

**Meeting:** Thirsk and Malton Area Constituency Planning Committee

**Members:** Councillors Joy Andrews, Alyson Baker, Lindsay Burr MBE, Caroline Goodrick (Chair), George Jabbour (Vice-Chair), Nigel Knapton and Malcolm Taylor.

**Date:** Thursday, 20th April, 2023

**Time:** 10.00 am

**Venue:** Ryedale House, Old Malton Road, Malton YO17 7HH

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee, details at the foot of the first page of the Agenda, if you have any queries.

This meeting is being held in person and will be recorded. Please contact the named democratic services officer supporting this committee if you would like to find out more.

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### Agenda

**1. Apologies for absence**

**2. Declarations of interests**

All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

**3. Public questions and statements**

Members of the public may ask questions or make statements at this meeting if they have given notice to Lily Hamilton or Owen Griffiths of Democratic Services (contact details at the foot of page 1) by midday on 17 April 2023. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- At this point in the meeting if their questions/statements relate to matter which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes).
- When the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

4. **23/00091/FUL Installation of a reinforced concrete wall fixed to existing masonry wall and finished with facing brickwork at land off St Leonard's Close Malton on behalf of North Yorkshire Council** (Pages 3 - 10)  
Report of the Assistant Director Planning – Community Development Services
5. **23/00093/RG3 Demolition of toilet block at Ravine Road, Filey, North Yorkshire on behalf of Scarborough Borough Council** (Pages 11 - 18)  
Report of the Assistant Director Planning – Community Development Services
6. **23/00176/HOUSE Erection of single-storey rear extension with roof lantern and erection of two-storey extension to front to form entrance lobby with shower room above following demolition of existing entrance lobby on behalf of L M Burr and P Sedman** (Pages 19 - 24)  
Report of the Corporate Director – Community Development Services
7. **Any other items**  
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
8. **Date of next meeting**  
Thursday, 18 May 2023 at 10.00am – Ryedale House, Malton YO17 7HH

Members are reminded to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

**Agenda Contact Officer:**

Name: Owen Griffiths or Lily Hamilton

Tel: 01653 638455

Email: owen.griffiths1@northyorks.gov.uk or lily.hamilton1@northyorks.gov.uk

Wednesday, 12 April 2023

North Yorkshire Council

Community Development Services

Thirsk & Malton Area Constituency Committee

20 APRIL 2022

**23/00091/FUL INSTALLATION OF A REINFORCED CONCRETE WALL FIXED TO EXISTING MASONRY WALL AND FINISHED WITH FACING BRICKWORK AT LAND OFF ST LEONARD'S CLOSE MALTON ON BEHALF OF NORTH YORKSHIRE COUNCIL**

**Report of the Assistant Director Planning – Community Development Services**

**1.0 Purpose of the Report**

- 1.1 To determine a planning application for Full Planning Permission for the installation of a reinforced concrete wall fixed to existing masonry wall and finished with facing brickwork at Land off St Leonard's Close, Malton.
- 1.2 The application has been brought to the Area Planning Committee as North Yorkshire Council are the applicants and landowners.

**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below.**

- 2.1. This application seeks Full Planning Permission for the installation of a concrete wall at Land Off St Leonards Close.
- 2.2. The site is located between Old Maltongate and St Leonards Close, within the Malton Development Limits.
- 2.3. There are no objections from statutory consultees and no responses from third parties or neighbouring properties. The development is considered sustainable and approval is recommended subject to conditions.

23/00091/FUL

Land off St Leonard's Close

**Scale:** 1:750

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Organisation	North Yorkshire Council
Department	Development Management
Comments	Not Set
Date	06/04/23
MSA Number	

### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found here:-  
[planningregisterdocs.ryedale.gov.uk/planning-documents?SDescription=23/00091/FUL](http://planningregisterdocs.ryedale.gov.uk/planning-documents?SDescription=23/00091/FUL)
- 3.2. There is no planning history for this site.

