

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: 21/00776/FUL

Proposal: Subdivision of dwelling to form 2no. three bedroom dwellings, erection of single storey rear extension, installation of 2no. replacement windows, installation of 2no. Yorkshire sliding sash windows as replacement to existing garage doors, formation of vehicular access and associated parking and landscaping

at: Westfield House 87 West End Kirkbymoorside YO62 6AD

for: Mr Derek Kay

Decision Date: 10 November 2021

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 SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

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 9th November 2024.

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

Mr Derek Kay
C/O Charles Pacey Architectural & Interior Design Ltd
The Rise
High Street
Hovingham
YO62 4LA
England

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

Site Location Plan (No drawing no.)
Existing and Proposed Site Plans (Drawing no. 1950/1382 Rev B)
Proposed Plans (Drawing no. 1950/1384)
Proposed Elevations (Drawing no. 1950/1385)

Proposed Site Plan Vehicle Tracking (Drawing no. 3466 JCE (00) 01.

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

- 03 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the above ground construction of the subdivision works hereby approved, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel(s) of the external walling to be used in the approved infilling works to the principal northern elevation of the development and the extension to the southern elevation of the development. 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 SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 04 Prior to the commencement of development, Tree Protective Fencing (in accordance with BS5837) shall be erected in the locations indicated within the Existing and Proposed Site Plans document (Drawing no. 1950/1382 Rev B)

The Local Planning Authority shall be notified in writing of the erection of the Tree Protection Fencing and confirmed in writing that it is implemented in accordance with the approved plan. The approved plan fencing shall be retained and maintained for the duration of the construction period.

No parking or external storage shall take place within the root protection areas of the mature Willow Tree.

Reason: To ensure the mature Willow Tree is protected during the construction period, in the interests of visual amenity, and to safeguard the visual amenity provided by the trees on the site and to accord with the provisions of Policy SP12 and Policy SP13 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

- 05 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the above ground construction of the subdivision works hereby approved, plans showing full 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 new trees/hedging and

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show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all hedging plants. All 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, and any trees or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP12, SP13 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 06 The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E50 revision A, kerbing to standard detail B2 Rev A and the following requirements.
- Any gates or barriers must be erected a minimum distance of 1.5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
 - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details shown on drawing 1950/ 1382 Rev Band maintained thereafter to prevent such discharges.
 - The final surfacing of any private access within 2 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy

MHi-C New and altered Private Access or Verge Crossing -(MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%20C%20highways%20and%20pavements/Specification for housing and industrial estate roads street works 2nd edi.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%20C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20estate%20roads%20and%20private%20streets%20works%202nd%20edition.pdf)

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The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

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.

PP. 

Jill Thompson
Service Manager Planning and Development

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