

Members Update Sheet

Item 1 NYM/2018/0039/FL

Caroline Patmore - County Councillor for the Stillington Division

This site is well known to me having been elected a NYCC member for the Stillington Division for the last 23 years. During this time I have been called out to the site on several occasions by the then tenant of the allotment, the late Mr Graham Fulton. Mr Fulton tried on behalf of the parish council and himself to get NYCC or Newburgh Estate to do work to relieve the flooding which was causing problems on the application site, his own property, that of his near neighbours on the east side of Byland Road, and the highway itself.

I have personally witnessed this flooding and the depth of the water which can vary. It is particularly dangerous on the highway which carries the deepest water and lies only a short distance from a ford just outside the village boundary. Usually the ford is dry except on occasions when there is heavy rain in the catchment area. This causes a dilemma for vehicles that have managed to negotiate the flooding in the village only to find themselves marooned between what they have been through and the swift flowing water of the ford, and whether to do a "U" turn. Vehicles negotiating the floodwater can cause a wash that goes through the hedge onto the application site which also floods from water coming off the bank. Mr Fulton invested in a pump to relieve this problem as he found it so irksome, but when the water is as extensive as this flood can be, there was nowhere to pump the water until it subsides naturally.

There are several letters in your Application Report from people living in the village or who know the village well and are distressed about this build for many reasons including the flooding, but only one letter of support from a person who lived in the village but well away from the flood area. I attach a copy of an article that was published in the Daily Mail last Saturday (16/05/20) and shows the extent of the feeling about this Application build.

It is disappointing and concerning to residents of Coxwold and to myself that this Application is recommended for Approval when the matter of flooding has been left so long in abeyance without remedy. There is no guarantee that it will be dealt with in the future either whether the houses are built or not.

Because of this I would like to suggest to the Planning Committee hearing this Application that there are possibly two solutions: -

1. That the Committee consider "Approval" only AFTER the matter of the flooding has been dealt with, and the Authority is satisfied with the work
2. And In the alternative, a condition of any Approval given be that work can only be started on the site AFTER the work to remedy the flooding of Byland Road and surrounding land has been completed to NYMNPA's satisfaction.

Village fury at Cromwell clan over 'cavalier' housing push

By Chris Brooke

THE owner of a stately home reputed to be the final resting place of Oliver Cromwell is facing a residents' revolt over a plan for new homes that would 'sacrifice' the nearby village.

Newburgh Priory, just outside the North Yorkshire village of Coxwold, has been in the same family for almost 500 years.

Owner Stephen Wombwell needs funds to expand his family's wedding business and secure the Tudor property's future.

Four housing developments - including two in Coxwold, which is just inside a national park - is his solution. Three 'affordable dwellings' have already been approved but a more controversial application for four houses on a field which is repeatedly flooded is opposed by locals.

They argue the increased run off will cause neighbours' houses to be even more impacted by floods. Some residents also claim the



Countryman: Cromwell's body is said to be at Newburgh Priory scheme would 'severely damage the appearance of our village'.

He added: 'Although I appreciate the advantages of the proposed development to Newburgh Priory and that it needs to be funded, I am not sure that Coxwold needs to be sacrificed.'

Another local wrote to planners to object to the 'urbanisation' of the village. But resident Dr Hilary Arksey backed the plan because

'the village needs new blood'. He said: 'This would bring in new residents, hopefully of a younger age group.'

The cost of restoring the stately home and estate has been put at £26million. Mr Wombwell said: 'Many of my ancestors were rich but that kind of money has gone.'

The former Augustinian priory was sold by Henry VIII in 1538 to the royal chaplain. It has been in the same family since, which includes the Earls of Fauconberg. One of them married Mary, Oliver Cromwell's daughter, in 1657.

Cromwell died of natural causes in 1658 but when the Crown was restored in 1660 his body was exhumed from Westminster Abbey for a posthumous execution.

While the head was eventually interred at Sidney Sussex College, Cambridge, in 1960, mystery surrounds the fate of the rest of the body. Family legend says Mary paid a bribe to have it returned to Newburgh Priory where it remains in a stone tomb in an attic room that has never been opened.

Another local wrote to planners to object to the 'urbanisation' of the village. But resident Dr Hilary Arksey backed the plan because

Others: Mr & Mrs Chidwick - 17 May 2020 - 1 Orchard Cottage - Continue to object for reasons already submitted and would also add the following:

- Why were two storey homes rejected on the grounds that only single storey homes were acceptable, yet this application still contains two two storey homes?
- Despite the alleged need for more affordable housing in the village, three affordable homes have been for sale for a very long time on Thirsk Bank, one for over a year. One has only recently sold but that still leaves two. We would contend that the homes in this planning application will not be deemed affordable, especially if trying to attract younger people to the village.
- The refutation of our objections based on our experience of flooding on Byland Road is basically founded on an assumption that we have misled the Authority, despite our having submitted photographs.
- The application still contains no measures to protect our properties from flooding arising from run off from the beck next to the proposed site during the increasing number of heavy rain events we are experiencing. These events can bring increased amounts of debris down the beck, overwhelming the broken culvert and causing the beck to flood the road and wash into our properties, as shown in photographs already submitted. There is similarly no mention of arrangements to cope with the no doubt increased run off from the proposed hard standing, not to mention roof water. During these heavy rain events, a pool forms in the bottom corner of the field next to the lane and that also can flow out on to the road.
- The culvert which is supposed to take the water from point 4 is broken and has been for many years. It is the applicants' responsibility to fix it and, whilst it may be a condition of granting planning permission, who will actually verify to everyone's satisfaction that this and other conditions are met before building work begins?
- Despite much and passionate representation from many villagers, ourselves included, our local parish council has still not consulted any of us about this development yet has given it their approval.

Mr Roy McGhie, 2 Orchard Cottage, Coxwold - The Planning Officer's recommendation for this development states the following (emphasis mine):

*"As the application for four principal residence dwellings is contrary to Policy provisions, and only being considered acceptable as a form of enabling development, it is considered that permission could only be granted if there was also development meeting the needs of the local community. **The Rural Housing Enabler has undertaken a housing needs survey which identifies a small need in the locality** and one Registered Social Landlord (RSL) has been approached who has suggested they might be interested in purchasing the other site."*

I have an email from the Rural Housing Enabler who carried out the survey. She has confirmed that the survey she carried out **does not show a need for housing**. She stresses that the response rate was so low that it is impossible to state what the local housing need in Coxwold is. **I have attached the email chain from the RHE below.**

Three affordable houses have already been approved via delegated authority earlier in the month for the applicant, and now the Planning Committee is being asked to agree to an additional four open market houses in direct contradiction of Policy provisions, all in a small rural village which, contrary to the opinion of the Planning Officer's Report, has no identified need for any additional housing.

From: Amanda Madden
Sent: 19 May 2020 09:25
To: 'Roy McGhie'
Subject: RE: Coxwold Housng Need Information

Yes that is fine

Amanda Madden
Hambleton Rural Housing Enabler
Housing

Email:
Website:

Please note that I work alternate Wednesdays, every Thursday and Friday

From: Roy McGhie
Sent: 19 May 2020 10:25
To: Amanda Madden
Subject: RE: Coxwold Housng Need Information

Would it be okay if I confirmed to the committee your view that it's impossible to say what the housing need is based on the limited response to the survey?

Thanks,
Roy

Sent from my Samsung Galaxy smartphone.

----- Original message -----
From: Amanda Madden <
Date: 19/05/2020 10:21 (GMT+00:00)
To: 'Roy McGhie' <
Subject: RE: Coxwold Housng Need Information

I am sorry Roy but it is impossible to say what the housing need is from the only 3 responses I received from my survey.

Moira Fulton, The Old Chapel, Coxwold - Having read the Planning Officer's recommendation for acceptance of this development I would like to make some further points in addition to my original objections.

