

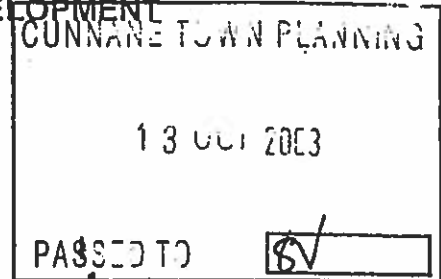
SELBY DISTRICT COUNCIL

Decision No. 8/73/585/PA

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR  
PERMISSION TO CARRY OUT DEVELOPMENT

To: Samuel Smith Old Brewery (Tadcaster)  
C/o Stuart Vendy  
Cunnane Town Planning  
Adamson House  
Tower Business Park  
Wilmslow Road  
Didsbury, MANCHESTER M20 2YY



The above named Council being the Planning Authority for the purposes of your application dated 18 November 2002 in respect of proposed development for the purposes of

Application to facilitate the comprehensive regeneration of Tadcaster Town Centre comprising demolition, relaying of Central Area Car Park, landscaping and development of the following:

Site 1. Shann House, 47-49 Kirkgate: Refurbishment & conversion of building to 15 bed hotel with bar, restaurant and associated car parking.

Site 3. Electricity substation, 23/25 Kirkgate: Construction of building around existing equipment, provision of ground floor staff area for shop & first floor flat.

Site 4. Rear of 18 High Street: Proposed erection of 1 No. 2 bed dwelling.

Site 5. 4/6/8 High Street: Proposed erection of 2 No. retail units with office accomodation above.

Site 6. Robin Hood Yard. Provision of car parking for 38 cars at Robin Hood Yard.

Site 7. 8-10 Kirkgate: Demolition and rebuilding of northern gable end wall.

Site 8. Land off St Joseph's Street: Proposed erection of 2 No. 2 bed dwellings.

Site 9. Land off St Joseph's Street: Proposed erection of 4 no. 2 bed dwellings with associated car parking.

(In accordance with revised drawings TCA/02-4-02 received on 6 February 2003 and TCA/02/07/05A, 06A, 07A 08A received on 13 August 2003 and agent's letters dated 5 February 2003 and 14 August 2003).

Have considered your said application and have granted permission for the proposed development subject to the following conditions:

*Oct 03*

1. The development for which permission is hereby granted shall be begun within a period of five years from the date of this permission.

Explanation: For the avoidance of doubt the conditions which follow relate to that part of the application site identified in the heading that immediately precedes that conditon or list of conditions. Reference hereafter to "the development" or "commencement of development" shall be construed as relating to that particular site identified by that condition, rather than any other part of the larger approved scheme as a whole.

Contd...

Shann House:

2. Samples of all new external facing materials to be used in the works hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of the works.
3. All other external works of reinstatement shall use materials which match in colour and texture those in their vicinity.
4. Details of the proposed rooflights in the rear roof slope of the buildings, to scale of not less than 1:50 shall be submitted to and approved by the local planning authority prior to their installation.

23/25 Kirkgate:

5. Samples of the facing brickwork to be used in the extension hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.
6. The windows in the approved extension shall be of a design, construction, materials and position in the reveal to match those on the existing upper floor of the building.
7. No development shall commence until details of a scheme of sound insulation for the proposed first floor flat have been submitted to and approved by the local planning authority.
8. The approved scheme of sound insulation shall thereafter be implemented in full accordance with the approved details prior to the first occupation of the flat.
9. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Rear of 18 High Street:

10. Samples of all external facing materials to be used in the dwelling hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.
11. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
12. Details of the design, height and materials of the boundary wall to enclose the site shall be submitted to and approved by the local planning authority prior to its construction.
13. The boundary wall shall be constructed in accordance with the approved details prior to the first occupation of the dwelling and thereafter retained at all times.

Informative: For the avoidance of doubt, the approved layout drawing is No TCA-02-4-02A received by the local planning authority on 6 February 2003.

Site at 4, 6 & 8 High Street:

14. Samples of all external facing materials to be used in the building hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.
15. No development shall commence until details of the materials, construction and design, including sections of a) all windows and their position in the reveal; b) the doorcase and door; c) the shopfront at proposed No 4/6 have been submitted to and approved by the local planning authority. The works thereafter shall proceed in accordance with the approved details.
16. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
17. Details of the design and materials of the boundary wall to the rear of the premises hereby approved fronting the High Street passage shall be submitted to and approved by the local planning authority prior to the substantial completion of the development.

Robin Hood Yard:

18. The new car parking provision shall not be first made available for use until the Wharfebank/Hodgson's Terrace land, removed from the application proposals by the agent's letter of the 14 August 2003, has been treated in accordance with a scheme of hard or soft landscaping to be submitted to and approved by the local planning authority.

8-10 Kirkgate:

19. No demolition shall commence until samples of the external facing materials to be used in the construction of the new flank wall shall be submitted to and approved by the local planning authority.

12A, 12B St Josephs Street:

20. Samples of all external facing materials to be used in the dwellings hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.
21. Notwithstanding the drawings submitted with the application, no development shall commence until a detailed proposed site layout plan to a scale of 1:200 has been submitted to and approved by the local planning authority.
22. Details of all boundary walls or fences to define and enclose the site shall be submitted to and approved by the local planning authority prior to the commencement of development.

23. Before any development is commenced the approval of the local planning authority is required to a scheme of landscaping and tree planting for the site, indicating inter alia the number, species, heights on planting and positions of all the trees. Such scheme as approved in writing by the Local planning authority shall be carried out in its entirety within the period of twelve months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the local planning authority. All trees, shrubs and bushes shall be adequately maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

20, 22, 24A and 24B St Josephs Street:

24. Samples of all external facing materials to be used in the dwellings hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.
25. Details of all boundary walls or fences to define and enclose the site shall be submitted to and approved by the local planning authority prior to the commencement of development.
26. The dwellings hereby approved shall not be first occupied until the parking spaces indicated on drawing no TCA-003 have been constructed and made available. The parking spaces shall thereafter be retained at all times.
27. Before any development is commenced the approval of the local planning authority is required to a scheme of landscaping and tree planting for the site, indicating inter alia the number, species, heights on planting and positions of all the trees. Such scheme as approved in writing by the Local planning authority shall be carried out in its entirety within the period of twelve months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the local planning authority. All trees, shrubs and bushes shall be adequately maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.
28. Details of all external surfacing materials to be used in the development shall be submitted to and approved by the local planning authority prior to the commencement of development.

