiday accommodation) associated with Corner Farm (Grade 2 listed) on the opposite side of the road. To the east is a stream with Low Mill, a residential property and outbuildings on the eastern side. The site lies on the south eastern side of the crossroads that runs through Sherburn.

There is a levels difference of approximately 5m across the entire site, with the south-western side being the highest part and the north-eastern side being the lowest part of the site. The proposed application site is located within Flood Zone 1, representing the lowest risk of flooding from any source. The site is also located within an area of known archaeological importance.

PROPOSAL:

Outline planning permission is sought for the demolition of 1 no. existing cow shed, erection of 73 no. residential dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, children's play area, surface water attenuation, a vehicular access point from Sked Dale road and associated ancillary works.

At this stage only access is to be considered. The access is proposed to be on the western side of the site from Sked Dale Road. A Framework Plan has been submitted that indicates how 73 dwellings could be accommodated on the site.

The following documents have been submitted with the proposal and are available to view online:

- Design and Access Statement
- Planning Statement
- Archaeology Statements
- Travel Plan
- Transport Assessment
- Flood Risk Assessment and Surface Water Drainage Strategy
- Noise Assessment
- Statement of Community Involvement
- Ground Condition report
- Ecology and Wildlife report
- Framework Plan
- Landscape and Visual Impact Assessment
- Arboricultural Assessment
- Air Quality Assessment
- Built Heritage Statement
- Utilities
- Affordable Housing Statement
- Sustainability Report
- Socio - Economic Sustainability Statement
- Topographical Survey

This application has been screened by officers and it has been determined that the proposal does not constitute 'Environmental Assessment Impact' development.

HISTORY:

There is no directly relevant planning history relating to this application site.

POLICY:

National Policy Guidance

National Planning Policy Framework 2012 (NPPF)

National Planning Policy Guidance 2014, (NPPG)

Local Planning Strategy: adopted 5 September 2013

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP4 - Type and Mix of New Housing

PLANNING COMMITTEE

13 January 2015

Policy SP11 - Community Facilities and Services
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP15 - Green Infrastructure Networks
Policy SP16 - Design
Policy SP17 - Managing Air Quality, Land and Water Resources
Policy SP18 - Renewable and Low Carbon Energy
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

APPRAISAL:

The main considerations in relation to this application are:

- The principle of the proposed development;
- Whether the site could accommodate 73 dwellings on site with regard to the Framework Plan;
- Whether the proposed dwellings could have a satisfactory level of residential amenity with particular regard to potential noise and disturbance;
- Whether the proposed development could have an adverse effect upon the amenity of adjoining properties;
- Highway safety;
- Impact upon trees
- Affordable Housing;
- Drainage;
- Designing out crime;
- Impact upon the character of the surrounding area;
- Protected species;
- Potential ground contamination;
- The potential impact of the proposals upon archaeology;
- Public Open Space; and
- Developer contributions.

This application is a 'Major' application and in accordance with the Council's Scheme of Officer Delegation has to be determined by the Planning Committee.

At the present time there are a number of outstanding issues that are being considered further by the applicant. However, it is unlikely that these issues can be fully resolved before the January meeting and it is not possible, therefore, to provide a detailed appraisal of the proposal at this stage. Given that this is a 'Major' application, it is considered that Members of the Planning Committee may wish to undertake a site inspection, prior to determining this application at the February meeting.

RECOMMENDATION: **To consider a Site Inspection**

Background Papers:

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

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

PERIOD 8 DECEMBER 2014 - 2 JANUARY 2015

1.

Application No: 14/01012/HOUSE **Decision: Refusal**
Parish: Kirkbymoorside Town Council
Applicant: Mr And Mrs Gold
Location: 26 Piercy End Kirkbymoorside YO62 6DF
Proposal: Erection of detached workshop and studio following demolition of existing double garage

2.

Application No: 14/01053/FUL **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr Phil Cook
Location: Field View Barn 27 West Street Swinton Malton YO17 6SP
Proposal: Change of use of paddock to form extension to domestic curtilage together with erection of two storey extension and linked single storey extension

3.

Application No: 14/01122/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr N Jones
Location: 1 Pottergate Helmsley YO62 5BU
Proposal: Replacement of front door and replacement of existing UPVC front windows with a mixture of vertical and horizontal sliding sash double glazed timber windows and erection of rear single storey extension

4.

Application No: 14/01140/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Black Bull Caravan Park (Mr & Mrs Philip And Louise Wright)
Location: Black Bull Caravan Park Malton Road Pickering North Yorkshire YO18 8EA
Proposal: Erection of a reception and amenity building to include demolition of existing games/recreation building

5.