1 Why has the developer's plans for two double height + two single storey houses been accepted, when originally, the NP had stated that only single storey houses would be approved in order to preserve an important view up the village. Is it because Newburgh has put pressure on the NP & refused to release land for low - cost housing unless the NP abandoned their guidelines?

2 The Director of Planning Report p 17 states that Newburgh contributes to tourism in the NP, including Coxwold. The contribution to the economy of Coxwold is marginal. Newburgh is only open two afternoons a week in April, May & sometimes June & has its own tea room. It is closed at the height of the tourist season in July, August & September.

3 Newburgh still owns eight properties in the village + The Fauconberg Arms, as well as properties in other villages. It could sell one or more properties to fund development without damaging the appearance of Coxwold. Allowing this development goes against all strategic policy guidelines & will encourage further applications for development by Newburgh on their other land in the village, which will be difficult to refuse.

2 Allowing a large four bed house of 7.4 metres in height, next to the much lower Old Chapel, goes against NPLDP directives viz. **DP3** "*seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, and density of development preserves or enhances views into and out of the site; that **the scale, height, massing and design are compatible with surrounding buildings.***"

3 Allowing a development of no architectural distinction ignores **DP4** "*seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character or setting of the area.*"

4 The Old Chapel built in 1864 as a Primitive Methodist Chapel, is also an historic building which, as the first building seen on the approach to the village from Ampleforth, provides an attractive entry point. This view will now be completely blocked by the 7.4 metre house immediately next to its boundary. Page 18 of the report admits that views adjacent to the Old Chapel will be blocked. The report also states" the proposed development, whilst adjacent to the rear garden, would not have an overbearing impact or result in an unacceptable loss of daylight to that adjacent property" This statement is purely a matter of opinion not of fact.



The Old Chapel to the eaves is 4 metres so the scale of the 7.4 metre house will completely dwarf the Old Chapel. The whole length of its small garden will be dominated by this large house, its offshoot & double garage & this is a statement of fact, not an opinion



This is the fine view from the Old Chapel which will be blocked by the four bedroom house. P 17 of the report admits there may be some damage to the large sycamore tree on the edge of the field

5 When Mr & Mrs Frith built Wakendale, 10 years ago, the NP imposed very strict regulations on the height of their house, which had to be lower than adjacent Orchard Cottages & they were also instructed to keep the height of their garage below the out building of the adjacent Forge. Does this mean that an application from Newburgh Priory is not subject to the same planning regulations as a private individual?

6 The reason the NP has given to approve this detrimental development is that there is a need for more houses in the village. Until recently there have been three terrace houses, in



good condition & at affordable prices, for sale for several months (one for over a year), one is now sold but two are still on the market. This does not suggest there is an urgent need for more housing, particularly of the expensive four bedroom type which is not likely to be affordable to many young people.

The two lower houses are still for sale (May 16th 2020)

7 The land released by Newburgh for three low cost houses is next to the sewage works, which smell in hot weather. It would not be of interest to a commercial developer. It is unlikely given this position that, even at low cost, the properties will prove popular.

8 The LLFA on page 7 of its reports states "*the evidence the field floods is inconclusive*", does this mean it is has been assumed that those who wrote in about the evidence for flooding & those who signed the petition 20/02/20 have deliberately lied?

9 If, despite the knowledge that guide lines are being broken by permitting this development, Members agree to it on May 21st, I trust that at least the damage will be reduced, by only giving permission for four single storey houses, which was the original plan of the National Park. Although giving such permission will set a dangerous precedent for future development in Coxwold, these single storey houses will have a less visually detrimental effect on the approach to the village from the north.

Please see below information received in support from the Planning Agent:

Newburgh Priory Development Strategy Summary

January 2019



"This Development Strategy offers the once in a generation opportunity to provide a genuine boost to the Howarthian Hills economy, creating a critical mass to help support secondary independent businesses and celebrate the area.

In doing so it would save the future of the Grade I Listed Priory and place the Estate on a long term sustainable footing."



1 - The Core Estate

The Grade I Listed Priory and its surrounding listed structures have been home to the Wombwell family for over 300 years, regarded as a nationally significant collection of buildings. Despite careful stewardship, the economic reality is the Estate is unable to afford the upkeep of the core Listed Buildings. There is a real danger that the buildings will fall beyond repair and be lost without a sustainable future.

In 2011 an Estate Strategy was formulated to understand the options to reverse this decline. Subject to planning permission it was clear that allowing the conversion of disused buildings to deliver a purpose built wedding and events venue of exceptional quality that would generate sufficient additional income, building on an established wedding business to provide a secure future for the buildings.

3 - Planning Fit

To achieve the catalyst funding for the building fabric repairs, four small developments were agreed to be promoted under local HDC Policy CP4, paragraph 79 (paragraph b) of the NPPF and Section 66(1) of the Listed Building and Conservation Areas Act 1990 and the special duty this places on preserving Listed Buildings (below). The developments fall in both NYMNP and HDC. Both authorities have confirmed that the principle of development could be acceptable in this context through positive pre-application engagement.

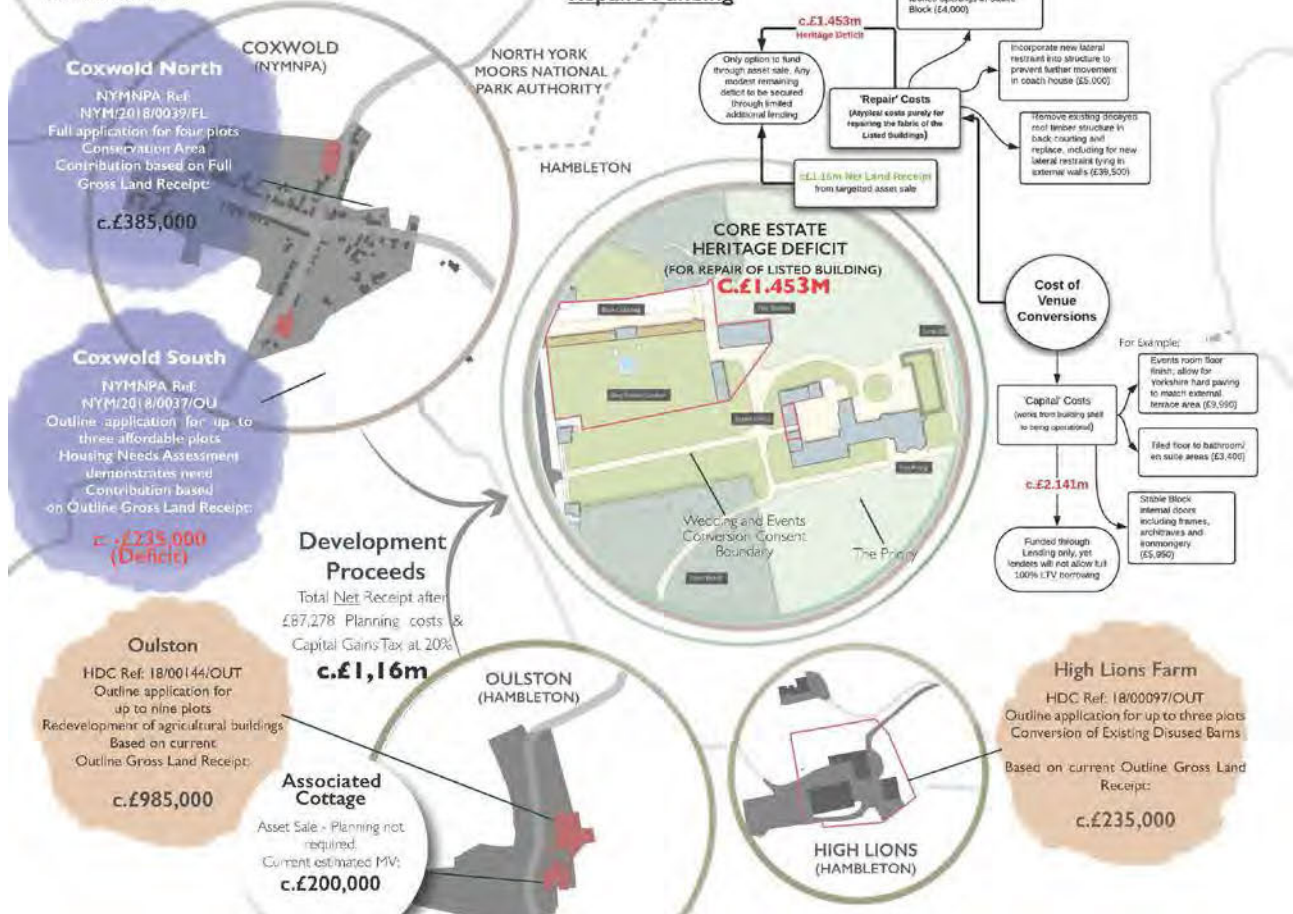
The Estate would enter into a legally binding S106 agreement whereby the net land receipts are wholly invested as proposed in draft Heads of Terms submitted for discussion. Should the sales generate more profit than anticipated, the S106 will guarantee that all profit will be spent on repairing the fabric of the core Listed Buildings. The proposals have been carefully balanced to ensure maximum value, whilst also ensuring delivery of mutual benefits, such as affordable housing and sympathetic placemaking.