Central Area Car Park:

29. Samples of and details of the suitability of the paving to be used in the resurfacing of the car park shall be submitted to and approved by the local planning authority prior to the commencement of development.
30. Details of the size, species and exact location of the tree planting hereby approved shall be submitted to and approved by the local planning authority prior to the commencement of development.

31. The tree planting scheme approved under Condition (30) above shall be implemented in full accordance with the approved details during the next planting season following the completion of the resurfacing of the Central Area Car Park. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
32. No works shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

The reason(s) for the Council's decision to grant permission for the development subject to the condition(s) specified above is/are:

1. In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Shann House:

2. In the interests of preserving the special interest of the listed buildings.
3. In the interests of preserving the special interest of the listed buildings.
4. In order that information on the design, method of fitting, materials and any projection above the roof slope are specifically considered and approved by the Local planning authority, in the interests of preserving the special interest of the listed buildings.

23/25 Kirkgate:

5. In the interests of visual amenity in the conservation area.
6. In the interests of visual amenity in the conservation area.
7. To protect the occupiers of the flat hereby approved from noise generated from the ground floor shop or the electricity transformer.
8. To protect the occupiers of the flat hereby approved from noise generated from the ground floor shop or the electricity transformer.
9. The site is of archaeological interest.

Rear of 18 High Street:

10. In the interests of visual amenity within the curtilage of a listed building.
11. The site is of archaeological interest.

12. In the interests of visual amenity within the curtilage of a listed building and to protect the privacy of amenities of the future occupants.
13. In the interests of visual amenity within the curtilage of a listed building and to protect the privacy and amenities of the future occupants.
- Site at 4, 6 & 8 High Street:
14. In the interests of visual amenity on a principal road frontage within the conservation area and in the vicinity of listed buildings.
15. To safeguard the rights of control by the local planning authority and in the interests of general amenity.
16. The site is of archaeological interest.
17. To define the site and in the interests of maintaining enclosures to the passageway.
- Robin Hood Yard:
18. In order to ensure a remedial treatment of the site, following the removal of its development proposals from this application in the interests of its appearance within and the general amenities of the conservation area.
- 8-10 Kirkgate:
19. In the interests of visual amenity in the conservation area.
- 12A, 12B St Josephs Street:
20. In the interests of visual amenity.
21. To retain the local planning authority's rights of control and ensure that full details of the proposed siting of the proposals are available.
22. In the interests of residential and visual amenity.
23. To safeguard the rights of control by the local planning authority in these respects and in the interests of amenity.
- 20, 22, 24A and 24B St Josephs Street:
24. In the interests of visual amenity.
25. In the interests of residential and visual amenity.
26. To ensure the provision of satisfactory off street car parking spaces.
27. To safeguard the rights of control by the local planning authority in these respects and in the interests of amenity.
28. In the interests of visual amenity.

Central Area Car Park:

29. In the interests of visual amenity within the conservation area and to ensure the non-slip suitability of the surface in the interests of pedestrian and traffic safety.
30. To secure the planting of trees in accordance with S197 of the Act.
31. To safeguard the rights of control by the local planning authority in these respects and in the interests of amenity.
32. The site is of archaeological interest.

INFORMATIVES:

1. For the avoidance of doubt, the Council has determined this application on the basis of those matters which require approval under the Planning Acts. The description of the proposal as approved has been amended to address those matters which constitute development.
2. The Council would note that the highway measures shown are not in accordance with the adopted Traffic Management Strategy for Tadcaster (known as Option B). For the avoidance of doubt this planning permission does not give or infer any consent for works which either do not constitute development or which indicate works in the highway that are contrary to the County Council's adopted Traffic Management Strategy.

Date  
(D)

10/10/03

(C0/2002/1219)



for Chief Executive

FOR RIGHTS OF APPEAL SEE ATTACHED SHEET

8/73/585/PA

Samuel Smith Old Brewery (Tadcaster)

18/11/2002

Tadcaster West

CO/2002/1219

#### PROPOSAL:

Application for the comprehensive regeneration of Tadcaster Town Centre comprising demolition, re-siting of market, relaying of Central Area Car Park, traffic circulation, landscaping and various development including: Sites 1 to 10 (in accordance with revised drawings TCA/02-4-02 received on 6 February 2003 and TCA/02/07/05A, 06A, 07A, 08A received on 13 August 2003 and agent's letters dated 5 February 2003 and 14 August 2003)

- Site 1 - Shann House, 47-49 Kirkgate: Refurbishment & conversion of building to 15 bed hotel with bar, restaurant and associated car parking.
- Site 2 - 43 Kirkgate: Refurbishment of office building.
- Site 3 - Electricity substation, 23/25 Kirkgate: Construction of building around existing equipment, provision of ground floor staff area for shop & first floor flat.
- Site 4 - Rear of 18 High Street: Proposed erection of 1 No 2 bed dwelling.
- Site 5 - 4/6/8 High Street: Proposed erection of 2 No. retail units with office accommodation above.
- Site 7 - 8-10 Kirkgate: Modifications to building including demolition of northern gable end wall.
- Site 8 - Land off St Joseph's Street: Proposed erection of 2 No 2 bed dwellings.
- Site 9 - Land off St Joseph's Street: Proposed erection of 4 No 2 bed dwellings with associated car parking.
- Site 10 - 1/3 Station Road: Proposed demolition of building.

#### SITE DESCRIPTION AND BACKGROUND (SITE HISTORY):

The application has been the subject of various revisions during its assessment. Most notable of this was the very recent deletion from the application of Site 6: 'Robin Hood Yard, Hodgsons Terrace and Wharfebank Terrace' in the light of an outstanding objection from the Environment Agency. This had proposed five, two storey houses within



the site and four, three storey town houses in line with Wharfebank Terrace, facing the river. In addition, the rationalisation and formal laying out of parking spaces and rear accesses from within Robin Hood Yard were proposed, together with alterations to Pegg Lane at its junction with Kirkgate that are described as a separate part of the proposals (Site 7). Negotiations with the Highway Authority appeared to have addressed their objections with respect to Site 6.

#### SITE DESCRIPTION AND BACKGROUND (SITE HISTORY):

This application site covers a substantial part of the centre of Tadcaster and has been submitted and registered as a single application.