### **4.0 Site and Surroundings**

- 4.1. The application site is located between Old Maltongate and St Leonards Close, with the wall forming the rear boundary to a number of properties on Greengate and Old Maltongate.
- 4.2. The site is located within Malton Development Limits, an Archaeologically Sensitive Area and the Air Quality Management Area.

### **5.0 Description of Proposal**

- 5.1. This application seeks full planning permission for the installation of a reinforced concrete wall fixed to the existing masonry wall and finished with facing brickwork.
- 5.2. The proposal will consist of the erection of a reinforced concrete wall to the front of the existing wall to provide stability, spanning 33.005 metres in length and 2.67 metres in height, finished with facing brickwork and coping stones to match those used in the existing wall.

### **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

#### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

- The Ryedale Plan – Local Plan Strategy, adopted 5 September 2013.

#### Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance

### **7.0 Consultation Responses**

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Parish Council:** Recommend Approval
- 7.3. **Ward Member(s):** None received.

#### 7.4. **Consultee:**

Environmental Health – No comments  
 Highways – Recommend Conditions  
 Public Rights of Way – No comments

#### Local Representations

7.5. No local representations have been received.

### **8.0 Environment Impact Assessment (EIA)**

8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

### **9.0 Main Issues**

9.1. The key considerations in the assessment of this application are:

- Principle of Development
- Character and Form
- Highways Impact
- Impact upon neighbouring amenity

## **10.0 ASSESSMENT**

### Principle of Development

10.1. The proposed development is adjacent to an existing wall and within the built up area of the Town and the Malton Development Limits. The principle of the proposed development is considered to be acceptable and will ensure that the existing retaining wall is preserved.

The proposed development will result in the footpath being reduced in width to 1.1 metres, however the Local Highway Authority have not raised any objections to this width reduction and it is therefore considered that the development would not have any negative impact on those with protected characteristics under Section 149 of the Equality Act 2010..

### Character and Form

10.2. The existing wall is in a poor structural condition and it is therefore proposed to install a reinforced concrete wall to the existing masonry wall, which would be finished with facing brickwork and coping stones to match those used in the construction of the existing wall.

10.3. The height and materials of the new wall would match those of the existing and therefore it is not considered that the proposal would have an adverse impact on the street scene and is acceptable in terms of character and form.

10.4. To ensure an appropriate external appearance a condition is recommended to ensure the use of matching brickwork.

10.5. The proposed development is therefore considered to be in compliance with Policy SP16 (Design) of the Ryedale Plan – Local Plan Strategy.

#### Highways Impact

- 10.6. The proposal is not considered to have any impact on highways safety or access. The wall will reduce the width of the footpath to 1.1 metres however this is considered to remain a sufficient width for safe use.
- 10.7. The Local Highway Authority have raised no objections to the scheme, subject to the inclusion of a condition requiring the submission of a Construction Management Plan.
- 10.8. The proposed development is therefore considered to be in compliance with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy.

#### Impact upon neighbouring amenity

- 10.9. The concrete retaining wall would measure 0.6 metres in depth, with a further 0.1 metre of facing brickwork, resulting in the wall being 0.7 metres closer to the residential dwellings to the west.
- 10.10. This minimal addition is not considered to have any material adverse impact on neighbouring amenity in terms of overbearing effects or loss of light.
- 10.11. The proposed development is therefore considered to be in compliance with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy.

### **11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1. The proposed development is considered to be of a proportionate and acceptable design and it is not considered that it would give rise to a significant detrimental impact on neighbouring amenity.
- 11.2. The proposed development is considered to meet the relevant policy criteria set out in Policies SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy and the NPPF.

### **12.0 RECOMMENDATION**

- 12.1 That planning permission be GRANTED subject to conditions listed below.