The schemes are not formal Enabling Development in the context of the 2008 HE guidance as this applies to developing within the grounds of Listed Buildings. This guidance does not function when applied to complex proposals with multiple capital streams. Irrespective, the same principles have been matched and the developments brought forward as a linked heritage case (as set out within accompanying viability information).

2 - Wedding, Events and Economy

Within the 2011 Estate Strategy an opportunity was identified to expand the existing wedding and events business - allowing a fully functional wedding and events operation with permanent facilities to place the Estate on a sound economic basis for the future and allow effective maintenance of the Grade I and II Listed Buildings. Consent for the business expansion was approved by Hambleton District Council in early 2017 application (ref- 16/02144/FUL & 16/02145/LBC), supported by Historic England. Once implemented this will cement the Estate as a driver in the tourism and visitor economy of the Howarthian Hills.

4 - The Heritage Repairs Funding



Officer Comments:

This application relates to principle residence dwellings and there is no requirement for a need to be demonstrated in advance of an approval being granted.

This application doesn't relate to affordable housing, however, the recommended Section 106 Agreement would, amongst other things, require that the affordable units approved on a separate site in Coxwold be built before this proposed development could be commenced.

In terms of concerns regarding flooding, the proposed Section 106 Agreement will also require the applicant to undertake the necessary repairs to the culvert outside the site prior to the commencement of the development, as recommended by the Lead Local Flood Authority.

Item 2 NYM/2020/0054/FL

Others: Mrs Anna & Mr Andrew Newham, Hajoles House, 35 Ainthorpe Lane, Ainthorpe - We previously expressed our support for the proposed development of Ainthorpe Yard, Ainthorpe. We would like to further provide our support in writing to the Planning Committee meeting being held on the 21/3/2020; unfortunately neither of us are able to attend in person due to being key workers during the Covid-19 pandemic.

We note that objection has been made in regards to the development being '*wholly out of keeping*' with the pattern of development in the village and would '*result in the loss of an open space which is considered to contribute to the amenity, character and setting*' of the wider village. In our opinion the development of Ainthorpe yard would be wholly in keeping with the development of the village due to the sympathetic design and modest proportions of the dwelling, added to this the sustainable features of the build and property supports the criteria for developing housing that will improve economic, social and environmental sustainability of the local area.

In respect to the loss of open space or vista to the surrounding area we note that this proposed development site has never been identified as a visually important space and in our opinion does not provide a particular outstanding viewpoint to the surrounding countryside for local residents or visitors to the area and we do not believe it would be detrimental to the special qualities or distinctiveness of the village.

We note that refusal has also been based on the opinion that '*the site does not constitute a small gap within a continuously built up frontage*' and would '*represent sporadic development*', however the proposed site is in fact at the centre of the village and resides directly next to a neighbouring dwelling to the left and agricultural building to the right. We believe this development would therefore in fact add to the already existing character of the centre of the village.

Finally, over the last eight weeks during the lockdown imposed on us all due to the Covid-19 pandemic community spirit and support has grown immensely with local food suppliers being vitally important in providing the local community with supplies, particularly for our elderly and vulnerable residents. Mr and Mrs Asquith have been one of the many local residents and small businesses that have played a vital role in this and would be a true loss to our community if they were forced to take their livelihood and food production elsewhere. This

also extends out of the current pandemic situation where they regularly supply local businesses (pubs/restaurants) with high quality locally produced food supporting the local economy.

Additional Background Information

The applicant's agent has written in with additional information:

Additional Supporting Information – Ainthorpe Yard, Ainthorpe –
NYM/2020/0054/FL

For consideration by Members – Members Update

Additional justification for the 1 no. local occupancy dwelling.

In summary, the applicant wishes to put forward the following information:

- Less landscape harm would be caused with 1 no. dwelling than filling the site with 10 houses, which has been the suggestion of Officers during pre-application discussions.
- No overlooking issues will result from the proposed development.
- In our opinion there would be no landscape harm to the distinctive character of this part of the National Park.
- The applicant currently lives in a modest two bed, mid-terraced house and this isn't the most ideal for a growing family to live in – it has been a great starter home and will be freed up for someone to do the same.
- The point they are trying to make is that their current accommodation is too small for their needs and a growing business enterprise, which relies on other land and buildings in Ainthorpe belonging to their family.
- The development is not fully reliant on being needed for location employment, rather it is based on the fact that it is for a modest local need development in the first instance.
- Wages are modest in the National Park and fall way too short to buy larger housing in the area. This drives out local people and allows tourists and second home owners in.
- For the applicant to live in housing at Botton, his place of work, is not an option. Housing in Botton is for residential care homes, not for private rental, and has various planning restrictions on the properties which prevent them being let out to private families. The charity has been fighting this for a couple of years now with no success. Also, the charity has a very firm and strict policy which doesn't allow paid employees to live in any of its properties, so it's simply not an option.
- Two years ago, Park Officers met in Danby Village Hall and spent the whole evening telling locals how the park needs to support more local occupancy dwellings and that they would do their part to support this.
- Come end of June the applicants will be a family of 4, so a 2-bed house will be a tight squeeze.
- Housing for sale in Danby is scarce and the current market is fragile. What is available is much larger accommodation. Two are bungalows and the other one has no garden. These are not ideal properties for a family to reside in.

Continued ...

- The applicant is seeking to build a very modest-sized home in a row of existing properties, and they themselves are in housing need.
- The site is within the main built-up area and has the strong support of the Parish Council and local and neighbouring residents who do not raise an issue with the proposal.
- The emerging Local Plan policies state that development will be looked at where it is small-scale and is 'in or adjacent to these areas to meet local housing needs'.
- We feel the proposed development is considered to accord with the above in that it is 'small-scale' development in or adjacent to the area to meet a genuine and verified local need.

Applicants' comments:

"We have been thinking about making some comments as to our connections, not only to Ainthorpe village (7 - 8 generations) but also specifically to Ainthorpe Farm. The application site and land are the last remaining parcel of land owned by the Bonas family, from which Elizabeth directly descends (at least 3 generations).

It is extremely important and sentimental that the site remains in the family and our reason for purchasing the land. We want to bring a brand new, small-scale development (asset) to Ainthorpe which would be retained for the family (and others) for the next generation. Being able to live in this iconic landscape will mean our bit of local heritage continues to live on in a place we are familiar with.