The applicant's description of the proposals includes aspects which, in themselves do not require specific planning approval. However, in view of the potential complexity for consultation, given the size of the total area and the requirement to consult neighbours on those individual sites which might affect them (Sites 1-10), the applicant's description of the works, based upon the scheme drawings has been retained.

The commentary that follows breaks down the application into its constituent parts and a site history and assessment against policy leads to a conclusion on each part. By way of introduction the following description and site history is relevant.

#### **Description of the proposals**

The overall application area, with the exception of 1-3 Station Road (at the top end of St Joseph's Street), lies entirely within the Tadcaster Conservation Area, designated in 1973. In addition, with the exception of the above site and the two infill sites for housing on St Joseph's Street, the proposals are contained within the defined Shopping and Commercial Centre.

There are a number of listed buildings within the defined application boundary and a number have proposals specific to or likely to affect them.

The main description refers to the Central Car Park area between Chapel Street and Kirkgate and envisages the relaying of the town centre car park in Yorkshire limestone, re-siting of the market and the implementation of new traffic circulation patterns. The extents to which these works constitute 'development' are limited to the engineering works of relaying and extending the car park. The existing public convenience block would be removed and the application confirms that there are currently no proposals to re-erect it. The volume of this building falls beneath the threshold for its demolition to require specific Conservation Area Consent.

The traffic circulation proposals aim overall to remove through traffic from Chapel Street, Westgate and Kirkgate. The latter would be permanently pedestrianised between its junctions with Westgate and Pegg Lane and become the site for the market relocated from the Central Car Park. The redirected through traffic would be via St Joseph's Street which, with junction improvements at its top end (Site 10) would remain two way. The existing entrance to the Central Car Park from Chapel Street would remain but the Street would become two-way, in that it would provide for both car park egress and exit. North of the car park slip, Chapel Street would be closed to through traffic and a turning head provided in the vicinity of The Falcon Inn.

The overall package also includes site specific proposals for key locations within the application site boundary. These are addressed in detail in the assessment later.

### **Relevant planning history**

Duplicate applications by the present applicants for alterations to the car park and its access were made in 1993. One of these applications went to appeal for non-determination but was subsequently withdrawn following a Committee resolution to grant the twin tracked application. That permission was issued in April 1994.

An application made by Wharfebank for the re-arrangement of this central car park, alterations to the toilets, rearrangement and addition of the parking areas was approved in June 1992 (8/73/159X) and renewed in January 1999 (8/73/159AR). In considering the renewal application, it was noted that the scheme if implemented would result in the loss of 30 spaces. This permission, it should be noted is still valid although it has not been progressed due to litigation.

The Committee will recall the application from this Council for the refurbishment of the Central Area Car Park, new public conveniences, lighting and landscaping (8/73/159AS/PA) which you considered at your meeting on the 19 March 2003. As a result of litigation I am awaiting formal notification from the Courts of the quashing of that permission. In terms of the consideration of this application, matters relating to issues between individual landowners are not material to the planning merits of a proposal.

Based upon the Local Plan Inspector's report, the present capacity of the Central Area Car Park has been defined as 153 spaces. This scheme indicates a provision of 124 spaces on the Central Car Park, ie a loss of 29 spaces.

A listed building consent application specific to Shann House for those works to facilitate the change of use which is a part of this planning application was considered and approved by this Committee on 19 March 2003.

#### CONSULTATIONS:

##### PARISH COUNCIL:

No objections for the proposals for Sites 1 to 10. Concern overall in that both schemes [the applicants' and the Council application] may receive consent and that traffic management proposals, land ownership and timescales for development should be taken into account.

##### TADCASTER TOWN CENTRE COUNCIL:

The application should be progressed as soon as possible. Members wish to be actively involved in consultation and the applicants are requested to provide Members with timescales for their prospective developments.

##### COUNTY HIGHWAY AUTHORITY:

A Highways and Transport Report dated 7 March 2003 has been considered by the Highway Authority.

Generally the Authority recommends that the developments be approved and notes that the application, as presently configured, would not merit any highway measures in respect of the nine individual sites.

The various measures in the highway require Traffic Regulation Orders and the County note that these measures would have to be promoted through the County Council and could attract objections from third parties. They wish to re-iterate that the town centre proposals, and specifically the part closure of Chapel Street and the two way operation of St Joseph's Street do not accord with the adopted traffic management strategy for the town centre. The Authority notes that certain parts within the red line, in particular the highway, are outside the control of the applicant.

##### COUNTY PLANNING AUTHORITY

No strategic policy objection, but note that the market is to be re-sited where no alternative site is put forward. The County Conservation Officer comments that overall the proposals will greatly enhance the character of the town but that the demolition of 1-3 Station Road is regrettable.

##### COUNTY ARCHAEOLOGIST:

Likely to have considerable effects on the historic environment, no assessment or evaluation. A case could be made that it requires

Environmental Assessment. Contrary to Policies E4 and E5 and ENV28, it is incomplete and should be refused.

**CONSERVATION AREA ADVISORY COMMITTEE:**

No objections.

**ENGLISH HERITAGE:**

Overall they comment that this application is proposing solutions to some of the sites which could benefit from refurbishment.

On the specific sites within the scheme, they comment as follows:

Site 4: Land rear of 18 High Street.

Concerned about the random positioning of the dwelling off the car park. Would not wish to see the fragmentation of the yards.

Site 5: 4-8 High Street

Would support the refurbishment

Sites 8 & 9: St Joseph's Street sites

Appear to be reasonable proposals.

On sites 1,2,3,7 & 10 they say they have no information and cannot offer comments.

On the alternative car park refurbishment, English Heritage say that they endorse the treatment details and say that it would bring a considerable enhancement to this significant and large town centre site. They say that the relocation of the market into Kirkgate appears to be based upon historical precedent but that they would require more information on this radical change before offering advice.

**NORTH YORKSHIRE POLICE:**

Do not have any comments re 'Designing Out Crime' issues.

Crime statistics in Tadcaster are extremely low. Would nevertheless request that the applicant considers Secured Car Park specifications and some detailed comment with respect to surveillance within Site 6.

**ENVIRONMENT AGENCY:**

The Agency's initial comments were in relation to Site 6, the Wharfebank Terrace/Robin Hood Yard site which lies within the indicative flood plain. The Agency objected in the absence of a Flood Risk Assessment (FRA).

