

PLANNING APPLICATIONS

The attached list of planning applications is to be considered at the meeting of the Planning Committee at the Civic Centre, Stone Cross, Northallerton on Thursday 13 September 2012. The meeting will commence at 1.30pm.

Further information on possible timings can be obtained from the Committee Officer, Jane Hindhaugh, by telephoning Northallerton (01609) 767016 before 9.00 am on the day of the meeting.

The background papers for each application may be inspected during office hours at the Civic Centre by making an appointment with the Director of Housing and Planning Services. Background papers include the application form with relevant certificates and plans, correspondence from the applicant, statutory bodies, other interested parties and any other relevant documents.

Members are asked to note that the criteria for site visits is set out overleaf.

Following consideration by the Committee, and without further reference to the Committee, the Director of Housing and Planning Services has delegated authority to add, delete or amend conditions to be attached to planning permissions and also add, delete or amend reasons for refusal of planning permission.

Mick Jewitt
Director of Housing and Planning Services

SITE VISIT CRITERIA

1. The application under consideration raises specific issues in relation to matters such as scale, design, location, access or setting which can only be fully understood from the site itself.
2. The application raises an important point of planning principle which has wider implications beyond the site itself and as a result would lead to the establishment of an approach which would be applied to other applications.
3. The application involves judgements about the applicability of approved or developing policies of the Council, particularly where those policies could be balanced against other material planning considerations which may have a greater weight.
4. The application has attracted significant public interest and a visit would provide an opportunity for the Committee to demonstrate that the application has received a full and comprehensive evaluation prior to its determination.
5. There should be a majority of Members insufficiently familiar with the site to enable a decision to be made at the meeting.
6. Site visits will usually be selected following a report to the Planning Committee. Additional visits may be included prior to the consideration of a Committee report when a Member or Officer considers that criteria nos 1 - 4 above apply and an early visit would be in the interests of the efficiency of the development control service. Such additional site visits will be agreed for inclusion in consultation with the Chairman or Vice-Chairman of the Planning Committee.

PLANNING COMMITTEE

13 SEPTEMBER 2012

Item No	Application Ref/ Officer	Proposal/Site Description
1	12/00842/REM Mr J Saddington	Application for reserved matters for the construction of 90 dwellings, garages, electricity sub station, access and the provision of public open space. at The Abattoir Bedale Road Aiskew North Yorkshire for Taylor Wimpey (North Yorkshire) Ltd. RECOMMENDATION: GRANTED
2	12/01314/FUL John Howe	Proposed two storey side extension to existing dwellinghouse At Hillcrest, Carthorpe RECOMMENDATION: GRANTED
3	12/00981/FUL Bridget Robinson	Siting of a wind turbine (24.6M mast) as per amendments received by Hambleton District Council on 16th July 2012 At Angrove West Farm, Stokesley RECOMMENDATION: GRANTED
4	12/01480/FUL John Howe	Revised application for proposed alterations and extension to dwelling and construction of detached domestic double garage At Borrowby Avenue, Northallerton RECOMMENDATION: REFUSED
5	12/01545/FUL Mr J E Howe	Revised application for the construction of a dwelling. at Land To Rear 2 Prospect Cottages Bankhead Road Northallerton for Mr Nick Denmark. RECOMMENDATION: REFUSED
6	12/01555/FUL Mr A J Cunningham	First floor extension including single storey extensions to rear elevation of existing dwelling. at 10 Mill Hill Lane Northallerton North Yorkshire DL6 1BB for Mr & Mrs I Fielding. RECOMMENDATION: GRANTED
	12/00965/FUL Mr J E Howe	Construction of an agricultural contractors building and yard plus formation of a new vehicular access.

7		<p>at Seward Agricultural Machinery Ltd Sinderby Station Sinderby Lane Sinderby for Croptech Ltd.</p> <p>RECOMMENDATION: GRANTED</p>
8	<p>12/00861/FUL Sally Leeming</p>	<p>Demolition of existing domestic garages and construction of two dwellings with a detached shared garage, associated parking and landscaping as amended by plans received by Hambleton District Council on 19 and 25 June 2012 At Danum Avenue, Sowerby</p> <p>RECOMMENDATION: REFUSED</p>
9	<p>12/01599/FUL Bridget Robinson</p>	<p>Construction of a replacement footbridge as per amended plan received by Hambleton District Council on 24th August 2012 At River Leven, Stokesley</p> <p>RECOMMENDATION: GRANTED</p>
10	<p>12/00943/FUL John Howe</p>	<p>Retrospective application for a change of use of agricultural land to mixed use of agricultural and the storage of trailers and equipment for grounds maintenance company and the construction of a boundary fence and retention of a shed and ancillary hardstanding to store equipment and chemicals At The Long Acres Fore Lane Thornborough</p> <p>RECOMMENDATION: DEFER</p>
11	<p>12/01003/FUL John Howe</p>	<p>Retrospective application for a change of use of domestic garage to a joinery workshop At Roselea, Thornborough</p> <p>RECOMMENDATION: DEFER</p>

1.

12/00842/REM

Application for reserved matters for the construction of 89 dwellings, garages, electricity sub station, access and the provision of public open space at the Abattoir, Bedale Road, Aiskew for Taylor Wimpey (North Yorkshire) Ltd

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 This application was deferred at Planning Committee on 16th August 2012 in order to give the Applicant an opportunity to improve the design quality of the development by: reducing density along the western edge; improving house-types; increasing incidental landscaping and including a children's play area. Members also invited the Applicant to explore the possibility of altering the main site access to roundabout in order to improve safety.
- 1.2 Outline planning permission was granted on 28th March 2012 for re-development of the application site for housing, open space, an electricity sub-station and associated works. All matters were reserved within the outline application and consequently permission is now sought for access, appearance, landscaping, layout and scale.
- 1.3 An indicative layout showing up to 95no dwellings of a variety of house types was submitted with the outline application. This included the replacement of the 10 units currently occupied and in the ownership of Broadacres Housing.
- 1.4 The site layout submitted in respect of this reserved matters application shows 89no dwellings, of which 37no are affordable. The majority of those dwellings (84no) are served by a central junction onto Bedale Road. An additional 3no open market units will be served by a private access off Bedale Road, whilst 2no affordable units will be severed by a private access to the south of Rigby Terrace.
- 1.5 The proposed house types will take the form of terraced, semi-detached and detached homes, all two storeys in height, with a mix of 2, 3 and 4 bedrooms. All dwellings are two-storeys in height and will be constructed using modern facing brickwork with mock-slate or pantile roofs and a chimney detail on selected plots. All dwellings are designed to have private amenity space.
- 1.6 In terms of car parking provision, each of the affordable units will be served by two spaces whilst the larger 3bed and 4bed dwellings will have a minimum of two spaces with some driveways being large enough to accommodate a third space. In addition, integral and detached garages will provide opportunities for additional car parking.
- 1.7 Existing trees and vegetation will be retained along the south-eastern boundary of the site whilst the existing hedgerow in the north-west facing corner of the site, adjacent to Bedale Road, will be retained and trimmed to the Council's approval.
- 1.8 An area of public open space measuring 1,100 sqm has been introduced to the south-eastern corner of the application site. This area includes a public footpath linking the application site to the planned Bedale Footway and Cyclepath network running alongside the Wensleydale Railway line.

- 1.9 The site has been confirmed within the Council's Local Development Framework Allocations Document where, as Allocation BH4, it is stated to be suitable for development within the Phase 2 period (2016-2021) subject to:
- i) development being at a density of at least 35 dwellings per hectare, resulting in around 80 dwellings, of which at least 40% (ie at least 32) should be affordable;
 - ii) types and tenure of housing developed meeting the latest evidence of housing need; and
 - iii) contributions from the developer towards providing public open space, provision of footway and cyclepath links along the Wensleydale Railway towards Leeming Bar and Bedale town centre including improvements to Bedale Bridge, additional capacity to local schools, increased or improved access to local healthcare facilities and, if required, additional drainage and sewerage infrastructure.'
- 1.10 The justification to the allocation within the Allocations DPD confirms that the site has been allocated because : 'Its development provides the opportunity for a number of dwellings to be located on brownfield land within the Service Centre which would be within walking and cycling distance of local services and facilities, including public transport using the A684; its development would have relatively little impact on the form and character of the settlement; its development would have a positive impact on the visual appearance of the site; the site is within walking distance of and accessible to public transport and, finally, it is available with developer interest.'
- 1.11 The site, which is approximately rectangular in shape, comprises mainly the former Abattoir which includes the slaughterhouse, associated buildings, hardstanding and lairage land to the north and eastern parts of the site. In addition 10 dwellings (6 houses and four flats) in Rigby Terrace, in the ownership of Broadacres Housing Association and fronting onto the A684 are included which would be demolished. The dwellings are not up to Broadacres preferred standards and will be replaced by other properties within the site. Six of the dwellings at the western end of Rigby Terrace will remain unaffected. The north-eastern boundary of the site is formed by a smallholding/former nursery curtilage, the land to the south of the Wensleydale Railway is in agricultural use and the south-western boundary adjoins the Gill's Garage complex which comprises a petrol filling station, body repair/spraying and servicing facility and car showroom.

2.0 RELEVANT PLANNING HISTORY

- 2.1 04/00134/OUT - Outline application for residential development (Refused on 8th May 2004).
- 2.2 10/00484/OUT - Outline application for re-development of site for housing, open space and electricity sub station (Granted on 28th March 2012).

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

The National Planning Policy Framework – 27 March 2012

Core Strategy Development Plan Document – Adopted April 2007

CP1 - Sustainable development

CP2 - Access

CP4 - Settlement hierarchy

CP8 - Type, size and tenure of housing

CP9 - Affordable housing

CP16 - Protecting and enhancing natural and man-made assets

CP17 - Promoting high quality design
CP18 - Prudent use of natural resources
CP19 - Recreational facilities and amenity open space

Development Policies Development Plan Document – Adopted February 2008

DP1 - Protecting amenity
DP2 - Securing developer contributions
DP3 - Site accessibility
DP4 - Access for all
DP6 - Utilities and infrastructure
DP12 - Delivering housing on “brownfield land”
DP13 - Achieving and maintaining the right mix of housing
DP15 - Promoting and maintaining affordable housing
DP31 - Protecting natural resources: biodiversity/nature conservation
DP32 - General design
DP33 - Landscaping
DP34 - Sustainable energy
DP36 - Waste
DP37 - Open space, sport and recreation
DP39 - Recreational links

Allocations Development Plan Document – Adopted 21 December 2010

BH4 – The Abattoir, Aiskew

Other Relevant Documents

Hambleton Biodiversity Action Plan
Corporate Plan
Sustainable Communities Strategy

4.0 CONSULTATIONS

Parish Council

- 4.1 Wish to see the application approved. A resident expressed concern about the turning point for traffic. The Council would expect no impact on Gills Garage business.
- 4.2 Comments awaited on the amended site layout and house types.

NYCC Highways

- 4.3 Comments awaited on the amended site layout and house types. However, the LHA agree that a roundabout at the site access is not an appropriate option.

NYCC Development Management Archaeologist

- 4.4 Note that Condition 9 of the 10/00484/OUT decision notice relates to the submission and approval of a Written Scheme of Investigation.

HDC Environmental Health Officer

- 4.5 As identified in the acoustic report dated 21st November 2011, protection of habitable rooms in properties as identified, shall be fitted with the recommended acoustic measures i.e. glazing, roofing and acoustic ventilation, prior to the units being occupied and shall be retained thereafter. Specifications shall be chosen to ensure that the resultant internal noise levels within habitable rooms (bedrooms and living

rooms) shall achieve a 'good' ambient noise levels of 30dB, LAeq,T. (T=16hrs) The ventilation systems shall enable adequate ventilation without recourse to open windows to noisy facades and without causing additional noise which would impact on the 'good' ambient level achieved through the glazing.

4.6 The acoustic screening proposed to protect particular amenity areas shall be installed by prior to the properties becoming occupied and shall be retained thereafter. Specifications shall be chosen to ensure that the resultant noise level in external amenity space shall be protected so as not to exceed 50 dB, LAeq,T. (T=16hrs)

4.7 Comments awaited on the amended site layout and house types.

Yorkshire Water

4.8 Confirmed no comments.

Police Architectural Liaison Officer

4.9 Note that there is no mention of crime and the fear of crime, both material planning considerations in this application. This is a fairly substantial housing estate and for there to be no mention of crime is a serious oversight.

4.10 Presume that the affordable housing will require Secured By Design, (SbD), status for achieving the Code for Sustainable Homes but there is no mention of it. No application for SbD has been submitted to the Police.

4.11 If the affordable housing is to require SbD, then this would leave an estate with some houses with enhanced security, and others not, a two tier system of security on the one estate. This is undesirable.

4.12 Comments awaited on the amended site layout and house types.

Network Rail

4.13 Confirmed no comments.

Wensleydale Railway

4.14 No objection in principal to the proposed development but made the following observations:-

4.15 The Railway has serious concerns about the effect this development and those proposed in the Local Development Framework will have on Aiskew Level Crossing. As Aiskew is an automatic open level crossing, there are safety parameters as to what is an acceptable traffic level over this crossing. Given that any of these developments taken singularly will increase traffic over Aiskew level crossing and taken as a whole will substantially increase traffic and take the traffic volume over those parameters, Developers should pay for improvements to this level crossing as they are directly contributing to the increased traffic flow. However, not suggesting that one singular Developer should bear this cost, rather than provision should be set aside by each Developer developing in the Aiskew area to enable the crossing to be improved.

4.16 In the document "Measurement of Existing Noise Levels", page 5, the document makes reference to the fact that trains are daytime only. This is incorrect; trains can and do run at any time, in particular specials and engineering trains are often run at night and can return past the proposed development location at 2300 hours or later. In addition, it should also be noted that there is a mandatory whistle board located

within 200 metres of the proposed development. Locomotive horns or whistles will be sounded up until 2300hrs when they pass this location. In view of this, an acoustic fence along the boundary with the Railway should also be considered. In addition, any other soundproofing measures should take this in to account.

