

## Catherine Ashton

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**From:** Niamh Bonner  
**Sent:** 12 June 2023 11:11  
**To:** Catherine Ashton; Hayley Hunter  
**Cc:** Jill Thompson1; Lily Hamilton1; Owen Griffiths1  
**Subject:** RE: 23 Commercial Street, Norton - Draft Conditions 22-01368-FUL,

Hi there

Please see amended late pages entry for this application. Please disregard the earlier version from Friday.

Kind regards

Niamh

Dear Councillors,

In relation to application reference 22-01368-FUL, 23 Commercial Street Norton, the following update is provided on the late pages.

A request from the Planning Agent (see email below) has been made. The draft conditions were agreed with the Agent prior to the publication of the Committee Agenda, but this minor request seeks to slightly alter the 'trigger points' for Condition 6 (hard landscaping) and Condition 07 (soft landscaping.) This would mean the details secured by these conditions could be provided to the LPA at a later point in the construction phase, but importantly - prior to the commencement of any external works. This would continue to allow the LPA to undertake full consideration of these details, whilst also allowing for the works for the conversion of the building to commence, as this would have no effect on the two identified conditions.

Following review, these are considered minor changes which are acceptable in principle and Members are asked to review the two replacement amended conditions below which would be added to any future decision notice should Members recommend this for approval. The amendment has been indicated in yellow for clarity:

### **Condition 6: Hard landscaping**

*Prior to the commencement of the external works of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority, plans showing details of the proposed hard surfacing treatment for the new access road, pavement and parking areas hereby approved 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 - Local Plan Strategy.*

### **Condition 7: Soft landscaping**

*Prior to the commencement of the external works of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of any trees/shrubs and show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and*

*positions of all trees and shrubs. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.*

*Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy*

Furthermore, it is noted that the rear boundary wall proposed should have been included within Condition 8, to secure the final materials of this structure. The amendment has been indicated in yellow for clarity. The Agent has confirmed they are content with this minor amendment and have confirmed the wall will be c1.2m high which is considered suitable.

**Condition 8: Materials**

*Prior to the commencement of the above ground works relating to the cycle store or the approved front/rear boundary walls, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the cycle store and the approved front/rear boundary walls 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 - Local Plan Strategy.*

Kind regards

**Niamh Bonner**  
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**From:** Graeme Holbeck  
**Sent:** 09 June 2023 09:23  
**To:** Niamh Bonner <[Niamh.Bonner@northyorks.gov.uk](mailto:Niamh.Bonner@northyorks.gov.uk)>  
**Subject:** RE: 23 Commercial Street, Norton - Draft Conditions

Morning Niamh,

I refer to our conversation yesterday regarding the draft conditions. As you're aware, the owners intention is to undertake work on the existing building as a first phase of development. We understand that condition 11 will prohibit their occupancy until the access, car parking and turning areas have been implemented. However, we would propose more flexible wording to conditions 6 and 7 (hard and soft landscaping) to facilitate the proposed approach.

At present, the trigger points for these conditions is

'Prior to the above ground construction of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority'

In theory, we could therefore exchange letters with the authority to confirm that works to the building can proceed without providing the landscaping detail, which relates to the external works. However, we would suggest some additional wording to clarify this position to state that 'prior to the commencement of the external works.....' or 'other than works to the existing building, prior to the above ground construction of the development.....'

I would be grateful if you could consider the appropriate wording and put it forward in the late papers

I am around this morning if you need to discuss

Thanks

Graeme

**Graeme Holbeck**

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