Subsequently, the Agency commented on the wider proposals and raised no objections subject to the imposition of conditions relating to protection of the water environment from run-off during construction and thereafter.

The Flood Risk Assessment was received from the applicants in early March and has been the subject of consultation and discussion with the Environment Agency.

The Environment Agency's most recent response (dated 19 March 2003) clarifies their position in that they objected to the development of Site 6 which is within the indicative flood plain. They acknowledge that they are planning a scheme for Tadcaster which will improve the standard of defence, but this has no definite timescales. They suggest that this element of the proposals should be withdrawn or that the applicants undertake further Flood Risk Assessment to consider the scope for further raised floor levels, flood storage and safe access routes on the basis that the Agency's own scheme had not been implemented.

It is my understanding that Site 6 has been withdrawn from the proposals by the applicants because of this outstanding objection and the lack of any clear progress on the Agency's own proposals which, if approved and implemented would overcome the objection.

**YORKSHIRE WATER:**

No objections subject to the imposition of various conditions concerning water supply and waste water.

**PRINCIPAL ENVIRONMENTAL HEALTH OFFICER**

Makes a number of general comments about the proximity of some of the schemes to residential units. Comments specific to each of the numbered sites are addressed in the commentary to that particular scheme. Overall there is a request for consideration of hours of working conditions and measures to control construction access and to minimise disturbance from noise, dust and dirt. In addition, he refers to the incidence of empty properties in the Westgate, Kirkgate and Chapel Street area, which could be incorporated into the scheme.

**NEIGHBOURS:**

Two residents of Wharfe Bank Terrace:

No objections and whole hearted support to Site 6 but would like it noting that daily rear access is required and access rights across Robin Hood Yard should be retained both during and after construction.

*Note: this element of the application has since been withdrawn.*

**Chapel Street resident:**

Concerning the building on the St Joseph's Street plots. Presently used for car parking, where are residents of Chapel Street to park? Raise

strong objection on the grounds of incompatibility with current residents and central parking availability.

Station Road resident:

On the demolition of No 1, would like it to a timescale to reduce disruption, disturbance and believe that proposals for maintenance of verge at improved junction need clarifying.

Percivals (Contract and Construction Management) Tadcaster:

Generally believes proposals should be positively encouraged but has reservations concerning houses in St Joseph's Street until there is a comprehensive car parking strategy for Tadcaster and does not agree that the traffic management proposals should be implemented.

## POLICIES AND ISSUES:

This application, with its many components and site specific proposals raises a number of policy issues. The following policies and guidance are relevant in the determination of this application, individual sites are then assessed against the policies relevant to that particular site.

Section 54A of the Town and Country Planning Act (as amended) places a requirement on a local planning authority to determine applications in accordance with the approved development plan, "unless material considerations indicate otherwise".

The development or redevelopment of land within existing centres is supported by County Structure Plan Policy H6. On transport matters, Policy T6 would support traffic management measures and pedestrianisation within areas of tourist or conservation importance in order to deal with, for example, traffic congestion, vehicle pedestrian conflict or extraneous traffic in historic areas. Policy T9, which relates to off street parking facilities and provision within new development can be applied to the individual pocket sites but does not appear to be directly relevant to the proposed refurbishment of the Central Car Park. There are no other Structure Plan policies of direct significance to the consideration of this application.

The adopted local plan is the Rural Areas Local Plan, adopted in 1993. HSG 4 would permit infilling, conversions and small scale residential development within the built-up limits of Tadcaster, provided various standard criteria are satisfied. Within the Central Shopping and Business Area, Policy TAD 5 would permit retailing and other appropriate town centre uses, subject to compliance with normal development control criteria. TAD 8 would require development or redevelopment proposals to

include adequate car parking provision, unless such provision would prejudice an otherwise acceptable scheme.

There is a statutory requirement to have special regard to the desirability of preserving any listed building or its setting, or any features of special architectural or historic interest, which it possesses. The site's location within the Conservation Area also introduces the requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area.

Policies CC4, and TAD 10 of the Rural Areas Local Plan and ENV22, ENV24, ENV25 and ENV28 of the emerging SDLP with respect to development affecting listed buildings, Conservation Areas and archaeological remains are also relevant to and consistent with the above requirements of statute.

The larger regeneration aims of this application can be consistent with the Governments' objectives with respect to town centres contained in PPG6 Town Centres and Retail Developments. The vitality and viability of centres depends upon creating and maintaining an attractive environment; ensuring good accessibility and attracting continuing investment in buildings. Authorities are encouraged to produce strategies for car parking, assess the overall availability and promote the provision of car parks where the main need is for parking to serve the needs of the centre as a whole, rather than individual developments.

### **Local Plan Inspector's Report**

Chapter 10 to the Inspector's Report dealt in detail with this applicant's objections to the Tadcaster settlement statement. The Local Plan Inquiry Report remains a material consideration until the adoption of the emerging Local Plan.

The importance of having a town centre strategy is promoted in PPG6 and investors and providers can be encouraged to bring developments forward if they are involved in the preparation of such strategies. Clearly the process of plan preparation and the deliberations of the Inquiry Inspector in considering the strategy put forward and comments raised on it should ensure that as many stakeholders as possible have been involved in its preparation.

The Inspector generally endorsed the Development Strategy for Tadcaster as proposed in the Plan, as to consolidate its role as a service centre. He specifically concluded that the market town physically needs regeneration.

On the discussion on the town centre he observed that the present free parking in the centre was an important facility to maintain the attractiveness of the centre to shoppers. Both PPG13: Transport, and PPG 6 stress the importance of good quality secure parking to maintain the vitality and viability of centres. The Inspector also observed that the Council does not have explicit management and pricing policy to control parking but that these may need to be developed in the future.

PPG13 suggests that car parking charges should be used to encourage the use of alternative modes and applications for new car parks should generally be refused if they do not accord with guidance. In view of the comments from North Yorkshire Police, I do not believe there is any case to seek CCTV in the central car park as part of the proposals.

On regeneration, Policy TAD/4 was not modified and this would seek a comprehensive scheme of environmental improvement through consideration of specific proposals against this criteria based policy.

Policies TAD/5 and TAD/7 would permit both the establishment and extension of retail uses and for the provision of residential accommodation within the defined Shopping and Commercial centre, subject to compliance with development control criteria.

The Proposed Modifications were published for their six-week consultation period on 1 June 2003. No modifications are proposed to the overall Tadcaster Strategy other than to emphasise that previously developed land should come forward before greenfield sites. The spirit and intent of the policies referred to above remains unchanged.