- 4.17 Steam locomotives are operated on a number of days over the year, and residents should be made aware of the potential of smoke and steam emissions from these locomotives.
- 4.18 The height of the boundary fence is acceptable; however, reiterate Network Rail's comments in the outline planning application (10/00484/OUT) that consideration should be given to maintenance of structures. In this case this would apply to the fence. Therefore consideration should be given in placing the fence two metres from the Railway boundary to allow for maintenance and construction without accessing Railway property. The existing boundary fence must not be removed or disturbed.
- 4.19 The development backs on to a User Worked Level Crossing, known as Warwick House No 2. As there is no reason for any potential resident of the development to use this crossing then no direct access should be created from the development site to this crossing.
- 4.20 The Developers need to be aware that if any access is required on to Railway property, e.g. for erecting of the boundary fence, then they must contact the Wensleydale Railway at the above address before accessing the Railway. This may require a "possession" of the Railway, which will require booking with at least 28 days prior notice given.
- 4.21 Any lighting erected must be placed to avoid any dazzle to train drivers. In addition, the location and colour of the lighting must not give rise for the potential confusion with any signalling arrangements on the Railway.
- 4.22 Wish to see the provision of an Armco barrier, or equivalent, at the end of the road next to plot 31, adjacent to the Railway. This road has the potential to allow a vehicle to roll or drive in to the boundary fence and on to Railway land.
- 4.23 Comments awaited on the amended site layout and house types.

Sabic – Pipeline Operator

- 4.24 No observations, other than to point out that the proposed building works would fall within the outer zone at approximately 860m of the pipeline for PADHI.

Publicity

- 4.25 The application was advertised within local press, by site notices and directly to the neighbouring residents. The period for replies expired on 30th August 2012. Three letters of objection, one representation expressing concerned about new development coming forward in adjacent of the Bedale Bypass and one representation of support have been received to date and are summarised as follows:-

Objection

1. Question housing need and demand.
2. No plans to increase infrastructure.
3. Worried about road safety and congestion.
4. The parking and turning of cars (usually done to the rear of 10 Rigby Terrace) will be difficult once the street is made shorter. May result in reversing movements onto Bedale Road.

5. Object to terraces being placed next to number 78. Would prefer detached houses to be situated within this area.
6. Concerned about the adequacy of boundary fencing to existing neighbours in terms of sound proofing.
7. Concerned about the proximity of Wensleydale Railway in terms of noise, pollution and danger.
8. Where will another 90 children be schooled?

Support

9. Broadacres – tenants in Rigby Terrace provided positive feedback to consultation. Due to the need to house the existing tenants early on in the programme requires a larger than normal concentration of affordable homes in one area. The site layout is the best result.

5.0 OBSERVATIONS

- 5.1 Matters of principle were considered in determining the original outline application and should not be reconsidered. Only those matters reserved for future consideration, namely: access, appearance, landscaping, layout and scale should be examined. Each matter is addressed in turn:

Access

- 5.2 Policy DP3 stipulates that all proposals for new development must include provision for sustainable forms of transport to access the site whilst Policy DP4 insists that development proposals must ensure safe and easy access is available to all potential users.
- 5.3 A full Transport Assessment (TA) was written in February 2010 and was submitted as part of the outline planning permission to which the reserved matters application relates. This considered a site entrance formed by a standard 'T' junction/priority junction would be appropriate to the scale of the development and local circumstances.
- 5.4 As identified within paragraph 1.1 of this report, the Applicant was asked to investigate the possibility of providing a roundabout entrance into the site instead of the currently proposed 'T' junction.
- 5.5 The Applicant commissioned Travel Plan Services (TPS) to investigate the roundabout option. The TPS report is attached. Having taken into account guidance contained within "the Design Manual for Roads and Bridges" and "Mini Roundabout Good Practice Guidance", both produce by the DfT, the report concludes that a roundabout is not appropriate in this instance. Mini-roundabouts should not be introduced for new junctions, should not be introduced where traffic speeds are in excess of 35 mph within 70 metres of the junction, and should not be introduced where traffic flows on the minor arm of the junction are too light.
- 5.6 The Local Highway Authority has review the TPS document and agrees that a roundabout is not a suitable option. Consequently, the proposed 'T' junction access is considered to comply with policies DP3 and DP4 of the Local Development Framework.

Appearance

- 5.7 Policy DP32 states that the design of all developments must be of the highest quality. Attention to the design quality of all development will be essential. Development proposals must seek to achieve creative, innovative and sustainable designs that

take into account local character and settings, and promote local identity and distinctiveness.

- 5.8 This approach has been strengthened by paragraph 56 of the National Planning Policy Framework (NPPF) which states that “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- 5.9 Paragraph 62 of the NPPF states that “Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review...In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.”
- 5.10 In response to this guidance, Officers invited the Applicant to refer the application to the Regional Design Review Panel as a collaborative process. This request was rejected by the Applicant. Consequently, the design aspects of the application have been critiqued without the added benefit of third party scrutiny. Nonetheless, the Applicant has been challenged to improve the elevational treatment of the proposed house-types.
- 5.11 The Applicant has responded by improving the architectural detailing of several house-types. The ‘Downham’ has been amended to provide a flat-roof canopy and bay window instead of the originally proposed pitched and hipped roofs in order to provide consistent style detailing. The window profile on the ‘Gosford’ been amended to copy the detailing on the ‘Barden’ whilst a six-panel door and pitched-roof canopy have also been introduced.
- 5.12 A hipped roof design has been incorporated within a number of units along the site frontage (Plots 17, 18, 66 & 67) in order to reflect local vernacular. Chimney detailing has also been included on those properties standing on prominent corner sites and at other important vistas.
- 5.13 As a consequence of these amendments and subject to the appropriate choice of materials (to be secured via condition or submitted in advance of planning permission being granted), the appearance of the development is considered to comply with design guidance contained within the NPPF and the requirement of Policy DP34.

Landscaping

- 5.14 Policy DP33 specifies that landscaping of new development must be an integrated part of the overall design which compliments and enhances development and, inter alia, protects key landscape features.
- 5.15 Existing trees and vegetation will be retained along the south-east facing boundary of the site whilst the existing hedgerow in the north-west facing corner of the site, adjacent to Bedale Road, will be retained and trimmed to the Council’s approval. Elsewhere the application is generally devoid of landscape features.
- 5.16 The revised site layout incorporates increased incidental landscaping throughout the development. Those dwellings (plots 3 and 86 to 89) located adjacent main access have been set back in order to create a substantial landscaped area next to Bedale Road, whilst pavements have been replaced with shared surfaces adjacent to tertiary roads in order to add further green space to the development.

- 5.17 In light of the above improvements, the landscaping strategy is considered to comply with Policy DP33. However, a planting scheme should be secured via condition or submitted in advance of planning permission being granted.

Layout

- 5.18 As detailed within paragraphs 5.7 to 5.9 of this report, both the NPPF and the Hambleton Local Development Framework require all developments to be the highest quality design.
- 5.19 At Planning Committee on 16th August 2012, Members challenged the Applicant to improve the proposed layout by: introducing an area of public open space, particularly aimed at meeting the needs of children, and by reducing the density of the development along the western edge of the site adjacent to Gills' garage.
- 5.20 In response, the layout has been amended to include an area of public open space measuring 1,100 sqm at the south-eastern corner of the site. Plots 53 to 56 have been turned 90 degrees to provide natural surveillance from elevations. This area includes a public footpath linking the application site to the planned Bedale Footway and Cyclepath network running alongside the Wensleydale Railway line. No further details are given concerning how the space will be equipped or managed. Nonetheless, details can be secured via the 'open space works' scheme required by the s.106 agreement attached to the associated outline planning permission.
- 5.21 In terms of density, the proposed housing numbers have been reduced by one from 90 to 89 dwellings. The Applicant was asked to consider deleting one additional unit from each of the following groupings: 59-62; 68-70 and 71-37 (3 units in total) in order to improve the development's spaciousness and enhance the accessibility to each unit.
- 5.22 The Applicant has rejected these additional design improvements on the grounds that the scheme is finely balanced in economic / viability in terms of delivering the affordable housing and other s106 contributions sought by the Council. The Applicant considers the further changes proposed to be a step too far from an economic perspective which could compromise the whole deliverability of the scheme as well as delaying the development of this redundant site still further.
- 5.23 The vast majority of the scheme is well designed and laid out, however concerns remain about the quality of development likely to be created along the western edge of the site. As always, planning applications are determined in the face of competing interests. The recently published NPPF places significant importance on securing economic growth, jobs and prosperity by, amongst other things, delivering new homes quickly. The proposed development will deliver range and variety of new homes including 37 new affordable dwellings and will result in the regeneration of a brownfield site close to a sustainable settlement. In light of the package proposed, these design concerns are not sufficient in their own right to warrant refusal of the application.
- 5.24 As demonstrated on the plan, all properties will have access to rear gardens by way of footpath of appropriate width so that bins can be stored to the rear of the properties. This is an arrangement that is used extensively within modern housing developments.
- 5.25 The proposed layout incorporates an active frontage along Bedale which will result in an attractive continuation of the ribbon development running through Aiskew. Efforts have been made to break up the uniformity of the development within the site by providing a mix of detached, semi-detached and terraced dwellings within varied streetscenes.

- 5.26 The proposed development contains a total of 174 car parking spaces (excluding garages) which equates to approximately 2 spaces per dwelling. This level of provision is considered to be acceptable.
- 5.27 The proposed design and site layout is considered to be in keeping with the character and appearance of Aiskew and is therefore able to comply with Policy DP32.

Scale

- 5.28 The proposed development of 89 dwellings results in a density of 37dph which comfortably reflects the character of Aiskew whilst still making efficient use of land. The height of the dwellings has been limited to two-storeys with a conventional roof pitch which again respects the character of the surrounding area.

Affordable Housing

- 5.29 The outline planning permission to which this reserved matters submission relates was subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated the 27th March 2012.
- 5.30 The S106 requires, amongst other things, that a scheme for the provision of the 'Affordable Housing Units' within the development is submitted to and approved by the Council as part of an application for the approval of reserved matters. It requires that the scheme includes details of the affordable dwelling types, their tenure and the location of the units within the development.
- 5.31 The S106 requires that 'at least 40%' (rounded up or down to the nearest whole number) of the total number of dwellings comprised within the development shall be affordable. The tenures of the units are to be split 50/50 between social rented and intermediate tenure housing. The proposed layout includes 37no affordable units.
- 5.32 Under normal circumstances affordable dwellings would be 'pepperpotted' throughout the site layout in the interests of creating a mixed community. However, in this instance, the affordable units have been clustered in the south-western edge of the site in order to allow for the efficient transfer of Broadacres' tenants from Rigby Terrace (which is to be demolished) into new homes. There are 10 homes in Rigby Terrace; approximately 8 residents wish to be rehoused on the site. This area will be developed first to enable the transfer and will then be fenced off with its own temporary access whilst the rest of the site is developed. Consequently, the position of affordable housing units is considered to be acceptable.

Developer Contributions

- 5.33 As identified above, the associated outline permission was subject to a s.106 agreement. This s.106 secured developer contributions in respect of: the delivery and enhancement of off-site public open space, sport and recreation facilities; education; the Bedale footpath and cycleway and an on-site public open space maintenance sum.

6.0 SUMMARY

- 6.1 Subject to outstanding consultation responses, matters relating to access, appearance, landscaping, layout and scale are considered to be acceptable. Consequently, the proposed development is considered to be in accordance with the above policies of the Hambleton Local Development Framework.

7.0 RECOMMENDATION

GRANTED subject to the following conditions:-

1. Commencement

The development hereby permitted shall be begun on or before 27th March 2017.

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

2. Approved Plans

The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered: 300/D1289/PL1 Rev.B; PD410/PL1; 300/H621/PL1 Rev.B; PA34/3/PL1-B; PA44/PL1-A; PD48/PL1; PD49/PL1 and site location plan received by Hambleton District Council on 17th April 2012 and 300/D1289/05.01 Rev.B; PA44/3/51B; 300/H621/05.01 Rev.B; PD48/05/01; PD49/05/01; PD410/05/01; PA34/05/01B and received by Hambleton District Council on 13th August 2012 and Planning Layout received by Hambleton District Council on 24th August 2012 and PA34/PL2-B received by Hambleton District Council on 28th August 2012 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Hambleton Local Development Framework Policies CP17 and DP32.

3. Materials

Prior to the development commencing, the external surfaces of the development shall not be constructed other than of materials, details of which have been submitted to and approved in writing by the Local Planning Authority. Such details shall include: facing bricks, roof tiles, rainwater goods and all hard surface materials for roads, pavements and car parking areas.

Reason: To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.

4. Boundary Treatments

The development shall not be commenced until details relating to boundary walls, fences, hedgerows and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the installation of an Armco barrier, or equivalent, adjacent to Plot 30.

Reason: To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

5. Boundary Treatment Construction

No dwelling shall be occupied until the boundary walls, fences, hedgerows and other means of enclosure have been constructed in accordance with the details approved in accordance with condition 4 above. All boundary walls, fences, hedgerows and other means of enclosure shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.

Reason: To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

6. Levels

Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

Reason: To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

7. Landscaping Scheme

Notwithstanding the submitted details and prior to the development commencing, a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details of the species, numbers and locations of planting, all hard surface materials, timescales for implementation and a maintenance schedule. The approved landscaping scheme shall be implemented prior to occupation of any dwelling and maintained thereafter in accordance with the approved details.

Reason: In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

8. Secured By Design

Prior to the development commencing details that show how 'Secured by Design' principles have been incorporated into the scheme shall be submitted for the written approval of the Local Planning Authority and once approved the development shall be implemented in accordance with the approved 'Secured by Design' details prior to occupation or use of any part of the development hereby approved.

