

Your ref: NYM/2018/0222/FL  
Our Ref: BDS/NYM/18/001  
Date: 15 March 2019

North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
North Yorkshire  
YO62 5BP

FAO Mrs H Saunders

**OBJECTION LETTER: VARIATION OF CONDITION 2 (MATERIAL AMENDMENT)  
OF PLANNING APPROVAL NYM/2015/0014/FL TO REGULARISE CHANGES  
TO EXTENSION, DECKING AND BOILER ROOM, RAISED GROUND LEVEL,  
WATER DRAINAGE AND WALL ENCLOSING RAISED PATIO AREA  
(RESUBMISSION FOLLOWING REFUSAL OF NYM/2017/0016/FL)**

We write in connection with your letter dated 5 March 2019. You advise us that you have received amended details/further information in relation to the above application and have invited us to make comment. This relates to an amended plan which uses the original hand drawn sketch again. The amendment seems to be the removal of part of the wall where it returns to the fence. The raised area behind it still remains and is higher than the parking area. The amendment would not change the position with regard to surface water runoff. The proposal on the amended plan would still create a barrier for any runoff and force it through a small gap alongside Mr & Mrs Ventress' property and onto a hardstanding area behind the fence.

From the information submitted, it would seem the potentially serious issue of flooding is still being taken lightly by the applicants. It has been over 3 months since our last letter commenting on the previous amended plan. The only change has been to remove a bit of wall. The base information remains the sketch plan that was initially provided for the very first application in 2015. The alteration would have taken no more than 10 minutes. In the time it has taken the applicant to provide this plan a flood risk consultant could have been instructed and provided a robust report on the risk and ways of mitigating that risk. This information could then be used to provide a suitable scheme.

***Surface Water Runoff***

The amendment to the plan to seek to address this issue would seem to be the removal of a small section of wall. As we have said this does not change the position with regard to the surface water runoff. The patio area is

# Stovell & Millwater Limited

Chartered  
planning and  
architectural  
consultants

5 Brentnall Centre  
Brentnall Street  
Middlesbrough  
TS1 5AP

Web: [www.davidstovellandmillwater.co.uk](http://www.davidstovellandmillwater.co.uk)

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higher than the car park. Just by removing the wall it is not removing the problem. The water would still be directed into a narrow gap alongside our Client's property. Still no evidence has been submitted to look into the impact of the wall and raised hardstanding area behind it nor has it been demonstrated that this amendment would prevent surface water flooding.

The previous or current position with regard to surface water flooding has still not been explored or addressed in any form. Simply removing the wall does not address the issue. In fact it would make no difference at all to the problem.

We would still stress that we believe a planning condition should be included to address the flooding issue. One similar to that suggested in our correspondence dated 26 July 2018 could overcome any future problems and allow the development to accord with Policy DP1 as it relates to surface water.

The car park is a large impermeable hardstanding area with the lowest point being the area in question. It would not be inconceivable for the wall and raised hardstanding to cause flooding as now proposed. As it stands we have no way of knowing what flooding issues could arise from the development and if approved in its current form the Authority are relying solely on good fortune that no future problems occur, a position that is totally unreasonable and potentially dangerous.

### **Summary**

Our Client's objection remains. There has still been no evidence submitted to demonstrate that the amendment would overcome any potential surface water flooding even though the applicants have had more than sufficient time to address this issue properly. The simple inclusion of drainage in the appropriate place could address the problem but hasn't even been considered. We maintain this development is at odds with the Local Plan, specifically Policy DP1 and should be resisted until a suitable scheme comes forward with evidence to demonstrate that it is not going to impact on surface water flooding or a suitable condition is incorporated.

Thank you for taking time to consider our clients position. If you have any queries or would like to discuss the matter further please do not hesitate to contact us.

Yours sincerely,

Bradley Stovell PGDip BSc  
**David Stovell & Millwater**