## ASSESSMENT

This is a single application comprising a number of discrete sites and proposals that together would combine to provide the climate for and actual regeneration proposed by the applicants.

In addition therefore to the earlier overall commentary on the entire application, each of the development sites (1-10, but excluding Site 6) is addressed individually in the following assessment.

Site 1: Shann House, 47/49 Kirkgate

A Grade II listed building, part of which is presently in use as a hotel (No 47). The proposal is to refurbish the vacant office part, link it internally to the existing to provide a combined total of 16 guest bedrooms, with restaurant and bar facilities.



In addition, there are proposals to remove some rear single storey additions and to refurbish the rear façade. There was a parallel listed building application, relating to the demolitions and internal works to facilitate the use, which this Committee approved on the 19 March.

Planning and listed building consent was granted in 1992 and renewed in May 1997 to form additional hotel accommodation in No.49. Those various works and alterations to facilitate the conversion are not the same as now proposed but the principle of the acceptability of the use has previously been established. The reuse which brings an empty listed building back into use should be supported.

Negotiations on the scheme have led to a better defined package and subject to a number of conditions, mostly to do with details of external elements, I would support the proposals for Shann House.

**Site 2: 43 Kirkgate**

Relates to the former Council office building on the corner of Vicarage Lane. It is for the internal refurbishment to provide office accommodation to modern standards. The works are entirely internal and because the building is not listed, no specific planning approval is required.

**Site 3: 23/25 Kirkgate**

This is an unlisted end of terrace shop on the south side of Kirkgate, east of The Ark (a Grade II\* listed building). The site of No.25 is an electricity sub-station, screened from the street by a brick wall and gates. The exposed gable of No.23 is cement rendered and rather unsightly in the Conservation Area.

The proposal is to construct a two storey side extension to No.23, enclosing the substation which would enable the first floor to be turned into a flat, with its own separate entrance at the rear. The design and materials are to match the existing building and are acceptable. The principle of such an extension was previously granted in 1989 and a larger side extension extending further towards the Ark was allowed on appeal in 1993 and renewed in 1998. There thus remains an existing, valid consent for similar works. The current scheme is an advancement over that existing consent because it provides for first floor living accommodation and replaces a previously blank window opening on the first floor with a timber sliding sash, to match the existing.

The Principal EHO has requested details of insulation to provide protection for the flat. The enclosure of the transformer has previously been approved and I understand would have to comply with strict electricity undertaker guidelines.

The previous consents included conditions relating to archaeology and although it is likely that the presence of the power transformer might have disturbed any remains it would be appropriate to again impose such a condition.

**Site 4: Rear of 18 High Street**

This is a Grade II listed building fronting the High Street in use as a tea room. The property was extended with a first floor extension on the frontage to create a carriageway arch to the rear in 1985. An extension at the rear to create ground floor extended kitchen and WC facilities and a first floor 'gallery' for craft use as part of that permission has not been implemented.

The original proposal was for a two bedroomed detached house at the rear, but extending the rear yard towards the car park with a walled garden at the front. Although a large rear extension has previously been approved, and remains a valid consent, I had serious reservations about the principle of a detached house in the curtilage of this listed building. I believed the quality of the environment for potential occupants, given its principal outlook and facade to the car park would not be ideal.

The Principal EHO requested proposals to negate the effects of noise and fumes from vehicle movements in the adjacent car park. He believes this should be in the form of an acoustic barrier.

The applicants have since revised the proposals and provided evidence of burgage development in the rears of these linear plots. The revision turns the face of the dwelling away from the car park and, in view of the information now supplied, your Conservation Officer and I would support this revision.

**Site 5: Site of 4,6 & 8 High Street**

This is a presently vacant site adjacent to the HSBC Bank on the corner of Kirkgate.

A number of the properties in the vicinity on High Street are listed buildings, including that adjacent to the south at No.10. The proposal is to erect a two storey brick and stone building with ground floor shop units and first floor office accommodation. The premises would be serviced from the rear and the existing adjacent passageway alongside No 10 through to the Central Area Car Park at the rear would be retained.

Permission for the development of this site, as part of the conversion and refurbishment for No 10 was given in 1992 and because the works at No 10 were implemented, that earlier consent remains valid. The present proposals are identical to that existing consent. It appears that previously

this site has been incidental open space between a former doctor's surgery at the back of the site and the frontage to the High Street. A condition on the previous consent provided for an archaeological assessment and it appears that some evaluation and excavation was carried out. The site presently has a number of visible excavations remaining on it. Archaeological finds of Roman, medieval and post-medieval origins were uncovered with particular assemblages regarded by the County Archaeologist as being of significance. The advice at that time would be that a further 'watching brief' would be required at the re-commencement of any development.

This is potentially an unsightly gap in the principal street frontage and its development would accord with the intention of existing Rural Areas Local Plan Policy TAD 11 which would not permit the 'opening-up' of street frontages.

In view of the existing consent I would support this proposal and any outstanding archaeological matters can be addressed through a condition on any approval.

Site 7: 8,10 Kirkgate

This is a vacant, unlisted three-storey building within the Conservation Area. No 8 is a showroom with office accommodation whilst No.10 was a three bedroomed dwelling. The proposal is essentially to remove part of No 10 with the consequent effect of reducing the frontage of the building onto Kirkgate by approximately 2.2m and the rebuilding of the gable on its new alignment to allow the widening of Pegg Lane. The works of demolition, other than the prior approval procedures do not require specific planning approval and Conservation Area consent is not required because this is only a partial demolition. The rebuilding of the gable wall on its new alignment could, I would suggest be regarded as an engineering or building operation in its own right and I would therefore intend to condition the materials and appearance of the new gable on any approval. The need for this demolition had been related to the proposals for Site 6 but which have now been removed from the application.

Site 8: Known as 12A and 12B St Joseph's Street

This site is an existing private parking court off the north east side of St Joseph's Street. Accessed directly off the Court are 14 and 16 St Joseph Street and an older cottage at No 12a (Bradley House). Fronting St Joseph Street to the north west is a double fronted stone built building (No 18), presently vacant and To Let but with an approved use for offices. To the east are the terraces and rear gardens of properties fronting St Joseph Street and Chapel Street.