Reason: In the interest of community safety, to reduce the fear of crime and to prevent, crime and disorder in accordance with the provisions of Section 17 of the Crime and Disorder Act 1998

9. Sustainable Construction

Prior to the development commencing, a detailed scheme to incorporate energy efficiency and/or renewable energy measures within the design-build which meet 10 percent of the buildings energy demand shall be submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented and retained in accordance with the approved details.

Reason: In order to minimise energy demand, improve energy efficiency and promote energy generated from renewable resources in accordance with policy DP34 of the Hambleton Local Development Framework.

10. Highways Conditions to be added

Travel Plan Services Ltd

Technical Note

Client: Taylor Wimpey
Project: Aiskew
Our ref: 241_20120824_Technical Note – Mini Roundabout
Date: 24/08/2012

Introduction

Travel Plan Services Ltd (TPS) has been commissioned by Taylor Wimpey to investigate the potential of the provision of a roundabout entrance into the proposed site instead of the currently proposed 'T' junction/priority junction that has been put forward as part of the detailed/reserved matters planning application for residential development on the former Aiskew Abattoir and Rigby Terrace, Aiskew, North Yorkshire.

A full Transport Assessment (TA) was written in February 2010 and was submitted as part of the outline planning permission to which the reserved matters application relates. This considered a site entrance formed by a standard 'T' junction/priority junction would be appropriate to the scale of the development and local circumstances. .

Site Entrance Location

The proposed site entrance will be located at the eastern edge of the Aiskew urban area, and will be the first junction that vehicles pass as they travel westwards on the A684 from the A1. As noted within the TA, the junction will be circa 60 metres to the west of the speed limit demarcation that is concurrent with the eastern boundary of the bungalow known as Palmerston. To the east of this point the A684 is subject to a 40 mph speed restriction (following the completion of the A1 works). To the west of this point the A684 is a 30 mph highway. Junction layout designs were submitted as part of the planning application process, in discussion with North Yorkshire County Council (NYCC), the highway authority for this area.

This site entrance will be the first junction that vehicles arrive at within the urban area of Aiskew if they are travelling westwards and the final junction before the A1 access if they are travelling eastbound.

Design Considerations

The appropriate junction choice for a new junction or highway design scheme is guided by two documents, the *Design Manual for Roads and Bridges* (DMRB), published by the DfT and *Mini*

Roundabouts Good Practice Guidance (MRGPG), which is also a DfT document. The recommendations of both of these policy documents are taken into account by the officers at NYCC when considering the application of mini-roundabouts upon the highway network.

The DMRB provides a large amount of detail in relation to the design process that should be followed when choosing a junction layout. In particular, two sections of the DMRB need consideration: *Vol. 6, Sec. 2, Pt. 6 TD 42/95 – Geometric Design of Major/Minor Priority Junctions*; and *Vol. 6, Sec. 2, Pt. 2 TD 54/07 – Design of Mini-Roundabouts*.

The advice of the DMRB has been applied and is relevant to the local highway network as this site is:

- Close to a major trunk road (A1); and
- According to section 1.4 of MRGPG, the DMRB is mandatory for trunk roads but advisory for applications on local roads in the case of mini-roundabouts. Therefore, the standards contained within the DMRB are relevant for this section of highway.

It should be noted that *Manual for Streets (MfS)* has not been applied as the A684 at this location is not a residential area, which is the intended application of MfS. The standards of MfS would not be appropriate for a heavily trafficked 'A' road of the type seen at this site.

Document Review

Full analysis of the relevant two design documents is shown below, and takes into account the criteria laid out within those documents in the context of this site.

DMRB - TD 42/95

Paragraph 2.2 of this document states that: "*The advantage of all major/minor priority junctions is that through traffic on the major road is not delayed.*" Therefore, this type of junction is preferred where there are low traffic flows in a particular direction, notably on the minor arm of the junction.

TD 42/95 also includes a diagram (Fig. 2/2) which helps designers to select the most appropriate format of junction for the scale of traffic flows that are expected to pass through the junction on the major and minor arms. This demonstrates that a simple 'T' arrangement is sufficient where the Annual Average Daily Traffic (AADT) is less than 500 two-way movements on the minor arm of the junctions. For situations where the minor arm has a higher two-way flow, or the major arm exceeds c.13,000 two-way AADT then a ghost island right-turn is the appropriate junction layout.

Following discussions with NYCC, and prior to the submission of the Transport Assessment, TPS considered the need for a right-turn ghost island arrangement. However both TPS and the NYCC

agreed that this was an unnecessary scale of junction based upon the level of traffic flow from the site, which is in accordance with the guidance of DMRB TD42/95.

DMRB TD 54/07

This document prescribes the conditions and layout options that should be followed in order to instigate a mini-roundabout junction. Paragraph 1.9 states: *"The decision to introduce a mini-roundabout at a particular site should take account of locally prevalent types of junction, traffic control and driver expectation."* There is a mini-roundabout approximately 500 metres west of this proposed site entrance, which provides access to Sandhill Lane, a local distributor road for the northern residences of Aiskew. However, this is the only example of a mini-roundabout within proximity of the development, and is therefore not the locally prevalent format of junction.

It should also be noted that entrances to other housing developments of this scale within Aiskew use priority junctions at their site entrance, and the Sandhill Lane junction is provided at a location where there are higher traffic flows and more evenly balanced flows on each arm of the junction than will be generated at the development site.

Paragraph 2.1 of TD 54/07 states that *"Mini-roundabouts must only be used on roads with a speed limit of 30mph or less and where the 85th percentile dry weather speed of traffic is less than 35mph within a distance of 70 metres from the proposed give way line on all approaches, unless installed in combination with speed reduction measures."* Given the proximity of the junction (within c. 60m) of the increase of the speed limit to the east of Aiskew, it is considered that this design criterion would not be upheld through the introduction of a mini-roundabout at this site. This is a mandatory section of the DMRB as it is marked within a box, and therefore contradiction of this instruction would have to be submitted with a case stating the need for a 'departure from standard'. As a result, a Road Safety Audit of a mini-roundabout design at this location will be highly critical of the junction choice unless a fully reasoned argument can be provided that supports the introduction of the junction.

As with the layout selection process for major/minor priority junctions, paragraph 2.3 of TD 54/07 states that:

"Where the forecast two-way Annual Average Daily Traffic Flow (AADT) on any arm is below 500 vehicles, a junction arrangement in accordance with TD 42 (DMRB 6.2.6) should provide the most appropriate design, with less likelihood of unwarranted disruption to the main traffic streams. Mini-roundabouts may be inappropriate for frequent use by long vehicles and some public service vehicles."

As a result of the expected traffic flows on the minor arm of the junction, and the traffic flows along the major arms, it is considered that the chosen design of a priority junction has properly taken into consideration the advice of the DMRB in terms of layout and all associated health and safety issues.

Finally, mandatory paragraph 2.5 of the document clearly states that mini-roundabouts must not be used at a new junction (in this case the site entrance will be a new junction) built specifically for the residential scheme. Therefore this situation is not compatible with the introduction of a mini-roundabout in any circumstance without the provision of considerable evidence to the contrary, which would support a 'departure from standard' under the guidance of the DMRB.

MRGPG

MRGPG defines a mini-roundabout in the same way as DMRB, but extends the reasons why a mini-roundabout could be a suitable design choice. These are:

- To improve the operation of an existing junction;
- As an accident remedial measure;
- As part of a traffic calming scheme; or
- To provide an access to a new development.

Each of these issues is addressed in Chapter 2 of the document, and in this case it is the last two that are most pertinent. Section 2.5 states that mini-roundabouts can be adopted as a part of an "*area wide traffic calming scheme*." However, it is clear that the mini-roundabout must be part of a package of measures, not purely as the only traffic calming device. It also states that using a mini-roundabout as a speed reduction tool is contentious and has only met with mixed success.

In terms of using this junction type as an access point, MRGPG also states that the AADT of the side road should not be less than 500 vehicles per day. If a minor arm is lightly trafficked, meaning that emerging vehicles or turning movements are unexpected the roundabout may not operate effectively, as the mainline flows will effectively have free flow conditions.

Chapter 3 of MRGPG describes the assessment that should be undertaken when implementing a mini-roundabout. Section 3.6 states that mini roundabouts are unlikely to be appropriate where vehicle approach speeds are relatively high (N.B. This is not the same as the speed limit, and should reflect onsite conditions). This echoes the requirements of DMRB (and also the Traffic Signs Manual) and is to ensure that vehicles cannot accelerate quickly away from or through a roundabout. Given the proximity to the change in speed limit of the highway at this location, it is considered that

vehicles will accelerate out of the roundabout when travelling eastwards, and may also carry excessive speed towards the junction when entering the 30 mph area.

As a result of the concerns of traffic speeds and the light trafficking of the minor arm of the junction, it is considered that this site would not be appropriate for the introduction of a mini-roundabout, and would contradict the evidence and advice of these two design documents.

Summary and Conclusion

TPS has produced this note to assess whether the provision of a mini roundabout would be an appropriate access arrangement to serve the development of land as the former Aiskew Abattoir for residential purposes.

As part of the pre-application discussions with the County Highway Authority regarding the proposed access arrangement it was agreed that a major/minor priority junction should be provided, and that a ghost island right-turn was not required due to the low traffic flows on the minor arm of the junction.

At the request of Members consideration has been given to the provision of a mini-roundabout instead of the proposed 'T' Junction. However, the guidelines that govern highway design make it clear that the circumstances found in this location are not appropriate for the introduction of this type of junction format. In particular, mini-roundabouts should not be introduced for new junctions, should not be introduced where traffic speeds are in excess of 35 mph within 70 metres of the junction, and should not be introduced where traffic flows on the minor arm of the junction are too light.

Taking into account the guidance of the Design Manual for Roads and Bridges and Mini Roundabout Good Practice Guidance, both published by the DfT and applied by NYCC when considering the application of mini-roundabouts, it is concluded that a mini roundabout would not be an appropriate means of access to serve the proposed development.

Key Contact

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2.

12/01314/FUL

Proposed two storey side extension to existing dwellinghouse. at Hillcrest Carthorpe Bedale North Yorkshire for Mr S Dale.

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This application is for the construction of a two-storey side extension to a detached dwelling on the northern side of the main village street towards the western end of Carthorpe.

1.2 The extension comprises a 'drive through' garage to the ground floor with an additional bedroom above and will key into the roof of the main front gable elevation below the ridge line. Matching materials, including re-used quoins, and windows are to be used. There are no openings facing the adjacent dwelling to the east which is some 9m away. An outbuilding belonging to the adjacent neighbour lies close to the rear of the proposed extension but is not joined.

1.3 An amended plan was submitted by the applicant following discussions which were held after an objection was received from the neighbour in respect of potential impact of the construction on their property. The original plan showed a mono-pitched treatment to the front 'ground floor roof' with the first floor bedroom built at the very rear of the extension close to the neighbouring outbuilding. The amendment shows the first floor bedroom moved forward to the front of the extension to match the 'wing' on the northern elevation. This has allowed the roof at the rear over the garage to be a less dominating mono-pitch which will have less impact on the neighbouring outbuilding and eliminate any potentially overhanging guttering.

2.0 PREVIOUS PLANNING HISTORY

2.1 02/00126/FUL : Rear first floor extension to existing dwelling : Permission Granted 2002.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP1 - Protecting amenity
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design

4.0 CONSULTATIONS

4.1 Carthorpe Parish Council : No objections subject to concurrence with Building Regulations regarding proximity to adjacent outbuilding.

4.2 The application was advertised by site notice at the front of the site and the two adjacent neighbours were consulted. One letter was received from, and a second on behalf of, the neighbour to the south objecting to the scheme on the grounds of adverse impact on their property during construction works, loss of light caused by overshadowing, overhanging guttering and a claim that the extension was to be carried out on land not owned by the applicant.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document and relate, in this case, to the scale, design and materials proposed (Policies CP17 and DP32) together with the impact, if any, on adjacent residential amenity (Policy DP1).

5.2 It has been noted above that the scheme is to be undertaken using matching materials and the design fully reflects the scale and character of the existing dwelling.

5.3 The objection from the adjacent neighbour has been referred to in paragraph 4.2 above. There is a mature hedge currently on the common boundary and there are no new windows facing the neighbour, neither are there any openings on the facing elevation of the adjacent dwelling which lies some 9m away. It is therefore considered that there will be no adverse impact on light, or privacy, as claimed by the neighbour. The amended plan referred to in paragraph 1.3 above reduces the bulk of the extension close to the neighbouring outbuilding and further reduces any adverse impact upon neighbouring amenity. The applicant has submitted evidence that the proposed development is entirely on land within his ownership. Although the gap between the proposed existing neighbouring outbuilding is only 170mm this is adequate for the construction of the overlapping portion of the new extension and, consequently, for the future maintenance of the outbuilding belonging to the neighbour.

SUMMARY

It is considered that the proposal is in accordance with the Policies within the Local Development Framework Core Strategy and Development Policies document identified in the above report in that the scale, design and materials are appropriate to the site location and there will be no demonstrable adverse impact on adjacent residential amenity.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing (Ref 2012-04/02 Rev.A) attached to planning application 12/01314/FUL received by Hambleton District Council on 22nd June unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies DP1, CP17 and DP32.

3.

12/00981/FUL

**Siting of a wind turbine (24.6M mast) as per amendments received by Hambleton District Council on 16th July 2012.
at Angrove West Farm Great Ayton North Yorkshire TS9 6QA
for GW Marsay & Sons.**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site is on a farm approximately 600 metres beyond the eastern edge of Stokesley. The proposed site is a field, roughly triangular in shape, to the north of the farm buildings and a caravan storage area which lies immediately north of the buildings.

1.2 Access to the farm is via a track, approximately 620 metres long, from the A173 Great Ayton road. There is a further track northwards to the A172 Middlesbrough Road via Quakers Grove. A public footpath runs roughly east-west approximately 240 metres south of the farm. A portion of the footpath to the east of the farm is on the elevated banks of the flood diversion channel. There is a linked footpath running southwards along the flood diversion channel to the main road and beyond.

