

Item Number: 14
Application No: 13/00885/FUL
Parish: Westow Parish Council
Appn. Type: Full Application
Applicant: Mount Farm Partnership
Proposal: Erection of 1no. 3 bedroom dwelling with attached carport and a terrace of 1no. 3 bedroom and 2no. 2 bedroom dwellings with associated parking and amenity areas.
Location: Buildings At Mount Farm Main Street Westow Malton

Registration Date:
8/13 Wk Expiry Date: 20 September 2013
Overall Expiry Date: 11 November 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

English Heritage	Comments - No objection in principle
Environmental Health Officer	Recommend conditions
Building Conservation Officer	No objection
Countryside Officer	Recommend condition
Parish Council	Object
Highways North Yorkshire	Comments made
Highways North Yorkshire	No objections subject to conditions
Land Use Planning	Requires clarification
Public Rights Of Way	Recommends informative
Housing Services	Support

Neighbour responses: Mrs Elizabeth Anne Caley, Mr And Mrs P And C Colbeck, Kathy Charteris, Mr Patrick Colbeck, Mrs Angela Fothergill, Mrs Heidi Saxby, , P And J Ormrod, , Mr Tim Saxby, Mr Keith Smith, N.H.R Johnson, Mr Tony Manging, Miss Jackie Bradshaw,

SITE:

The application site is situated within Westow Conservation Area, and lies within the 'saved' development limits. It comprises a farm yard with relatively modern farm buildings which are constructed from a combination of portal steel frame with infill block work and timber buildings in a relatively poor state of repair. These are situated behind traditional houses and a barn on Main Street. The site extends in a northerly direction where it reaches open countryside, access is via Chapel Lane which runs to the north western corner of the site. The area is predominantly residential, with dwellings abutting the southern and western boundaries of the site. A terrace of houses is also located at right angles to the main street along the south eastern corner. Gardens to those properties forms the eastern boundary. A footpath runs part way down the western boundary.

After the retirement of the previous owner, Mount Farm no longer operates as a working farm.

PROPOSAL:

Permission is sought for the removal of the modern barns on the site, and the erection of 1 single storey, 3 bedroom dwelling with an attached carport and a terrace of 2 no. two bedroom dwellings and 1 no. 3 bedroom dwelling with associated parking.

The terraced houses run in a north-south orientation, with parking for the end terraces to either side, and two spaces in front of the central terrace. The houses have an eaves height of 4.2m and a ridge height of 7.4m. They will be constructed from stone under a clay pantile roof with brick stacks and timber windows.

To the north of the terrace, a single storey dwelling will be constructed from coursed rubble stone with an attached traditional car port to the side. The western elevation of the dwelling is blank with the exception of clay pipe vents which are included to give a more traditional semi-agricultural appearance.

It will be constructed from coursed rubble stone under a clay pipe vent.

As a result of the response from the Highways Authority, together with concerns expressed by some neighbouring occupiers, a turning head will be provided immediately adjacent to the northern boundary of the site.

POLICY:

Primary Legislation

The Planning and Compulsory Purchase Act 2004 (as amended)
Planning (Listed Buildings and Conservation Area Act) 1990

National Planning Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP3 - Affordable Housing
Policy SP4 - Type and Mix of New Housing
Policy SP11 - Community Facilities and Services (relates to Public open space Contributions)
Policy SP12 - Heritage
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues
Policy SP21 - Occupancy Conditions

Neighbour response

The application was submitted in August 2013. Since its submission, 12 letters of objection to the development have been received. However some are as a result of re-consultation. Revised plans have been received and re-consultation has been carried out since many of the comments were received. The full comments are available to view on the public website, however the following includes many of the main points raised:-

- Westow is a small village, the population increase would blur its rural identity and put pressure on resources
- Rural lanes are unlit and narrow, and an increase in traffic would be hazardous
- Light pollution
- Chapel Lane is at full capacity
- The turning head is out of keeping and will spoil the character of the area

- Ecological considerations
- Development does not preserve or enhance the character of the Conservation Area
- Overlooking neighbouring dwelling.
- HGV's have to reverse down Chapel Lane before they can turn around
- Impact of additional vehicular movements on the residents of Chapel Lane
- Small gardens out of keeping with the village
- Surface water problems

Re-consultation was carried out in relation to the most recent plans submitted on 15 October 2014. These plans include the re-location of the parking spaces for two of the dwellings to either side of the terrace, to reduce their prominence. Additional landscaping has also been included. Two letters have been received as a result of the re-consultation. The first letter comments that the position of the turning head is improved but will still require the removal of part of the hedge. Furthermore surface water drainage and water draining from the field onto Chapel Lane has not been addressed. Other comments from their previous letters in relation to access, traffic volumes, numbers of houses etc, still apply.