This court was developed as part of a scheme for eight dwellings, six fronting Chapel Street and including the pair of semis at 14/16, under a permission given in 1992. The approval included for eight spaces specifically provided to serve the office use at No. 18; five spaces at the rear of Chapel Street and three garages and three spaces on what is now the current application site. The garages were not implemented so the application site presently accommodates three off street parking spaces. The pair of semis within the court have their own off-street provision.

The principal issue here is the loss of existing off-street parking provision which, although not specifically required to be retained as part of that earlier scheme, their loss could lead to pressure on existing parking provision elsewhere. Although this building would be forward of the front face of 12a, the separation is, I believe sufficient to prevent against any loss of outlook from this existing neighbour.

In the absence of any specific highway authority comments or objections, I would not wish to object to this proposal which would address an underused site close to the central area that has a clear potential for infill housing.

Site 9: Known as 20-24 St Joseph's Street

There is no history of previous applications or approvals for this site, which is being used for incidental and fly car parking using an existing access from St Joseph Street. To the north west are the buildings and premises of Paynes Plumbers. No.18 fronts St Joseph Street to the south.

Two pairs of two bedroomed semi detached houses are proposed, one pair fronting St Joseph Street in line with No.18 and the second on an area of rough surfacing to the rear. There is a narrow alleyway between No's 27 and 29 Chapel Street which is clearly used as a pedestrian link between Chapel Street with St Joseph's Street.

The siting of the buildings and their relationship to neighbours, in view of existing boundary walls and fences is acceptable and I would regard the scheme as a more efficient use of the land than at present. A number of off street parking spaces are to be provided adjacent to the northern boundary. The applicants privately own the land and thus there is no public right for public parking. The ability to retain or regularise any public use of this area is beyond the control of the local planning authority. This is a brownfield site close to the central facilities of Tadcaster. The proposed materials are local limestone and clay pantile, and are consistent with neighbouring buildings.

Site 10: 1-3 Station Road

There is no history of previous applications or approvals for these vacant dwellings situated outside of the Conservation Area. The proposal is for their demolition which, subject to the prior approval procedures is permitted development and requires neither specific planning approval nor Conservation Area Consent.

The reason for the proposals is given as to facilitate road improvements to the St Joseph's Street junction with Westgate and Station Road. Existing Rural Areas Local Plan Policy TAD 7 reserves this land for road improvement.

Central Area Car Park, Traffic Management and The Market

The works to the Central Area Car Park comprise the relaying and realignment of the car park surface using Yorkshire limestone. This is one of the principal focuses of the central area and such environmental improvements and opportunities for additional planting and realignment would be entirely consistent with the proposed Tadcaster Strategy. Samples of materials and details of the planting and their implementation can be controlled by conditions on any approval.

The proposals for an alternative system of traffic management or traffic flow do not in themselves require specific planning approval because no physical works of development are involved. In any event the works within the adopted highway would require the specific approval and probable implementation by the Highway Authority, following the publication and any confirmation of Traffic Regulation Orders. This part of the scheme therefore, although helpful background in the context of the broad desire for regeneration is a matter to be resolved between the applicants and the Highway Authority.

In a slightly similar vein, I have taken the view that the proposals to re-site the market, again reliant upon the pedestrianisation of Kirkgate do not in themselves amount to development. The erection of market stalls, which are not physically or permanently attached to the ground, does not normally constitute development and the activity is more likely to constitute a use of the land. The issue then is concerned with the use of highway land and normal practice is that applications are rarely made for works in the highway since the overriding consent of that authority is required.

## CONCLUSIONS

As can be seen from the assessment above, many of the proposals are the subject of an existing consent or a similar consent which is either still

valid or only recently expired. The overall package is consistent with the broad aims of the Tadcaster Settlement Strategy contained within the emerging plan. The introduction of new residential and commercial uses in a central, sustainable location is to be supported, not least for the positive regeneration benefits it can bring.

The deletion of the Robin Hood Yard site from the application, although regrettable in terms of the townscape and vitality benefits such a scheme could bring, effectively addresses the outstanding Environment Agency objection since no other parts of the application lie within the indicative flood plain.

#### RECOMMENDATION:

GRANT PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:

#### CONDITIONS

1. The development for which permission is hereby granted shall be begun within a period of five years from the date of this permission.

Explanation: For the avoidance of doubt the conditions which follow relate to that part of the application site identified in the heading that immediately precedes that condition or list of conditions. Reference hereafter to "the development" or "commencement of development" shall be construed as relating to that particular site identified by that condition, rather than any other part of the larger approved scheme as a whole.

#### SHANN HOUSE

2. Samples of all new external facing materials to be used in the works hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of the works.
3. All other external works of reinstatement shall use materials which match in colour and texture those in their vicinity.
4. Details of the proposed rooflights in the rear roof slope of the buildings, to scale of not less than 1:50 shall be submitted to and approved by the Local Planning Authority prior to their installation.

#### 23/25 KIRKGATE

5. Samples of the facing brickwork to be used in the extension hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

6. The windows in the approved extension shall be of a design, construction, materials and position in the reveal to match those on the existing upper floor of the building.
7. No development shall commence until details of a scheme of sound insulation for the proposed first floor flat have been submitted to and approved by the Local Planning Authority.
8. The approved scheme of sound insulation shall thereafter be implemented in full accordance with the approved details prior to the first occupation of the flat.
9. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

#### REAR OF 18 HIGH STREET

10. Samples of all external facing materials to be used in the dwelling hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
11. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
12. Details of the design, height and materials of the boundary wall to enclose the site shall be submitted to and approved by the Local Planning Authority prior to its construction.
13. The boundary wall shall be constructed in accordance with the approved details prior to the first occupation of the dwelling and thereafter retained at all times.

#### SITE AT 4, 6 AND 8 HIGH STREET

14. Samples of all external facing materials to be used in the dwelling hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

15. No development shall commence until details of the materials, construction and design, including sections of a) all windows and their position in the reveal; b) the doorcase and door; c) the shopfront at proposed No 4/6 have been submitted to and approved by the Local Planning Authority. The works thereafter shall proceed in accordance with the approved details.
16. No development shall take place within the curtilage of the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
17. Details of the design and materials of the boundary wall to the rear of the premises hereby approved fronting the High Street passage shall be submitted to and approved by the Local Planning Authority prior to the substantial completion of the development.

#### 8-10 KIRKGATE

18. No demolition shall commence until samples of the external facing materials to be used in the construction of the new flank wall shall be submitted to and approved by the Local Planning Authority.