Application No: 14/01143/LBC **Decision: Approval**
Parish: Welburn (Malton) Parish Council
Applicant: SR & JF Till (Mr Stephen Till)
Location: Mount Pleasant Farm High Hutton Malton YO60 7YP
Proposal: External and internal alterations to include replacement of all single glazed timber windows with double glazed timber windows, formation of new entrance door to front elevation (kitchen) and alterations to first floor to form additional bathroom and sanitary facilities

6.
Application No: 14/01149/FUL **Decision: Approval**
Parish: Harome Parish Council
Applicant: Mrs Joanna Sturdy
Location: Land West Of Gale Lane Harome Helmsley
Proposal: Erection of an agricultural building for the storage of produce and machinery

7.
Application No: 14/01150/HOUSE **Decision: Approval**
Parish: Slingsby Parish Council
Applicant: Mrs Hilary Lockwood
Location: Castle Garth High Street Slingsby York YO62 4AE
Proposal: Erection of rear conservatory and flat roofed dormer window to rear roofslope

8.
Application No: 14/01152/FUL **Decision: Approval**
Parish: Barton-le-Willows Parish
Applicant: Avanti Guest Accommodation (Mr & Mrs Andrew Robertson)
Location: Avanti Barton Hill Malton YO60 7JZ
Proposal: Change of use and alteration of detached double garage to form a one bedroom holiday home/guest accommodation to include parking and amenity area

9.
Application No: 14/01158/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr Keith Sheard
Location: 34 - 36 Dove Way Kirkby Mills Industrial Estate Kirkbymoorside York YO62 6QR
Proposal: Change of use of office/showroom to visitors bar/shop facility for on and off site sale of products to the public and wholesale including to visitors on brewery tours together with repositioning of existing vehicular access to also serve 36a and 36b

10.
Application No: 14/01161/LBC **Decision: Approval**
Parish: Norton Town Council
Applicant: Station Taxis (Norton) Ltd (Mrs Lisa Ridsdale)
Location: Ryedale Taxis Railway Station Norton Road Norton Malton North Yorkshire YO17 9PD
Proposal: Installation of CCTV camera to front wall above left side of fascia sign

11.
Application No: 14/01167/LBC **Decision: Approval**
Parish: Birdsall Parish Council
Applicant: Birdsall Estates Company Ltd.
Location: Birdsall House Birdsall Malton YO17 9NR
Proposal: Siting of underground insulated service pipework and overhead insulated pipework for new heating system within basement and ground floor area of northern wings of the building

12.
Application No: 14/01169/HOUSE **Decision: Approval**
Parish: Sinnington Parish Council
Applicant: Mr Phil Readman
Location: Elma House Main Street Sinnington Pickering YO62 6SH
Proposal: Erection of replacement rear single storey extension (retrospective application)

13.
Application No: 14/01170/73A **Decision: Approval**
Parish: Settrington Parish Council
Applicant: R Lamb And Sons (Mr Norman Lamb)
Location: Buildings At Fishers Farm Town Street Settrington Malton North Yorkshire
Proposal: Variation of condition 10 of approval 11/01148/EXT dated 28.11.2012 by replacement of existing list of drawings by drawing nos. 4296_EX10_01_A4 Site Location Plan, 4296_GA10_03_A1 Site Plan Proposed, 4296_AR50_01_Barn 1 Proposed, 4296_AR50_02_A1_Barn 2 Proposed, 4296_AR50_03_A1 Barn 3 Proposed and 4296_AR50_04, 05 and 06_Garage Plans - substitution of existing approved plans.

14.
Application No: 14/01172/HOUSE **Decision: Refusal**
Parish: Gilling East Parish Council
Applicant: Mr & Mrs Pickles
Location: Rectory End Church Lane Gilling East York YO62 4JQ
Proposal: Erection of timber - clad biomass fuel store

15.
Application No: 14/01177/HOUSE **Decision: Approval**
Parish: Leavening Parish Council
Applicant: Mr & Mrs Langton
Location: Hallgarth Farm Main Street Leavening Malton North Yorkshire YO17 9SA
Proposal: Installation of 4kw peak ground mounted solar PV system (16 panels in total) to generate electricity for domestic use.