A second letter states that the revised plans have not addressed previous concerns in relation to the inappropriate design, impact on the character of the Conservation Area, overlooking, turning area will block view, and will become an overflow parking area. Furthermore additional traffic is a major concern.

Parish Council Response

Prior to the re-consultation on the recent plans, the Parish Council objected to the development. Their full comments are appended, however their main points are as follows:-

- The northern property *is* acceptable
- The three dwellings will result in increased traffic on roads in the village that were never intended to take the volume that they do now
- Consider the dwellings are too high
- Parking to the front of the dwellings is not acceptable
- The orientation of the dwellings could be altered to take their position from the cottages to the west
- If the traditional outbuildings at Mount Farm are ever developed, vehicles may have to park on the main street
- Don't support use of tarmac
- The turning head lacks sensitivity, and would be better located directly adjacent to the site.

No further comments have been received from the Parish Council at the time of writing this report in relation to the most recent revised plans.

APPRAISAL:

The main issues in the consideration of the application are:

- Principle of residential development
- Heritage assessment
- Design
- Neighbour impact
- Access considerations
- Contributions
- Ecological considerations
- Drainage

Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Ryedale Plan - Local Plan Strategy directs most development to the market towns, with Malton and Norton supported as Ryedale's principal town, and Pickering, Kirkbymoorside and Helmsley as local service centres. Limited small scale growth will be directed to service villages. Housing in other villages is justified only in exceptional circumstances. Westow is not identified as a service village, and therefore falls within the category of 'other villages'. Policy SP2 states that the sources of new housing in such areas is restricted to:-

- *Infill development (small open sites in an otherwise continually built up frontage) restricted to Local Needs Occupancy*
- *Replacement dwellings*
- *Sub-division of existing dwellings*
- *Conversion and Redevelopment of Previously Developed Land and buildings within Development Limits, restricted to Local Needs Occupancy*
- *100% Rural Exception Sites outside and on the edge of Development Limits in line with Policy SP3*
- *Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate and restricted to local needs occupancy.*

It is noted that this policy restricts development to local needs occupancy. The applicant has stated that the application was submitted prior to the adoption of the Ryedale Plan - Local Plan Strategy, when no such restriction would be imposed. Whilst officers accept that the application was submitted prior to the adoption of the Ryedale Plan - Local Plan Strategy, the decision can only be made on the basis of the development plan that is in place at the time the decision on the application is made. Accordingly, instead of restricting any dwellings to local needs occupancy, the applicant suggests that Plot 3 is provided as an affordable house, together with a financial contribution. The applicant argues that there is an identified need for affordable housing across the district which will not be met in non service villages or market towns, unless they are provided as 'exception' sites. The Strategic Housing Market Assessment demonstrates that the Derwent Ward has a current need of 14 affordable houses per year, 64% of which is for two bedroom property. Officers accept that affordable housing need exists across Ryedale (not just the Principal Towns and Local Services Centres) and that addressing imbalances in the housing stock and housing market can only be realistically achieved through the delivery of new homes.

In further support for their application, the applicant argues that in the absence of a 5 year housing supply, para 49 of the NPPF is engaged:

49 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

The argument to be made in the light of the above is that because the Local planning Authority does not have a 5 year supply of housing (currently calculated at 4.39 years supply), the policies pertaining to housing distribution are made silent.

The current lack of a 5 year supply is not disputed by officers, and it is also accepted that whilst Westow is not a service village, there is a need for affordable housing which will not be met in such rural villages unless provided as an exception site. It is also accepted that when the development limits for Westow were drawn up, this site was specifically included unlike similar sites in some other villages, and indeed Manor House at the north western end of Westow.