#### 12A, 12B ST JOSEPH'S STREET

19. Samples of all external facing materials to be used in the dwellings hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
20. Notwithstanding the drawings submitted with the application, no development shall commence until a detailed proposed site layout plan to a scale of 1:200 has been submitted to and approved by the Local Planning Authority.
21. Details of all boundary walls or fences to define and enclose the site shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
22. Before any development is commenced the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site, indicating inter alia the number, species, heights on planting and positions of all the trees. Such scheme as approved in writing by the Local Planning Authority shall be carried out in its entirety within the period of twelve months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with



the Local Planning Authority. All trees, shrubs and bushes shall be adequately maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

23. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

#### 20, 22, 24A AND 24B ST JOSEPH'S STREET

24. Samples of all external facing materials to be used in the dwellings hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
25. Details of all boundary walls or fences to define and enclose the site shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
26. The dwellings hereby approved shall not be first occupied until the parking spaces indicated on Drawing No TCA-003 have been constructed and made available. The parking spaces shall thereafter be retained at all times.
27. Before any development is commenced the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site, indicating inter alia the number, species, heights on planting and positions of all the trees. Such scheme as approved in writing by the Local Planning Authority shall be carried out in its entirety within the period of twelve months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be adequately maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.
28. Details of all external surfacing materials to be used in the development shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
29. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

## CENTRAL AREA CAR PARK

30. Samples of the paving to be used in the resurfacing of the car parking shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
31. Details of the size, species and exact location of the tree planting hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
32. The approved tree-planting scheme as approved in writing by the Local Planning Authority shall be carried out in its entirety within the period of twelve months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be adequately maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.
33. Surface water from the Central Area Car Park shall be passed through an interceptor of adequate capacity prior to discharge to the public sewer.

## REASONS

1. In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

## SHANN HOUSE

2. In the interests of preserving the special interest of the listed buildings.
3. In the interests of preserving the special interest of the listed buildings.
4. In order that information on the design, method of fitting, materials and any projection above the roof slope are specifically considered and approved by the Local Planning Authority, in the interests of preserving the special interest of the listed buildings.

## 23/25 KIRKGATE

5. In the interests of visual amenity in the conservation area.
6. In the interests of visual amenity in the conservation area.

7. To protect the occupiers of the flat hereby approved from noise generated from the ground floor shop or the electricity transformer.
8. To protect the occupiers of the flat hereby approved from noise generated from the ground floor shop or the electricity transformer.
9. The site is of archaeological interest.

#### REAR OF 18 HIGH STREET

10. In the interests of visual amenity within the curtilage of a listed building.
11. The site is of archaeological interest.
12. In the interests of visual amenity within the curtilage of a listed building and to protect the privacy of amenities of the future occupants.
13. In the interests of visual amenity within the curtilage of a listed building and to protect the privacy and amenities of the future occupants.

#### SITE AT 4, 6 AND 8 HIGH STREET

14. In the interests of visual amenity on a principal road frontage within the conservation area and in the vicinity of listed buildings.
15. To safeguard the rights of control by the Local Planning Authority and in the interests of general amenity.
16. The site is of archaeological interest.
17. To define the site and in the interests of maintaining enclosures to the passageway.

#### 8-10 KIRKGATE

18. In the interests of visual amenity in the conservation area.

#### 12A, 12B ST JOSEPH'S STREET

19. In the interests of visual amenity.
20. To retain the Local Planning Authority's rights of control and ensure that full details of the proposed siting of the proposals are available.
21. In the interests of residential and visual amenity.

22. To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
23. In order to ensure that there are adequate sewage disposal/drainage facilities to cater for the development hereby permitted.

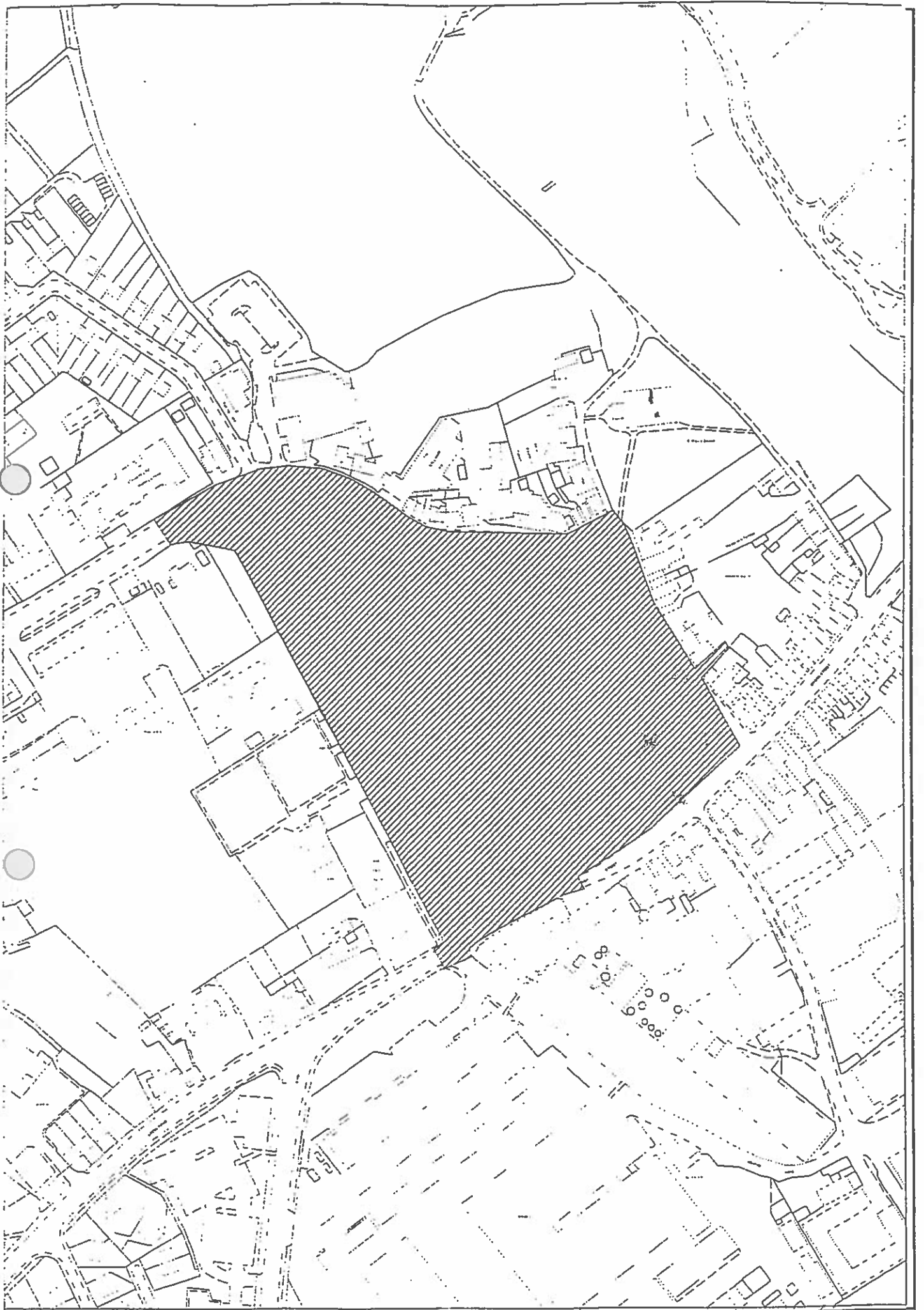
#### 20, 22, 24A AND 24B ST JOSEPH'S STREET

