

**THIRSK AND MALTON CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS**

24 October 2024

Agenda Item	Application number and Division	Respondent	
4	ZB24/01340/FUL Huby & Tollerton	Agent Comment	<p>17.10.24 - <i>“Paragraph 10.22 states that ‘...Unit 1 does not have any side windows within the eastern elevation, which can be maintained via condition.’ Plot 1 actually has two windows on the east elevation, at first floor level. We’re very happy for these to be obscurely glazed and fixed...but removing them would be a backwards step for the amenity of the eventual occupants of Plot 1. Notwithstanding...if Members would prefer the windows to be removed then we’ll provide amended plans post-Committee.”</i></p> <p>Officer Response: The floorplan for Unit 1 does have two side (east-facing) windows on the first floor. One of these windows serves a landing, whilst another serves a bedroom. It is considered that a window serving a landing does not result in an unacceptable impact in terms of overlooking/loss of privacy – the nature of a landing is not a principal room and its usage is such that it can be regarded as transient space where any future inhabitants would not spend any meaningful periods of time.</p> <p>This is not the case in a bedroom, however, and it is recommended that a condition (as set out below) requiring the obscure glazing of this window is imposed on any grant of planning permission. This is considered appropriate to safeguard neighbouring privacy whilst ensuring amenity within the bedroom given that the room has a further front facing window which will provide light and outlook.</p> <p>NYC Highways Authority– 18.10.24 – No objection. Conditions and informatives provided.</p>
		Consultee Response	

		Conditions	<p>NYC Highways Authority– 21.10.24 – <i>“I did consider the possibility of some footway to connect to the existing footway on the other side of the road but thought it might be considered a bit “urban” at this location...it could be provided from the existing access at the eastern end of the site as shown below either all on the north side of the road (shown red) or partly on both sides (shown green)...I would estimate this would be around £10K but there is some utility equipment in the verge that may require moving or lowering and possibly some change to drainage so that number could rise significantly.”</i></p> <p><i>“I have no objection to extending the speed limit but it would be subject to consultation so not guaranteed. It would require some additional signage and changes to lining and I would estimate the cost of consultation and implementation to be around £3K.”</i></p> <p>Officer Response: NYC Highways Authority have not advised that a footpath or the alteration of the speed limit zone would be necessary in order to grant planning permission.</p> <p>Following the consultee response, it is recommended that one condition requires replacement, as set out below, whilst the other relevant highways conditions remain unchanged as set out in the officer report.</p> <p>Condition 7 (Proposed Access) to be replaced by the following:</p> <p><i>“The development must not be brought into use until the access to the site has been set out and constructed in accordance with the following requirements:</i></p> <ul style="list-style-type: none"> <i>• The crossing of the highway verge must be constructed in accordance with the approved drawing 3992/PD/03 Rev.A and Standard Detail number A1.</i> <i>• Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway.</i>
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5	ZB24/01032/FUL Easingwold	Agent Comment	<p><i>“The Planning Officer report at paragraphs 10.6 and 10.7 discusses the issues of the unviability of the tourism accommodation. Paragraph 10.7 specifically mentions that there has been insufficient information provided regarding the use of the building and its unviability since 2019. To clarify on this point, the tourism accommodation has not been in use since 2019, following the Beckingtons Accountants letter dated 10th December 2018 at Appendix 1 (which was previously submitted to the Council as part of application 19/01347/FUL) which confirmed the unviability of the tourism enterprise at that time. Since this time, the property has been marketed for sale between 2021 to 2023, as is clarified in the supporting statement accompanying this current application. These attempts identified a distinct lack of demand for the structure as tourism accommodation. To reinforce the efforts made in relation to the marketing of the property for sale, and to confirm the continued unviability of the tourism accommodation an updated letter from Beckingtons Accountants dated 21st October 2024 is attached at Appendix 2 for Members’ consideration. As a result of this clarification from Beckingtons Accountants, Members’ consideration is drawn to the</i></p>			

		Appendices	<p><i>fact that the building is sufficiently shown to be either redundant or disused as is required by part (f)(i) of Policy S5 of the Hambleton Local Plan.”</i></p> <p>Officer Response: Whilst the applicant’s accountant has advised the applicants as to the unviability of the holiday let, this was first done in 2018 and therefore does not take into account any variations in the market (e.g. the post-Covid tourism boom) that have happened since. Officers are not able to verify the redundancy of the use if that use has not been actively marketed since 2018 and so it is considered that Policy S5(f)(i) is not met.</p> <p>Two letters from the applicant’s accountant regarding the viability of the holiday let are attached. Specific financial information and signatures have been redacted with permission of the agent.</p>
6	ZB23/02394/OUT Hillside & Raskelf	Officer Comment	<p>It is recommended that the first Reason for Refusal at 12.1 of the officer report is amended as follows:</p> <p>The proposal would result in the loss of open space that is important to the historic linear form and layout of the village. In addition, the development would have a detrimental impact on the rural character of the village and result in the loss of countryside that makes a significant contribution to the character and setting of the village. The proposal is therefore contrary to criteria d. and e. of the Hambleton Local Plan Policy HG5.</p> <p>It is also noted that the visitor parking at the south east section of the site appears to be blocking the access to plot 8. Should the members be minded to approve the application this would need to be addressed either by alteration to the layout or by the imposition of a relevant condition.</p>