

TOWN & COUNTRY PLANNING ACT 1990

FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED THAT IT SHOULD BE REFUSED FOR THE REASON(S) GIVEN BELOW:

APPLICATION No: 23/00273/FUL

PROPOSAL: Erection of 1 no. four bedroom dwelling with associated parking, landscape and amenity area

LOCATION: Land North Of Ancoats Piercy End Kirkbymoorside

APPLICANT: Mr M Strickland and N Jones

DECISION DATE: 17 April 2024


REASON(S)

- 01 The proposed dwelling, by virtue of the complexity of roof forms and overall external form and scale, does not reflect the simplicity of the surrounding buildings and built context. In addition, the materials proposed would create a contemporary appearance which would not be sympathetic to the traditional styles and form seen on the properties within the conservation area. The building also is by virtue of its scale is visually and physically cramped within the plot. Resulting in a scale of development which is not reflective of the built context in which is it sited. Its scale, design and materials result in a development which would neither conserve nor enhance the Kirkbymoorside Conservation Area. The development therefore fails to meet the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) or the guidance outlined in Paragraph 203 of the National Planning Policy Framework. The proposals are also contrary to the requirements of Policies SP12 (Heritage) and SP16 (Design) of the Ryedale Local Plan - Local Plan Strategy.

- 02 The proposed dwelling, by virtue of the scale (two storey) and proximity (c.13 metres) of the dwellings to the eastern boundary would cause an unacceptable sense of overbearing for the properties to the east, their curtilages are relatively modest. The proposal is therefore considered to be contrary to the requirements of Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework
- 03 The only access which passes immediately past the residential property of Ancoats is particularly narrow at the point where Ancoats is sited. The access would go right past the property through a narrow gap which is measured at 2.3m off the plans as a minimum. Even if widened through cutting back of vegetation, the comings and goings of vehicles in such close proximity will result in a degree of disturbance and noise for occupants of the property, which is not capable of being reasonably controlled via condition and is therefore considered to be materially adverse. This would be contrary to Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy, which states that new development will not have a material adverse impact on the amenity for the users or occupants of neighbouring land and buildings.

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters. However, the Local Planning Authority has set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal concerning the design/scale/materials and massing, which may lead to the submission of a more acceptable proposal in the future. As the application has progressed other residential amenity issues have been raised which could impact on the proposal in a fundamental manner.



Trevor Watson
Assistant Director – Planning

Date: 17th April 2024

Mr M Strickland and N Jones
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NOTES

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