24. In the interests of visual amenity.
25. In the interests of residential and visual amenity.
26. To ensure the provision of satisfactory off street car parking spaces.
27. To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
28. In the interests of visual amenity.
29. In order to ensure that there are adequate sewage disposal/drainage facilities to cater for the development hereby permitted.

#### CENTRAL AREA CAR PARK

30. In the interests of visual amenity within the conservation area.
31. To secure the planting of trees in accordance with S197 of the Act.
32. To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
33. To prevent pollution of the water environment.

Informative: Yorkshire Water advise that a number of sewers and water mains lie within public highways within the site and require that there shall be no building or other construction located over or within 3.0 m of the line of their equipment.





**NORTH YORKSHIRE COUNTY COUNCIL  
ENVIRONMENTAL SERVICES**

**HIGHWAY AUTHORITY RECOMMENDATION**

<b>Application No:</b> 8/73/585/PA			
<b>Proposed Development:</b>		Application for the comprehensive regeneration of Tadcaster Town Centre comprising demolition, re-siting of market, re-laying of central area car park, traffic circulation, landscaping and various developments.	
<b>Location:</b>		Various in Tadcaster Town Centre	
<b>Applicant:</b>		Samuel Smith Old Brewery (Tadcaster)	
<b>Please ask for:</b> Mr J P Broomhead		<b>Tel:</b> 01609 532311	
		<b>E-mail:</b> phil.broomhead@northyorks.gov.uk	
<b>CH Ref:</b>	<b>ATM Ref:</b>	<b>County Road No:</b>	<b>Map Ref:</b>
<b>HIGHWAY AUTHORITY RECOMMENDATION:</b>			
<ol style="list-style-type: none"> <li>The red line includes areas which are outside the control of the Applicant, in particular, the highway which would not be subject of a planning permission in respect of this development.</li> <li>The 10 sites, with the exception of the development at Site 6, as proposed, would not merit highway measures either individually or collectively. Furthermore, the highway measures shown are not in accordance with the County Council's adopted Traffic Management Strategy for Tadcaster.</li> <li>The Applicant shows various measures on the highway which would require Traffic Regulation Orders, in particular, the re-siting of the market and the direction of traffic flows within the system of roads in the centre of Tadcaster. Similarly, road humps are shown which would also require advertisement. All of these measures even assuming they were acceptable to the Highway Authority, would have to be promoted through the County Council and they could attract objections from third parties. In any event, as stated above, it is not appropriate to include these highway proposals in a planning application given that they are not a requirement of the development proposals 1 – 10. Nevertheless, the County Council wishes to reiterate that the Town Centre proposals shown in the application, involving a point closure of Chapel Street and consequent two-way operation on St. Joseph's Street, do not accord with the adopted traffic management strategy for Tadcaster Town Centre, and are therefore not acceptable to the County Council.</li> <li>The residential development in the vicinity of Hodgsons Terrace shows 9 private dwellings served from an unadopted road. This exceeds the County Council's limit of 3 and the national policy, as stated in People, Places and Movement, which places a limit of 5 properties served from a private road. In addition, as presented, the visibility requirements at the junction of Pegg Lane and Kirkgate do not satisfy the required standard of 2 x 45 metres. It is also felt that there is inadequate provision for pedestrians in the vicinity of what will be a public car park.</li> <li>The Public Right of Way footpath No 8 will require diverting to accommodate the proposals for developments Nos 6 and 9.</li> </ol>			
			Continued.....
<b>To:</b> FAO: Paul Edwards Selby D.C.		<b>Copies to:</b>	
<b>Signed:</b> For Director of Environmental Services		<b>Date:</b> 17 April 2003	
<p align="center"><b>Issued by: Development Control Unit, County Hall, Northallerton, North Yorkshire DL7 8AH</b> <b>Please send a copy of Decision Notice and any correspondence to the above address</b></p>			

<b>For office use only</b>			<b>Off site drainage</b>	<b>Structures</b>	<b>Cycle Parking</b>	<b>Application Category</b>



NORTH YORKSHIRE COUNTY COUNCIL  
**ENVIRONMENTAL SERVICES**

HIGHWAY AUTHORITY RECOMMENDATION (Continued)

Application No: **8/73/585/PA**

RECOMMENDED

1. That the application for developments no.s 1, 2, 3, 4, 5, 7, 8, 9 and 10 be approved subject to the following condition.

**HW14 Details of Access, Turning & Parking**

The development shall not be commenced until full details of the proposed vehicular access, parking and turning arrangements have been submitted to and been approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Those arrangements shall be constructed in accordance with the specification so approved before the development is first brought into use unless otherwise approved by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

2. That the development No 6 be refused for the following reasons:

- R1 The Planning Authority considers that the roads leading to the site are not of a sufficient width to cater for the traffic which would be likely to be generated by this proposal.
- R2 The Planning Authority considers that clear visibility of 45 metres cannot be achieved along the public highway in a northerly direction from a point 2 metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

3. The Planning Authority considers that there is inadequate provision for pedestrian movement within the vicinity of the proposed car park.

DISCLAIMER

The Applicant should be aware that a granting of planning approval should not be construed as giving approval to the implementation of any works within the existing adopted highway.

17 April 2003

Signed: