

Agenda

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3. Planning Applications - Update List

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Report of the Deputy Chief Executive.

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PLANNING COMMITTEE 27 May 2021
SUPPLEMENTARY INFORMATION

Agenda Item	Application number and Parish	Respondent	Comments
1	20/01963/FUL Kirkby	Officer Note	<p>Heritage Matters</p> <p>Comments have been made in representations and from the Parish representative at the Committee visit with regard to The Grange, to the north of the application site. It has been suggested that this property is listed and development within the setting of the building has not been properly considered. The property is not a Listed Building and as such is not offered the same level of protection set out in the National Planning Policy Framework. It is clear from the Framework that in the case of a designated heritage asset any harm to the significance of the asset including that resulting from development within the setting of the asset, must be given great weight and importance. However, should the Grange be considered as a non-designation heritage asset, this should be considered in the planning balance.</p> <p>Paragraph 197 of the framework states: <i>“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”</i></p> <p>To be considered as a non-designated asset the property must meet at least two of the published list of criteria to be considered as a non-designated asset. Given the age, aesthetic appeal and historic association with the area, it is considered that the Grange should be considered as a non-designated heritage asset.</p> <p>As such the impact on the Grange and its setting must be considered in the balance. Whilst the building clearly has an association with the wider landscape about the village, it is</p>

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		Additional Representations	<p>considered that the impact of the proposed new development on the setting of the Grange and its setting results in no harm to the significance of the asset.</p> <p>There are Listed Buildings in the wider area, notably the Vicarage approximately 50m from the site boundary and Church Row which is the terrace located approximately 50m to the south of the application site. Appledore, The Granary and Appledon House sit between the application site and Church Row.</p> <p>It is pertinent to consider whether the proposed development has an impact on the significance of these assets in terms of their setting. Whilst located generally within the setting of these buildings it is not considered that the site contributes to the significance in any substantive way and the development of a house in this location is not considered to alter the context of the setting in this case. As such the proposed development is considered to result in no harm to these assets.</p> <p>Other listed buildings in the wider area have been referred to, namely Dromonby Hall and Dromonby House. These buildings are located over 500m to the west of the site. Whilst the definition of setting can reasonably extend beyond the immediate curtilage and adjacent land, this site is not considered to fall within the setting of these assets and is considered to have no harmful impact on their significance.</p> <p>Representations received since publication of officer report.</p> <p>Concerns have been raised about the geographical spread of representations, particularly those in support of the proposed development. It is clear that valid representations are valid, no matter from where they emanate. However, it is noted that the vast majority of representations in support of the proposed development emanate from outside the village itself, with only a handful of supporting letters from residents of the village.</p> <p>"Achieving the appropriate scale of new housing will be one of the most critical areas to be addressed - the particular need in Hambleton is to achieve more housing which is affordable"</p> <p>Clearly this large house does not fit that criteria.</p>
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			<p>Note that the Grange is not a listed building Raise concern about the relationship of the land around the village, to Dromonby House (which is listed) and the relationship to The Grange. Concern about the brevity of the summary of objections in that they do not set out the whole argument set out in the representations. Believe that the adjacent field should be Blue Land in the application as it is understood that the applicant has an interest in this land.</p> <p>(Officer comment: The application form notes that the land owner is a third party who has been notified of the submission of the application. It is considered that the notification and lack of a Blue line incorporating other land in the vicinity is correct.)</p> <p>The management of soil from the cut should be a matter of a condition. There should be a S106 agreement to manage the neighbouring land. Concern about the impact of the excavation works to create the level plateau for the house. The longitudinal section has only recently been up-loaded and people should be given more time to comment on this. (Officer note: this information has been provided to interpret the information presented on the Block plan.)</p> <p>The north south section provided has no measurements or scale on it, which makes it very hard to interpret. The steepness of slopes in reality (3D) are always greater than they look on paper (2D). Calculations done in the village by experienced people, show a full 2 metres of excavation will be needed, and consequently 2 metres of wall/embankment. Soil can not hold itself in position on a slope unless it is gentle, or terraced, both of which take a lot of the limited space, or it can be retained by a strong barrier/wall. Drainage has to be managed too.</p>
2	20/02538/FUL Easingwold	Application Description	<p>The description of the development has been amended to take into account the provision of the car park to the following:</p> <p>Demolition of existing buildings and construction of 154 residential units (C3), areas of public open space, associated car parking, with vehicular access from Husthwaite Road. Change</p>