1.3 Neighbouring properties are Winley Hill Farm to the north-east, and Quaker Grove Farm to the north. On the Stokesley side there are two residential properties, Oaklea and Mill Riggs on the east side of the A172, together with Strikes Garden Centre.

1.4 The surroundings are generally open and gently rolling agricultural land, with the North York Moors rising 2 - 3 miles to the east. There is a block of woodland on gently rising land to the north. Roadside boundaries are generally hedged.

1.5 The proposal is a wind turbine, 24.6 metres to hub, with 3 blades 9.6 m radius (diameter 19.2 metres), and maximum height to blade tip of 34.2 metres. The base of the main structure is 1.8 metre diameter, tapering to 350 mm under the hub. The colour is RAL 9003, which is a shade of white. The rated power is given as 50kw @ 9.5 m/s. It is stated the energy produced will supply the current needs of the farm together with a grain dryer currently power by a diesel generator, with any surplus sold on to the national grid. Construction will be via the existing access from the A173.

2.0 RELEVANT PLANNING HISTORY

2.1 None

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Development Policies DP1 - Protecting amenity
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP18 - Prudent use of natural resources
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Development Policies DP30 - Protecting the character and appearance of the countryside
- Core Strategy Policy CP17 - Promoting high quality design
- Development Policies DP32 - General design

4.0 CONSULTATIONS

4.1 Parish Councils - The site lies within the Parish of Great Ayton (22.5.2012) No observations
(15.8.2012) (amended plans) No further observations.

Stokesley (28.6.2012) Concerns – views of local residents should be taken into consideration. Query whether this will be the first of many. Possible eyesore.
(29.8.2012) Object. The impact on Stokesley residents is far greater than on Great Ayton residents. Walker using the footpath from Stokesley to Great Ayton will have a full view of the turbine. Views of residents of Stokesley must be considered particularly those living on Roseberry Avenue and Quakers Grove.

4.2 Ministry of Defence - no objection

4.3 National Air traffic - no safeguarding objection to the proposal

4.4 NYCC Highways – condition requested (routing of construction traffic)

4.5 NYCC Public Rights of Way – No impact on public rights of way in the vicinity.

4.6 Environmental Health – The scheme submitted in support of the application achieves the required reduction in noise (LA90, 10min of 35dB (A) up to wind speeds of 10m/s at 10m height) and therefore loss of amenity is unlikely at the nearest noise sensitive receptor. Therefore, Environmental Health has no objections to this proposal.

4.7 Neighbours and site notice – objections received.

i. Strong objection

Very obtrusive, local assets spoiled. Exposure of residents to noise as well as visual aspect (ref to spoiling of Seamer and Hilton)

ii. Not publicised properly. Turbine is in direct line of sight less than a quarter of a mile away. Query re steel structure on site erected some years ago without public consultation.

iii. Naming of nearest premises incorrect. Winley Hill is within 300 metres. Operational noise. Setting sun and flicker effect. The Design & Access statement is not credible

(NB – name of Winley Hill Farm was corrected on a subsequent amendments to the Design and Access statement. Distance to Winley Hill farmhouse is 330 as measured on the Councils computer based measuring system.)

iv. No objection in principle. Height not in keeping - and query whether the height is justified. Other enterprises have smaller units. It would be better on east side of farm and would have less visual impact. Stokesley PC should be consulted.

v. In views from Stokesley, there is an open aspect against the backdrop of Cleveland Hills and Roseberry Topping. There will be a significant visual impact on roads passing the site and also by users of the Mill Riggs footpath. The proposal is twice the height of buildings and grain dryer. Positioning on other (east) side of farm buildings would be better and less visible to residential properties. Concern at lack of early contact.

vi. Turbine excessively high, located on high land.

vii. The proposal is contrary to DP30. The photomontage number 3 is incorrectly labelled (para 4.5) Car park at Mill Riggs in fact approx 510m
(NB incorrect labelling to photomontages corrected in later amendments to Design and Access Statement)

viii. The dwelling of Oaklea is at a distance of 400 metres to back wall - this would be obtrusive.

Doubt that sound will be as low as suggested - this has caused problems elsewhere
No statement with regard to construction access.
Detrimental to rural character.

5.0 OBSERVATIONS

5.1 The proposal makes provision for renewable energy generation and thus fits criteria v. of CP4 and can be considered as a potential exception to the principles of CP1, subject to CP2 and other relevant policies of the Local Development Framework. CP18 seeks to maximise use of renewable resources subject to the effect on the natural and man made assets (CP16, DP30, CP17, DP32) and consideration of any necessary mitigating or compensatory measures to address any harmful implications. The amenities of nearby occupiers (CP1 and DP1) will be an important concern.

Design

5.2 The turbine has the tapered shape and gentle curved blades typical of its type and in general terms the design of the structure is acceptable. The position of the turbine is logically related to the farm which it is intended to serve, taking into account that a certain amount of separation is required for safety, and for wildlife protection.

Impact on the landscape.

5.3 In terms of the local topography the turbine will have little direct effect in that it does not require any significant excavation or mounding and can utilise existing farm tracks. It will stand within in a relatively small field with existing hedges.

5.4 The main effect on the landscape will be impact on the local settlement of Stokesley to which it is closest, including the setting of the town, and on its designated conservation assets; the visual effects on users of the local footpath network, and their perception of the local landscape; and the impact on views of residents of nearby dwellings.

5.5 With regard to the setting of Stokesley, the outer eastern part of the town is characterised by C20th housing and other development and does not have any special or particular architectural qualities that would be harmed by the proposed structure.

5.6 The historic core of the town and the designated Conservation Area and numerous Listed Buildings will not be affected by the proposed development, other than glimpses from East End across the showground. The historic parts of Stokesely with thus not be significantly affected.

5.7 Users of the footpath network will perceive the turbine within the wider landscape. Moving eastwards out of the town from Mill Riggs walkers experience a broad view of an open landscape, with small rises and falls, between woodland on rising land to the north and the line of the Cleveland Hills and the local landmark of Roseberry Topping to the east. Views of the turbine will become increasingly peripheral with movement eastwards, with the lower parts of the structure disappearing as the morphology changes, and become screened by the farm buildings. The landscape features of the hills of the North York Moors will continue to be the dominant features. On moving westwards along the footpath, walkers will have their back to the main landscape features and will experience the turbine in the context of the approach to the built up area of Stokesley. On moving northwards along footpaths the turbine will be perceived as part of the farmstead, with lower parts screened by buildings. Overall the effect on the turbine will not be significantly harmful to the enjoyment of the natural landscape experienced by walkers.

5.8 The effect on landscape perception or views is mainly related to occupiers of properties facing eastwards particularly the Roseberry Avenue and Meadowfields area, and the isolated properties on the east side of the A172 ie Oaklea and Mill Riggs, and from Quakers Grove to the north of the site, and to a lesser extent, Winley Hill, to the east.

a) From Roseberry Avenue and Meadowfields, the properties tend to have local screening by intervening hedges which obscures a general view of the wider landscape from ground floor rooms in particular. From upper rooms the turbine will be within the landscape view.

- b) The orientation of Mill Riggs is mainly towards the south and the turbine will not interrupt the perception of the landscape from this direction.
- c) From Quakers Grove and Oaklea the turbine will be a conspicuous feature in views of the wider landscape.
- d) From Winley Hill the main orientation of the house is north and south and the turbine will be offset from the main outlook.

Amenity – outlook and views

5.9 It is well established in planning that there is no inherent right to a view as such and consideration of the impact of the proposal on the landscape views from affected property will depend on the extent to which the proposal would have a harmful effect on the enjoyment of the residential amenities there.

In the case of Quakers Grove, the turbine is at approximately 312 metres and will be at a central point in a wide view backed by the Cleveland Hills. The submitted landscape assessment notes that the turbine will be higher in the perspective than the hills. Given the relatively wide angle of view available, the slight height advantage of the residential property, and the opportunity for screen planting at close quarters to mask/mitigate the effects of the turbine, the harm to amenities arising would not justify refusal.

5.10 In the case of Oaklea, the turbine is at approximately 370 metres from the rear face of the dwelling, slightly to the north-east of the direct line of sight and will be very clearly in view. It is also the case that the property has an unusually large plot and a wide field of view into open countryside. Existing views to south-east and south would remain uninterrupted by the turbine. There is an opportunity to mitigate the effects of the turbine on views by strategic planting and overall the effects of the proposal on this property would not justify refusal.

5.11 Winley Hill farmhouse is approximately 330 metres away (by the Councils measurement) and is understood to have main windows north and south respectively. The turbine would be to the north west of the site and is not considered to be prominent in the main outlook and not greatly harmful to residential amenities therefore.

5.12 From properties on the west side of the A172, the main impact is from upper rooms and is not considered so harmful to daily amenities of living in the property that the effect on outlook would justify refusal.

Other amenity issues

Movement

5.13 In all cases the impact on views and setting needs to take account of the breadth of the circle made by the blades, and movement. The circle described by the blades is proportionately wide compared with the overall height, but will appear to be slow moving, and will not be so additionally harmful to the impact of the turbine as to justify refusal on this basis.

Noise

5.14 A technical assessment of noise is submitted with the application and has been considered by the Councils Environmental Health to meet an acceptable standard and will not result in unacceptable loss of amenity through noise.

Shadow Flicker

5.15 The submitted Design and Access statement notes that the shadow flicker has only been known to occur within 10 rotor diameters distance of the turbine (in this case 192 metres) and that all the potentially affected properties are outside this distance.

Cumulative effect

5.16 There are wind turbines at Kirby which are much smaller and have little effect in conjunction with the proposed turbine. There are very large commercial turbines at Seamer, and particularly on approach from Great Ayton would be seen in conjunction with this turbine. The turning blades of the Seamer turbines being so large the proposed turbine

would be seen in passing as a relatively modest addition in the foreground, and in the setting of the distant, larger turbines, the cumulative effect would not be critically harmful.

Distant views from the National Park

5.17 The North York Moors National Park (NYMNP) is a designated high quality landscape of importance. As has been seen, due to its relative proximity, the turbine is closely related to the town of Stokesley rather than the remote rural areas closer to the NYMNP and its appearance is not harmful to the park landscape. The near parts of the NYMNP are elevated and views outwards from the Park will view the turbine at an angle from above. Taking into account the existing development in and around Stokesley, including agricultural buildings and other industrial buildings, the large turbines at Seamer, and distant views of the industrial landscapes at Teeside, the proposal will be a relatively small feature that is not inappropriate to the non-designated landscape visible below the NYMNP boundary.

Neighbour observations

5.18 Comments from neighbours primarily relate to the effect on outlook, which is considered above, also noise and possible flicker nuisance which are also discussed above and these matters are not considered to justify refusal.

5.19 With regard to alternative sites. Positions to the south of the buildings have been discussed but are compromised by existing hedging and wildlife implications which would require the turbine to be sited closer to the settlement and would be more prominent in passing from nearby roads. With regard to siting on land to the east, this would potentially be more prominent and/or intrusive on Winley Hill Farm. Alternative sites owned by the applicants on the opposite side of the A172 are stated to be less practical and viable due to additional costs that would be incurred to install 3 phase electricity and cabling.

5.20 With regard to concerns about noise and absence of background noise surveys for this site, the Councils Environmental Health officer has provided a detailed technical explanation that is available for public access on the Council's website.

SUMMARY

The proposal provides for renewable energy generation and due to its siting and design will not have an unacceptable harmful effect on the amenities of the local landscape or nearby occupiers and is able to comply with the above policies.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered E3120 - 50kw Monopole Rev A and Location Plan received by Hambleton District Council on 8 May 2012 unless otherwise agreed in writing by the Local Planning Authority.
3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic, in particular any abnormal loads, have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.
4. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and

shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.

5. The wind turbine and supporting structure and any associated plant or equipment shall upon ceasing to be used for the generation of electricity be removed as soon as reasonably practicable and in any event within 6 months of cessation of electrical generation, unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) CP16 and DP32.

3. In the interests of highway safety and the general amenity of the area.

4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy CP16 and DP32.

5. To avoid a proliferation of redundant structures in the landscape in accordance with the Local Development Framework policies CP1, CP16 and DP30.

4.

12/01480/FUL

**Revised application for proposed alterations and extension to dwelling and construction of detached domestic double garage.
at 16 Borrowby Avenue Northallerton North Yorkshire DL6 1AL
for Mr S Kirkup.**

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This is a revised application is for the construction of extensions to a detached bungalow which lies at the head of Borrowby Avenue towards the south-eastern fringe of the town. The scheme proposes the conversion of an existing integral garage to form an additional bedroom with en-suite facility, the construction of a replacement double garage to the rear of the plot (6m x 7.6m x 4.3m in height to the pitched ridge), a side extension to form a sunroom (6.3m x 3.6m x 4.8m to the hipped and pitched ridge), an extended front entrance porch and the raising of the main ridge line by 1m, together with the construction of two dormer windows (one to the front and one to the rear) to form a landing/games area and rooflights to enable the creation of two bedrooms with en-suite facilities within the roof space.

1.2 The dwelling is set within a triangular corner plot which has an overall depth of 39m from the front in Borrowby Avenue to the rear boundary adjoining a private track to the rear. The land rises from the front of the site to the rear and the width increases from 6m at the very front to 42m at the rear. Existing bungalows lie 6m to the north and south of the existing dwelling with another bungalow 16m to the rear across the rear lane.

