



Sanderson
Weatherall

30 Queen Square
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Our Ref: OP/ABP/170257

23 April 2018

Mrs J. Bastow

Senior Planning Officer
North York Moors National Park Authority
Old Vicarage
Bondgate
Helmsley
YO62 5BP

NYMNP

24/04/2018

Dear Mrs Bastow,

LAND TO THE SOUTH OF WYKE LODGE, HODGSON HILL, STAINTONDALE, NORTH YORKSHIRE

APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 – PLANNING PORTAL REF. PP-06917812

I am pleased to confirm that I have submitted the above planning application via the Planning Portal (Ref. PP-06917812) on behalf of my client, Mr Keith Dobbie. The application comprises the following documentation:

- Completed Application Form;
- Completed Ownership and Agricultural Land Declaration Certificate;
- Completed Community Infrastructure Levy Liability Form;
- Planning Application Fee of £116 – will be paid shortly;
- This Cover Letter;
- Location Plan;
- Section 278 Visibility Splay Plan (Dwg. No. KYN014021/10/C);
- Section 278 Pink Area and Highway Verge, Construction of Access Road & Access To be Surfaced Plan (Dwg. No. KYN014021/11/C);
- Sewage Treatment Plant Brochure;
- Sewage Treatment Plant Plan (Dwg. No. UT-Y1500 UNI); and,
- Landscaping Plan (Dwg. No. KYN014021/03/2/G).

By way of context, planning permission for *'the change of use of land from the siting of a touring caravan to the siting of a log cabin / chalet / mobile home'* was granted at appeal on 2 August 2017 under reference APP/W9500/W/17/3171625. Condition Nos.7, 9, 10 and 12 attached to the permission state as follows:

"7. No development shall commence until details of the timber cladding to be used in the construction of the external services of the cabin hereby permitted have been submitted to an approved in writing by the local planning authority. These details shall include the design and fixing

of the cladding and samples. Development shall be carried out in accordance with the approved details / samples.”

“9. No development shall commence until details of the means of foul water drainage have been submitted to and approved in writing by the local planning authority. The use shall not commence until the drainage works have been provided in accordance with the approved details.”

“10. No groundworks (or depositing of materials on the site) shall take place until the access to the site has been constructed in accordance with the published specification of the Highway Authority and details relating to the crossing of the highway verge and prevention of surface water discharge on to the highway that have been submitted to and approved in writing by the local planning authority.”

“12. The development hereby approved shall not commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) screening planting along the northern site boundary;*
- ii) hedge planting on the western site boundary;*
- iii) details of any existing hedges and trees to be retained;*
- iv) details of plant species, sizes and planting densities for new areas of planting;*
- v) details of the hardsurfacing;*
- vi) an implementation programme / timetable; and*
- vii) a scheme of management and maintenance.*

The landscaping works shall be carried out in accordance with the approved details and the agreed implementation programme / timetable.

The completed landscaping scheme shall be managed and maintained in accordance with the approved scheme of management and maintenance.”

Condition 7

With regard to Condition No.7, the log cabin will be constructed with spruce pine logs; there were be no fixings because the logs will be interlocking. The gable ends will comprise larch 70mm vertical cladding. It is considered that the proposed materials will help the cabin to assimilate into the local landscape and accordingly, there will be no harm to the national park’s special qualities. The proposed development will therefore be in accordance with both Core Policy A, and Development Policy 16, of the North York Moors Core Strategy and Development Policies Document (NYM CSDPD).

Notwithstanding this, log and larch cladding samples will be sent to the Council for approval in due course.

Condition 9

With regard to Condition No.9, Sewage Treatment Plant (Model: ECOROCK 700. Manufacturer: BIOROCK U.K.) will be installed at the site. The location of the treatment plant is shown on the Section 278 Visibility Splay Plan. The Sewage Treatment Plant drawing shows the dimensions of the unit (2000mm high by 1102mm wide). The brochure explains how the treatment plant works. Given the system has a small footprint, it is odourless, it does not require energy, it does not have any moving parts and is silent, it is considered a suitable system at the application site.

Condition 10

Pre-application advice (**Enclosure 1** refers) was sought from the Council to inform the information pursuant to Condition No.10. Specifically, we emailed Jill Bastow on 26 February 2018 because we considered Condition No.10 conflicted with Condition No.11. Specifically, the former states "...until the access to the site has been constructed in accordance with the published specification of the Highway Authority..." The latter condition states "The access to the site shall be surfaced with local crushed limestone..."

