
Planning Conditions: 10 South End Osmotherley

Further to the seven pages of detail conditions, emailed on Wednesday evening 28Aug19 and opened by me on 30 Aug19, and my phone call on Tuesday 3Sept in connection with the above. These were summarised in the Committee report to Members. For confirmation of clarification received from the Head of Planning and the Senior Planning Officer:

Clause 4

In respect of the clause on Local Occupancy, I advised that I had been upfront since the first application discussion in 2017-18, in asking if the clause on 'Permanent Occupancy', as opposed to 'Local Occupancy' as drafted for the new Local Development Plan could be later ascribed to the property, due to the need to recover costs. There is no speculation involved here in making money, only the extent of the loss involved in bringing empty and unusable heritage assets back into use.

It was advised that this would be possible if the Local Development Plan as submitted was approved in this respect. This issue was again raised at the additional site meeting with the Head of Planning and the Senior Planning Officer and they concurred the position remained the same. It was pointed out that at the present time, this could be given no weighting until the Local Plan was approved and this was set out in a Committee report on the 5Sept19 Agenda.

Clause 6

You clarified the condition for commencement and confirmed that that it was not solely in respect of demolition but that no work could commence on the development proposal without approval from the National Park that a signed contract was in place for the development proposal. This was based on a clause used in York to avoid demolition of buildings occurring and subsequently being left undeveloped for years to allow for lucrative earnings from car parking. The National Park did not wish to have demolition occur and the land remain undeveloped.

There was concern that this meant that no work could commence on repair and maintenance work, such as works to the main roof and replacement of down pipes or insulation to the original dwelling. It was advised that there should be no problem with repairs or replacement of 80's kitchen or bathroom fittings. In respect of roof retiling, rainwater goods and drainage, the type of tiles would have to be cleared with the National Park and procedures followed for 'Article 4 ' in respect of rainwater goods. These and similar required repair and maintenance could proceed as normal and separate from the proposed conditions for planning approval. A list could be agreed with the Planning Authority of items falling into this category.

Clause 12 and 14

In respect of the additional clauses to those normally used for listed buildings for the design and construction of the doors and windows, you confirmed that this did not entail altering the visual appearance of the doors and windows in respect of the extent of glazing or glazing bars as shown on the approved drawing and on which revisions were made by yourselves and incorporated as agreed in the final drawing submitted. Rather did it apply to the construction details requiring to be provided for approval.



Clause 7

There is a requirement that no work shall commence on site to clear or strip out the building to which this permission relates until the provision and approval of a new *full Conservation Structural Survey from an appropriately qualified professional from a Conservation Background being submitted and approved by the Local Planning Authority*. This is some two years after the original Structural Survey was commissioned at some expense, (as required by the National Park for listed building submission), undertaken and reported by a fully qualified Structural Engineer experienced in working with Local Authorities and other bodies. This individual was highly recommended to me as having a background and experience over the last twenty years in the inspection and restoration of structural integrity to old, traditional buildings both heritage assets and listed buildings. I have no cause to question his report in terms of assessment of structural condition and need for action if the building is to be brought into occupational use.

It is important for occupational use that the integrity of the structure is sound and will comply with Building Regulation Inspections. The north, east and west face of the outbuilding structures are retained. It is only the South external wall and the internal loadbearing wall that require to be demolished and rebuilt. What ever solution proposed and implemented by the proposer needs to ensure that professional indemnity cover can be secured. This cannot be provided by either the National Park or by an individual- regardless of how qualified, who proposes a solution but does not bear responsibility for the subsequent design, calculations and implementation.

I have already previously had two structural surveys undertaken by fully qualified by Conservation accredited Structural Engineers. In addition the authority has had their own Conservation Structural Engineer undertake a survey. The current supporting system, of acro props and timber members supporting the roof, was undertaken by a Conservation accredited structural engineer.

The proposed demolition and rebuild is not substantial. The limited extent was shown at the last committee in supplementary information to Members. It may be that it is wished to undertake less demolition as occurred in 1980 with subsequent structural works now required to address the inherent structural problem. However as the main query appears to be in respect of the proposed solution by the structural engineer being of block work on a concrete raft foundation- a common and robust solution to ground movement and the need to avoid differential movement across the building whilst securing loadbearing capacity. This is not seen as acceptable although the wall is proposed to have a plaster finish. Where conservation methods are appropriate the structural report recommended their adoption such as 'stitching'. Rather than a further costly duplicated structural engineering survey, only requested at this late stage, I would ask that the condition be modified to the following:

‘ That the detail Structural Engineering proposals consider reasonable alternative means, including traditional conservation methods for addressing the identified structural and related conservation issues, whilst meeting the required level of structural integrity for residential occupation allowing for professional indemnity cover and compliance with Building Inspection, for consideration by the National Park Authority before implementation ‘

K Livingston
4Sep19

