



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

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

Application No: 22/00780/FUL

Proposal: Erection of 1no. four bedroom dwelling and detached garage following demolition of the existing dwelling

at: The Nook Rice Lane Flaxton North Yorkshire YO60 7RN

for: Messrs R and N Hildreth

Decision Date: 9 May 2023

REASON FOR APPROVAL

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

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing
Local Plan Strategy - Policy SP4 Type and Mix of New Housing
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be begun on or before 8th May 2026.

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

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

Site Location Plan, drwg. no. 198-01 (scanned to file on 18.07.2022).

Proposed Street Scene Drawings, dwg. No. 198.09 Rev. G (scanned to file on 01.02.2023)

Proposed Site Block Plan, dwg. No. 198.09 Rev. L (received by the Local Planning Authority on 05.04.2023)

Proposed Garage Plans and Elevations, dwg. no. 198-06 Rev B, (scanned to file on 01.02.2023)

Proposed Elevations (Dwelling), dwg. no. 198-04 Rev D, (scanned to file on 01.02.2023)

Proposed Floor Plans (Dwelling), dwg. no. 198-04 Rev C, (scanned to file on 01.02.2023)

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

03 Prior to works of above ground construction, details and samples of all materials to be used on the exterior of the buildings that are the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy.

04 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

- o Class A: Enlargement, improvement or alteration of a dwellinghouse
- o Class B: Roof alteration to enlarge a dwellinghouse
- o Class C: Any other alteration to the roof of a dwellinghouse
- o Class D: The erection or construction of a porch outside any external door of a dwellinghouse.
- o Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.
- o Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating
- o Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s), this is in accordance with Policies SP12 and SP16 of the Ryedale Plan-Local Local Plan Strategy.

- 05 Prior to their installation, details in terms of the siting, level of luminosity, hours/method of operation, height/positioning and type of external lighting shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be installed within the application site without the prior written approval of the Local Planning Authority. The agreed external lighting shall be retained for the lifetime of the development.

Reason: To ensure that the level of illumination is appropriate and reflective of nocturnal character of this part of the rural landscape, in accordance with the requirements of Policies SP13 (Landscapes) and SP16 (Design) and SP20 (Generic Development Management Issues) of the adopted Ryedale Plan - Local Plan Strategy.

- 06 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 07 The development hereby approved shall be carried out in accordance with:

- o The Method Statement for minimising risks to amphibians and other small wildlife during construction, as set out in section 7.3.2 of the Submitted Ecology Report (dated January 2021, scanned to file on 18.07.2022).
- o The recommendations set out in section 7.4.2 of the submitted Ecology Report (dated January 2021, scanned to file on 18.07.2022) with regard to nesting birds.
- o The recommendations for ecological enhancement set out in section 8 of the submitted Ecology Report (dated January 2021, scanned to file on 18.07.2022) with regard to the installation of 1 no. integral swift box and 1 no. integral bat box within the development hereby approved.

Reason: To satisfy the requirements of The Wildlife and Countryside Act 1981 (as amended,) The Conservation of Habitats and Species (Amendment) Regulations 2017 and policy SP14 (Biodiversity) of the adopted Ryedale Plan - Local Plan Strategy.

- 08 Prior to the removal of the section of northern boundary hedge, details of replacement boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved replacement boundary treatments shall be installed along the northern boundary of the site prior to the occupation of the dwelling hereby approved, and retained for the lifetime of the development.

Reason: To protect the amenity of the occupiers of the neighbouring dwelling, in accordance with Policy SP20 of the Ryedale Local Plan Strategy.

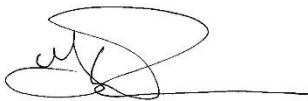
INFORMATIVE(S)

- 01 The applicant is advised that the proposals affect Registered Village Green and/or Common Land and further information can be obtained from commons.registration@northyorks.gov.uk. No works should be carried out on the Registered Common Land until such time as formal Consent has been granted under Section 38 of the Commons Act 2006. For works on registered Village Greens a wayleave will need to be obtained from the owner of the village green to enable any work to be carried out.

02 You are advised to be mindful of the advice given within Section 7.5.2 of the submitted Ecology report, with respect to external lighting at the site.

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

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



Trevor Watson
Assistant Director – Planning

Date: 9th May 2023

Messrs R and N Hildreth
C/O Mr Andrew Cunningham (Lavingham Planning Consultants Ltd)
18 Church View
Brompton
Northallerton
DL6 2QX

NOTES

This is an approval under the Town and Country Planning Act only.

YOUR RIGHTS OF APPEAL ARE AVAILABLE AT www.northyorks.gov.uk/planning