

From: Mrs J. Marlev. Clerk to Hackness & Harwood Dale Group Parish Council

Sent: 12 March 2019 17:14

To: Jill Bastow

Subject: Re: NYM/2019/0021/FL Sunny Bank House, Broxa Lane, Hackness - Parish

Jill - they were dead against creating a property which would be open market. We need homes for locals, not for people with pots of money from away. If you can't give any weight to the emerging local plan then so be it. Council was adamant it didn't want an open market dwelling and instructed me to object to it - using the Adopted Local Plan I would have to base Council's objection on it being contrary to Adopted Local Plan Core Policy J and Development Policy 8 on the grounds it did not accord with point 8 of that policy. If the barn conversion was created with a local occupancy restriction in place they would accept that. If the restriction was moved and it ended up with 2 properties having the local occupancy restriction instead of 1 then that's good. But simply swapping the restriction from new to existing is not acceptable. Hope that makes sense. I have amended final paragraph of objection (below) to reflect Adopted Local Plan instead of draft plan. Any problems - please give me a ring weekdays after 1pm. Jools

While appreciating the applicant is having trouble selling the property due to the local occupancy condition, it is not considered this difficulty outweighs the requirements of the Adopted Local Plan. Furthermore it is considered that granting this application will create a most unwelcome and undesirable precedent in respect of future applications to convert barns/agricultural buildings within the National Park into residential accommodation.

Council therefore strongly objects to the application as submitted on the grounds it is contrary to the Adopted Local Plan.

From:
To: [Planning](#)
Subject: Conversion of barn to form dwelling (revised scheme to NYM/2015/0209/FL) and transferring of local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Broxa Lane, Hackness NYM/2019/0021/FL
Date: 12 March 2019 16:32:33

FAO Mrs J Bastow

Further to my e-mail of the 24th January 2019 I have spoken with the applicant who has confirmed, in relation to my concerns:

- 1 There is an escape window on the first floor; this addresses my concerns in relation to the staircase in the kitchen.
- 2 The current level of natural lighting does not meet the recommended standards; however additional skylights will require further planning permission. I would support such an application but if this is not acceptable from a planning perspective I will reluctantly accept the current proposal as it stands.

If you wish to discuss this matter further please contact me as below.

Thanks

Steve

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

www.scarborough.gov.uk

From: Steve Reynolds
Sent: 24 January 2019 14:35
To: 'planning@northyorkmoors.org.uk'
Subject: Conversion of barn to form dwelling (revised scheme to NYM/2015/0209/FL) and transferring of local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Broxa Lane, Hackness NYM/2019/0021/FL

FAO Mrs J Bastow

Conversion of barn to form dwelling (revised scheme to NYM/2015/0209/FL) and transferring of local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Broxa Lane, Hackness

Your ref: NYM/2019/0021/FL

I refer to your e-mail of the 24th January 2019 regarding the above application. I have a few concerns with the proposal:

- 1 The location of the staircase in the kitchen area presents a fire risk. In the event of a fire in

this high risk area escape via the staircase would be compromised. If the staircase cannot be relocated then effective provision must be made for escape from the upper room by way of an escape window.

2 The level of natural light and ventilation to the proposed bedroom appear to be below the required standard. There should be a window area the equivalent of 10% of the floor area or more to give adequate natural light and an equivalent of 5% of the floor area openable for natural ventilation.

If these matters can be addressed however I would have no objections to the application.

Thanks

Steve

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

From:
To: [Planning](#)
Subject: Comments on NYM/2019/0021/FL
Date: 10 March 2019 15:48:16

Convert barn to 1 open market new dwelling and new access (part revised scheme to NYM/2015/0209/FL) and transfer local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Hackness.

The above application has been considered by Hackness and Harwood Dale Group Parish Council.

Council accepts that the principle of converting the barn to accommodation and creating a new access was established by the decision on NYM/2015/0209/FL.

Council has no objection to the local occupancy restriction being transferred to Sunny Bank Cottage.

However Council does most strongly object to the new dwelling being for the open market as such a proposal is completely contrary to the draft Local Plan.