In the light of Condition 10, an initial plan showing the access road construction details was prepared. An asphalt finished was proposed together with kerbs on either side of the carriageway. We considered this was over engineered and does not recognise the site's sensitive location. We also considered this would be more visually apparent and so could be harmful to the character of the area. Accordingly, we requested that one of the Conditions should be deleted or Condition No.10 should be varied to remove reference to the '*published specification of the Highway Authority*'.

Jill Bastow subsequently sought advice from the Council's Highway Officer (Kay Aitchison). Advice was received on 8 March 2018 which confirmed as follows:

"...for the access to be considered as maintainable public highway we would require it to be constructed to our specification, like the other accesses in the vicinity. It does not need to be as wide as the drawing provided and can be narrowed at the boundary to 2.74 metres in width. As it is only one dwelling, this would reduce the bellmouth and therefore the visual impact of the new access. The access only needs to be constructed to our specification with the public highway, i.e. between the carriageway and the hedge boundary, so it could be constructed of local limestone or limestone cobbles from that point to the site..."

...I would not expect, in a rural location like this, for the access to have any radius kerbs and depending on the carriageway edge, it could be surfaced directing up to the carriageway edge without a dropped kerb...

...I would comment that if the access can be kept as narrow as possible, with the radius kerbs omitted, the crossing surfaced directly up to the carriageway edge without the need for a dropped kerb and the remainder of the access from the hedge back into the site surfaced in crushed limestone then this would alleviate my concerns regarding an overly engineered access in this sensitive rural location. It would also satisfy both conditions of the planning permission."

The access road construction details have therefore been revised in accordance with this advice. Details are shown on Dwg. No. KYN014021/11/C.

Condition 12

Details of the hard-surfacing are shown on Dwg. Nos. KYN014021/10/C and KYN014021/11/C. All soft landscaping is shown on the submitted Landscaping Plan (Dwg. No. KYN014021/03/2/G). As native species will be used, it is contended that the new planting will be compatible with the prevailing landscape character of the locality.

It is therefore respectfully suggested that the submitted plans and documentation are approved and Condition Nos.7, 9, 10 and 12 are discharged.

Yours faithfully,

For and on behalf of Sanderson Weatherall LLP

A handwritten signature in black ink, appearing to read 'Owen Pike', with a long horizontal flourish extending to the right.

Owen Pike BA (Hons) PG Dip MRTPI

Enclosure 1 – Pre-application advice

Owen Pike

From: Jill Bastow
Sent: 08 March 2018 13:09
To: Owen Pike
Subject: RE: Paddock South of Wyke Lodge, Hodgson Hill, Staindondale, North Yorkshire
[Filed 08 Mar 2018 14:26]

Hi Owen

I have just heard back from the Highway Officer, Kay Aitchison. She has commented as follows:

I have looked at the proposed details for the access and although I understand your issues, for the access to be considered as maintainable public highway we would require it to be constructed to our specification, like the other accesses in the vicinity. It does not need to be as wide as the drawing provided and can be narrowed at the boundary to 2.74 metres in width. As it is only one dwelling, this would reduce the bellmouth and therefore the visual impact of the new access. The access only needs to be constructed to our specification with the public highway, i.e. between the carriageway and the hedge boundary, so it could be constructed of local limestone or limestone cobbles from that point into the site.

I have attached the specification which was conditioned with the original application. I would accept a slight deviation from the details, the most important part of the standard details is the construction depths and materials, and each access should be tailored to fit the actual site. The applicant can contact me directly to discuss any of the details but I would not expect, in a rural location like this, for the access to have any radius kerbs and depending on the carriageway edge, it could be surfaced directing up to the carriageway edge without a dropped kerb. This would require a solid saw cut joint at the carriageway edge and I could give advice on site if necessary.

When the applicant is ready to construct the access he will have to fill in the form on our website at <https://www.northyorks.gov.uk/pavements-and-kerbs> (scroll to the bottom of the page to the "dropped kerbs" and click on the link "how do I get permission to build a dropped kerb").

I would comment that if the access can be kept as narrow as possible, with the radius kerbs omitted, the crossing surfaced directly up to the carriageway edge without the need for a dropped kerb and the remainder of the access from the hedge back into the site surfaced in crushed limestone then this would alleviate my concerns regarding an overly engineered access in this sensitive rural location. It would also satisfy both conditions of the planning permission.

I hope that is helpful and I look forward to receiving your Condition verification Check application in due course.