1.3 The applicant has submitted a statement in support of the proposal which is, in addition, a response to representations which have been made by adjacent residents. A full copy is attached to this report. The salient paragraph relating to the submission of the application states that: "The site is of large proportions and can support further extension to increase the living space for our family. Without going into too much detail it is likely that our son will be living with us for some considerable time if not the rest of our lives. We would like to be able to give him some degree of independence from us and extending the property in the proposed way will allow this to take place without covering more of the land with concrete. This will put less of a burden on housing in the rest of the town as we will be able to live as a family rather than use social housing. The alterations will involve using the currently wasted space within the roof. Two thirds of the other bungalows in the street are dormers and fully use this space. Unfortunately there is insufficient room under the existing roof to make a useable room space and so increasing the height of the roof is the only option. There is sufficient space in the rear garden to provide a garage and small workshop area to house our three vehicles and garden equipment as well as heat recovery storage for the central heating. The aim is to minimise the amount of land being developed using the existing footprint of the bungalow which is in line with current government planning."

1.4 A previous application was submitted in May of this year which was withdrawn following discussions with the applicant in respect of the scale of the scheme. The initial scheme proposed raising the ridge line by 1.9m and included six dormer windows (three to the front and three to the rear). In addition the proposed garage was 4.8m in height rather than 4.3m as now proposed.

2.0 PREVIOUS PLANNING HISTORY

2.1 There have been no previous applications since the construction of the dwelling.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP1 - Protecting amenity
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Core Strategy Policy CP1 - Sustainable development
Supplementary Planning Document - Domestic Extensions - Adopted 22
December 2009

4.0 OBSERVATIONS

4.1 Northallerton Town Council : No observations.

4.2 The application was advertised by site notice at the front of the site and the seven closest neighbours were consulted. Letters have been received from six households and, in addition, a further response signed by the residents of 8 households. The letters received object to the proposal on grounds of the scale, dominance and the character of the area, impact on amenity and privacy, increased traffic to the site and removal of trees and hedges.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document as set out above and relate, in this case, to the scale, design and materials proposed (Policies CP17 and DP32) together with the impact, if any, on adjacent residential amenity (Policy DP).

5.2 There are three elements to this application which could, perhaps, be examined separately at this point. Firstly the construction of a side 'sunroom' extension to the southern gable extension. This is modest in scale and has a hipped, pitched roof which is to be constructed in matching materials. Its orientation and relationship to the adjacent dwelling to the south-west is such that there will be no demonstrable adverse impact on the amenity or privacy of the adjacent neighbours. It will be seen against an existing end gable wall and there is, in fact, currently a more direct view into the neighbour's front garden from a window in the existing bedroom which will be blocked up.

5.3 Secondly, the proposed double garage to the rear, eastern, corner of the dwelling is also to be constructed in matching brickwork and roof tiles. This building has been reduced in height to a maximum of 4.3m to the pitched ridge and the applicant has indicated that, if essential, this could be reduced by a further 0.3m. Its location and orientation is such that it will, again, have no significant demonstrable adverse impact upon neighbouring dwellings. It will not be visible from most of Borrowby Avenue and the dwellings across the rear private lane are predominantly screened by existing hedging.

5.4 The most critical element of the application is the proposal to raise the existing ridge line to enable the provision of additional accommodation within the roof space of the dwelling. It has been noted above that the original scheme put forward showed an increase of 1.9m and included the construction of 6 dormer windows. This was reduced in the current scheme to 1m in height and one front and one rear dormer. The majority of objections raised have referred, in addition to the scale of the works, to impact on privacy as a result of this extension. However, the front dormer window would look directly down Borrowby Avenue across existing front gardens and not directly into habitable rooms or private rear spaces. The rear dormer, unrestricted, could potentially have had an impact upon the privacy of the dwelling to the rear (east) although a scheme of obscured glazing could have mitigated this.

5.5 The major consideration for the determination of this scheme, consequently, is whether the scale of the raised roof will create a form of construction which will be a dominating feature at the highest part of the estate which, whilst not significantly compromising privacy will comprise a form of development which is out of scale, character and appearance

compared to surrounding dwellings. Notwithstanding the reduction which has been negotiated it is considered that this increase remains too significant and the whole application must be refused accordingly.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. It is considered that the scale of the proposed increase in the height of the main ridge line and the inclusion of dormer windows will comprise an unacceptably dominant feature at this point within the estate which will be detrimental to the amenity of adjacent residents and contrary to Policies CP1, DP1, CP17 and DP32 of the Local Development Framework and the Domestic Extension Supplementary Planning Guidance which seek to encourage and achieve a high standard of design in all developments.

22/08/2012

Applicants response.

A number of issues have been raised about the proposed alteration to no 16 Borrowby Avenue .

We would first like to object to the tone of the letter from Mr Waind and signed by others in reference to our son. Mrs Kirkup found that part of the letter particularly offensive and upsetting.

The existing bungalow is of a completely different style to all the others in Borrowby Avenue. There are 14 bungalows in total. It is only one of five of the existing bungalows that does NOT have rooms in the roof. Because it is at the head of the cul-de-sac it has a more dominant position and this issue has been given serious consideration when making the plans for the proposed extension, The bungalow cannot be lowered to another level. We believe that when the avenue was developed the initial intention was to have two plots on this site which would have resulted in two properties similar to the rest of the street which would probably have had the more dominant roof pitch common to many of the existing bungalows in the avenue. However the initial developer gained permission and built the property in the style that it is today which is completely different to all other properties in the street which adds to its character, diversity and appeal of the avenue.

The site is of large proportions and can support further extension to increase the living space for our family. Without going into too much detail it is likely that our son will be living with us for some considerable time if not the rest of our lives. We would like to be able to give him some degree of independence from us and extending the property in the proposed way will allow this to take place without covering more of the land with concrete. This will put less of a burden on housing in the rest of the town as we will be able to live as a family rather than use social housing. The alterations will involve using the currently wasted space in the roof. Two thirds of the other bungalows in the street are dormers and fully use this space. Unfortunately there is insufficient room under the existing roof to make a usable room space and so increasing the height of the roof is the only option.

There is sufficient space in the rear garden to provide a garage and small workshop area to house our three vehicles and garden equipment as well as heat recovery storage for the central heating. The aim is to minimise the amount of land being developed using the existing footprint of the bungalow which is in line with current government planning.

A number of issues have been raised.

Light

The only property that light could be an issue is no 17 which is to the north of no 16. The building of No. 16 is at its closest point 4 meters and 8 meters at its widest from the boundary and this is to garden in No 17, there will be a 1.8 meter panel fence to this boundary and there are large shrubs 3 to 5 meters high in the garden border of no 17 which already shades number 17's garden more than the proposed extension to roof height would.

The proposed garage is at least 3 and 9 meters from the boundary and the ridge height has been reduced to lessen its impact on no 17. Again there will be a 1.8m panel fence to no 16 and large shrubs and trees in the border of no 17.

No other properties will be affected by light as they are all well away from no 16 and to the south, east and west of the property.

Privacy

Concern has been raised as to the windows in the roof space. The dormers have been reduced to one per side. The dormer to the front overlooks the middle of the road down the street and does not directly overlook any property which is not already overlooked by existing windows. The view is over the rooftops of Northallerton to the Pennines.

Roof lights are designed to provide light and ventilation into the rooms in the roof and are suitable compromise for the bedrooms.

Following consultation with the planning officer with the removal of the dormers to the bedrooms a vertical window is required to the bedroom to provide ventilation which is not affected by rain which is a problem with Roof windows and it will be as high as possible to facilitate this. The side upstairs window of number 17 directly overlooks our drive and front windows. All other dormer properties in the street have gable end windows.

To the rear the same compromise has been given and the dormer to the rear will overlook the drive and garage of November Cottage to the rear. An existing large hedge to that property will prevent us seeing into their garden. The property to the rear overlooks no 16 directly and we would have to have a malicious intent to intrude into the privacy of the property to the rear. Indeed from a privacy angle November Cottage overlooks all the rooms to the rear of number 16 and a solution will be found to minimise this and restore the privacy of number 16.

The sun room will be made of brick with standard windows rather than a traditional conservatory with glass to all sides, this will lessen the privacy issue with no 14. The existing side windows to number 16 directly look into number 14 and the proposed sun room will block some of this view by way of having large brick corners. The hedge between the two properties was removed by mutual consent with Mr Mortimer and is being replaced by a panel fence which is slightly higher than the existing hedge. We agreed with Mr Mortimer that the fence would be easier to maintain as we both get older.

Appearance

The design proposed will limit the roof height as much as possible however the property is narrower than most in the street and will require the roof height proposed as a minimum to allow usable space in the roof. By adding the porch to the front door lessens the height impact and breaks up the front of the property. It is appreciated that the bungalow stands high because of its location on the ridge of the hill but currently if you look up the street the properties to the left and right have similar if not higher roof ridge heights than no 16.

The aim is to develop as much as possible the existing foot print of the property whilst trying to minimise its impact on the area. It is a dominant property due to its positioning and the proposed development is sympathetic to that position.

On street parking in Borrowby Avenue is not good and is typical of developments of that era, the road is narrow and we have allowed for additional off street parking to allow vehicles to turn safely and park without having the need to park and turn on the

street. I have observed a number of contractors vehicles who have been working on other properties in the street, parking on the verges this we will avoid. The additional hard standing will allow construction traffic to be reduced to an absolute minimum and park on site not on the road.

We appreciate that the area is mainly for retired people and it is our intention for this to be our retirement home and so disruption will be kept to a minimum. Much of the ground works have for the hard standings have already been completed, these standing areas will allow materials to off loaded on site and not on the street. Hedges have been remove because we do not want the ongoing maintenance of privet hedges and are not part of our garden plans. The property was without water when we took possession and digging up the drive to install a new supply caused some initial disruption which was unavoidable and people in the street were most understanding and sympathetic. We have also installed a soak away to the front rather than put the existing roof water into the main drain which meets current Building Regulation standards and reduces the demand on the town's sewerage system. By doing all that is proposed now in one project reduces the need for disruption in the future.

We have been upfront in what we are proposing. All in all the objections to the proposed development are opinions which we consider unfounded. We have been in consultation with the planning authorities at all times, been amenable and made alterations over and above what they suggested.

Borrowby Avenue was developed in the 1960's and is now in need of some updating. This work has already started with many of the existing bungalows being improved and extended as new people have moved and this will continue as the population of the street changes. The requirements of the next residents will be different from those that have been there for some time. This property has been empty for almost 2 years and is in need of full renovation. The area is not subject to any preservation area restrictions and so bringing properties up to the standards and requirements of families in the 21st century should be encouraged this in turn will continue to improve the housing stock of Northallerton.

Simon and Virginia Kirkup

5.

12/01545/FUL

**Revised application for the construction of a dwelling.
at Land To Rear 2 Prospect Cottages Bankhead Road Northallerton
for Mr Nick Denmark.**

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This is a revised application for the construction of a two-bedroomed detached bungalow with a parking and turning area for two vehicles, on a plot of land to the east of Bankhead Road on the north-eastern fringe of the town. A previous application was refused on grounds of design and impact on amenity at the July meeting of the Committee following a visit to the site by Members. This revised application comprises a dwelling of identical size to the original scheme although the layout has been turned through 90 degrees such that the front elevation faces directly southwards towards no 2 Prospect Cottages and also to its attached neighbour, No 1.

1.2 The application site measures a minimum of 19m, and a maximum of 22m, in depth and an average of 13.8m in width. These dimensions do, however, include provision for a shared access (2m in width) along the southern boundary of the site for the benefit of the owner of 2 Prospect Cottages to gain access to a detached area in their ownership which contains a double garage to the east of the application site. The site is bounded to the north by the garden curtilages of three dwellings in Bramblefields whose rear walls lie between 9.9m and 16m from the site boundary (14.8m and 17m respectively to the rear wall of the proposed bungalow although 34 and 35 Bramblefields also have rear conservatory extensions), to the east by the garages serving 2 Prospect Cottages as mentioned above, to the south by the pair of dwellings comprising Prospect Cottages which are a minimum of 10.4m from the front wall of the proposed dwelling, and to the west by the side elevation of a semi-detached dwelling (137 Bankhead Road which has a side door and landing window in the facing elevation) which is a minimum of 4.4m and maximum of 5.4m from the side elevation of the proposed dwelling. The application site would take access from the adjoining 'hammerhead' turning area off Bankhead Road across the shared access area which also serves the adjacent 2, Prospect Cottages. The site at present is partly grassed with hardcore areas adjoining. There are no physical boundaries (other than temporary steel fencing) to the southern and eastern boundaries.

1.3 The proposed bungalow measures 11m in length x 6.8m in depth. It is orientated such that the front elevation, which has the three main habitable room windows (ie bedrooms and sitting room) faces due south towards 1 and 2 Prospect Cottages. There are no openings in the side elevations facing 137 Bankhead Road or the adjacent garage. The northern elevation which faces towards the dwellings in Bramblefields has one obscured bathroom window and one Kitchen window.

1.4 The application as now put forward makes provision for two parking spaces and a turning area within the plot which would enable vehicles to enter and leave the site in forward gear. It is proposed that a scheme of boundary treatment be provided to maintain privacy to the northern, western and eastern boundaries

1.5 The site is currently vacant and has been used for the storage/parking of vehicles belonging to the applicant.

1.6 The application site is basically flat and there is little difference in level with the dwelling to the west (137 Bankhead) and the detached garden/garage plot belonging to 2

prospect Cottages. The rear gardens of the Bramblefields dwellings to the north are a maximum of 1m lower than the application site.

2.0 PREVIOUS PLANNING HISTORY

2.1 There were no previous applications within the site prior to the application (12/01014/FUL) which was refused in July of this year.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP1 - Protecting amenity
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design

4.0 CONSULTATIONS

4.1 Northallerton Town Council : No response received. The Town Council's next meeting is on 17th September.

4.2 North Yorkshire County Council (Highways Authority) : No formal objection subject to conditions.

4.3 Yorkshire Water : No observations.

4.4 Swale and Ure Internal Drainage Board : No observations.

4.5 The application was advertised at the entrance into the site and the six closest neighbours were consulted. Objections have been received from three neighbours in respect of inadequate drainage and potential flooding of the site, impact on existing privacy and amenity, incorrect dimensions given on submitted plans, previous removal of shrubs and hedges from the site and parking and traffic congestion problems in the area immediately adjoining the site.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document as set out above and relate, in this case, to the sustainable nature of the site location (Policy CP4), the type and size of dwelling proposed and whether it meets a locally identified need for a small unit in this area (Policies CP8 and DP13), the scale, design and materials proposed (Policies CP17 and DP32) together with the impact, if any, on adjacent residential amenity (Policy DP1).