- Strategic Policy M - Housing clearly states that housing in smaller villages, of which Hackness is one, will only where it comprises conversion of an existing building or a small infill development providing local needs or affordable housing.
- Policy CO8 (Housing in Smaller Villages) states housing development will be permitted which is conversion of an existing building within the main built up area to local needs or affordable housing where the proposal complies with the requirements of Policy CO12

While appreciating the applicant is having trouble selling the property due to the local occupancy condition, it is not considered this difficulty outweighs the requirements of the draft Local Plan. Furthermore it is considered that granting this application will create a most unwelcome and undesirable precedent in respect of future applications to convert barns/agricultural buildings within the National Park into residential accommodation.

Council therefore strongly objects to the application as submitted on the grounds it is contrary to the draft Local Plan.

--
J Marley (Mrs)
Clerk to Hackness and Harwood Dale Group Parish Council

(comprising the parishes of Broxa cum Troutsdale, Darncombe cum Langdale End, Hackness, Harwood Dale, Silpho, and Suffield cum Everley).

Annan,
41 Scalby Road,
Burniston,
Scarborough

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/021/FL**

Proposed Development: Application for conversion of barn to form 1 no. open market dwelling and new access (part revised scheme to NYM/2015/0209/FL) together with the transferring of local occupancy restriction

Location: Sunny Bank Cottage at Sunny Bank House, Broxa Lane,
Hackness

Applicant: Mrs Ivy Stuart

CH Ref: **Case Officer:** Kay Aitchison

Area Ref: 4/21/81A **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 14 February 2019

FAO: Jill Bastow **Copies to:**

Note to the Planning Officer:

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The visibility for the existing junction to Sunny Bank Barn is very poor. However following extensive discussions with the architects and applicant the topography of the site would make any alternative access proposal extremely difficult. The existing access is therefore to be improved with the extension and widening of the footway to move the visibility point for vehicles exiting the site further into Broxa Lane.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM19/021/FL

1. HC-07 Private Access/Verge Crossings: Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, **no part of the development shall be brought into use** until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

d. The crossing of the highway footway shall be constructed in accordance with the approved submitted details (reference drawing number **1300-5B**) and constructed in accordance with Standard Detail number **E9A** for the crossing and **E6W** for the extended footway.

e. 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 or proposed highway.

g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details shown on drawing **1300-5B** and maintained thereafter to prevent such discharges

h. The final surfacing of any private access within **4 metres** of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

HI-07 INFORMATIVE

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

REASON

In accordance with policy # and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

2. HC-10 VISIBILITY SPLAYS

There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of **33 metres** measured along both channel lines of the major road **Broxa Lane** from a point measured **2.4 metres** down the centre line of the access road. The eye height will be **1.05 metres** and the object height shall be **0.6 metres**. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No: **NYM19/021/FL**

REASON

In accordance with policy number and in the interests of road safety.

INFORMATIVE

An explanation of the terms used above is available from the Highway Authority.

3. HC-14b PROVISION OF APPROVED ACCESS, TURNING AND PARKING AREAS

No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number #:

- a. have been laid out in accordance with the submitted drawing (**Reference 1300-5B**)
- c. are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

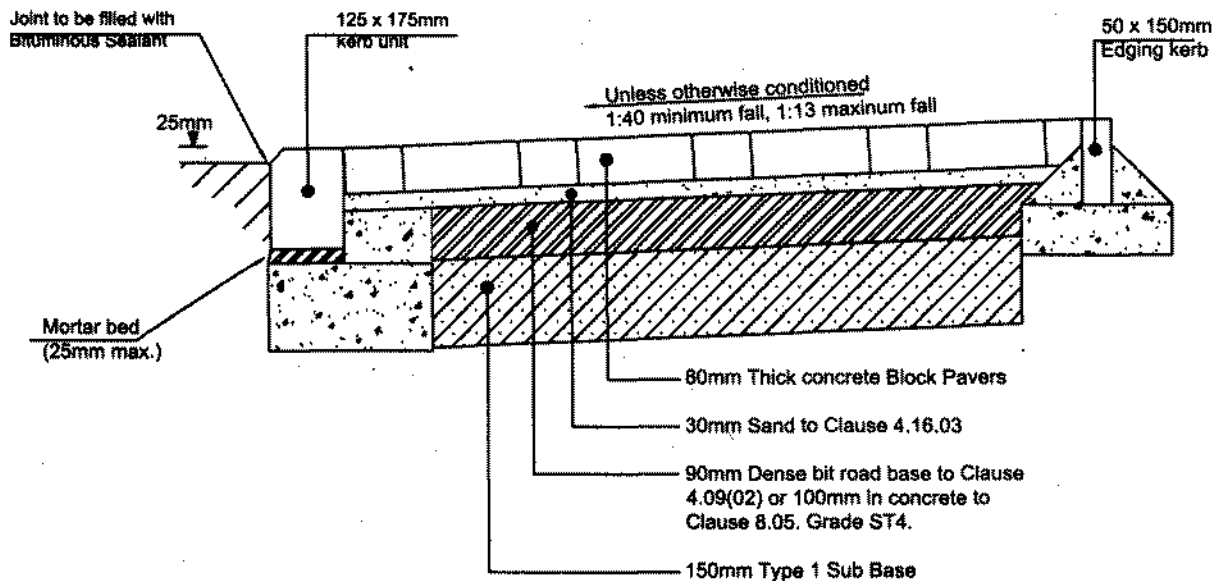
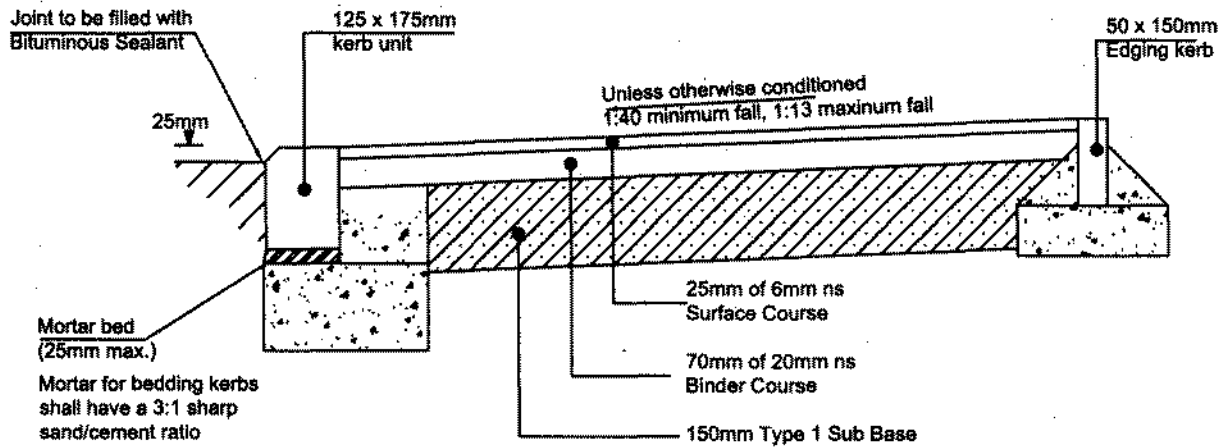
Signed:

For Corporate Director for Business and Environmental Services

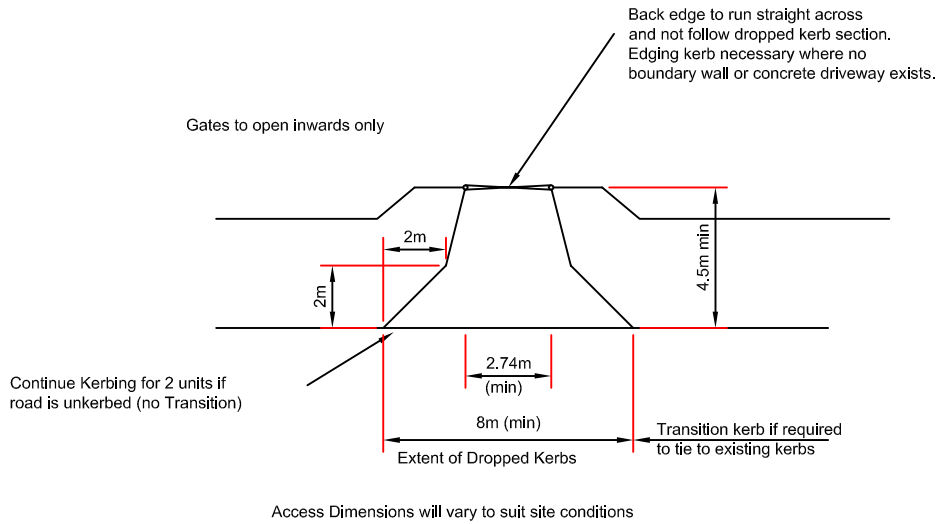
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Discovery Way
Whitby
North Yorkshire
YO22 4PZ

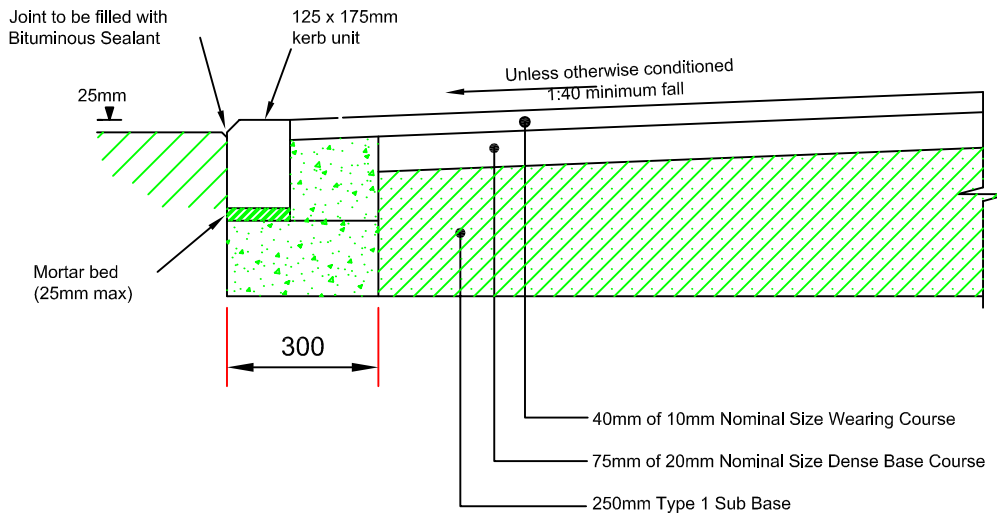
e-mail:




NORTH YORKSHIRE COUNTY COUNCIL Director of Environmental Services :- M O MOORE C.Eng., FICE, FIHT, DMS	PROJECT :-	Environmental Services Development Control	DRAWN MCF	SCALE:- NTS
	DRG. TITLE :-	FOOTWAY CROSSING DETAIL	CHECKED	DATE:- May 06
			APPROVED	DRAWING No :- E6 W
				REV. A



PLAN VIEW



SECTION THROUGH MACADAM CROSSING

 <p>NORTH YORKSHIRE COUNTY COUNCIL Director of Environmental Services :- M O MOORE C Eng FICE F I H T D M S</p>	PROJECT :-	Environmental Services Development Control	DRAWN J.D.Putsey	SCALE:- NTS
	DRG. TITLE :-	Access Detail	CHECKED	DATE:- February 2002
			APPROVED	DRAWING No :- E9/ A
				Computer Filename : Stand Detail E9/A

From: [Mark Antcliff](#)
To: [Planning](#)
Subject: NYM/2019/0021/FL – Sunny bank House, Broxa Lane, Hackness
Date: 11 February 2019 17:51:16

NYM/2019/0021/FL – Sunny bank House, Broxa Lane, Hackness

In respect of the two TPO trees to the front of the property I can confirm that the increased width of the driveway can be accommodated as per the original planning approval providing it is carried out in the manner proposed and that all the remaining root protection area is treated as an exclusion area for the duration of the construction phase.

The only exceptions to the above will be to remove by hand stones and rubble immediately around the trees and within the visibility splay. There is no requirement to reduce soil levels to obtain the required visibility and indeed this should not be undertaken. However, the removal of the stones and rubble and careful raking to fill any depressions left will effect a modest reduction in ground level without any impact on the trees. The other exception will be to remove the build-up of spoil between the barns and the trees. It is not known how long this spoil has been in place and therefore its removal, reduction or re-profiling will have to be carried out with caution. Initial exploratory works will need to be carried out by hand, and then by agreement perhaps the use of a mini excavator would be appropriate if used with appropriate precautions. Perhaps this latter work could be covered by a condition.

Mark Antcliff
Woodland Officer

From:
To: [Planning](#)
Subject: Conversion of barn to form dwelling (revised scheme to NYM/2015/0209/FL) and transferring of local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Broxa Lane, Hackness NYM/2019/0021/FL
Date: 24 January 2019 14:35:16

FAO Mrs J Bastow

Conversion of barn to form dwelling (revised scheme to NYM/2015/0209/FL) and transferring of local occupancy restriction to Sunny Bank Cottage at Sunny Bank House, Broxa Lane, Hackness

Your ref: NYM/2019/0021/FL

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Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council