Taking account of this justification, it is considered on balance that the development of the site for 4 houses including one affordable house together with a financial contribution to bring the provision up to 35% would not conflict with the development plan, subject to other material considerations being acceptable.

Appropriateness of layout

Policy SP2 includes a requirement for development to be infill only. This criteria was included in the plan to maintain the character of settlements, and restrict inappropriate development. If it is accepted that Policy SP2 is not applicable at this time (because of the lack of a 5 year housing supply) it is arguable that this criteria cannot be applied. Nevertheless, the site lies within Westow Conservation, and the Planning (Listed Buildings and Conservation Area Act) 1990 is primary legislation which includes the following duty at para 72:

Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area:

The site is not a greenfield site, and the majority of the site is covered by relatively modern agricultural buildings, which do not contribute to the character of the Conservation Area. They are in the main constructed from blockwork and cladding together with a timber building, there are parked cars, materials and there are large expanses of access and turning areas. The Council's Conservation Officer has not objected to the development, and in relation to the character of the area, and how the development accords with that character, she has advised:

This application site lies within Westow Conservation Area which was designated in 1985. The street pattern of Westow is unusual in that it does not follow a typical pattern of toft and croft development on both sides of the road with a back lane running behind. Historic development lies predominantly to the north and east of Main Street. The development pattern is also unusual in that there are small cottages in unusual places, set well back from the road frontage behind other properties, namely the row opposite the Old School House (Park Terrace) and the row at the south end of Chapel Street, Low Beams and Stonecroft) . There is quite an ad-hoc pattern of development in Westow and this has happened not only in recent times but historically as demonstrated above.

In my opinion the principle of developing the site is acceptable as it is currently a redundant farm yard with redundant agricultural buildings. The redundant buildings are a mixture of traditional and modern steel structures and it is proposed to remove the modern steel structures to make way for this development. I consider that the steel structures make no contribution to the character of the Conservation Area.

It is noted that some of the letters of objection express concern regarding the character of the development, and that it will not 'sit well' in a rural village. Other concerns relate to the height of the dwellings, and the inadequate garden areas. The Parish Council has suggested that the terrace be re-orientated. A number of letters also express concern regarding the provision of the turning head. Additional plans were sought to clarify the scale of the development in relation to neighbouring dwellings. It is considered that these plans demonstrate that the scale of the development is appropriate in relation to the character of the surrounding area. The turning head has also been positioned directly adjacent to the application site, and the agent is revising the detailing of it to include a new hedge of native species to soften its impact. This should soften its impact, and enable it to relate better to the character of this rural road.

It is considered that this assessment demonstrates that the location of the development is appropriate, and subject to appropriate conditions controlling the materials and detailing, will enhance the character of the Conservation Area.

Design

The duty under the Planning (Listed Buildings and Conservations Areas) Act 1990 referred to earlier in the report is also relevant to the detail of the development.

The importance of good design is also a requirement of the Ryedale Plan - Local Plan Strategy. The following paragraphs are particularly relevant to the consideration of this application;

- *Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*
 - *Reinforce local distinctiveness*
 - *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
 - *Protect amenity and promote well-being*

- *The design of new development will also be expected to:*
 - *Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space*

As detailed in the section of the report on neighbour consultation, concern has been expressed by some residents that the design of the development is not in keeping with the character of the area, and the Parish Council raised concern regarding the orientation and height of the terrace. Particular concern has also been expressed about the turning area.

The duty under the act relates to the desirability of *preserving or enhancing*. The Council's Conservation Officer has advised that the existing steel structures make no contribution to the character of the Conservation Area. She further states:

In my opinion the combination of agriculturally inspired, and domestic treatment of this site works well. The small row of cottages reflects the surprising little rows found elsewhere in the village and the scale is appropriate for this location. The agriculturally inspired building creates a neat 'end stop' to the development and the village at this point, and its scale is befitting to its context.

Notwithstanding the above advice, officers did discuss the concerns expressed by some residents regarding the development, with the architect. This resulted in the most recent plans being submitted, which showed a relocation of the parking to two of the terrace houses to reduce the impact of the hard surfacing, and allow more soft landscaping. A planting buffer has also been provided along the west side of the application, with a hedge along the eastern boundary. Officers had sympathy with some of the concerns raised regarding the more 'urban' character of the turning head. In view of this further revisions have been requested to relocate it directly adjacent to the northern boundary of the application site, and erect a hedge of native species around it. Additional planting will also be planted to the east of the turning head. Officers consider that the surfacing and detailing of this area is crucial. The Highways Authority have recommended that the area be kerbed, nevertheless it is considered that it be detailed to include a style of kerbing more appropriate to a rural area.

