



Decision No ZB23/02484/FUL

Andrew Bramley Associates
North Arch Cottage
278 High Street
Northallerton
North Yorkshire
DL7 8DW

NOTICE OF DECISION

Application No. ZB23/02484/FUL

Date: 12th August 2025

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PROPOSAL: Construction of a detached dwelling previously approved under outline planning application reference: 18/00044/OUT
LOCATION: Land Rear Of The Hollies Barbeck Thirsk North Yorkshire
APPLICANT: Mr S Baker

North Yorkshire Council, being the Planning Authority for the purposes of the above application which was received on 4 December 2023, having considered the following policies:

Local Plan Policy S1: Sustainable Development Principles
Local Plan Policy HG5: Windfall Housing Development
Local Plan Policy E1: Design
Local Plan Policy E2: Amenity
Local Plan Policy E3: The Natural Environment
Local Plan Policy IC2: Transport and Accessibility
Local Plan Policy RM1: Water Quality, Supply and Foul Drainage
Local Plan Policy RM2: Flood Risk
Local Plan Policy RM3: Surface Water and Drainage Management
Local Plan Policy RM5: Ground Contamination and Groundwater Pollution
National Planning Policy Framework

and taken into account the following reasons:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.


have resolved that it should be **APPROVED**; subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

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2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) (numbered 2023:48/01 Rev C and 2023:48/02 Rev C) received by the Local Planning Authority on 11 July 2024 and 7 August 2025 unless otherwise approved in writing by the Local Planning Authority.
3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. Above ground construction shall not be commenced until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
5. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form. These details are required prior to construction or regrading because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.
6. The development shall not be commenced until a plan has been submitted to and approved in writing by the Local Planning Authority to show all existing trees which are to be felled or retained together with the positions and height of protective fences, the areas for the storage of materials and the stationing of machines and huts, and the direction and width of temporary site roads and accesses. Submission of these details is required before commencement in order to ensure adequate protection of trees at all stages of the development process, including site clearance.
7. Prior to the commencement of development, a structural survey and assessment of the culvert shall be undertaken and submitted to the Local Planning Authority for approval. This shall include but shall not be restricted to information relating to the preservation of the water course during construction and its continued use thereafter. Any mitigation measures shall be implemented and retained thereafter where appropriate.
8. Notwithstanding the provisions of any Town and Country Planning General or Special Permitted Development Order for the time being in force relating to 'permitted development', no structure, fence, gate, or wall shall be constructed between the site boundary and the area of the site north of the 9m easement from the drainage ditch, illustrated by the red dashed line on drawing number 2023:48/01 Rev C.
9. Notwithstanding the provisions of any Town and Country Planning General or Special Permitted Development Order for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration that would extend the original dwelling hereby approved beyond the 9m easement from the drainage ditch, illustrated by the red dashed line on drawing number 2023:48/01 Rev C shall be carried out to the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.

10. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

11.  No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the approved drawing reference number 2023:48/01 Rev C. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times

12. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

- wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- the parking of contractors' vehicles;
- areas for storage of plant and materials used in constructing the development clear of the highway;
- contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

14. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
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4. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.

5. To ensure that the appearance of the development will be compatible with the existing building and not be intrusive in the locality and to preserve the water course.
6. To ensure that existing trees within the site, which are of amenity value, are adequately protected during the period of construction.
7. To preserve the water course and allow continued access to the water course for maintenance.
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10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
11. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
12. In the interest of public safety and amenity.
13. In the interest of satisfactory and sustainable drainage.
14. To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

COMMUNITY INFRASTRUCTURE LEVY



1. Please note that the proposed development is liable under the Community Infrastructure Levy Charging Schedule, adopted by Hambleton District Council on the 07 April 2015. Details of the charging schedule are available on the Council website. www.northyorks.gov.uk

Martin Grainger
Head of Development Management

DATE 12 August 2025

NOTES

This is an approval under the Town and Country Planning Act only. It does not absolve the applicant from the necessity of obtaining Listed Building consent if necessary or approval under the Building Regulations, or of obtaining approval under any other Bye-laws, Local Acts, Orders, Regulations and Statutory Provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.
YOUR RIGHTS OF APPEAL ARE AVAILABLE AT www.northyorks.gov.uk/planning