Best regards

Jill Bastow
Senior Planning Officer

My normal working hours are : 9am-5pm Tuesday & Wednesday; 9.15am–12.15pm Thursday; 9.45am-2.15pm Friday

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Old Vicarage
Bondgate
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YO62 5BP

www.northyorkmoors.org.uk

From: Owen Pike [
Sent: 07 March 2018 11:08
To: Jill Bastow
Subject: RE: Paddock South of Wyke Lodge, Hodgson Hill, Staindondale, North Yorkshire

Hi Jill,

Thanks for the message; I hope things are now back to normal for you now that the snow has melted; I presume it has melted where you are, it has completely disappeared in Bristol!

I attach revised plans which show a more sympathetic and sensitive road crossing (less engineered than previous details); the surface covering is limestone cobbles for the access into the site that is closest to the adopted highway and then gravel for the remainder of the drive. Both the gravel and limestone cobbles are supported by a geogrid so they will remain in position after a vehicle has passed over them. The sub base is also amended from a no dig cell base to a reduced depth type 1 sub base set at a reduced depth of 150m/m.

I believe these details are appropriate but may not strictly comply with Condition 10 if the LPA wants the applicant to construct the access in accordance with the published specification of the Highway Authority. Perhaps you could send this plans to the Highway Authority?

I would be grateful for your thoughts in due course.

I am happy to discuss.

Kind regards,

Owen

Owen Pike BA (Hons) PG Dip MRTPI
Associate Partner
Planning

For and on behalf of Sanderson Weatherall LLP

sw.co.uk

From: Jill Bastow
Sent: 06 March 2018 17:54
To: Owen Pike
Subject: RE: Paddock South of Wyke Lodge, Hodgson Hill, Staindondale, North Yorkshire [Filed 26 Feb 2018 14:22]

Owen

Unfortunately owing to the adverse weather conditions I wasn't in the office much last week so I am catching up. Once I have had chance to consider the issue with regard to the highway related conditions and liaise with the Highway Authority, which will hopefully be in the next couple of days, I will be in touch.

Regards,

Jill Bastow
Senior Planning Officer

My normal working hours are : 9am-5pm Tuesday & Wednesday; 9.15am–12.15pm Thursday; 9.45am-2.15pm Friday

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☞: www.northyorkmoors.org.uk

From: Owen Pike
Sent: 02 March 2018 16:15
To: Jill Bastow
Subject: RE: Paddock South of Wyke Lodge, Hodgson Hill, Staindondale, North Yorkshire [Filed 26 Feb 2018 14:22]

Hello Jill,

Perhaps you could contact me on Tuesday 6 March to discuss this matter? I would be most grateful.

Kind regards,

Owen

Owen Pike BA (Hons) PG Dip MRTPI
Associate Partner
Planning

For and on behalf of Sanderson Weatherall LLP

sw.co.uk

From: Owen Pike
Sent: 26 February 2018 14:23
To: Jill Bastow
Subject: Paddock South of Wyke Lodge, Hodgson Hill, Staindondale, North Yorkshire [Filed 26 Feb 2018 14:22]

Good afternoon Jill,

Further to the above, I had hoped to speak to you but I was told when I phoned that you do not work on Mondays. I am contacting you in advance of submitting an application to discharge conditions 7, 9, 10 and 12 attached to the planning permission.

These conditions relate to details of the timber cladding (7), foul water drainage (9), details relating to the crossing of the highway verge (10), and hard and soft landscape works (12), respectively. I attach a copy of the Inspector's Decision for your records.

I also attach draft plans which show access road construction details, as is required by Condition No. 10. This plan has been prepared by the project architect. It has also been prepared in accordance with Condition no. 10, specifically, the wording which states "...until the access to the site has been constructed in accordance with the

published specification of the Highway Authority...". On this basis, an asphalt finish has been proposed together with kerbs on either side of the carriageway. This seems over engineered to me and does not recognise the site's sensitive location.

More importantly, this conflicts with Condition No. 11 which states that "The access to the site shall be surfaced with local crushed limestone..." Furthermore, it will be more visually apparent and so could be harmful to the character of the area.

In the light of this conflict, I believe that one of the Conditions should be deleted (preferably Condition No. 10) or Condition No. 10 should be varied to remove reference to the 'published specification of the Highway Authority'. Condition 10 could be varied to read as follows:

"No groundworks (or depositing of materials on the site) shall take place until the access to the site has been constructed to the satisfaction of the Highway Authority and details relating to the crossing of the highway verge and prevention of surface water discharge on to the highway that have been submitted to and approved in writing by the local planning authority."

I would be grateful if you could consider this issue and recommend your preference on how we should proceed.

Please contact me if you have any questions.

Kind regards,

Owen

Owen Pike BA (Hons) PG Dip MRTPI
Associate Partner
Planning

For and on behalf of Sanderson Weatherall LLP

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