

Item Number: 9
Application No: 16/01773/FUL
Parish: Nunnington Parish Council
Appn. Type: Full Application
Applicant: Mrs Lynne Kirk
Proposal: Erection of 2no. two bedroom dwellings with parking and amenity areas following demolition of existing abattoir buildings
Location: Abattoir Rectory Lane Nunnington Helmsley YO62 5UU

Registration Date:
8/13 Wk Expiry Date: 4 January 2017
Overall Expiry Date: 3 March 2017
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

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| Paul Jackson AONB Manager | Observations and comments made |
| Countryside Officer | Recommend condition |
| Sustainable Places Team (Yorkshire Area) | Comments made |
| Land Use Planning | No views received to date |
| Building Conservation Officer | No objection |
| Environmental Health Officer | Recommend conditions |
| Highways North Yorkshire | Recommend conditions |
| Parish Council | Comments made |
| Land Use Planning | No views received to date |
| Neighbour responses: | Mr Stuart Broadhurst, Mr Stephen Jack, |

SITE:

The site (0.04 hectares) comprises of a range of abattoir buildings and a store on the southern boundary that is used by the Nunnington Estate and the abattoir. The site lies to the rear of Smiths Cottage and is accessed via Rectory Lane a narrow lane that runs north/south south/north within the village of Nunnington. The site slightly rises from east to west and is on slightly higher ground than the properties to the south of the site.

The site is located within the Development Limits of Nunnington, within its designated Conservation Area and within the Howardian Hills Area of Outstanding Natural Beauty (AONB).

PROPOSAL:

Erection of 2no. two bedroom dwellings with parking and amenity areas following demolition of existing abattoir buildings.

The initial scheme sought the erection of 3no. two bedroom dwellings. Concerns were raised by officers regarding the initial scheme in terms of overdevelopment on the site. This caused conflicts in terms of the limited number of car parking spaces, which resulted in an objection from the Local Highway Authority. Concerns also included the limited size of the private amenity spaces for each unit, the privacy between the proposed units and neighbouring dwellings and the scale, form and detailed design of the 3 units. Clarity was also sought regarding drainage and more information was requested in terms of the Local Needs Occupancy restriction that would apply in this case if permission was granted.

Following these concerns, the agent submitted revised plans for 2no. two bedroom, dwellings, with a further document outlining the revisions in more detail and providing clarity on drainage and more information regarding Local Needs Occupancy. The amended scheme was subject to re-consultation.

HISTORY:

There is no relevant planning history in connection with the site.

POLICY :

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP2 Delivery and Distribution of New Housing

The sources of new housing that will contribute to the supply of new homes across the District are as follows: 'Other Villages' (Nunnington is classified as an 'other village')

- *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*

Policy SP4 Type and Mix of New Housing

Policy SP12 Heritage

Policy SP13 Landscapes

Policy SP14 Biodiversity

Policy SP16 Design

Policy SP17 Managing Air Quality, Land and Water Resources

Policy SP18 Renewable and Low Carbon Energy

Policy SP19 Presumption in Favour of Sustainable Development

Policy SP20 Generic Development Management Issues

Policy SP21 Occupancy Restrictions

Criteria a) of Policy SP21 is relevant in this case and states:

a) Local Needs Occupancy

To meet local housing need in the non-service villages the occupancy of new market housing will be subject to a local needs occupancy condition where this accords with Policy SP2, and will be limited to people who:

- *Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or*
- *Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving military service; or*
- *Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or*
- *Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years*

Policy SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

National Planning Policy Framework (2012)

Chapter 7. Requiring good design

Chapter 8. Promoting healthy communities

Chapter 11. Conserving and enhancing the natural environment

Chapter 12. Conserving and enhancing the historic environment

National Planning Practice Guidance (2014)

APPRAISAL:

The main considerations to be taken into account when considering the proposal are:

- The Principle of Residential Development and Local Needs Occupancy
- Scale, Form and Detailed Design
- Private Amenity Space
- Impact upon the Nunnington Conservation Area
- Impact upon the Howardian Hills Area of Outstanding Natural Beauty (AONB)
- Highway Safety
- Ecology
- Trees
- Ground and Land Contamination
- Surface Water Drainage and Foul Water
- Impact upon Neighbouring Amenity
- The Community Infrastructure Levy (CIL)
- Parish Council comments
- Conclusion

The Principle of Residential Development and Local Needs Occupancy

Nunnington is classified as an 'Other Village' within Policy SP1 (General Location of Development and Settlement Hierarchy) of the Ryedale Plan - Local Plan Strategy and the site is located within the village's Development Limits. Policy SP2 (Delivery and Distribution of New Housing) of the Ryedale Plan - Local Plan Strategy supports the principle of conversion and redevelopment of Previously Developed Land (PDL) and buildings within Development Limits, subject to Local Needs Occupancy. This proposal seeks to remove the buildings on the site that have been used as an abattoir for at least 50 years by the Kirk family. There is no longer a need for the abattoir within the immediate locality and the use of the abattoir closed in early 2016. It is therefore concluded that the site is Previously Developed Land within Development Limits and therefore the principle of residential development is acceptable in this location, subject to Local Needs Occupancy.