5.2 The site is within the defined development limits of Northallerton which is designated as a Principle Service Centre in the context of Policy CP4, having a full range of local services and facilities appropriate to accept additional residential development.

5.3 The proposed dwelling is a small 2 bedroomed unit of some 75sq.m accommodation which would be suitable for a first-time buyer, couple or retired occupants. The justification to Policy DP13 notes that there is a general shortage of two-bedroomed accommodation in both the Service Centre and rural villages. The proposal would, therefore, be likely to meet an identified local need.

5.4 The amended dwelling now proposed as described above has been rotated through 90 degrees in an attempt by the applicant to minimise impact on adjacent amenity. It remains a single storey unit of modest size (11m in width x 6.1m in depth) although located in close proximity to surrounding development. It is noted above, however, that the altered design and orientation of windows is such that the impact on adjacent privacy has been reduced.

5.5 Objections have been received from neighbours in respect of previous experiences of local flooding and the likelihood of this situation being exacerbated by an additional dwelling. Responses received from Yorkshire Water and the Internal Drainage Board have not, however, raised this as an issue. The site is not within a recognised flood risk area. The applicant has indicated that a rainwater harvester system could be incorporated within the site to minimise any future difficulties.

5.6 This amended scheme is considered to address some of the concerns in the previous submission. However, the distance and angle between the windows in the main, front elevation of the proposed dwelling and the neighbouring properties to the south west, although there are no directly overlooked ground floor windows in those properties, is below the normal standard required to protect amenity. The layout of the site provides for some amenity space but it is mainly occupied by parking and turning space within the site and the only private space is a narrow strip between the rear of the property and the fence on the northern boundary. The design results in a poor level of amenity for future occupiers. It is considered that the scheme does not achieve a high quality of design and is not the highest quality of design as sought by policies CP17 and DP32 and consequently, it is recommended that the application should be refused as set out below.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. Notwithstanding the modest scale of the proposed dwelling, its proximity and orientation to the dwellings to the south is such that the development of the site in the manner proposed would have an unreasonable impact upon the residential amenity of the occupiers of those properties and would provide an unacceptably poor standard of amenity for future occupiers of the proposed dwelling. The proposal is therefore not of an appropriate standard of design and is, consequently, contrary to Local Development Framework Policies CP1, DP1, CP17 and DP32 and to the National Planning Policy Framework's core planning principles and requirements for good design.

6.

12/01555/FUL

**First floor extension including single storey extensions to rear elevation of existing dwelling.
at 10 Mill Hill Lane Northallerton North Yorkshire DL6 1BB
for Mr & Mrs I Fielding.**

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This application seeks planning consent for a first floor extension above the existing attached garage to the side (eastern) elevation and a single storey extension to the rear (southern) elevation of the detached dwelling of 10 Mill Hill Lane, Northallerton. This application is being brought before Members as the applicant is an employee of the Council.

1.2 The proposed first floor extension to provide for an additional bedroom would measure approximately 4.8m x 5.5m, extending to a total height of approximately 6.8m. The alterations to the side elevation would also include the formation of a mono pitch roof above the northern entrance to the attached garage.

1.3 The proposed rear single storey extension would be formed in two parts with a utility room and breakfast area. The proposed breakfast area would measure approximately 5.8m x 3.1m, with a total height of approximately 3.8m. The adjoined utility room would measure approximately 3.1m x 2.2m, with a total height of approximately 4m. The rear alterations include the formation of a window in place of the door permitting external access to the sun lounge.

1.4 Materials for the proposed alterations would comprise brickwork and tiles. The existing dwelling is a brick structure with a pitched concrete tiled roof.

1.5 The property of 10 Mill Hill Lane is set on a sloping site with no.8 set marginally above and no.12 set below the dwelling. The boundary treatment adjacent the eastern elevation of the dwelling and no.12 is formed of a close boarded timber fence extending to a height of approximately 1.8m. The western boundary treatment is again formed of a close board timber fence extending to a height of approximately 1.8m, above a concrete plinth.

2.0 RELEVANT PLANNING HISTORY

2.1 There is no relevant planning history.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Supplementary Planning Document - Domestic Extensions - Adopted 22
December 2009
Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP32 - General design

4.0 CONSULTATIONS

4.1 Romanby Parish Council; expires 15.08.2012 - No responses received as at 04.09.12.

4.2 Neighbours notified and site notice posted; expires 29.08.2012 - No responses received as at 04.09.12.

5.0 OBSERVATIONS

5.1 The main planning issues to take into account when considering this application relate to the impact of the proposed domestic extensions on the visual amenity of the surrounding area and any impact on neighbour amenity.

5.2 The design, scale and materials of the proposed first floor extension are such that the visual amenity of the surrounding street scene would be maintained. Taking into account the difference in levels between no.10 and no.12, that there are no first floor windows to the western elevation of this adjacent property, and the overall design of the first floor extension, there would be no adverse impact on neighbour amenity.

5.3 The design, scale and materials of the single storey rear extensions are such that the visual amenity of the surrounding built form would be maintained. Taking into account the overall design of the rear alterations, the boundary treatment of the site, and the relationship to adjacent properties there would be no adverse impact on neighbour amenity.

5.4 Having taken the above into account it is considered that the proposed domestic alterations to 10 Mill Hill Lane accord with the policies of the Hambleton Local Development Framework. Hence this application is recommended for approval.

SUMMARY

The proposed development would not be detrimental to the residential and visual amenities of the neighbouring properties and the surrounding area. The proposal accords with the policies set out in the Local Development Framework and is therefore considered acceptable.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings and details received by Hambleton District Council on 25 July 2012 unless otherwise agreed in writing by the Local Planning Authority.
3. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) CP1, CP17, DP1 and DP32.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.

7.

12/00965/FUL

Construction of an agricultural contractors building and yard plus formation of a new vehicular access.

at Seward Agricultural Machinery Ltd Sinderby Station Sinderby Lane Sinderby for Croptech Ltd.

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This application for the construction of a building and the use of adjacent land as a yard/depot for a local firm of Agricultural Contractors who are currently based at a farm steading in Howe village, was reported to the July meeting of the Committee when consideration was deferred to enable members of the Committee to visit the site and for the applicant's agent to submit additional evidence in respect of alternative sites which may, or could have been, investigated for their client's use. The additional four sites which were discussed were Clapham Lodge, Londonderry; Leeming Lane Farm adjacent to Ainderby Quernhow Cafe; Hill Interiors, Burneston which adjoins the western side of the new A1(M) service road; and Exelby Services, Londonderry. The applicant's agent has provided evidence that these sites have been investigated and, for a variety of reasons, are not currently available.

1.2 The application site proposed is on part of the land which was used until earlier this year as a site contractor's (Carillion) compound directly south of Seward's Agricultural Machinery complex adjoining the eastern (southbound) carriageway of the recently improved A1(M) at the former Sinderby Station north of the B6267 one mile west of Ainderby Quernhow.

1.3 The proposed building is a steel portal framed structure clad with coloured plastisol sheeting and measuring 73m x 20m and 8.8m to the pitched ridge. The building was originally set within a curtilage of 1ha and includes areas for machine storage, offices and staff facilities and chemical storage. It would utilise the access into the site off the B6267 which was previously used by Carillion and for which a detailed specification for improvement has been given by the Highways Authority. Since the July meeting of the Committee, the applicants have revised the siting of the building (which remains the same size and design) and it is now located further to the west of the site, parallel to the site access road into the Swards Engineering site and to the A1(M) embankment. The area of the site curtilage has also been reduced and two indicative areas for additional tree planting are now shown in an attempt to minimise any adverse visual impact.

1.4 Members may recall that it was stated in a report supporting the application that :
"Croptech Ltd are agricultural contractors who have been established for 14 years with their premises being located on a shared and tenanted farmstead within the hamlet of Howe. The premises currently consist of a portakabin building (office base), secure containers for chemical storage and an external yard for the storage of vehicles and equipment. In addition, modern farm buildings are used on a shared basis with the existing farm tenant."

"The business employs 10 staff and serves in the order of 80 farm enterprises within the locality providing spraying, drilling and harvesting services. The client base is well established and extensive comprising some 75,000 acres of farmland with the majority being located along the A1 corridor. (NB a plan showing the location of the majority of the serviced sites has been submitted with the application) "

"Given the orientation of the business, the nature of the business is highly mechanised and reliant upon the use (and suitable effective maintenance) of an extensive range of specialised equipment and machinery. This currently comprises 5 crop sprayers and a

combine harvester, each involving a considerable investment on the part of the business. The provision of this service to the farming community enables individual farm enterprises to minimise capital investment in machinery and equipment, subsequently enhancing their own individual operational efficiency and ability to continue in business. The proper maintenance and upkeep of machinery is, therefore, vital to the client's business as well as the ability to suitably access farmland under contract from an appropriate base."

"The present site has now outlived its usefulness in this respect, being limited in terms of a location for new working buildings and the unhindered operation of the business. This is due to the scale and nature of the site as well as the shared nature of the premises. Whilst there is a degree of covered space which can be used for vehicle/machinery maintenance this is shared with the tenant farmer, which proves problematic at times, hindering the client's own efficiency levels and practical maintenance of their expensive equipment and machinery."

"The seasonal nature and often critical time nature of the work can also result in vehicles coming in and going out at unsocial hours and using an inadequate point of access for the ever increasing size and type of vehicles used by Croptech. As the existing premises is situated in close proximity to, and gains access past, a number of dwellings in Howe there are also wider issues of amenity to consider if the clients were to remain on their present site indefinitely."

1.5 Discussions took place with the applicant's agents earlier this year and they were advised that evidence should be provided as part of any submission of the search for other alternative premises either within a designated industrial site or elsewhere within an existing steading. It is stated within the current submission that the applicants have been searching for alternatives for some time but no premises on the market have met their operating criteria. An accompanying statement indicates that:

"In the first instance consideration has been paid by the applicants to the re-use of agricultural buildings on established farmsteads in the general area or new development in these locations. The most obvious source for such has been the farm holdings actually serviced by Croptech. However, such buildings are far from ideal and even 'modern' farm buildings tend to be too restricting. This is the problem they face on their current site. The applicants have investigated this option and are not aware of any suitable/available sites as a result. It must be appreciated that the applicants are in regular contact with the local farming community (their clients) and visit a substantial number of sites. None have been brought to their attention as a result of this consideration."

1.6 It is stated that a search was undertaken earlier this year of available premises being marketed which would accommodate the applicant's needs. The search criteria were identified as : i) close proximity to the A1(M) corridor; ii) a building of at least 1500 sq.m; iii) a 'contained site' (for security and safety reasons); iv) external space adequate for storage and turning; v) suitable access to an adopted highway in view of the large nature of the vehicles. The applicants have given evidence of ten sites which have been investigated, including business park sites in Thirsk, Carlton Miniott, Topcliffe and Dalton. These sites are all 4-10 miles further away from their existing site which is, in turn, to the east of the majority of farms and businesses served by the applicants. It is stated, in this respect, that "The nature of the business requires a location which minimises travel. Given the nature of the client's vehicles there is also a need to reduce conflict with other road users (a typical crop sprayer has a maximum speed of 27mph) and minimise travel time to the site." Consequently any sites further away from the 'client base' will use more fuel and increase journey times and potential traffic conflict/congestion.

1.7 It is considered that the additional sites which have been investigated and referred to in paragraph 1.1 above represent an appropriately comprehensive search for a base for the applicant's operations in this area and that members may now determine the application on the basis of the submitted (amended) details.

2.0 PREVIOUS PLANNING HISTORY

2.1 Swards and their predecessors have been established on the land to the north for in excess of 35 years. The area subject to the current application was part of a larger area used by Carrillion as a compound for offices and plant between 2009 and earlier this year, although this was on the basis of 'Permitted Development Rights' associated with the A1(M) improvements rather than with the benefit of a specific planning permission .

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets

Development Policies DP30 - Protecting the character and appearance of the countryside

Core Strategy Policy CP1 - Sustainable development

Core Strategy Policy CP2 - Access

Core Strategy Policy CP4 - Settlement hierarchy

Core Strategy Policy CP15 - Rural Regeneration

Development Policies DP25 - Rural employment

National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 Sinderby Parish Council : Unanimously and strongly in favour of the application. Views also confirmed in respect of the revised siting.

4.2 Yorkshire Water : No objections.

4.3 Highways Agency : No objections to the proposal.

4.4 North Yorkshire County Council (Highways Authority) : No objections subject to conditions.

4.5 Environmental Health Officer : No objections subject to conditions.

4.6 The application was advertised by site notice at the front of the site and the closest adjacent neighbour was consulted. No representations have been received.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document as set out above and relate, in this case, to the proposed site location outside any designated development limits (Policies CP1, CP2, CP4 and CP16), the particular type and nature of the business and any special need to be located in such a location (Policy DP25), the benefits which may accrue to the existing local agricultural community as a result of the continuation/expansion of this business (Policy CP15) and the potential impact on visual amenity and landscape character (Policies CP16 and DP30). The contents of the National Planning Policy Framework (NPPF), particularly paragraph 28, are also relevant.

5.2 Policy CP4 normally requires all developments to be within the Development Limits of settlements within the hierarchy set out in that Policy. Developments within other locations will only be supported where an exceptional case can be made for the proposals in terms of Policies CP1 and CP2 and where, inter alia, "It is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential need to locate in a smaller village or the countryside and will help to support a sustainable rural economy." The development is then also required not to conflict with the environmental protection and nature conservation policies of the LDF.