In relation to details, recommended conditions will include a requirement for samples of all materials, including both the dwellings, and the ground surfacing. A further condition is also recommended to prohibit external lighting unless details have first been submitted to and approved in writing by the Local Planning Authority.

Impact of the development on the existing amenities of neighbouring occupiers

The character of the village has been identified above as one where residential properties do not all front the highway. This has resulted in dwellings set to the rear, and cheek-by-jowl with dwellings. There are residential dwellings to the south of the site, with a row of cottages to the south east of the site, at right angles to the Main Street.

The nearest dwelling to the development is Stonecroft which is situated approximately halfway along the western boundary of the site and has its gable towards the site. At its closest point the terrace of houses lies approximately 14m from the gable with this dwelling. The gable of the dwelling has one small window at first floor level. A letter of objection from the occupier of this dwelling has been received. Nevertheless it is considered that the distances between the development and this neighbouring property are acceptable and will not have a significant adverse impact on their existing amenities. The hedge planting will reduce overlooking of the neighbouring garden by virtue of the planting which is proposed on this boundary. In terms of the bulk of the development, it is not considered that the development will have a significant overbearing presence. It is noted that the existing agricultural buildings are in any event sited in close proximity to the boundary with Stonecroft.

A further letter raises concerns that *there are windows of properties fronting Chapel Lane that are 1.4 metres from the lane surface. When a HGV vehicle passes- with the overhang-the distance to the vehicle from the window is less than a metre. An increase in the level of vehicle activity on Chapel Lane would result in an unsatisfactory standard of residential amenity for the dwellings along this lane.*

The lane is a public highway where both pedestrians and vehicles are free to pass. This is typical of all rural villages. It is not considered that the traffic generated by the erection of four dwellings, over and above the activity that could occur if operations on the farm increased, will have a significant adverse impact on residential amenity.

Access

Significant concerns have been raised by nearby residents that the access along Chapel Lane is very poor. It is a narrow road, with no footpath, and large vehicles often have to reverse down the lane before they can turn. Well used public footpaths also exit onto this lane. Letters from concerned residents dispute the point made by the applicants that the development will not have a detrimental impact on the safety of pedestrians and road users. They state that because Mount Farm has a separate access onto Main Street not all vehicles from the farm access Chapel Lane. It is acknowledged that the road is narrow, and will be used by both pedestrians and vehicles. The turning head has been provided by the architect to address concerns made by both residents and the Highway Authority. It is likely that the erection of four dwellings will result in additional vehicular movements. However the size of vehicles will be reduced from large farm vehicles and associated machinery, to mainly domestic vehicles. On balance therefore, and in the light of no objection from the Highway Authority, it is not considered that a reason for refusal can be sustained on that basis.

Drainage

Concern has been expressed that in times of heavy rain, there is significant surface water running from the fields. Furthermore, Yorkshire Water has advised that the combined sewer does not have capacity to accept surface water from the development. Members will be updated on this issue at their meeting.

Ecology

The application is accompanied by an ecological survey. Small amounts of bat droppings were found spread at random on the floor of the Dutch barn building, however no other evidence of habitation by bats or birds was found in the modern buildings. It is therefore considered that any approval should be conditioned in accordance with the mitigation recommended in the submitted ecological survey. It is further recommended that a scheme for enhanced bio diversity be required to include bat and owl boxes.

Contributions

It is stated earlier in the report that any approval on the site would result in the provision of one affordable house on site, together with a financial contribution to equate to 0.4 of a dwelling which would result in a 35% affordable housing provision. Policy SP11 also requires that all residential developments contribute towards public open space provision. Accordingly if Members are minded to approve the development, it should be subject to a Section 106 agreement in respect of both public open space and affordable housing.

Conclusion

It is considered that the principle of the proposed development is balanced. The development is considered to result in the loss of unattractive, redundant farm buildings and their replacement with a well designed scheme that enhances the character of the designated Conservation Area. In this instance, given the history of its inclusion within the identified development limit, and the provision of one affordable house together with a commuted sum for Affordable Housing and Public Open Space, the recommendation is one of approval subject to the completion of a Section 106 Agreement.