The immediate locality is characterised by residential properties and the use of the land for residential purposes will be compatible to the existing ambience of the immediate locality and surrounding areas, complying with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

The agent has stated that the Council's Strategic Housing Market Assessment (2016) refers to the demand for 2 and 3 bedroom properties with the evidence suggesting that the focus of new market provision should be on properties of this size. The proposal seeks 2 no. 2 bedroom properties which are likely to be more affordable for first time buyers who live, work or have a family connection to the area. The agent has further stated that there is local interest for the properties following conversations that have taken place between the agent and interested parties. This also includes interest from one person who would like to provide a single property. However, the agent has stated that they wish to pursue the scheme for 2 units. The adjoining Parishes to Nunnington are Salton, South Holme, Barton Le Street, Brawby, Stonegrave, Hovingham, Harome, Wombledon, Welburn, Kirkbymoorside & Edstone. It is considered that there is a local need for 2 units in this location who can meet the qualifying criteria and therefore the Local Needs Occupancy restriction can be met complying with Policy SP21 (Occupancy Restrictions) of the Ryedale Plan - Local Plan Strategy.

Scale, Form and Detailed Design

The proposed units are less than a conventional 2 storey building in height as the first floor is partially in the roof space. The proposed units have been designed to reflect linear stone barns that run ridge parallel along the north and south boundaries of the site. A small store is also proposed for the north unit. The north unit will have a width of 11.2 metres, a depth of 4.8 metres and ridge height of 7.2 metres and an eaves height of 4.8 metres. The south unit will have a width of 9.7 metres, a depth of 4.8 metres and ridge height of 7.2 metres and an eaves height of 4.8 metres.

Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states the following:

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*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings

It is considered that the scale of the proposed units are not dissimilar to other dwellings within the immediate locality and the roof pitches also reflect the character of the locality. It is considered that the units reflect the grain of the settlement, influenced by plot sizes, orientation of buildings, spaces between the buildings and scale of buildings. The existing store owned by Nunnington Estate will be retained and the western end demolished to allow for car parking spaces.

The proposed units will be constructed of natural stone walls, under a clay pantile roof. Stone lintels and cills will be incorporated with timber double glazed windows. Timber roof lights and black uPVC guttering and downpipes are proposed. The boundary treatments and delineation between the units will be formed by stone walls. The surfacing details will be agreed at condition stage.

It is recommended that conditions are attached requesting the submission of a sample panel of the materials to be used for the construction of dwellings to ensure a satisfactory external appearance and to ensure the dwellings would comply with of Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy.

Private Amenity Space

Each unit will have its own private amenity space that is considered to be commensurate to the scale and number of bedrooms of each unit. It is considered that the proposal meets the requirements of Policy SP4 (Type and mix of new housing) of the Ryedale Plan - Local Plan Strategy.

Impact upon the Nunnington Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

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

The Building Conservation Officer has stated that the existing abattoir buildings do not contribute towards the character or appearance of the Nunnington Conservation Area and their removal is considered acceptable.

The proposed units by virtue of their scale, form, detailed design and use of materials are considered to enhance the character of the Nunnington Conservation Area. The proposal is therefore considered acceptable and complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy.

Impact upon the Howardian Hills Area of Outstanding Natural Beauty (AONB)

The AONB Manager has stated the following with regard to the revised proposal:

I have the following observations to make in relation to the revised proposals:

1) The principal public viewpoints of the site will be from the Public Footpath in the pasture field to the south and from Rectory Lane to the east. Both of these have a moderate level of usage by pedestrians.

2) I have some concerns about the higher ridgeline and steeper roof pitch, necessitated by making each dwelling narrower, and the consequent visual impression of the height/width ratio. The elevations presented to the public viewpoints on the southern and eastern sides are however of a much lesser mass than that proposed previously. The southern elevation will present as a blank 'stone barn' wall, whilst the eastern elevation as seen from the road should likewise appear as being akin to two converted agricultural buildings. On balance therefore I feel that the revised layout and design will be better in terms of fit within the AONB and Conservation Area.

3) As the intention is to create the feel of 'converted agricultural buildings' I feel that a more appropriate window colour than white should be used. The converted farm buildings near Nunnington Church use a sage colour, whilst the traditional Nunnington Estate colour scheme is green and cream. I feel that a more local vernacular feel would be created by using a different colour scheme that better reflected the impression that is trying to be created.