As we understand, the National Park has spent an awful lot of money on the 'Land of Iron' project which is all about heritage and protection of heritage – surely this applies to local people and the way in which they live their lives?

Additionally, we note there is an application at the nearby Fox and Hounds, Ainthorpe which has recently been approved for a small-scale tourism venture, (we wish them and proposal well). But it seems the Authority is far more supportive of tourism and increasing visitors to the area, rather than supporting the local community which have to/ want to live here in the National Park. These are the people who keep the area ticking over and the landscape looking as it does."

Further comments:

"We operate a family run business keeping up an old school method of manually slaughtering our high-welfare poultry. This, 'our heritage' continues to thrive having been here for generations. It runs alongside a dedicated commitment to working the land, being producers of food and supplying the local community with our produce which generates a small amount of local employment.

Past generations have cared for the landscape - they weren't, and we aren't, here to destroy it in any way, we are merely requesting a very modest property to continue 'our heritage' and commitment through the next generation(s) of the family living and working in the National Park.

From Ainthorpe Farm alone, our family produced chickens, turkeys, pigs, dairy cows (a milk round to locals) and sheep. All of which required bodies to help farm it, from the village. We carry on the traditional method of rearing and slaughtering our high-welfare poultry as our forefathers did before us.

To quote from the NYM National Park website:

"There's no denying the passion for food across the North York Moors. Whether it's a family-run business keeping alive a centuries-old culinary tradition, a chef whose menu is driven by the seasons or a farm shop championing local produce, what unites them is their passion for the area and their conviction that only the best is good enough."

Sustainable location

Within the National Park opportunities for new housing are limited, particularly where it is small scale – infill sites are extremely rare. Ainthorpe is part of a rural Parish where the sharing of services between villages is seen to be sustainable in that it will improve environmental, social and economic sustainability.

Paragraph 77 of NPPF advises that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs; opportunities for villages to grow and thrive, especially where this will support local services.

In summary, a single detached dwelling of a modest scale and appropriate design will qualify as a realistic allowance in the presumption of achieving sustainable development which responds to local distinctiveness and the character of the immediate area.

Assimilation on the site

The advice of Officers is that the engineering works required to bring a dwelling to the site would be disruptive to the topography causing landscape harm. We have acted upon this to prove to Members that the dwelling has been well thought out and would not:

- cause an unacceptable loss of privacy or erode the amenity of neighbouring residents through siting of the new dwelling.
- the plans have been formulated to deal with the site constraints in a simple manner, resembling a traditional built form and respecting the character of the locality.

Members are asked to be shown the attached illustration which shows the landscape impact that could potentially occur if the proposed dwelling were to be built at the same ground level as the adjacent bungalow.

This brings to light how a dwelling sited at the crest of the hill would be more exposed and visually prominent and therefore intrusive in the landscape, whereas the proposal provides a development having far less of an impact.

For the sake of a small amount of engineering work the impact of the dwelling can be significantly reduced by setting the building into the slope, as proposed.

We wish to emphasise that this is wholly achievable and that the dwelling will fit comfortably on the site as confirmed by the attached Statement below prepared by BHD Partnership Ltd where, in summary, the engineer confirms the disturbance to the existing land form in order to reduce visual impact is in fact considered to be minimal.

Additionally, the ground behind the dwelling is to be graded and seeded and will further ensure the development can be assimilated into the surrounding rising land.

ENGINEERING STATEMENT REGARDING THE SITE WORKS IN RELATION TO THE PROPOSED DWELLING AND GARAGE AT EASTON LANE, AINTHORPE, DANBY

"The land on which the proposed dwelling and attached garage is to be positioned rises to the south from Easton Lane, Ainthorpe between approximately 3 metres at the Western Boundary (adjacent to the existing farm shed) and approximately 6 metres at the Eastern boundary adjacent to No 8 Easton Lane, Ainthorpe.

The proposed dwelling and garage are located centrally and to the East of the site at mid-point on the rising land which results in these being sat on a relative plateau which is approximately 1 to 1.2 metres above Easton Lane at a level of 8.69 metres to 8.83 metres which then rises to a level of approximately 10 metres on the Eastern boundary and a level of 12.02 metres on the western side .

This results in land rising between 1.5 metres to the East and 3.3 metres to the west.

The dwelling and rear terraced area being positioned on the plateau of approximately 8.69 metres results in the dig or excavation works at the rear and west side being approximately 1.5 metres deep to a potential maximum of 2 metres and the proposal is to grade the land back to blend in with the rising ground above so that there is not a requirement for the construction of retaining walls.

This design concept is also proposed in order to minimise the visual impact and create a continuation of the green rising land as the backdrop to the dwelling without the interruption of that by an engineered retaining wall of stone and reinforced concrete.

Therefore the likely excavation work in relation to the above of 1.5 to 2 metres is not considered to be a major engineering project and is relatively straight forward and manageable by any experienced competent local contractor without the need for the significant associated works sometimes required with such excavations.

Continued ...

The proposals will be over-seen by a suitably qualified engineer working closely with the applicant and his chosen contractor to ensure that the works are carried out safely and correctly in accordance with the proposed design should planning consent be granted”.

Additionally, if we can ask Officers and Members to refer to **Appendix A** which is an accompaniment to the additional support information which provides examples of recently engineered projects in the North York Moors.

Conclusion

A strong based architectural design approach is said to produce uncompromising buildings which preserve the principles set out in Paragraph 79 of the NPPF. The ‘highest standards in architecture’ remains achievable for the site by carrying through the principles of a traditional moors dwelling as far as possible.

The proposal has been developed by observing the site's form and character including its parameters, topography, levels, adjacent buildings, its relationship to other buildings and neighbouring residential amenity, being careful not to spoil the approach to the site, the vegetation and the nearby trees and domestic vegetation.

The dwelling is to be of a vernacular form and layout with the principal elevation north facing in line with the neighbouring properties.

APPENDIX A - EXAMPLES OF ENGINEERED PROJECTS IN THE NORTH YORK MOORS

In connection with Ainthorpe Yard, Ainthorpe—NYM/2020/0054/F1



For: Mr R and Mrs E Acquith
Ainthorpe Yard, Ainthorpe

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Examples of NYM engineered projects – P2020#0150

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

Examples of applications (engineered to fit site location)

Small scale housing development

1. **Holmwood, Glaisdale** – Erection of two storey dwelling – heavily engineered project and property built into bank side over steep levels.



Example 1 - Holmwood, Glaisdale

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

2. **NYM/2017/0147/FL** – The Logie, Glaisdale - Construction of 1 no. dwelling with associated parking, amenity space and landscaping works following demolition of existing garages together with creation of new vehicular access.

Officers comments:

"The form and layout of Glaisdale comprises a number of loose clusters of sporadic development with sizeable gaps between them which have evolved due to the topography of the land. This site is considered to be within the main built up area of one of these section of Glaisdale and is therefore considered to be a gap within a continuously built up frontage within the main built up part of the village required by Core Policy J

In this locational the development is located to the south side of the road, with the older properties of Carr End Far and Arncliffe Terrace, flanking the more recent development between them.

The properties in the area are visible along the skyline when viewed from the low road through Glaisdale and therefore this is quite a prominent site which it is important to approve the correct size dwelling on".

Photograph on the next page.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe



Example 2 – The Logie, Glaisdale

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

3. No.'s 17 and 21 Egton Road, Aislaby

NYM/2018/0252/FL - Alterations, raising of roof height and construction of side extension following removal of existing summerhouse and greenhouse together with construction of detached double garage with office space above (revised scheme to NYM/2017/0374/FL).

NYM/2016/0364/FL - Alterations and extensions to dwelling and creation of vehicular access, turning and parking areas at 17 Egton Road, Aislaby



Example 3 - Nos 17 and 21 Egton Road, Aislaby. Photo from rear facing south to Eskdaleside.

