

RYEDALE DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS
CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED
SUBJECT TO THE CONDITIONS STATED BELOW:**

Application No: 19/01026/FUL

Proposal: Erection of 2no. three bedroom semi-detached dwellings with associated detached garaging and access off Queensway following demolition of existing bungalow.

at: Wyaston Vivers Place Kirkbymoorside North Yorkshire YO62 6EA

for: Mr Stuart Handley

Decision Date: 20 November 2019

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing
Local Plan Strategy - Policy SP4 Type and Mix of New Housing
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

CONDITIONS AND ASSOCIATED REASONS

- 01 The development hereby permitted shall be begun on or before 19 November 2022.
- Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
- 02 The development hereby permitted shall be carried out in accordance with the following approved plan(s):
- Existing Location Plan, Block Plans, Plans and Elevations (Drawing no. HAN/552/03/1)
Proposed Location Plan, Block Plans, Plans and Elevations (Drawing no. HAN/552/03/2)
Proposed Rear Vehicular Entrance (Drawing no. HAN/552/03/3)

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU

Proposed Location Plan, Block Plan, Plans and Elevations Garage (Drawing no. HAN/552/03/5)

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

- 03 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 areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 04 Prior to the commencement of the development hereby permitted, details of levels of the proposed development shall be submitted to and approved in writing by the applicant. Such details shall include existing levels across the site, together with finished floor levels, access and drainage runs.

Reason: In the interests of the character of the area, the amenities of neighbouring occupiers and to satisfy Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

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

Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

- 06 Prior to the commencement of the above ground construction of the dwellings hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU

Authority a one metre square free standing panel of stonework of the type of brickwork mortar 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 and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 07 Prior to the commencement of the above ground construction of the development hereby permitted 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 buildings 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.

- 08 Prior to the above occupation of the dwellings hereby approved, unless otherwise agreed in writing with the Local Planning Authority, full details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, complying with Policies SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 09 Prior to the above occupation of the dwellings hereby approved, unless otherwise agreed in writing with the Local Planning Authority, full details of the proposed surfacing within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, complying with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 10 No further doors, windows or any other openings shall be created within the northern or southern (side) elevations of the dwellings hereby approved.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 11 The windows proposed within the northern or southern (side) elevations of the dwellings hereby approved (serving the bathrooms) must be obscured glazed to a Pilkington Level 5 Obscuration or equivalent.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 12 During the development any unforeseen land contamination found 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

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU

Planning Authority has been completed. Submission of a verification report to be approved in writing by the Local Planning Authority will be required on the completion of any remedial work.

Reason: To satisfy the requirements of Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 13 Unless otherwise agreed in writing with the Local Planning Authority, all surface water from the extension hereby approved shall be directed to a soakaway in accordance with the British Standard requirements to the satisfaction of an approved Building Control Inspector. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of surface water disposal agreed in writing.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

- 14 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
- a. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details shown on and/or Standard Detail number E50 Revision A.
 - b. Any gates or barriers shall be erected a minimum distance of 2 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - c. 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.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

INFORMATIVE: 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.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy 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

- 15 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 24.5 metres to the right (north) and 12.5 metres to the left (south) measured

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU

along both channel lines of the major road Queensway from a point measured 2.0 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.

INFORMATIVE: An explanation of the terms used above is available from the Highway Authority.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of road safety.

- 16 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number HAN/552/03/3 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy # and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

- 18 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 of the Ryedale Plan, Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU

Footnote :

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE DISTRICT COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.



HEAD OF PLANNING

Mr Stuart Handley
C/O The Planning & Design Associates (Mr Peter Redman)
The Chicory Barn
Moor Lane
Stamford Bridge
YO41 1HU