5.3 In applying the test of Policy CP1 in a balanced way it is considered that the proposal can neither receive significant support nor breach the terms of the Policy. Similarly in applying CP2 which aims to protect scarce resources by reducing the need to travel no significant conflict is found in this case as the proposal would result in the relocation of an existing local business. The business of agricultural contracting, whilst not falling within the definition of agriculture as set out within planning legislation, is an important element in the maintenance and retention of a successful and viable agricultural sector within the economy. It is considered the use of land for agricultural contracting falls within the scope of the exceptional case in the Policy CP4 criteria i) as noted in the preceding paragraph.

5.4 As noted above, Policy CP4 requires that development conforming with any of the exception criteria should not conflict with environmental protection or nature conservation policies. There are no elements relating to this application which involve nature conservation. Policy CP16 requires that development or activities will not be supported which have a detrimental impact upon the interests of a natural or man-made asset. The preamble to CP16 identifies the main elements and relevant to this case is the open countryside its landscape, character and appearance and the best and most versatile agricultural land.

5.5 The landscaping setting of the proposal site is defined by the position of the A1(M) on an embankment and its relationship with the Swards agricultural sales/repair and servicing complex which was established in excess of 35 years ago and was granted permission for a consolidation, new building and extensions in 2010 as a result of the impact of the A1(M) road improvements on the site and the business.

5.6 The height of the southbound A1 carriageway and the close proximity of the site to its boundary means that the building will not be prominent from the north or on approach from the south on the A1(M) due to the landform as described above. When viewed from an eastern direction from Ainderby Quernhow the site will be seen against the A1(M) embankment. As noted above, the revised siting now places the building closer to the embankment and it is also now directly parallel to it and, consequently, there will be a lesser cumulative visual impact.

5.7 When viewed from the west on the B6267 the revised siting means that the building, although remaining substantial, does not come into view until the bridge under the A1(M) has been passed and the re-orientation now means that the end gable of the building will be the main feature rather than a longer length of the side of the building as previously. Additional landscaping previously to be provided along the eastern boundary to provide screening and creating a potential constraint upon any future extension of development in an eastern direction is now to be supplemented by further planting along the southern boundary parallel with the B6267. It is, consequently, considered that as a result of the amended siting, the visual impact has been significantly diminished.

5.8 LDF Policy DP25 (Rural Employment) supports employment development in locations outside development limits where, subject to other Policies, a list of five criteria is met. The first criterion is that the operation is small in scale. It must be a matter of judgement if a business employing ten people is considered to be small scale. The proposal relates to the relocation of a business already operating from a site outside development limits less than one mile away, and the new proposal will, potentially, allow the business to continue in a more viable form with potential for future expansion.

5.9 The second criteria of DP25 relates to the conversion, re-use or replacement of existing rural buildings. In this case there are no buildings on the site which was recently used as a compound for the A1(M) main contractor. The land has the appearance of being restored to an agricultural use. The applicant has assessed other sites and rejected them as unsuitable for the purposes of the business, a common thread in the reason for rejecting the sites is that they are east of the desired area of search. No sites had previously been assessed on the A1(M) corridor despite the fact that the applicant identified this being the area in which

most of their customers are located. Paragraph 1.1 now makes reference to four such sites, which are not currently available, as noted above.

5.10 Criteria three relates to the potential business and whether it could be located within a settlement or whether the nature of the operation is such that it has a specific need to be sited within a more isolated location. In this case it is the applicant's contention (as set out by virtue of the search criteria described in paragraph 1.4 above) that an urban or village location is not appropriate when taking into account the space, 'containment' and access considerations, the size of vehicles and unsocial hours of operation at peak times. It is acknowledged that the proposed development if located within a settlement would have adverse impacts on neighbouring land uses.

5.12 The fourth criteria requires an appropriate business case to be put forward which would include reference to benefits to the local economy and rural communities. This has been explained and understood as supporting the rural economy. The final criterion requires that the siting outside development limits would not have any adverse impact on the economy of designated Service Centres. It is not considered that this would be the case in this instance as, primarily, and as already mentioned, the scheme relates to the continuation of an existing business already located within a rural settlement.

5.13 Paragraph 28 of the NPPF states that Local Planning Authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This should take the form of: "supporting the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings... and... promoting the development and diversification of agricultural and other land-based industries." It is considered that the proposal is in general accordance with that statement.

5.14 Prior to the submission of the application the applicant was advised that attempts should be made to identify a site within an established settlement/industrial designation for the activity. Evidence has been submitted with the application of sites which have been examined and, on the basis of the needs and requirements of the business, why these have not been suitable. The nearest industrial areas/business parks to Howe that have been assessed are all located to the south or east of the application site whilst the client base is to the north and west. No assessment was, it appeared, previously made of land or sites to the north and west. The applicant's agent subsequently responded that " In addition we have also circulated the attached requests to 26 agents operating within the area as a means of seeking to resolve this matter concerning what premises are on the market and available at the present moment in time and indeed what may come to fruition. To date this has not provided any alternatives." This response was dated 31st July although a conversation with the agent on 29th August had not revealed any additional options.

5.15 Reference has been made to the size and nature of the applicant's vehicles and the preference to minimise the distances travelled from a 'traffic conflict' and time point of view. In addition the use and cost of fuel needs to be minimised for economic reasons and this is also a benefit in sustainability terms. There is also a potential 'synergy' with the adjoining use and activity of Swards agricultural servicing and repair business.

5.16 In conclusion the site is outside defined development limits but, in view of the amendments which have been made to the siting and the additional planting which has been proposed, there is now no demonstrable conflict with Policies CP4 or CP16. It is also considered that there is a general conformity to Policy DP25. In terms of the contents of the NPPF, the proposal would be likely to support the rural economy and the relocated business would comprise a benefit in sustainability terms both to the viability of the business and to a reduced use of natural resources.

SUMMARY

It is considered that the proposal is in accordance with the Policies within the Local Development Framework Core Strategy, the Development Policies document and the

contents of the National Planning Policy Framework in that the development comprises the re-location of an existing agriculturally-related servicing enterprise to a site with improved communication links to its customer base with consequent benefits to sustainability and the viability of the business and with no demonstrable adverse impact on local visual amenity or landscape character.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. 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 highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
3. 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 to the site has 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.
 - (ii) The crossing of the highway verge shall be constructed in accordance with the Standard Detail number E2.
 - (iii) Any gates or barriers shall be erected a minimum distance of 13 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
4. 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. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning 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 agrees in writing to their withdrawal.
5. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on 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.
 - (iii) The approved areas shall be kept available for their intended use at all times that construction works are in operation.
6. The development shall not be commenced until details relating to boundary walls, fences and other means of enclosure for all parts of the

development have been submitted to and approved in writing by the Local Planning Authority

7. The use of the building hereby permitted shall not be commenced until the boundary walls, fences and other means of enclosure have been constructed in accordance with the details approved in accordance with condition 6 above. All boundary walls, fences and other means of enclosure shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.

8. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs along the eastern and southern boundaries of the site as indicated illustratively on drawing Site Layout Rev.B 8th July 2012, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.

9. The use of the land and buildings hereby permitted shall relate to the storage, maintenance and servicing of agricultural and agriculturally contracted vehicles and ancillary staff facilities unless otherwise agreed in writing with the Local Planning Authority.

10. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings (Ref Site layout : Rev.B July 2012 ; CT/1/1/12-01 Rev.A August 2012) attached to planning application 12/00965/FUL received by Hambleton District Council on 4th may 2012 unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of highway safety.

3. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

4. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

5. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

6. To ensure that the development is appropriately screened and contained with regard to the character and appearance of its surroundings.

7. To ensure that the development is appropriately screened and contained with regard to the character and appearance of its surroundings.

8. In the interest of minimising any impact on local visual amenity or landscape character as a result of the development.

9. The permission has been granted to facilitate the relocation and expansion of an existing local agricultural contracting enterprise and is not considered appropriate for general industrial or commercial activity.

10. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP17, DP32, CP16 and DP30.

8.

12/00861/FUL

**Demolition of existing domestic garages and construction of two dwellings with a detached shared garage, associated parking and landscaping as amended by plans received by Hambleton District Council on 19 and 25 June 2012.
at Garages At Danum Avenue Sowerby North Yorkshire
for Mr & Mrs Haworth.**

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This application seeks permission for the demolition of existing garages at Danum Avenue, Sowerby, and their replacement with a pair of semi-detached dwellings with associated parking and landscaping.

1.2 As amended the proposal is for the construction of a pair of semi-detached dwellings each 2 stories with 2 bedrooms. The dwellings are proposed with a hipped roof. A detached double garage (one to serve each dwelling) is proposed to the rear of the site with the shared vehicular access running along the eastern side of the pair of dwellings, accessed off Danum Avenue. Each dwelling is proposed with its own rear garden area and a turning area is proposed to the front of the dwellings.

2.0 HISTORY

2.1 None relevant

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP4 - Settlement hierarchy
Development Policies DP8 - Development Limits
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Core Strategy Policy CP19 - Recreational facilities and amenity open space
Development Policies DP37 - Open space, sport and recreation

4.0 CONSULTATIONS

4.1 Parish Council - "Whilst the amendments for this application for demolition of garages and construction of two dwellings at Danum Avenue, Sowerby for Mr and Mrs Haworth show a slight improvement as far as height and the hipped roof are concerned, the proposed dwellings are totally out of character and their appearance will detract from adjacent properties.

Sowerby Council wishes to see the application refused and request that the plans are dealt with by the Planning Committee please."

4.2 NYCC Highways- recommends conditions and notes that "The carriageway/footway in Danum Avenue is a Private Road and is not maintainable at public expense" so the recommendation takes this into account.

4.3 Yorkshire Water has no objections in principle.

4.4 Neighbours- 7 neighbours have responded. Comments raised include "My previous comments regarding the proposed development still stands. The revised drawings still show

four bedroom windows (two per property) overlooking my property. The only difference to the original plan is the hipped roof and the removal of two attic windows. The Building itself has not been moved further from my property and it is on these grounds that my objection still stands and I would suggest that one single story building on the plot would be more appropriate.". Another neighbour states his objection but notes that if his concerns are addressed he would withdraw the objections. His main concerns relate to the impact of the building works upon his property from possible noise and danger during the works themselves to any damage to his property. A further neighbour objects to the proposal as the site is considered too small and it would lead to overlooking and blocking of sunlight. A single storey development is suggested as a preferable alternative by more than one neighbour. There is also some concern expressed about the possibility of asbestos within the existing garages and about foul sewage disposal from the site.

5.0 OBSERVATIONS

5.1 The main issues for consideration in this case relate to the principle of the proposed residential development on this site together with its visual impact and any impact it may have upon the neighbours' amenities and highway safety.

5.2 The site is within development limits of Sowerby which together with Thirsk is main Service Centre. Residential development is therefore allowed in principle on this site.

5.3 The design of the dwellings has been amended to incorporate a hipped roof which is considered to be more in keeping with the area. However the overall design of the dwellings is not considered to contribute positively to its surroundings. The roof shape itself has been designed with a central "point" which is something that does not occur elsewhere within the immediate vicinity of the site. The general design of the dwellings is plain and simple and not of a high quality building design or detailing. This therefore fails to comply with Policy DP32 of the Local Development Framework which requires development to "respect local character and distinctiveness....by enhancing its positive attributes whilst mitigating its negative aspects" and "should incorporate high quality building design and detailing".

5.4 The shape and size and single access point to the site restricts the space available for development on the site. This results in the layout of the site being such that the proposed dwellings are set back some 15m into the site unlike the existing dwelling on the northern side of Danum Avenue which are all set back an equal distance of approximately 6m from the road. The dwellings are proposed to be sited parallel to the existing dwellings but this results in an unusual arrangement of shared access and turning space around the dwellings with the driveway to one side only, and subsequently this fails to respect the existing layout and block pattern of the area.

5.5 The window positions within the proposed dwellings will, by means of obscure glazing to the sides at first floor level and the distance of the dwellings from the rear boundary, not result in any significant overlooking of the neighbours. Objections have been raised by neighbours in respect of this issue. However, being sited less than 1m from the boundary with 1 Danum Avenue, which has several ground and 1st floor windows within its eastern side elevation, it is considered that the proposed development will have an unacceptable overbearing impact upon 1 Danum Avenue contrary to Policies CP1 and DP1 which require that development must not unacceptably affect the amenity of residents..

5.6 Regarding other comments and concerns raised by the neighbours it must be noted that the disposal of any asbestos would need to be carried out in the correct manner and the danger aspects of the building works themselves cannot be controlled through the planning process. The suggestion of the alternative of one single storey dwelling has been put to the agent. He has responded in detail to this and his response is appended to this report. It is noted that a draft Unilateral Undertaking has been submitted in respect of the Public Open Space requirement. NYCC Highways have no objections in terms of highway safety and have recommended conditions. However for the reasons identified above this application is recommended for refusal.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The proposed development by reason of its inappropriate design and layout fails to respect the residential character and appearance of the surrounding area and would cause harm to the streetscene and character of the space and is contrary to Policies CP17 and DP32 of the Local Development Framework

2. The proposed development is contrary to Policies CP1 and DP1 of the Local Development Framework due to its harmful impact upon the amenities of the neighbours as a result of its overbearing impact.

9.

12/01599/FUL

Construction of a replacement footbridge as per amended plan received by Hambleton District Council on 24th August 2012. at Footbridge Levenside Stokesley North Yorkshire for Manorial Lands Trust.

1.0 PROPOSAL & SITE DESCRIPTION

1.1 The existing footbridge is a metal and timber structure that crosses the river in Levenside to the west of the road bridge at Bridge Road and is within the Conservation Area. The bridge is approximately 1 metre above the road level and has steps at each side to access. It is currently closed off, due to safety concerns about its condition.

1.2 The River Leven surroundings have a roadway on the north bank, and a wider grassy bank on the south side. Other bridges across the Leven in this vicinity include a simple, flat, open sided concrete bridge accessed by a cobbled ramp on each side, approximately 40 metres to the east of the site; a road bridge with metal lattice sides which carries Bridge Street across to Levenside, approximately 30 metres beyond the flat bridge; and the steep, narrow, packhorse bridge (Listed grade II) with a cobble surface, approximately 34 metres beyond that.