Examples of NYM engineered projects – P2020R0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe



Example 3 – No. 17 Extension and new access drive. Photo from rear facing Egton Road.

Examples of NYM engineered projects – P2020R0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe



Example 3 - No 21 Significant extensions to dwelling and detached double garage built into rising land. Photo from rear facing Egton Road.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

4. NYM/2016/0417/FL - Rear of 15 Egton Road, Aislaby - change of use of land from agricultural to domestic together with construction of boundary wall (part retrospective).

Officers comments:

"In this instance the additional land to be used as garden area is not prominent at close proximity; however, the property boundary is visible across the valley in long distance views.

At present the alterations look very harsh in the landscape, but it has been agreed that with appropriate conditioning the proposed works could be assimilated into the wider landscape context".



Example 4 - No 15 New off street parking area and retaining walls.



2 no. photos from rear facing Egton Road.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

5. NYM/2012/0046/FL – Keepers Cottage, Moor Road, Aislaby – Construction of two storey extension including basement level together with construction of subterranean garage and associated landscaping works following the demolition of existing garage and extensions.



Example 5 – High Cragwell, Aislaby – Source: http://planline.northyorkcouncil.gov.uk/northyork/documentexplorer/application/stream.aspx?target=http%3A%2F%2Flocalheritage%2Fdocumentexplorer%2FdocumentStream%2FdocumentStream.aspx%3Fname%3Dpublic%2BNYM2012_0046_FL%2BOther%2BPlans_off%2Bunique%3D808713%2Btype%3DNLPL1G11_DC_PLANAPP – for illustrative purposes only.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

6. NYM/2018/0173/FL - Land adjacent 6 Wellington Close, Darby - construction of 1 no. estate workers bungalow with associated parking and landscaping works (revised scheme following withdrawal of NYM/2018/0045/FL)

Officers comments:

"The proposed site would not be considered to be a gap site within a continuously built up frontage as required by Core Policy 1 for a local occupancy dwelling, as it is location adjacent to an exception site. However, it is considered to be well related to the adjacent affordable housing site and therefore is considered to be suitable for development as a rural exception site".

The dwelling utilises the land levels across the site as requested by Officers rather than it being constructed on top.



Example 6 – Dwelling recently permitted in the same parish. Dwelling fills the site and uses the land levels as suggested by the LPA. Plans used for illustrative purposes only.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

Larger scale engineered development

Examples of projects either already built or approved but not yet constructed in the northern area of the National Park involving significant engineering work

7. **NYM/2018/0310/FL** - Honey Bee Nest, Glaisdale - Demolition of existing Filling Station and construction of Bed and Breakfast accommodation, comprising up to 7 no. letting rooms with manager's accommodation together with Tearoom and spa/beauty facility and associated parking and landscaping works.

Officers report confirms:

"The site falls away from the highway to lower ground at the back, making a full storey difference plus. The design takes advantage of this, presenting an obviously two storey building to the road, but a basement floor opening to the rear, facing the valley. There is also a three storey rear gable extension design to appear as more of a modern addition".

Photograph on the next page.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

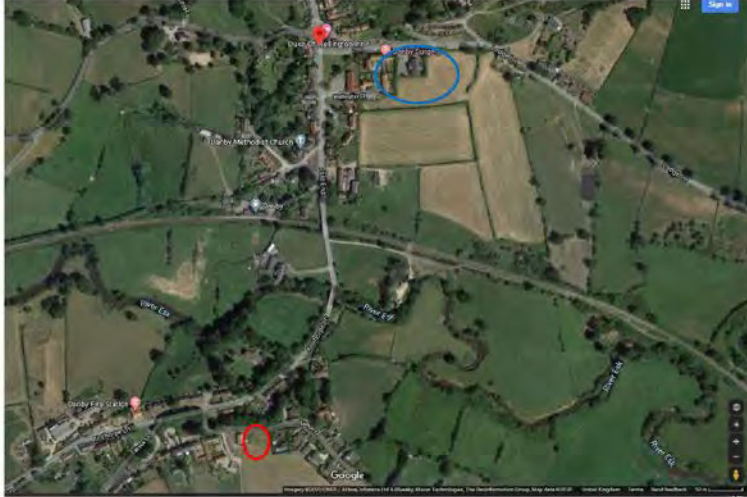


Example 3 - Honey Bee Nest, Garage and Filling Station, Glaisdale – site with planning permission.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

8. NYM/2004/0660/FL – Land at Brier Hill, Danby (now Danby Surgery) - Construction of doctor's surgery and associated car parking.



Example 8 – Danby Surgery (blue). Application site (red)

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

9. NYM/2013/0626/FL – Land to west of Coach Road, Sleights - Change of use of land and construction of 5 no. dwellings with associated access road, parking and landscaping works.



Example 9 – Housing site heavily engineered over the site at Coach Road, Sleights.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe



Example 9 – Housing site heavily engineered over the site at Coach Road, Sleights.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

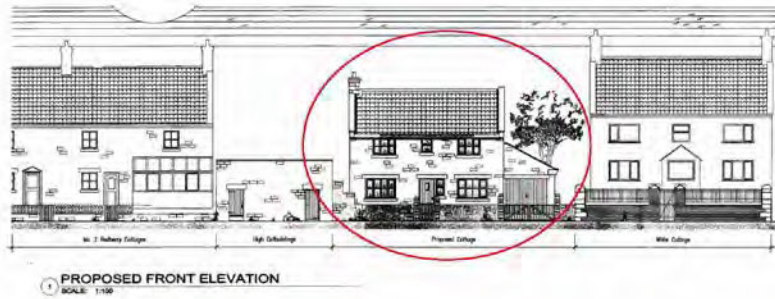


Example 9 – Housing site heavily engineered over the site at Coach Road, Sleights.

Examples of NYM engineered projects – P2020#0160

For: Mr R and Mrs E Asquith
Ainthorpe Yard, Ainthorpe

10. NYM/2008/0741/FL – Redberry Cottages, Lealholmside - Erection of two storey dwelling with attached garage.



Example 10. – New dwelling at Lealholmside. Source:

<https://www.nym.co.uk/pdfs/2020/0741/20200741.pdf> – For illustrative purposes only.

Examples of NYM engineered projects – P2020#0160

Further Additional Background Information

The applicant's agent has written in further with additional information:

Response to Committee Report – Ainthorpe Yard, Ainthorpe –
NYM/2020/0054/FL

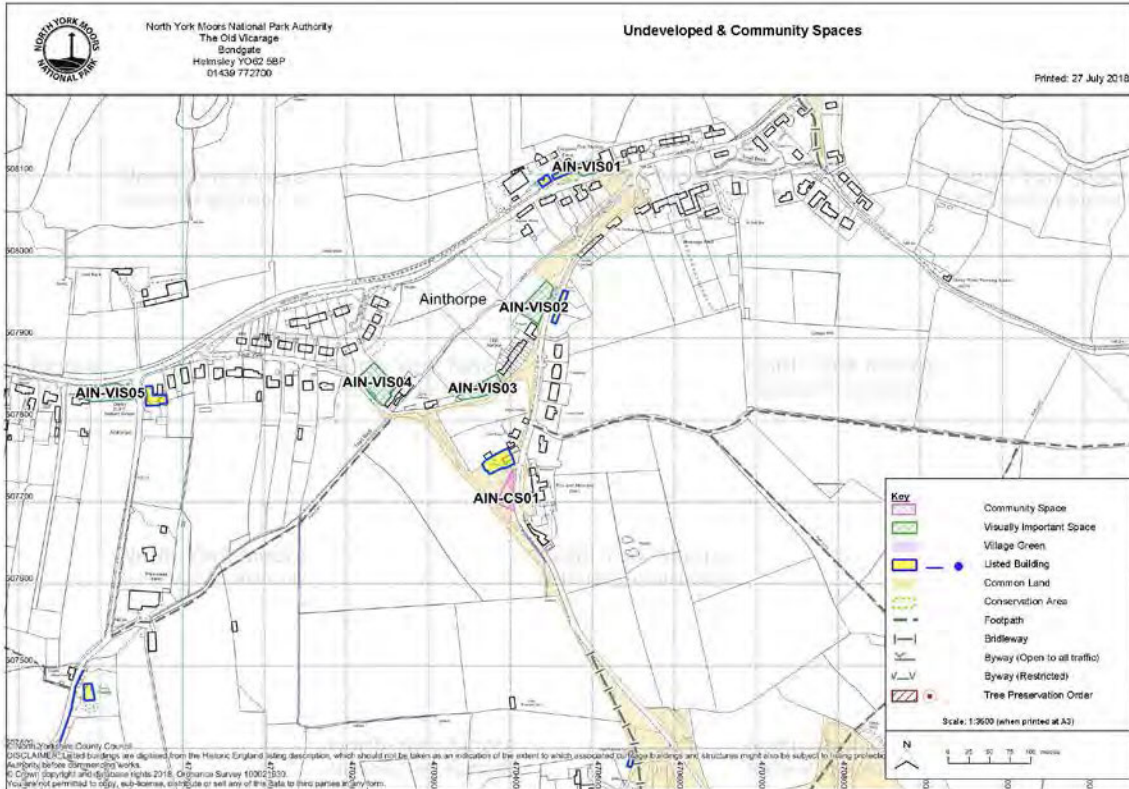
For consideration by Members – Members Update