#### **Recommended conditions:**

1. The development hereby permitted shall be begun on or before..

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, drawing number RY18002-APP-XX-XX-DR-B-000001 P1, scanned to file 16.02.2023

Proposed Plan Sections & Details, drawing number RY18002.S.500.051 C1, scanned to file 30.03.2023

Proposed Elevations, drawing number RY18002-APP-XX-XX-DR-B-000120 P1, scanned to file 16.02.2023

CMUD Drawing, drawing number RY18002.A.500.500 P1, scanned to file 16.02.2023

Contractors Compound & Access Plan, drawing number RY18002-APP-XX-XX-DR-B-000040 P1, scanned to file 16.02.2023

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

**3.** No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. 2 x Technical Approval applications to be submitted – 1 for the temporary works and 1 for the permanent works
2. The parking of contractors' site operatives and visitor's vehicles;
3. Areas for storage of plant and materials used in the constructing the development clear of the highway;
4. Details of site working hours;
5. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

Informative: Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Technical Approval of Highway Structures. Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

**4.** The materials of the development hereby approved shall be in accordance with the details included on the planning application form/plans unless otherwise agreed in writing by the Local Planning Authority.

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



5. Unless otherwise agreed in writing with the Local Planning Authority, the brickwork proposed for use on the facing wall shall match that used within the existing wall.

Reason: In the interests of good design and in compliance with Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

**Target Determination Date:** 24.03.2023

**Case Officer:** Ellie Hardie, [eleanor.hardie@northyorks.gov.uk](mailto:eleanor.hardie@northyorks.gov.uk)

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**North Yorkshire Council**

**Community Development Services**

**Thirsk and Malton Area Constituency Committee**

**20 APRIL 2023**

**23/00093/RG3 - DEMOLITION OF TOILET BLOCK AT RAVINE ROAD, FILEY, NORTH YORKSHIRE ON BEHALF OF SCARBOROUGH BOROUGH COUNCIL**

**Report of the Assistant Director Planning – Community Development Services**

**1.0 Purpose of the Report**

- 1.1 To determine a planning application for the demolition of toilet block on land at Ravine Road, Filey, North Yorkshire.
- 1.2 The application is to be considered by the Area Constituency Committee as the Council is the applicant and the landowner.

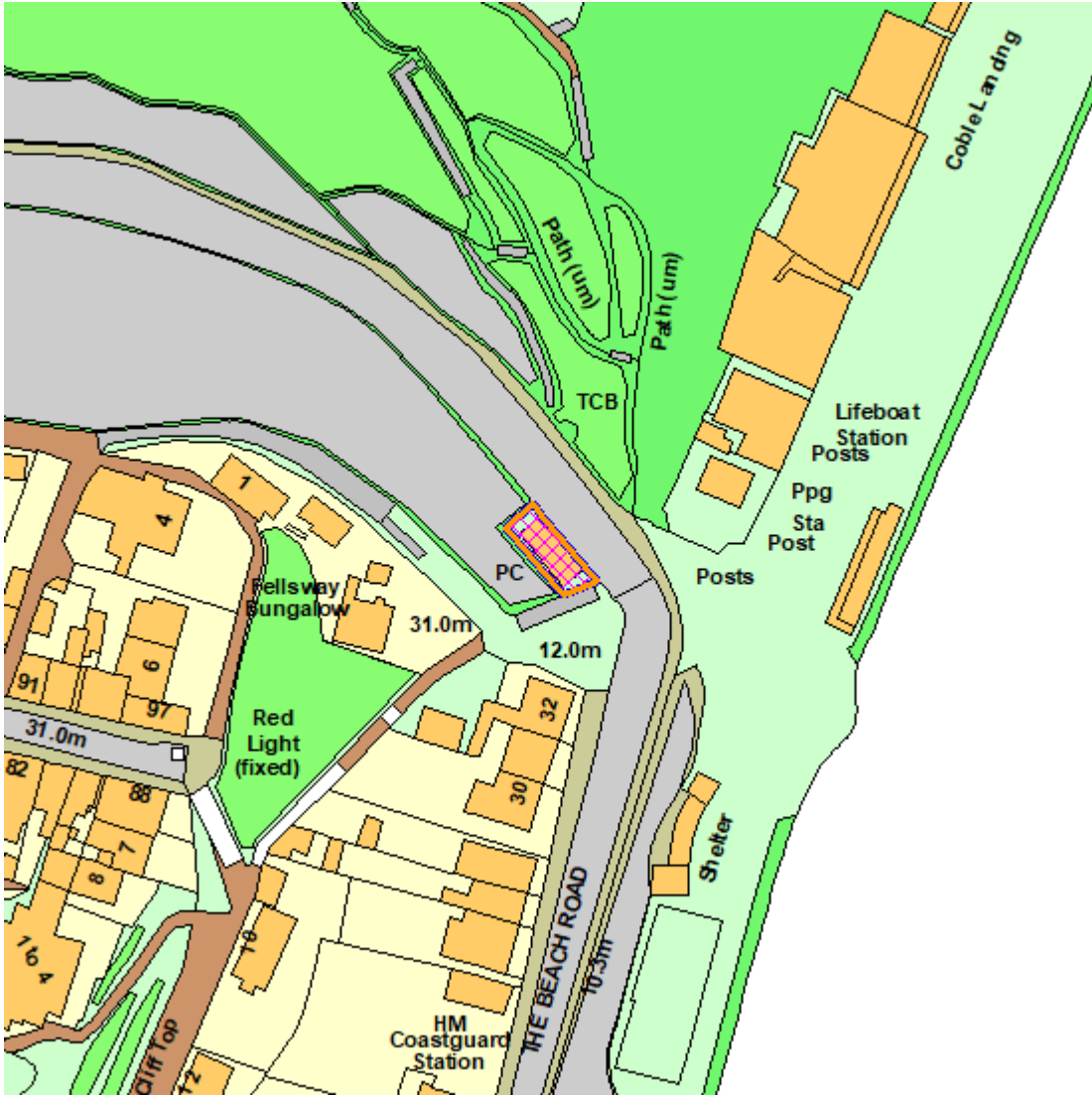
**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION:** That planning permission be **GRANTED** subject to conditions listed at the end of the report.