1.3 There are residential properties on the south side of the Leven on Levenside itself and Lady Hullocks Court, off Rosehill Drive, which have footpath access northwards to Levenside.

1.4 The proposal is to construct a replacement bridge, to an alternative design from that which was previously proposed. The bridge is curved, and has vertical railings with cross braces and with a ring feature and a decorative twisted railing at the centre of each section. As amended the design includes a flush junction between the bridge and the roadway.

2.0 RELEVANT PLANNING HISTORY

2.1 10/00383/FUL Proposed removal of existing steel footbridge and construction of new hardwood timber footbridge. Granted 11.05.2010.

This proposal was a flat bridge, constructed of timber, and approached by a ramp on each side.

2.2 12/00155/CON Application for conservation area consent to demolish bridge and adjoining steps. Granted 30.03.2012

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Development Policies DP1 - Protecting amenity
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Development Policies DP28 - Conservation
- Core Strategy Policy CP17 - Promoting high quality design
- Development Policies DP32 - General design
- Core Strategy Policy CP21 - Safe response to natural and other forces
- Development Policies DP43 - Flooding and floodplains

4.0 CONSULTATIONS

4.1 Parish Council - No objections but would point out that the drawing shows slight drop at each end - will affect wheelchair users

4.2 Stokesley Conservation Area advisory Group - Support proposal, would be pleased to see completed in Jubilee year. Suggest steel rods at 90 degrees to inhibit skateboarding, and as safety feature in snow.

4.3 Environment Agency - No objection. Bridge slightly lower than existing but above 1:100 flood level and will not have detrimental impact on flood risk, particularly taking into account greater restriction at upstream road bridge.

4.4 NYCC Highways - (expiry 7.9.2012).

4.5 NYCC Highways Public Rights of way - (expiry 7.9.2012)

4.3 Neighbours and site notice - responses received.

i. query soffit levels and EA clearance, DDA compliance needed, qualified engineer should be involved. Present information derived from manufacturers brochures and sketches and may be inadequate. Bridge is public right of way.

ii. Bridge has been a disgrace for years and should not have been allowed to get into this state.

iii. Wish to see constructed asap. Query disparity of road levels compared with previous submission (which coincided with NYCC Bridges Section drawing).

If EA do not wish to specify soffit level, this point may not be important.

iii. Fully support this attractive design. Contractors should be qualified and capable of carrying out necessary structural engineering and safe foundations.

iv Fully support. will make a huge difference.

v. Query that levels cannot be reconciled with previous - which required substantial ramps. (Table of levels from various sources attached)

vi Support

vii. Support (previous query to levels).

5.0 OBSERVATIONS

5.1 The main issue is whether the design of the proposed bridge is appropriate to the purpose and the local setting within Stokesley Conservation Area (CP17, DP32, CP16, DP32), whether it would increase flood risk (CP21 DP43) and any highway safety concerns.

5.2 The proposed design is relatively simple and the cross bracing feature reflects the upstream Bridge Street crossing. The steel materials will have a strong and permanent character appropriate to the purpose and will be fitting in the Conservation Area and will maintain the its historic character.

5.3 With regard to flood risk, the proposed bridge is The Environment Agency are satisfied with the present proposal (subject to comments on amended plans) and therefore in relation to soffit levels and flood risk, the scheme is considered satisfactory.

5.4 Neighbour observations have queried disparities between this and previous proposals in the recorded road levels, and proposed soffit levels. The applicants have submitted additional information setting out that a hydrological survey update (Weetwood 'Modelling Update Supplementary Note) pointed out that the upstream bridge will trap any debris coming down the river and there is little risk of new material entering the river between the road bridge and the footbridge and blockage is therefore very unlikely.

5.5 Similarly, the applicants have responded to the observations regarding details of road levels, and note that the levels have been re-checked following findings that some details on a previous drawing were incorrect, to establish whether the ramp was necessary. The result was that they were found not to be necessary.

5.6 Concerns have been expressed regarding possible use of the bridge by skateboarders, and pending the views of the NYCC Highway/Public Rights of way sections, conditions could be made to ensure the surface of the bridge was appropriately safe for all users.

Conclusion

5.7 The proposed replacement bridge will facilitate pedestrian access between the different parts of Stokesley and is acceptable in principle. It has been demonstrated to the satisfaction of the Environment Agency that it will not increase the risk of flooding. It is appropriate in design and materials and will maintain the character of the conservation area. It is therefore recommended the application be approved, subject to outstanding consultation responses.

SUMMARY

The proposed bridge will maintain the character of the Conservation Area and will not have an adverse effect on the water course or increase the risk of flooding and is able to comply with the above policies.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered BBE-133 DWG 01 received by Hambleton District Council on 28 August 2012 unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) .

10.

12/00943/FUL

**Retrospective application for a change of use of agricultural land to mixed use of agricultural and the storage of trailers and equipment for grounds maintenance company and the construction of a boundary fence and retention of a shed and ancillary hardstanding to store equipment and chemicals.
at The Long Acres Fore Lane Thornborough North Yorkshire
for MHS Countryside Management.**

1.0 PROPOSALS AND SITE DESCRIPTION

1.1 This is a retrospective application for the change of use of part of the applicant's agricultural landholding, including an agricultural storage building, to a base for the storage of trailers and associated equipment including chemicals, fertiliser, green waste and composted produce in respect of the applicant's ground maintenance company. The site comprises an area of some 1600sq.m and lies within a field immediately to the south of the B6267 some 400m north of Thornborough. The applicant owns a surrounding block of 5.2ha upon which he keeps sheep and dexter cattle. He also owns a further 25ha nearby and 8ha at Mickley for stock rearing.

1.2 The applicant has stated in support of the application that :

"My wife and I started the business in January 2000, at that time I worked from Chapel View in Thornborough. As with all businesses it grew over the years and we moved house to Sleningford Park where we currently live. We worked out of here for some time but as the business grew we needed bigger premises. It was at this time we approached ..(a local landowner)..who agreed to rent one of his buildings to me at his farm. We ran the business from there from May 2006 until October 2009 without receiving any complaints about our activities. When the land came up for sale at the other side of Thornborough it seemed to be the ideal location for our business as we employ several staff in the Parish of whom some do not own cars and in two instances do not have drivers licences, making it hard for them to get to work if we moved a great distance away."

"The work we carry out is ground maintenance, consisting of grass cutting and garden maintenance, patio laying and building work. The area that our work covers is from Hexham to Sheffield and Grimsby to Liverpool so having the base at Thornborough gives us excellent access to the A1 to get to these locations. Moving from one side of the village to the other I feel has given us a better access road over which has helped to stop any inconveniences to village residents."

"Part of our company policy is re-cycling which is a must in this day and age. So bringing our clippings back and composting them for us to use on our farmland is a great bonus to me personally and for the environment."

1.3 The application was submitted following the activity being brought to the attention of the Enforcement Team and subsequent meetings with the applicant.

1.4 The area which is currently used for the operation comprises an access from Fore Lane off the B6267 into the site, an earth bunded area which contains the composting area and a secure fenced compound which contains an existing building (approved under the Prior Notification procedure in 2009 for agricultural storage) where trailers, equipment and fertiliser, chemicals are stored. The access, which was existing prior to the approval of the agricultural storage building is considered to have inadequate visibility towards the village by the Highways Authority and a revised access, which would involve the closure of the existing

has been agreed by the applicant with the Highways Authority. A revised plan is to be submitted showing this.

1.5 The applicant states that he employs 12 people full-time with hours of use/operation 0730-1900 hours Monday to Friday and 1000-1600 hours on Saturdays. The employees are, however, away from the site for the majority of the time during the day. Preliminary discussions with the Environmental Health Officer have been held and a request for information in respect of noise levels from the chipping/composting activity have been requested and is to be submitted shortly.

2.0 PREVIOUS PLANNING HISTORY

2.1 07/02828/FUL : Siting of an agricultural building : Permission Refused Nov 2007.

2.2 08/01199/APN : Prior notification for the siting of a livestock and storage building : Granted June 2008.

2.3 09/02554/APN : Prior Notification for the siting and construction of an agricultural storage building : Granted Oct 2009.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP1 - Protecting amenity
Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP15 - Rural Regeneration
Development Policies DP25 - Rural employment

4.0 CONSULTATIONS

4.1 West Tanfield Parish Council : No objections.

4.2 North Yorkshire County Council (Highways Authority) : Discussions with the applicant have led to a request for amended access details. Final comments awaited.

4.3 Environmental Health Officer : Awaited.

4.4 Environment Agency : Awaited.

4.5 Counter Terrorism Section North Yorkshire Police : No response received.

4.6 The application was advertised by site notice at the entrance to the site and five closest neighbours/landowners were consulted. Two letters have been received, one complaining about noise from dogs on the site (which have subsequently been removed) and one expressing concern in respect of highway safety and potential spillage of chemicals from the site.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy, the Development Policies document and the contents of the National Planning Policy Framework as set out above and relate, in this case, to the sustainable nature of the site location outside the development limits of a recognised settlement (Policies CP1, CP2 and CP4), the impact of the development on local visual amenity and landscape character (Policies CP16 and DP30), the potential impact on local residents as a result of noise and traffic from the activity (Policy DP1) and the economic benefits to the local area accruing from the employment generated (Policies CP15 and DP25).

5.2 Paragraph 28 of the NPPF states that Planning Authorities "should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.... This approach should support the sustainable growth and expansion of all types of business and enterprise in rural areas both through conversion of existing buildings and well designed new buildings and promote the development and diversification of agricultural and other land-based businesses."

5.3 Whilst this element of the NPPF supports the principle of the development there are other detailed aspects identified in the Authority's own Local Development Framework which require further investigation, in particular access and highway safety and noise. In addition in view of the generally sensitive archaeological nature of the area a consultation with North Yorkshire County Council's Heritage unit will be appropriate for any new access works.

5.4 It is consequently recommended that the application be deferred at this time and a further report and recommendation will be prepared, hopefully, for the October meeting of the Committee.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **DEFERRED**

11.

12/01003/FUL

Retrospective application for a change of use of domestic garage to a joinery workshop. at Workshop Garage At Rear Of Roselea Thornborough North Yorkshire for R N & W Bramley Ltd.

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This is a retrospective application for the use of an existing domestic garage/outbuilding as a woodworking workshop for both hobby and business purposes. The site is within Thornborough on the southern side of the street through the village. The applicant's dwelling is a semi-detached property with a small range of outbuildings at the rear which are served by an access from Back Lane to the south of the site. The applicant's curtilage is a significant one and includes land to the rear of four neighbours to the south-west, the dwellings being constructed on land sold off by a previous owner of the property.

1.2 The applicant's family has operated their plumbing, building and joinery business from the site for in excess of 25 years although this has been in the nature of a base yard for storage of materials and parking of their vehicle and their work is carried out elsewhere.

1.3 Complaints were made some 2 years ago by a local resident to the Environmental Health Department in respect of noise arising from the operations. Discussions were held with Environmental Health and the applicant did install some noise insulation and altered doors to attempt to minimise noise. The complaints continued and the site was visited by members of the Planning and Enforcement teams. The applicant was consequently requested to submit a formal application in the hope of regularising the situation with appropriate conditions and additional insulation works if required. The application was submitted but not validated until 4th September as it had been held pending the receipt of a noise prediction report which the applicant was asked to commission detailing the equipment used and noise levels outside the property and on the site boundary.

1.4 This has now been received and consultations carried out with neighbours, the Parish Council and Environmental Health Officer.

1.5 The applicant has stated in a supporting statement that the reason for the application is:

"For the use of the existing garage to be used as a wood working workshop for use in connection with the existing plumbing, building and joinery business. And also for hobby use for personal mpleasure and home projects.I am a time served fuly qulaified bench and site joiner, I work for the family usiness which involves plumbing and heating, new builds, extensions, renovation, alterations, restorations and maintenance on domestic and commercial properties."

"The workshop will be mainly used for personal use as a hobby and in conjunction with the property for alterations and maintenance as well as making things such as furniture and small home and garden projects. This will obviously be on weekends but not past 7pm on light evenings. As for business use this would be between 7.30 and 6pm Monday to Friday and possibly Saturday mornings from 8am to 1pm."

"We have already put up some sound proofing precautions such as sound insulating wall in front of large sliding doors sound insulation in roof areas and between proposed workshop area and domestic front garage. I live at the property and so the proposed workshop would be on my doorstep as no travelling would be involved too and from the

workshop and help with security issues by living on site. There will be no extra customers visiting the property and deliveries will be kept to a minimum with no large deliveries, access will be via the back lane and the private drive not the village."

1.6 The acoustic report which has been submitted contains additional suggested measures to reduce external noise which would be required by condition should any permission be granted.

2.0 PREVIOUS PLANNING HISTORY

2.1 2/88/170/0080 : Alterations And Extension To Existing Dwellinghouse And Construction Of A Domestic Double Garage : Permission Granted 1988

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP1 - Protecting amenity
Core Strategy Policy CP15 - Rural Regeneration
Development Policies DP25 - Rural employment
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 West Tanfield Parish Council : Awaited.

4.2 North Yorkshire County Council (Highways Authority) : No objections.

4.3 Environmental Health Officer : Awaited.

4.4 The application will be advertised by site notice at the front of the site and the closest neighbours will be consulted.

5.0 OBSERVATIONS

5.1 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document as set out above and relate, in this case, to the location of the site within a residential area and the potential impact on adjacent residential amenity (Policy DP1), together with the benefits of the continuation of the activity on an established local business (Policies CP15 and DP25).

5.2 It has been noted above that the application has only recently been validated following the receipt of the acoustic report requested at the time of submission. Consequently consultation responses are incomplete and it is recommended that the site be inspected by members pending the preparation of a comprehensive report to the October meeting of the Committee.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **DEFERRED**