In summary, the applicant wishes to put forward the following information:

- The proposed dwelling is not outside of the main built up area of Ainthorpe - it is adjacent to and between 35 other dwellings which can be seen on the partial map of Ainthorpe within the National Park officers report.
- When the authority originally went through every single village in the Park for the new Local Plan proposals to proactively identify 'open spaces' which are important to the 'character and special qualities' of the village, they did not identify this space as one which would be to the detriment of the environment and landscape. I attach the map which outlines the site shown not to be included.
- There are many existing dwellings to the East and North of the proposed house along with many to the West going up to The Fox public house and Fryup, whilst there are numerous dwellings towards the School and Castleton.
- The loss of open space referred to is only around 30% of that space leaving 70% split around 40 / 30 to each side of the proposed dwelling which ensures that a significant proportion of the existing open space is maintained.
- In addition, the views created by the open space are very limited to the immediate rising ground and no far reaching views exist in that location.
- The criticism that the dwelling would be out of keeping with the grain and pattern of development within the local area is not correct in our opinion because the properties adjacent on Easton Lane to the East, being Nos 8, 10 and 12 are also built into the same hillside / rising ground and those to the North, namely Nos 19, 21 and Creak Hill are also built into the ground. These are all split level or sat in a hillside to accommodate the existing ground levels. Therefore, the proposed dwelling is a reflection of those adjacent properties.
- The Officers report states the houses on Easton lane sit on flatter land, this is not factually correct. All of those houses either have steep drives up from the road and/or are dug into the bank.

- There are historic photos showing the adjacent land / field before the housing was built on Easton Lane and Creak Hill. The development of this land has already in effect extended the village envelope and therefore the built up part of the settlement to which the LPA claim the proposed development is out with. The development of this land (being a much steeper gradient) and the assimilation of properties would have required far more 'land alterations' to be accommodated in the wider environment than that proposed at the application site which in our opinion is deemed to be 'flatter land'.
- There are many examples of previously approved dwellings within the National Park locally which required engineering solutions to enable the build and the evidence is available to support this point together with the accompanying engineer's statement recently submitted.
- The ridge height of the proposed dwelling sits below the height of No 8 Easton Lane to the East and the barn to the West and therefore is neatly positioned visually between the two and does not look harmful or out of character.
- The statement that other potential properties are available for the applicants in Botton cannot be corroborated. The applicant can however confirm that Botton do not and will not, offer housing to employees.
- The LPA's emerging Local Plan Policy CO9 acknowledges that 'Botton Village is owned by Camphill Village Trust, a registered charity that provides care, support and housing to people with learning and other disabilities'. Additionally, 'community facilities and houses in which community residents live, some with carers under a 'Shared Lives' arrangement, are located in eight neighbourhood areas, originally centred around established dwellings or farmsteads. Residents receive support to participate in the life of the community which provides opportunities for work, social interaction, education, training, and cultural and leisure activities'.
- Paragraph 7.51 of the draft NYM Local Plan advises that 'Botton Village is an evolving community, physically and socially different to all other settlements in the National Park. It is placed in a separate category in the National Park settlement hierarchy as the dispersed settlement of Botton'. This being the case, why is it stated in the LPA's report that the applicants housing need would be 'better met by locating in Botton itself' when clearly the current and emerging Local Plans (for many years) confirms that housing in Botton is specifically set aside by planning policy for other users / residents and is not available for the wider local community.
- For the proposal to receive unanimous support proves there is a real sense of local identity perceived by the Parish Council and residents (neighbourhood).
- Change can often be seen locally as a threat but there is a real sense of community cohesion for this local family and their businesses and the proposal to infill the site within the built up part of the village is seen as a healthy process of physical community evolution.

- The point here is not to be preoccupied by difference but by the appropriateness of the development and to expressiveness of time and place. At the heart of this scheme there is a real sense of neighbourhood planning.
- With regard to the siting, the land immediately adjacent to the site (west) where the agricultural building is accommodated is not within the applicants ownership and therefore would not be an option.
- It is confirmed, the site is actually steeper at the lower part and therefore the dig and amount of excavation would be greater as the levels on **Dwg. D11655-11D** show.
- There is also a spring water supply located in the lower part of the site as seen on the same plan **Dwg D11655-11D** which must not be disturbed or altered.
- For both of these reasons the positioning of the dwelling on the site is constrained by the existing site and ground conditions.
- Additionally, given the above we feel a suitable building line (infill) is maintained between the agricultural building and No. 8 Easton Lane so that views through the site are maintained either side of the dwelling, the scale and plot size matches the adjacent plots (east/west) and visually the proposed traditional and vernacular dwelling is one that we feel would not look out of place between these adjacent buildings.
- Based on all of the evidence submitted by the applicant with regard to other engineered development in the Park their preference would be to retain the dwelling in the location as proposed as we do not feel it would be misplaced and the level of digging out is proven to be less so in the proposed location.
- The LPA's report to Members highlights the word 'Refused' under the section titled 'Consultations' concerning NYCC Highways response to the application in connection with the site access when in fact this aspect has been resolved and is factually recommended for Approval.



Ainthorpe	Visually Important Space
AIN-VIS01	The space makes a positive contribution to the setting of the Listed Building (Congreve Farm) by providing the farmstead with a natural open setting emphasising its historic pastoral character which enables its significance to be fully appreciated.
AIN-VIS02	The space is prominent in the streetscenes located on rising ground towards the edge of the village and adjacent to an area of open Common Land. The form of development to the western side of the road in particular is characterised by large open gaps which have a wooded and natural appearance and therefore the space makes a positive contribution to the overall form and character of Ainthorpe and the more open and natural feel of Brook Lane.
AIN-VIS03	The space makes a positive contribution to the overall form and character of the village and the rural and open character of Strill Lane providing views of the important undeveloped corridor along Toad Beck. The space provides views into the surrounding countryside and long distance views of Danby Low Moor which provides context for the village and its setting within the wider landscape.
AIN-VIS04	The space makes a positive contribution to the overall form and character of Ainthorpe providing a natural gap between the two main streets (Brook Lane and Ainthorpe Lane) and affords views of the natural valley running along Toad Beck.
AIN-VIS05	The space provides an important viewpoint into the surrounding countryside which provides context for the village and its setting within the wider landscape. The space also makes a positive contribution to the setting of the Listed Building (Danby C of E School) especially from the approach into the village from the west.