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### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found here: -  
<https://planning.scarborough.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ROMNBANS0EE00>

Planning History

- 3.2. 2022 - demotion notice for the demolition of the existing toilet block confirmed that planning permission was required.

### **4.0 Site and Surroundings**

- 4.1 The existing site is located on the southern side of Ravine Road and built close to a steeply sloping bank to the rear that forms pedestrian access to the Cliff Top, Queen Street and the town centre of Filey beyond. Opposite the site is the Cobble Landing and beach beyond. The site is also located within the Filey Conservation Area and Flood Zone 3 (most at risk of flooding).

### **5.0 Description of Proposal**

- 5.1 The proposal seeks the demolition of the toilet block building. It is rectangular in shape, being single storey in height, with a flat roof, constructed from brick and rendered panels block. It measures 11.5 metre in length, facing Ravine Road, 5.2 metres in width, with a height to the top of the roof of 3.5 metres. The building contains a total of 15 toilets. The toilets have been closed since last year and considered to be unsuitable for current and future use by the Council.
- 5.2 A replacement toilet block, measuring 13.8 metres in length, 3.3 metres in depth and a height of 3.5 metres to the ridge would be provided following demolition, containing 7 separate unisex toilets and 1 disabled toilet, with access from Ravine Road.
- 5.3 It has been previously confirmed that the new toilet block would be “permitted development”, whereby planning permission is not required. Consideration of this application is therefore restricted matters directly relating to the physical impacts of the demolition. Issues relating to the loss of the current W.C. facility and securing a replacement are not relevant to this application.

### **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

#### **Adopted Development Plan**

- 6.2. The Adopted Development Plan for this site is the Scarborough Borough Local Plan 2011 – 2032, adopted July 2017. The relevant policies are:
- DEC 4 - Protection of Amenity
  - DEC 5 - The Historic and Built Environment
  - ENV 3 - Environmental Risk

### Guidance - Material Considerations

6.3. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide 2021
- Filey Conservation Area Character Appraisal and Management Proposals – adopted 2012

### **7.0 Consultation Responses**

7.1 The following consultation responses have been received and have been summarised below. Their full comments and any accompanying documentation are available to view on the Council's website.