		<p>Consultation responses</p>	<p>of use of agricultural fields to Easingwold Community Primary School playing fields and car park.</p> <p>Environmental Health response - This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. Therefore, the Environmental Health Service has no objections.</p> <p>Local Highway Authority response - The Local highway Authority(L.H.A) has reviewed the documents within the application which show the internal and external layout of the development. A transport assessment has been included which outlines an acceptable scope and adopts a methodology that is acceptable in respect of trip rates, traffic generation traffic distribution and junction analysis.</p> <p>The proposals have been considered against the guidance in the national planning programme framework which states development should only be prevented or refused on transport grounds where the impacts of the project are severe.</p> <p>To access the site a priority controlled T junction is to be created, a footway will be provided behind the existing hedge row along the front of the site which will connected into the existing footway network on Thirsk Road. The existing footway on Thirsk Road will require improvement and the developer is to implement works to widen and improve the surface of the footway along this road and stop at an agreed place near the school.</p> <p>The LHA see that to reduce vehicle use from the site pedestrian facilities shall be introduced assisting pedestrians when travelling to the centre of Easingwold. Therefore, the LHA wishes to introduce a new zebra crossing on Long street delivered by the developer. A commuted sum will be required for future maintenance of the crossing.</p> <p>The internal layout of the development has been laid out to standards set by the LHA and within the document Manual for streets and vehicles are encouraged to travel at low speeds around the development to help establish a well-balanced development for its residents. A travel plan has been included within the application and to implement the travel plan the developer is encouraged to fund the travel plan implementation and the schemes included within the document as necessary. The County Council seeks £5000 for future monitoring of</p>
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			<p>use of the car park and there are no overriding concerns about vehicle movements resulting from this. The car park is for use by staff only it is recommended that a condition be imposed to secure this.</p> <p>Additional concerns raised regarding revised housing mix: The number of 2.5 storey dwellings has increased and a request for the original plan to be reinstated has been made.</p> <p>Officer response: The plans have been amended to consider a range of issues, including a more appropriate housing mix and spacious layout to achieve increased areas of open space. Existing residential amenity and character is considered to be preserved.</p>
3	21/00081/FUL Bagby	Parish Council Comments	<p>Additional comments have been provided by Bagby & Balk Parish Council which are summarised below:</p> <ul style="list-style-type: none"> • The new road constructed is much wider and clearly designed to accommodate larger vehicles and now much closer to the play area. The Parish Council informed HDC that the road was being constructed in the incorrect location in the very early stages of construction, however HDC did nothing to halt the construction and get the issue resolved. • Originally when the plans were based on the 30 July 2019 (Planning Reference: 16/02240/FUL) the whole field was not incorporated in the outline of the airfield, but now it appears that the boundary has expanded including the whole field without planning permission being submitted. • The Parish Council is concerned that this road might now result in the play park not being able to get insurance with the road being so close. There are several holes in the hedge and this road is a rear Health and Safety issue for children. • Will the applicant provide details of a risk and safety assessments undertaken in relation to the new position of the road or were non actually undertaken with it accidentally being put in the wrong place? • In the event the Council grants planning permission, will officer please include a condition that the airfield has to install a large children proof metal fence on the other side of the hedge to ensure the children's safety at all times. • Furthermore, is the applicant prepared as a gesture of good will to provide funding for

Officer
Response

some new equipment at the play park to make up for the upset of his contractor building the road larger and in the incorrect place.

In regard to the access point, construction work started on the access point in October 2019, however it became evident that the access point was in the incorrect location and subsequently a Planning Enforcement Notice was served on the 19 December 2019. Following an appeal being dismissed by the Planning Inspector the owner is required to reinstate the hedgerow (which is the current gap to the north of the new access point) and to re seed the area directly behind the gap in the hedgerow. The owner is aware of this matter and the requirement to ensure full compliance with the enforcement notice.

The current access which this application seeks permission for started being constructed on the 1 August 2020, and following the Council visiting the site and inspecting the works it was noted that the access road had been built in the incorrect location by approximately 8 metres east of the previously approved access point. Correspondence was therefore duly sent to the applicant and subsequently this application has been submitted in an attempt to regularise the matter retrospectively.

In regard to the red line boundary, planning permission 16/02240/FUL showed the red line going directly across the field as this was the originally approved access road. However, the access road has changed and subsequently the red line boundary of the site has changed to show the road going around the existing field boundaries. This is to demonstrate what has been constructed on site today. The rest of the site is indicated outlined in blue. The applicant has also signed Certificate B of the application form and notified the owner of this parcel of land of the intention of the application. The red line boundary is limited to the access road across agricultural land and visibility splay and does not include the remainder of the land.

In regard to the Play Area, there are no visible holes within the hedgerow that surround the play area. Furthermore there is a wooden picket fence within the hedgerow. It is not considered reasonable that the Council impose a condition requesting a further fence to be installed on the other side of the hedge as it is considered that this is not necessary. It is not considered that a risk assessment is required to determine the planning application.