Ainthorpe	Site Ref	Community Space	Assessment	Show on Map?
	AIN-CS01	Quilts pitches	In use and fit for purpose	Y
	AIN-CS02	Playing Field to S/E Easlon Lane	Well maintained and fit for purpose	Y (just)
	AIN-CS03	St Hilda's Church, Danby Dale	Not assessed	N

Additional Supporting Information – Ainthorpe Yard, Ainthorpe –
NYM/2020/0054/FL

For consideration by Members – Explanation of why the officers’
suggested reasons for refusal are erroneous.

Here we would like to thoroughly demonstrate why the reasons for refusal as outlined in the officers’ report to the Planning committee may be discounted.

1. *“The site is considered to lie outside of the main built up part of the settlement of Ainthorpe and does not constitute an infill plot as defined by Core Policy J of the North York Moors Core Strategy and Development Plan Policies in **that the site does not constitute a small gap within a continuously built up frontage** within the main built up area of the settlement. If permitted, this development would not only result in the loss of this important open space, it **would represent harmful sporadic development and extend outwards the main built up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park.**”*

The assertion that our proposed dwelling would ‘represent harmful sporadic development and extend outwards the main built up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park’ overlooks the fundamental cultural history of Ainthorpe village’s centre which this plot lies immediately next to. In contrast, we would emphasise that this dwelling enhances the amenity, character and setting of Ainthorpe. The character and setting of Ainthorpe are literally built around the neighbouring Ainthorpe House and Ainthorpe Farm, the very first buildings in the village. The dwelling would be clearly contained within the established main body of the village, within existing established development that is already an integral part of the village.

Furthermore, the Authority’s recent recognition that the neighbouring agricultural building (not owned by the family) would garner ‘support in terms of a beneficial re-development’ further emphasises that this land parcel can be considered an appropriate small gap. The proposed site exists as a small space between the continuous frontage of this agricultural building (where the Authority itself indicates it would support domestic development in the future) and the immediate neighbouring dwelling. Where, considering this support, the building may well in the future be earmarked for such development, this space should also be considered as potential infill.

2. "The development, by virtue of the siting and land alterations required to accommodate the scheme is considered to be **wholly out of keeping** with the form and grain of the pattern of development within the locality and quality of the wider environment. As a result, **the development would result in the loss of an open space which is considered to contribute to the amenity, character and setting of the wider settlement of Ainthorpe** contrary to the provisions of Development Policy 3 of the North York Moors Core Strategy and Development Plan Policies"

We would refute both parts of the justification given in reason 2 as unfounded, demonstrated in the National Park's existing appraisals of this piece of land as a site for future development. The claim this development is 'wholly out of keeping' with the wider environment's quality and locality is a mischaracterisation of the architectural and environmental considerations which were made in the design of this application. The proposed development is a modest and sensitively designed building which would be constructed with high-quality local materials, incorporating sustainable construction features.

More significantly, we would question the assertion that the house would result in the loss of an open space 'which is considered to contribute to the amenity, character and setting of the wider settlement of Ainthorpe' when the National Park Authority has never previously considered the space as such, despite given ample proactive opportunity to do so in the recent past. Indeed, this was the case when the Authority developed proposals as a part of the Local Plan Preferred Options to ascertain which open spaces within the village should be considered visually important undeveloped spaces. A map of these proposed spaces has been attached (figure 1), which shows that when the Authority went out into the villages to make a comprehensive record of the spaces which:

1. The space makes a positive contribution to the overall form, character and appearance of the settlement;
2. The space makes a positive contribution to the setting of a building or groups of buildings either listed or of historical or architectural interest;
3. The space provides a vista/viewpoint into the surrounding countryside;
4. The space provides a visual relief in a settlement where there is a change in the pattern or character of development;
5. The site has archaeological or historic interest."

(p.7, Draft Local Plan, Preferred Options, 'Visually Important Spaces' Topic Paper)
(since renamed 'Important Undeveloped Spaces')

Of the relevant criteria which directly relate to the reason given for refusal, highlighted, **our site of the application was not at any period during the proposal's development identified as such a space.** Furthermore, the number of spaces eventually recorded in the preferred policy (since deleted following public consultations) was also understood to be overzealous, where at a public meeting in 2018 a planning officer confirmed that 'we have been slightly over what we may be in the future in terms of having as many sites in the future'. If the officers were overenthusiastic in their identification of hypothetical important spaces, and still did not identify this site as such, we maintain that this site does not constitute the loss of a significantly important open space utilising the Authority's own assessments.

3. *"If approved, the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on inappropriate sites which would **cumulatively pose a significant threat to the character, special qualities and distinctiveness of the more rural settlements of the National Park** and therefore have a detrimental impact the wider landscape of the Park, **contrary to the aims of Core Policy B** of the North York Moors Core Strategy and Development Plan Policies."*

Finally, in contrast to the Committee's assertion that this development would cumulatively pose a 'threat to the character, special qualities and distinctiveness' of rural settlements, we would like to emphasise that to allow our application would be to **enhance** the cultural landscape of Ainthorpe, rather than be to the detriment of the village's character. It is unfounded to claim that our individual application, for the many positive and unique reasons detailed here and elsewhere, may set a difficult precedent for the Authority in unknown future applications when in all other respects it would be a worthwhile contribution to the village.

The two main criteria for Core Policy B directly related to our application (Other Villages) are 'identified local need' and 'housing which will improve the environmental, social and economic sustainability of the settlement'. We believe that we have conclusively met both of these criteria, as a local young couple who will live and work on this land and around the village and are truly embedded members of the immediate community.

Where we have already demonstrated strong and significant need for local housing, and that our home will not have a significantly detrimental environmental impact, we also believe that our new home would actually increase the 'social and economic sustainability' and cultural heritage of the village. We are longstanding and active voluntary members of many local groups, from Danby Agricultural Association to the local cricket team. We supply sustainable and high-welfare homegrown poultry from our doorstep for local families' Christmas tables. Elizabeth's ancestors have owned and farmed this particular land (at what was Ainthorpe Farm) for many generations, and lived in the village since at least the early 1700s.