7.2 Filey Town Council – support the application. The demolition of this toilet block and its subsequent replacement are considered to be a priority for Filey.

7.3 Local Highway Authority – no objection but suggest an informative regarding the doors and windows opening over highway.

### Local Representations

7.4 Three comments have been received from local residents. The comments are mainly focused on the replacement toilet block which does not require planning permission and toilet provision as a whole. The comments do refer to flood risk, tree roots and health and safety.

### **8.0 Environment Impact Assessment (EIA)**

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

### **9.0 Main Issues**

9.1 Taking into account the relevant planning policy, consultation responses and all other material planning considerations, it is the view of Officer's The key considerations in the assessment of this application are:

- A) Impact upon the character and appearance of the Filey Conservation Area
- B) Impact upon highway safety
- C) Impact upon flood risk
- D) Impact upon neighbouring amenity

### **10.0 ASSESSMENT**

#### A) Impact upon the character and appearance of the Filey Conservation Area

10.1. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a Conservation Area.

- 10.2. Furthermore, Local Plan Policy DEC5 (The Historic and Built Environment) states that proposals affecting a Conservation Area should preserve or enhance its character or appearance especially those elements identified in any Conservation Area Appraisal.
- 10.3. There is a Conservation Area Appraisal for Filey. It states that there will be a general presumption against the demolition of buildings which contribute to the character of the Filey Conservation Area.
- 10.4. The existing building has a flat roof, is constructed from modern materials and detailing, including higher level windows and has previously provided a functional use as a toilet block close to the Filey seafront. It has fallen into a state of disrepair and it is considered that by virtue of its form, construction and detailed design, it does not have a positive contribution towards the character and appearance of the Filey Conservation Area. Its removal would enhance the character and appearance of this part of the conservation area
- 10.5. In light of the above, the proposal is considered to comply with Local Plan Policy DEC5, Section 16 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon highway safety

- 10.6. The existing building is next to the short strength of public footpath next to Ravine Road below you reach the off-street parking. The Local Highway Authority have raised no objection to the demolition but suggested an informative regarding the doors and windows of the replacement building not opening over highway. This application is restricted to matters relating to the impact of the demolition, rather than the new building so conditions relating to the new building are not applicable.

Impact upon flood risk

- 10.7. Local Plan Policy ENV3 (Environmental Risk) states that proposal will be expected to mitigate against the implications of environmental risk and the effects of climate change, including flood risk.
- 10.8. The site is located within Flood Zone 3 which is identified in national planning policy as the highest probability of flooding. In this case, the building proposed to be demolished is limited to 244 cubic metres. The building does not benefit from any form of flood defence and does not adjoin any dwelling or other structure. Its demolition will not therefore increase flood risk in the area.
- 10.9. In light of the above, the proposal is considered to comply with Local Plan Policy ENV3.

Impact upon neighbouring amenity

- 10.10. Local Plan Policy DEC4 (Protection of Amenity) states that proposals should ensure that existing and future occupants of land and buildings are provided with a good standard of amenity. Proposals should not give rise to unacceptable impacts by means of overbearing, overlooking and loss of privacy, disturbance from noise, emissions and overshadowing.
- 10.11. There is a neighbouring dwelling to the rear of the site; Fellsway Bungalow. This dwelling sits behind the bank and steps, in excess of 25 metres from the application site. To the south of the site is the dwelling of 32 The Beach. Due to the turn in the corner from Ravine Road to The Beach Road, the buildings are not considered to

have a direct side to side relationship and the distance between is in excess of 17 metres.

- 10.12. Safeguards regarding matters including possible asbestos encountered or more general dust arising during demolition are proposed to protect neighbouring amenity.
- 10.13. The construction of the new toilet block would follow on from the demolition works and as such this would be the 'restoration' of the site and it will not be left un-kept or untidy for neighbouring dwellings.
- 10.14. In light of the above, the proposal is considered to comply with Local Plan Policy DEC4.