4) The existing hedge and trees to the west are important features that frame the site and mask views from the Public Footpath on this side. Damage to these features and their root zones should be avoided during construction works.

The materials, design, finish, colour and openings can be agreed at condition stage. Consideration of the hedges and trees will be described in the next section.

Based upon the above comments, it is considered that the proposal will not detract from the natural beauty and special qualities of the AONB, complying with Policy SP13 (Landscapes) of the Ryedale Plan - Local Plan Strategy.

Trees

The Tree and Landscape Officer has stated the following with regard to the proposal:

The proposed development site is located towards the southern end of Rectory Lane Nunnington on the eastern side of the road.

Whilst there are no trees within the application boundary there is a group of mature and semi-mature native trees immediately to the west of the site within an unused parcel of land.

The proposal will affect the nearest three stems which are growing close to the alignment of the proposed new stone boundary wall. These trees through the need for root severance and crown reduction to accommodate the development. The three stems referred to are considered to be of low quality.

The principal view of the trees is from Rectory Lane as a backdrop to the existing abattoir. However the three stems referred to above are dominated by more mature trees to the west therefore it is considered that the potential loss of the three stems nearest to the development would not be harmful to visual amenity in this case.

It is therefore considered that whilst the proposal will affect the nearest three stems, they are low in quality and their loss will be not detriment to the visual amenity of the Nunnington Conservation Area or AONB. It is considered that the proposal satisfies the requirements of Policy SP12 (Heritage) and Policy SP13 (Landscapes) of the Ryedale Plan - Local Plan Strategy.

Highway Safety

The existing vehicular access that also serves the parking space for Smiths Cottage and allows access to the store used by Nunnington Estate will be utilised as part of this proposal. The Local Highway Authority have stated the following with regard to the revised proposal.

The proposal is now for 2 no. two-bedroom dwellings, each with 2 no. car parking spaces within the site. Consequently, the Local Highway Authority recommends that the following Conditions are attached to any permission granted.

These conditions are regarding the parking for dwellings to be maintained, precautions to prevent mud on the highway and onsite parking, on-site storage and construction traffic during construction.

It is considered that the proposal satisfies the requirements of Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

Ecology

The Countryside Officer has stated the following with regard to the proposal:

No protected species were found in the building. I therefore recommend the following condition be attached to any permission granted:-

All works shall be carried out in accordance with the details contained in the Protected Species Survey Section 7 (Wold Ecology 2016) for Old Abattoir, Nunnington as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This condition will be attached to the Decision Notice (if planning permission is granted). It is considered that the proposal satisfies the requirements of Policy SP14 (Biodiversity) of the Ryedale Plan - Local Plan Strategy.

Ground and Land Contamination

The Principal Environmental Health Officer has stated the following with regard to the proposal:

The information contained in the DTS conducted by GEO Environmental Engineering shows that the development site represents a low to moderate geotechnical risk and poses a moderate risk to the proposed end users (ground contamination). The site currently poses a low to moderate risk to adjacent sites and controlled waters with respect to potential ground/groundwater contamination. A very low risk is currently considered present of ground gas.

A Phase 2 Ground Investigation works are required to fully characterise the ground/ground water conditions and ground gas regime below the development area.

As such I would recommend the following:

1) Land contamination

Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems.

2) Remediation

Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

3) Verification

Unless otherwise agreed in writing by the local planning authority, none of the dwellings shall be occupied (or the site shall not be brought into use) until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

4) Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the local planning authority. An appropriate investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

Based upon the above conditions being attached to the Decision Notice (if planning permission is granted), it is considered that the proposal satisfies the requirements of Policy SP17 (Managing Air Quality, Land and Water Resources) of the Ryedale Plan - Local Plan Strategy.

Surface Water Drainage and Foul Water

The agent has provided more clarity on drainage. The site is located within Ground Water Protection Zone 2 (Green). The existing abattoir has a drainage connection to the existing network. Surface and foul water are collected and deposited into the existing network via this existing drainage connection. The existing buildings and road surfaces are permeable. The proposal reduces the amount of impermeable surfaces as the proposed buildings are considerable smaller in scale than the existing buildings and soft permeable surfacing is proposed in the amenity spaces. There will therefore be a reduction in surface water entering the existing drainage connection. In terms of foul water, the existing building use requires a significant amount of water to be used. The domestic use will reduce the amount of foul water entering the existing drainage connection.

The Environment Agency have stated the following with regard to the proposal:

A mains connection has been proposed for foul drainage disposal. You are strongly advised to satisfy yourself, prior to determination, that there is capacity in both the receiving sewer and sewage treatment works to accommodate the discharge proposed. Please contact the sewerage undertaker to attain this information. If capacity is not available, an alternative means of foul drainage disposal may need to be explored or improvement works to resolve the capacity issue secured as part of the planning permission.