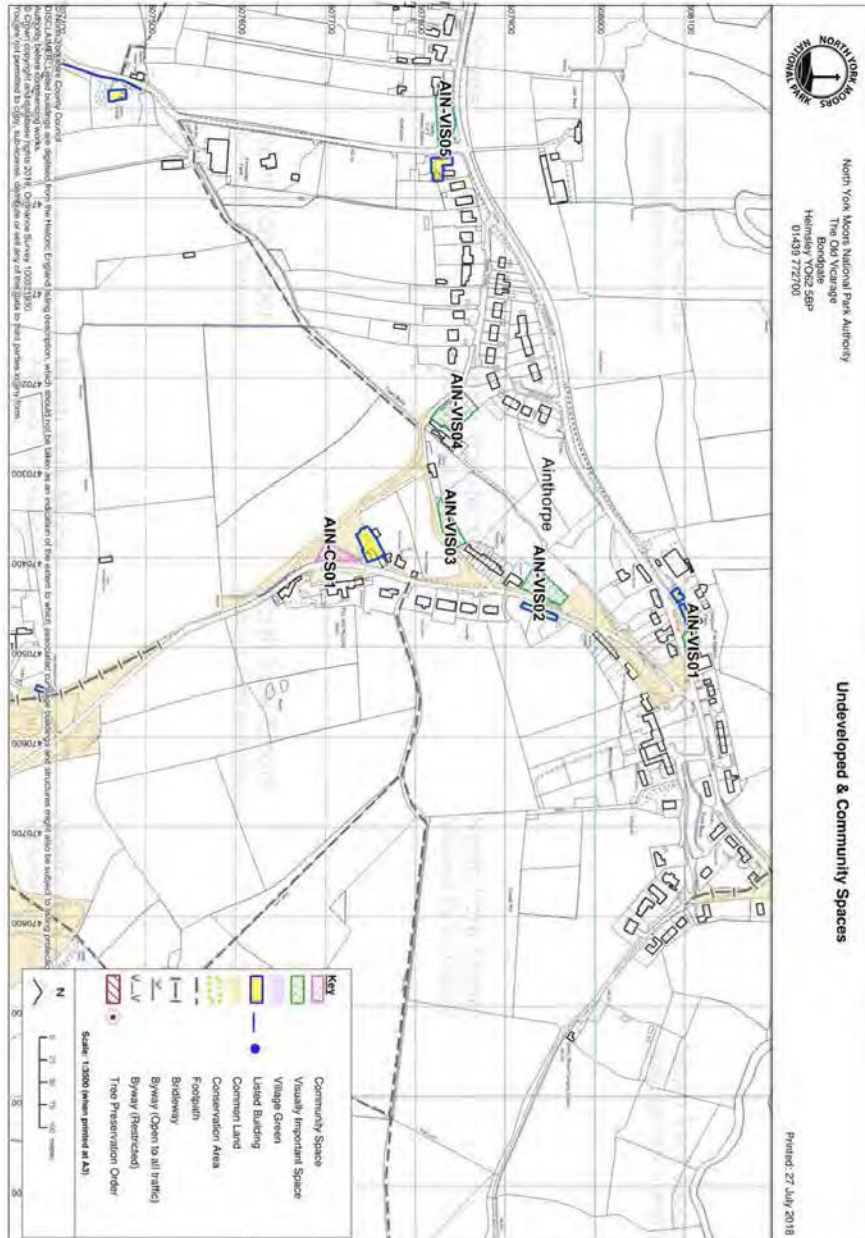
We are the remaining descendants of an old local family still in Ainthorpe, slowly building a family-run business and keeping alive traditional, sustainable methods of farming.

As we have previously mentioned, the Authority has invested considerably in projects which rightly aim to highlight and celebrate the vital role of cultural heritage in the North York Moors, such as the current 'This Exploited Land of Iron' project. We believe that this application constitutes a vital example of sustaining cultural heritage, by enabling our family to continue the very practices which maintain the special landscape that visitors come here to see.

The current Covid-19 outbreak has brought into sharp relief the vital role that local, sustainable farming plays in the fabric of society, and the importance of a beautiful and traditionally maintained countryside for the public to visit and enjoy. We have dedicated our livelihoods to working the land, being producers of food and supplying the local community with our produce, further generating a small amount of local employment.

This development will allow us to deliver both the landscape and the produce which are highly valued by the NPA. Without this permission, we will genuinely no longer be home owners, and will be left renting smaller premises with very limited options to buy not only properties which may be not suitable but which are also unaffordable, and none are more suitable than this proposal.

Figure 1: Map of 'Visually Important Spaces' In Ainthorpe, as Identified by North York Moors National Park Authority.



Item 3 NYM/2020/0114/FL

Others: G. Carnell, 51 South End Osmotherley -

Dimensions

There are discrepancies around the scale of drawings relating to the area of hard standing and the length of the garage.

In the original and resubmitted planning applications the dimensions of the garage are the same length and width and drawn to the same scale.

This original planning permission being granted to build a brick wall which extended 2.4 metres in length (and 3.5 metres in height) parallel to the sunroom of 51 Southend. Which would have a substantial negative effect on both the light and ambiance to the sunroom of the neighbouring property.

In recent communication a request has been made for clarification of whether the planning authority are determining an application to approve the garage *as it has been built* or determine an application as per the *submitted plans*. Mr Hill responded to say this question would be considered.

The document labelled as recommendations of the director of planning states

“The garage is now longer than the neighbour’s flat roofed garage to which it is adjacent. The front elevations are in line, but the rear elevation projects **2.4m beyond that rear wall** of the neighbour’s garage, and approximately 30cm from the boundary.

And the garage building has been measured three times by different Officers, and the dimensions were found to be accurate.”

And yet, his is not correct.

The garage which has been constructed extends just over one meter in length parallel to the sunroom of the neighbouring property. The recent site inspection has observed the wall as built. It does affect both light and ambiance but is not representative of the degree to which both would be negatively affected if the wall extended 2.4 metres.

It is simply not appropriate to produce planning recommendations, expect interested and affected parties to comment, or approve a planning application without proper clarification as to what is being considered for approval.

Development Policy 19 states that proposals for extensions or development will only be supported where the scale, height, form, position and design does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling.

An application for a garage wall to be extended by 2.4 metres adjacent to the neighbouring sunroom of 51 Southend should not be supported.

Lighting

It has been brought to the attention of the planning authority that a nuisance is being caused by the light streaming into the bedroom of the neighbouring property, which is several meters higher than the security light mounted on the garage wall. This has been observed, though not remedied, by two Environmental Health Officers. The lighting is inappropriate. The matter has been dismissed by the owner of 53 Southend as not being an issue. Clearly this

is an ongoing problem that is not yet resolved. And yet the Director of Planning report recommends the lighting shall be maintained in its current state in perpetuity.

Tree

The document labelled as a Public Arborists Report is a very brief assessment carried out by an individual who states he is merely aiming to follow British Standard 5837 and whose website offers services relating to a tree surgeon. It makes no mention of the notional root spread of the tree.

A professional arboricultural report including depth and detail based on the knowledge and experience of a professionally qualified arboriculturist would be appropriate, reliable and more objective.

The planning report suggests professional arboriculture advice on the advisability of retaining the tree in its current trimmed format is sought. And yet no date for this action has been set and the planning application is to be determined before this has been completed.

The planning application is also to be considered and determined without having the associated plans amended to include the correct information including the plotting of the tree.

Garage Dimensions

There are discrepancies around the scale of drawings relating to the length of the garage. (as detailed in a previous email). It is not appropriate to consider a planning application which has relevant omissions and contains incorrect, inaccurate or ambiguous information.

Deviations from original planning application

The original planning application was granted with restrictions. Unauthorised construction of a hard standing area way beyond the scope of the planning permission was built.

Claims that the height and nature of this area of land have not been unaltered are untrue. Whilst this was under construction three members of the Planning Authority visited the site and had the opportunity to note, photograph and report on this issue. Planning Authority records will record whether this was reported or whether a blind eye was turned.

The recommendation that this hardstanding be allowed via a retrospective planning application simply reinforces the notion that planning regulations can be ignored without consequence.

It concerns me greatly that a planning decision is to based on assumptions, generalisations and inaccurate information. I am left wondering why the planning authority is so reluctant to establish the facts and make an informed decision based on the truth.



Treescape
The Cottage, The Duke of Wellington
Welbury
Northallerton
North Yorkshire
DL6 2SG

11th May 2020

To whom it may concern,

Re: 53 South End, Osmotherley, Northallerton, DL6 3BP

Atlantic Blue Cedar- *Cedrus Atlantica Glauca*.

This tree is situated in the front garden on the north side and stands at approximately 15 meters high and has a crown spread of approximately 10 meters. The tree has recently had a crown reduction and had the deadwood removed therefore lowering the risk of branch failure and also reducing the sail weight. This also lowers any risk to the neighbour's property, the property owner and the public using the path along South End.

The tree is situated right next to the access path for number 53 South End and the path is not showing any signs of damage. This tree is in close proximity of number 53 dwelling and the newly built garage however, at this time, I see no reason as to why either the tree or the dwellings will have an effect on one another.

All my reports that are supporting a planning application aim to follow the requirements of the 'British Standard 5837 Trees in relation to Construction – Recommendations 2012'. If you have any further queries please do not hesitate to contact me on

Kind regards,
Tom Rennison
National Diploma in Arboriculture

Item 4 NYM/2020/0157/FL

Parish Council - 07/05/2020 - The Parish Council has no further comments on the proposed amendments to application NYM/2020/0157/FL.