Other matters

- 10.15. Although there is a steep slope behind the existing building there is a narrow gap in between so the building is not supporting this ground, so there are unlikely to be significant issues relating to land stability as part of the demolition. The tree on the bank side will also be unaffected.

**11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposal for the demolition of the toilet block is not considered to harm the character and appearance of the Filey Conservation, not cause significant impacts upon highway safety, flood risk nor neighbouring amenity.

**12.0 RECOMMENDATION**

- 12.1 That planning permission be GRANTED subject to conditions listed below

**Recommended conditions:**

**Condition 1 Time Limit**

The development hereby permitted must be begun not later than three years from the date of this Decision Notice.

Reason: To ensure compliance with Section 91 of the Town & Country Planning Act 1990

**Condition 2 Approved Plans**

The development hereby permitted shall be carried out in accordance with the following plan/s:

Site Location and Block Plan 18.04-01 and Existing Building Elevations and Plan – both received 17<sup>th</sup> January 2023.

Reason: For the avoidance of doubt.

**Condition 3 Treatment of surface if undeveloped**



Should the site remain undeveloped for a period of 6 months from the start of demolition works, a scheme for the treatment of the surface of the site shall be submitted to and approved in writing by the local planning authority and the approved scheme shall be completed no later than 6 months from the date of its approval.

Reason: In the interests of the visual amenity of the area and character of the Conservation Area in accordance with Local Policy DEC5 of the Scarborough Borough Local Plan.

**Target Determination Date:** 21.04.2023

**Case Officer:** Miss Charlotte Cornforth [charlotte.cornforth@northyorks.gov.uk](mailto:charlotte.cornforth@northyorks.gov.uk)

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## North Yorkshire Council

### Community Development Services

#### Thirsk & Malton Area Constituency Committee

20 APRIL 2022

#### **23/00176/HOUSE - ERECTION OF SINGLE-STOREY REAR EXTENSION WITH ROOF LANTERN AND ERECTION OF TWO-STOREY EXTENSION TO FRONT TO FORM ENTRANCE LOBBY WITH SHOWER ROOM ABOVE FOLLOWING DEMOLITION OF EXISTING ENTRANCE LOBBY ON BEHALF OF L M BURR & P SEDMAN**

#### **Report of the Corporate Director – Community Development Services**

#### **1.0 Purpose of the Report**

- 1.1 To determine a planning application for the erection of single-storey rear extension with roof lantern and erection of two-storey extension to front to form entrance lobby with shower room above following demolition of existing entrance lobby on land at 5 West Lodge Gardens, YO17 7YJ.
- 1.2 The application has been referred to the Committee for determination because one of the applicant's is a member of the Unitary Council.

#### **2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below.**

Planning approval is sought for the erection of single-storey rear extension with roof lantern and erection of two-storey extension to front to form entrance lobby with shower room above following demolition of existing entrance lobby.

The site lies within Malton Conservation Area.

The site has a Tree Preservation Order reference 133/1989 within its boundary.

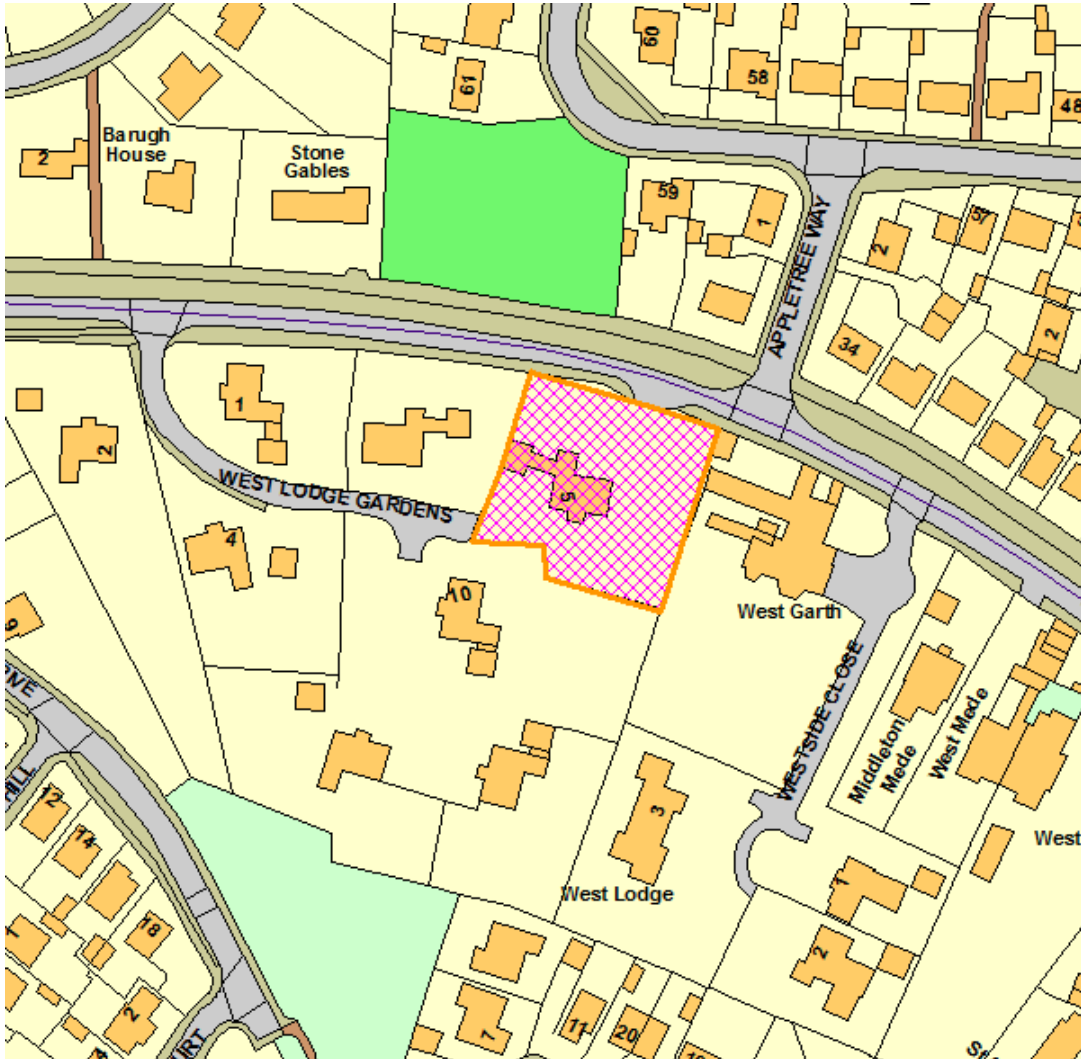
The key issues for this application include Character and Form, Impact on the Malton Conservation Area and Impact on neighbouring amenity.

There has been one objection from the neighbouring property to the west in relation to concern about the potential disruption to the soil due to the proposed building works and the impact of tree roots on the their property.

The development is considered sustainable and approval is recommended subject to conditions.



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### **3.0 PRELIMINARY MATTERS**

- 3.1. Access to the case file on Public Access can be found here:-  
<https://planningregister.ryedale.gov.uk/caonline-applications/simpleSearchResults.do?action=firstPage>

There is no relevant planning history

### **4.0 SITE AND SURROUNDINGS**

The property in question, 5 West Lodge Garden, is a detached two storey stone built property situated within Malton Development Limits. The site occupies a substantial plot at the end of the cul-de-sac, in which sits the main house with a utility link to a single garage.

### **5.0 DESCRIPTION OF PROPOSAL**

- 5.1. This application seeks householder permission for the erection of single-storey rear extension with a roof lantern, and the erection of two-storey extension to the front to form an entrance lobby with a shower room above following the demolition of the existing entrance lobby.
- 5.2. The rear extension would measure 3.5 metres x 4.4 metres with a height of 3.1 metres with a roof lantern. The exterior material is proposed to be stone to match the host property.
- 5.3. The front extension would measure 4.7 metres x 1.7 metres. The height is proposed to be 5.5 metres to eaves height and 7.5 metres to ridge height. The exterior would be coarse stone under a red pantile roof.

### **6.0 PLANNING POLICY AND GUIDANCE**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

#### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

The Ryedale Plan – Local Plan Strategy, adopted 2013  
 Policy SP12 Heritage  
 Policy SP16 Design  
 Policy SP20 Generic Development Management Issues

#### Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:
- National Planning Policy Framework 2021
  - National Planning Practice Guidance

### **7.0 CONSULTATION RESPONSES**

- 7.1. The following consultation responses have been received and have been summarised below.

7.2. **Parish Council:** Recommend Approval

7.3. **Ward Member(s):** None Received

7.4. **Consultee:**

Building Conservation Officer – No Objections

- Local Representations

1 objection has been received. A summary of the comments is provided below, however, please see website for full comments.

Objection

- Concern about the potential disruption to the soil due to the proposed building works and the impact of tree roots on the objectors property

## 8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

## 9.0 MAIN ISSUES

9.1. The key considerations in the assessment of this application are:

- Character and Form
- Impact on the Malton Conservation Area
- Impact on Neighbouring Amenity

## 10.0 ASSESSMENT

### Character and Form

In terms of design, the proposed front section will mirror the pitched roof form of the main dwelling. It is not considered to take focus away from the property itself by virtue of its small scale and positioning.

The proposed rear extension is considered subservient in relation to the host dwelling, and views will be limited due to the rear positioning. The materials on both extensions will match that of the host dwelling and will therefore integrate well with the main property and the surrounding properties in accordance with the requirements of Policy SP16 (Design) of the adopted Local Plan Strategy.

### Impact on Malton Conservation Area

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses. The buildings itself is not listed however it is positioned within a

Conservation Area. The extensions are considered minor due to the size of the main property and the surrounding plot. The design is in keeping with surrounding properties. It is considered that the scheme will have a neutral impact on the Conservation Area and the development is considered to comply with Policy SP12 (Heritage) of the adopted Local Plan Strategy.

### Impact on Neighbouring Amenity

The property sits within a substantial plot with mature boundary planting. Due to the size and positioning of the proposed extensions, it is not considered that they would have an impact on neighbouring amenity in terms of overlooking, loss of light or creating overbearing issues in accordance with Policy SP20 (Generic Development Management Issues).

An objection has been received in relation to the potential impact the extensions could have on underlying soil and tree roots. The rear extension would be situated on an existing section of hardstanding to the north of the property. In view of the proposed small scale of the development and its distance from any protected trees the development is not considered to have any adverse impacts on underlying root structures or any surrounding protected trees.

## **11.0 PLANNING BALANCE AND CONCLUSION**

The development is considered to be appropriate by virtue of its design. The development is not considered to have a negative impact on the Malton Conservation Area. The character of the designated area is considered to be preserved. There are considered to no adverse effects on neighbouring amenity. In conclusion, it is considered that this proposal conforms with Policies SP12 Heritage, SP16 Design and SP20 Generic Development Management Issues of the adopted Ryedale Local Plan - Local Plan Strategy and the National Planning Policy Framework. On this basis, it is recommended that planning permission be granted.

## **12.0 RECOMMENDATION**

12.1 That planning permission be GRANTED subject to conditions listed below.

1 The development hereby permitted shall be begun on or before .

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

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

- Proposed Extensions and Alterations – Drawing Number 23-1434-2 – dated Jan 2023
- Proposed Extensions and Alterations – Drawing Number 23-1434-3 – dated Jan 2023
- Site Location Plan – reference 23-1434

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

- 3 The materials of the development hereby approved shall be in accordance with the details included in the Planning Application Form (scanned to file on 06.03.2023) unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

**Target Determination Date:** 13.04.2023

**Case Officer:** Lucy Toolan, [lucy.toolan@northyorks.gov.uk](mailto:lucy.toolan@northyorks.gov.uk)