16.
Application No: 14/01184/HOUSE **Decision: Partial Approve/Refuse**
Parish: Norton Town Council
Applicant: Mr W Brannon
Location: 76 Parliament Street Norton Malton YO17 9HE
Proposal: Erection of first floor extension to existing single storey rear extension, rear entrance porch and installation of dormer window to rear roofslope to allow formation of additional accommodation

17.
Application No: 14/01185/FUL **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr A Plews
Location: The Bungalow Cornborough Villa Cornborough Lane Sheriff Hutton YO60 6QN
Proposal: Erection of replacement agricultural building for housing of livestock and storage

18.
Application No: 14/01173/FUL **Decision: Approval**
Parish: Nunnington Parish Council
Applicant: C G Tate & Sons (Mr John Tate)
Location: Manor Farm Muscoates Lane East Ness Kirkbymoorside YO62 5XF
Proposal: Erection of agricultural grain store to include removal of an existing agricultural building

19.
Application No: 14/01174/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr William Hague
Location: 45 Market Place Pickering North Yorkshire YO18 7AE
Proposal: Internal alterations to include removal of ground floor partition and internal floor structures together with associated structural repair

20.
Application No: 14/01191/LBC **Decision: Approval**
Parish: Settrington Parish Council
Applicant: R Lamb And Sons (Mr Norman Lamb)
Location: Buildings At Fishers Farm Town Street Settrington Malton North Yorkshire
Proposal: Conversion and alteration of agricultural buildings to include demolition of ancillary farm buildings and section of rebuilding to form 1 no. four bedroom dwelling, 1 no. three bedroom dwelling and 1 no. two bedroom dwelling (revised details to approval 11/01173/EXTL dated 28.11.2012 as originally approved by 08/00628/LBC dated 21.01.2009).

21.
Application No: 14/01193/HOUSE **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr Neville Bycroft
Location: Granary Cottage Beverley Road Norton Malton North Yorkshire YO17 9PJ
Proposal: Alterations to fenestration and landscaping to include installation of 5no. sets of double doors and single entrance door to south elevation and erection of timber decking to south elevation together with erection of 1.8m high fencing to east and north boundaries and 1.5m high fencing to west-boundary

22.
Application No: 14/01197/FUL **Decision: Approval**
Parish: Foxholes Parish Council
Applicant: Foxholes Village Hall Management Committee
Location: Land To North Of Eastfield Foxholes Driffield
Proposal: Erection of a village hall with outdoor seating area, amenity area, landscaping, earth bank screening and 20 no. parking spaces (revised details to approval 12/00341/FUL dated 31.07.2012)

23.
Application No: 14/01198/FUL **Decision: Approval**
Parish: Foxholes Parish Council
Applicant: Foxholes Village Hall Management Committee
Location: Village Hall Main Street Foxholes Driffield North Yorkshire YO25 3QF
Proposal: Demolition of village hall and erection of 1no. 4 bedroom semi-detached dwelling with integral garage and 1no. 4 bedroom semi-detached dwelling with detached garage and studio together with formation of shared vehicular access for the dwellings and the village community space (revised details to approval 12/00340/FUL dated 25.09.2012)

24.
Application No: 14/01202/TPO **Decision: Approval**
Parish: Malton Town Council
Applicant: Mrs M McConner
Location: New Uplands Castle Howard Road Malton North Yorkshire YO17 6NJ
Proposal: To crown reduce the lower crown of a single walnut within TPO No. 336/2014 by a maximum of 1.5m.

25.
Application No: 14/01203/TPO **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr N Trench
Location: The Browse 43 York Road Malton North Yorkshire YO17 6AX
Proposal: To crown thin T78(beech), fell T75(Willow), and fell 7No. Poplars within Group G3, all within TPO No. 247A/1999

26.
Application No: 14/01211/HOUSE **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr & Mrs C Burr
Location: 22 Scarborough Road Norton Malton North Yorkshire YO17 8AB
Proposal: Erection of single storey side extension

27.
Application No: 14/01216/FUL **Decision: Approval**
Parish: Harome Parish Council
Applicant: Mr & Mrs Silk & Pern
Location: The Pheasant Hotel Mill Street Harome Helmsley YO62 5JG
Proposal: Erection of detached outbuilding to house 198KW biomass heating system (revised siting details to refusal 14/00912/FUL dated 15.10.2014)

28.
Application No: 14/01221/FUL **Decision: Approval**
Parish: Wintringham Parish Council
Applicant: Wintringham Parish Council (Mr Peter Witty)
Location: Village Hall Main Street Wintringham Malton North Yorkshire YO17 8HX
Proposal: Demolition of existing village hall and erection of replacement village hall together with formation of additional motorcycle, cycle and disability parking spaces

29.
Application No: 14/01243/LBC **Decision: Approval**
Parish: Ebberston Parish Council
Applicant: Dr Ian Newman
Location: 64 Main Street Ebberston Scarborough YO13 9NS
Proposal: Installation of secondary glazing to 6no. sash windows
