

THIRSK AND MALTON CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS

19 October 2023

Agenda Item	Application number and Division	Respondent	
4	ZB23/01194/FUL Hambleton	Officer note	<p>Condition 15 is a duplicate of condition 5 and is therefore removed from the recommendation.</p> <p>In relation to bats the submitted ecology report advises at section 6.5.1 that the increase in artificial light due to the construction of residential properties may cause light disturbance to foraging bats. The reports concludes that the effect is considered negative (not significant) at site level.</p> <p>The report sets out mitigation at section 6.5.2 as follows: Works should be restricted to daylight working. The hedgerows and the mature trees along the northern perimeter should not be illuminated post-development to maintain the ecological functionality of the features for potential foraging bats. Where external lighting is used, see below for lighting recommendations. a) Metal halide and fluorescent sources of light should not be used and lack UV elements. b) LED lighting should be used where possible due to their sharp cut-off, lower intensity, good colour rendition, and dimming capabilities. c) A warm-white spectrum (ideally less than 2700 Kelvin) should be adopted to reduce the blue light component. d) Lighting should feature peak wavelengths higher than 550nm to avoid the component most disturbing to bats. e) Column heights should be carefully considered to minimise light spill. f) Lights should always be mounted on the horizontal, ie no upward tilt. g) Accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it to only where it is needed.</p> <p>The submitted ecology report concludes at section 6.5.3 that with the above mitigation the effect is neutral (not significant) at site level.</p>

		Additional Conditions	<p>Condition 13 imposed and set out in the officer report captures the requires ecology mitigation requirements, including bat mitigation.</p> <p>Condition: Prior to works commencing, a scheme outlining how the trees to the north of the site subject to Tree Preservation Order's shall be protected during construction shall be submitted in writing to and approved by the Local Planning Authority. The approved details shall be implemented in full and remain in place for the construction phase of the development.</p> <p>Reason: To ensure no harm arises to trees protected by Tree Preservation Order in accordance with Policy E3 of the Hambleton Local Plan.</p> <p>Condition: The hedgerow which fronts South Back Lane and extends along the western boundary of the site (within the red line boundary) shall be retained to a minimum height of 1.5m above existing ground level in perpetuity, except for the section which is required to be removed to implement the approved access.</p> <p>Reason: In order to protect the character and appearance of the surrounding area in accordance with Policy E1 of the Hambleton Local Plan.</p> <p>Condition: Above ground construction shall not be commenced until details of any boundary walls, fences or other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.</p> <p>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 Policy E1 of the Hambleton Local Plan.</p>
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6	23/00197/FUL Ryedale	Officer note	<p>Further to the publication of the committee report for 23-00197-FUL at the Crown and Cushion, Welburn, there is a clarification I wish to make. Within the report, at Paragraph 10.33 reference was made in error to the wrong paragraph of the NPPF.</p> <p>As you will be aware, as outlined within the 'Representation' Section, there was an in-principal objection from our Building Conservation Officer, the most recent (8th August 2023) identifying the harm on the adjoining Conservation Area as the 'low-mid range of less than substantial.' Prior to the amendments being made by the Agent, this was originally identified by the Building Conservation Officer as being the 'mid-range of less than substantial' harm, in her original response (dated 11th July 2023) so it is noted that the level of associated harm has reduced.</p> <p>However, at Paragraph 10.33, I referred to Paragraph 201 of the NPPF in error, which should only be used when dealing with harm identified as 'substantial.' This isn't the case in this situation and reference should have been made to Paragraph 202 of the NPPF which is used "<i>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset. In this situation, this paragraph notes that "this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."</i></p> <p>The conclusion made in Paragraph 10.32 however remains unaffected, Officers have outlined the public benefits of the scheme including the sustaining of a community facility/asset, which at present includes no accommodation offer, in a time when public houses have experienced adverse impacts, both nationally and within the former Ryedale District. In this instance, Officers believe this background for the diversification, together with the more sensitive, low-key scheme, outweigh the identified low –mid range harm.</p>
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