RECOMMENDATION: Approval subject to S106 Agreement

- 1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Unless otherwise agreed in writing by the Local Planning Authority, and notwithstanding the submitted plans, a plan at a scale of 1:20 shall be submitted to, and approved in writing by the Local Planning Authority to detail the eaves and verge treatment of the development hereby approved.

Reason: In the interests of enhancing the character of Westow Conservation Area, and to satisfy the requirements of Policy SP12 of the Ryedale Plan - Local Plan Strategy

- 3 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

- 4 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

- 5 Notwithstanding the submitted details, precise details of all rainwater goods shall be submitted to, and approved in writing by the Local Planning Authority.

Reason : To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

- 6 Unless otherwise agreed in writing by the Local Planning Authority, all hard surfacing shall be permeable, details of which shall first be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of an appropriate external appearance, to achieve the satisfactory drainage of surface water, and to satisfy the requirements of Policies SP12 and SP20 of the Ryedale Plan – Local Plan Strategy.

- 7 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 1995 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Reason: In the interests of ensuring an appropriate external appearance, and to preserve the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policy SP20 of the Ryedale Plan- -Local Plan Strategy.

- 8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the extension(s) hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: To safeguard the privacy and amenity of adjoining residents, and to satisfy Policy SP20 of the Ryedale Plan- Local Plan Strategy

- 9 Notwithstanding the submitted details, the chimneys on the dwellings hereby approved shall be constructed from brick, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

- 10 Before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason: To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

- 11 Unless specific details have first been submitted to, and approved in writing by the Local Planning Authority, there shall be no external lighting on any part of the development site.
- Reason: To reduce light pollution from the development, and to preserve the character of Westow conservation area, and to satisfy the requirements of Policies SP12, and SP20 of the Ryedale Plan- -Local Plan Strategy, and para 125 of the NPPF
- 12 Prior to the commencement of the development, details of all windows and doors, including means of opening, depth of reveal and external finish shall be submitted to, and approved in writing by the Local Planning Authority.
- Reason; To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy
- 13 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.
- Reason: To ensure a satisfactory external appearance, to preserve the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policies SP12 and SP20 of the Ryedale Plan – Local Plan Strategy
- 14 The development hereby approved shall be carried out in accordance with the submitted report on protected species survey by Julian Hall. Particular attention is drawn to the mitigation and recommendation section of the report.
- Reason: In the interests of protecting those species protected under the Wildlife and Countryside Act and the Habitats Directive.
- 15 Prior to the commencement of any work of construction on site, details of biodiversity enhancement shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the occupation of the dwellings.
- Reason: to satisfy the requirements of Policy SP14 of Ryedale Plan-Local Plan Strategy
- 16 Prior to the commencement of any works on site, precise details of the turning head shall be submitted to, and approved in writing by the local planning authority, in co ordination with the Highway Authority.
- Reason: To ensure a satisfactory external appearance, and to satisfy the requirements of Policy SP12 of the Ryedale Plan- Local Plan Strategy

17 Notwithstanding the submitted details, precise details of surface water and foul drainage shall be submitted to, and approved in writing by the Local Planning Authority.

Reason; In the interests of the satisfactory drainage of the site, and to satisfy the requirements of Policies SP17 and SP20 of the Ryedale Plan-Local Plan Strategy.

18 Highway Condition

19 Environmental Health condition

20 No construction work shall operate onsite outside the hours 8am until 6pm , Monday to Friday, 8am until 1pm on Saturdays and no work on Sundays or Bank Holidays.

Reason: To protect the amenities of neighbouring occupiers, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

21 The development hereby permitted shall be carried out in accordance with the following approved plan(s):.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under section 41/42 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried out the work.

Contact details: Natural England, 4th Floor, Foss House, Kings Pool, 1 - 2 Peasholme Green, York, YO1 7PX Tel: 0300 060 1911

2 The applicant is advised that this decision notice should be read in conjunction with the Agreement made under Section 106 of the Town and Country Planning Act 1990.

3 No development shall take place which causes an obstruction or hinders the public right of way.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties