

From:
To: [Megan O'Mara; Planning](#)
Subject: Re: 40 Main Road, Aislaby - NYM/2019/0496/FL
Date: 03 September 2019 21:24:25
Attachments:

Dear Team

The parish council resolved no objections to this application.

Regards

Victoria
Aislaby Parish Clerk

Sent from my BlackBerry 10 smartphone on the EE network.

From: [Planning](#)
To: [Planning](#)
Subject: Comments on NYM/2019/0496/FL - Case Officer Miss Megan O'Mara - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP, via email: building@northyorkmoors.org.uk
Date: 28 August 2019 13:41:48

40 Main Road Aislaby is a traditional mid-terraced 1½ storey stone and pantile property located within the centre of the village and the Conservation Area (a designated heritage asset). The property, like many others in the village, is set back from the highway and bounded by an attractive stone wall which is a prevailing streetscape feature seen throughout the Conservation Area. The public footpath outside this terrace is also made up of traditional stone flags which is becoming a more limited feature as a result of the introduction of modern tarmac where more recent highway works have taken place. It is however noted that this is to be reinstated after the works.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities in exercising its planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The village is also subject to an Article 4 Direction which removes certain permitted development rights, including the erection, alteration or removal of a wall, fence or gate in order to protect such features which contribute to the character of the Conservation Area.

The relevant sections of the NPPF are: para.192 states that LPA's should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Para.193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para.196 states that where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

It is considered that the creation of a parking area in the front garden and loss of the attractive boundary wall would destroy the simple form of the existing streetscape character and would appear visually obtrusive, breaking the continuity of the frontage of the terrace. This harm is highlighted by works carried out to the neighbouring property which was done prior to the introduction of the Article 4 Direction in 2006. As such, in accordance with the Act and the NPPF the proposed development would not be considered to make a positive contribution to the local character and distinctiveness of the Conservation Area and therefore any harm should require clear and convincing justification and be weighed against public benefits. Having read the local highways response there does not appear to be parking issues within the village or highway issues with the current on-street parking and therefore it is not considered that there is compelling justification for any harm to the character of the conservation area and that there are no public benefits to off-set the harm. The retention of a small amount of wall to either side and the use of natural stone paving is not considered to adequately mitigate against the loss of the wall and the harm this would have to the character of the Conservation Area and therefore refusal is recommended.

Comments made by Building Conservation of The Old Vicarage

Bondgate
Helmsley
York
YO62 5BP
via email: building@northyorkmoors.org.uk
Phone: 01439 772700
Fax: 01439 770691
EMail: building@northyorkmoors.org.uk
Preferred Method of Contact is: Post

Comment Type is Refuse
Letter ID: 527988

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/496/FL**
Proposed Development: Application for insertion of dropped kerb to allow off street parking
Location: 40 Main Road Aislaby
Applicant: Dr Sarah Cooke

CH Ref: **Case Officer:** Ged Lyth
Area Ref: 4/36/150 **Tel:**
County Road No: **E-mail:**

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 21 August 2019
FAO: Megan O'Mara **Copies to:**

Note to the Planning Officer:

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

The LHA has considered how many parked vehicles the proposed driveway will be able to accommodate and how many on street spaces the dropped kerb access is likely to deter. The drive way length is only long enough to cater for one normal sized car. The amount of full height kerb left between the drive at nr 38 and the proposed drive would not be long enough to cater for a normal sized car, therefore 2 on street parking spaces would effectively be lost to gain 1 off street parking space. However, the LHA are not aware of any particular demand for parking issues in this area and therefore would not object to this proposal.

Consequently the Local Highway Authority recommends that the following **Condition** is attached to any permission granted:

HC-07 Private Access/Verge Crossings: Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM19/496/FL

material on the site until the access to the site has 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 Standard Detail number E6W but using paving flags and kerbs to match the existing footway materials.

e. Any gates or barriers shall be erected a minimum distance of six metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway.

g. Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed in accordance with approved details and maintained thereafter to prevent such discharges

h. The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing 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

Signed:

Ged Lyth

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail: _____

From:
To: [Planning](#)
Subject: Re: 40 Main Road, Aislaby - NYM/2019/0496/FL
Date: 03 August 2019 10:18:09
Attachments:

Dear Team

Our next parish council meeting is on the 3rd September therefore can we ask for extension to respond?

Regards

Victoria Pitts
Parish Clerk

Sent from my BlackBerry 10 smartphone on the EE network.