Based upon the information provided by the agent, it is considered that for the purposes of the planning application, the existing drainage connection to the existing network can be utilised for the proposal. It is considered that the proposal satisfies the requirements of Policy SP17 (Managing Air Quality, Land and Water Resources) of the Ryedale Plan - Local Plan Strategy.

Impact upon Neighbouring Amenity

A letter has been received from the occupiers of Harmony and Honeysuckle Cottage which are located to the south of the application site, with the garden of Honeysuckle Cottage abutting the northern boundary of the site. It should be noted that there is an existing garage within the garden of Honeysuckle Cottage that abuts the site boundary towards the east. Members should also note that the proposed North Elevation (P03) outlines the existing abattoir building in a hatched red line. The letter states the following:

The applicants for planning permission to develop this site must be commended for listening to the concerns of residents and Highways and, as a result, amending the proposed development.

As the owner of the property immediately to the north of this proposed development some of our concerns regarding the initial proposal have been addressed, for which we are grateful.

However, the height of the intended buildings, albeit that they have been drawn back from the immediacy of the boundary by a yard, still gives us cause for concern. During the months between mid-November and mid-February the sun barely clears the roofs of the existing buildings as it is and with the extra height involved in this development we can see that the main living rooms of our house will be devoid of direct sunlight for this period in the year and the southern part of the garden reduced to a dark, damp and dismal place for most of the year. After 40 years of cultivating and enjoying my property, such a loss of sunlight would be hard to bear.

Whilst it is acknowledged that the proposed unit along the northern boundary will be 1.7 metres higher than the existing building at a length of 13 metres, the mass of the building towards the east (closer to the dwelling of the Honeysuckle Cottage and the immediate garden area) will be lost. The distance from the rear back wall of Honeysuckle Cottage to the east gable end of the northern unit is 21 metres. The unit has also been moved further away from boundary by 0.7 metres. There will be some loss of sunlight, however, this loss is not considered to be substantial enough given the impact of the existing buildings on the site to warrant refusal in this case. It should also be noted that there will be a stone boundary wall which is considered to an improvement on the existing building material. The agent has also stated that the units have been designed to keep the height to a minimum, with the first floor rooms partially being in the roof space.

In terms of the impact upon Smiths Cottage, due to the separation distance of the proposed units, the positioning of the windows and the cessation of the abattoir use, it is considered that the proposal will not give rise to a material adverse impact upon neighbour amenity. This is in terms of being overbearing in presence, causing loss of light or loss of privacy, complying with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

Based upon the above, the proposal is considered to satisfy the requirements of Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

The Community Infrastructure Levy (CIL)

The scheme is liable for the Community Infrastructure Levy. However, due to the existing gross internal floor space of the abattoir building being 293 square metres (and the proposed units not exceeding this), there is no charge for the Community Infrastructure Levy in this case.

Parish Council comments

The Parish Council have stated that they would prefer to see a single dwelling as space is still very limited with two houses and possibly up to 6 cars. They also state that the agent has advised that there is local interest from one individual to provide a single property would be a preferred option.

The application submitted however is for 2 units and is required to be determined on its planning merits. The issues raised regarding scale and car parking have been addressed throughout the appraisal section of this report.

Conclusion

The existing abattoir buildings do not make a positive contribution towards the character and appearance of the Nunnington Conservation Area. The use as an abattoir has ceased and is unlikely to be viable in the foreseeable future. This scheme is providing 2 no 2 bedroom units and the Council's SHMA identifies the need for smaller units of accommodation. Furthermore, information provided demonstrates that they are likely to be capable of being occupied by people who fulfil one or more criteria of the Local Needs Occupancy restriction. The units are of a scale, form and detailed design that is appropriate in this location, within the Nunnington Conservation Area and the Howardian Hills AONB. Whilst there will be some impact upon the neighbouring property to the south of the site in terms of loss of sunlight, it is considered that there are a number of wider public benefits of the scheme.

Consequently, the proposal is considered to meet the relevant policy criteria outlined within Policies SP1, SP2, SP4, SP12, SP13, SP14, SP16, SP17, SP18, SP19, SP20, SP21 and SP22 of the Ryedale Plan - Local Plan Strategy and policies contained within the National Planning Policy Framework when read as a whole. The application is therefore recommended for approval, subject to the following conditions.

RECOMMENDATION: Approval

- 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 The dwellings hereby approved shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:

- Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
- Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving military service; or
- Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason:- To satisfy the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 3 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, 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 Policies SP12, SP16 and SP20 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 Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority. These shall be shown on a 1:10 scale drawing.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, details of all roof lights, including means of opening shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 Prior to 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 and boundary treatments 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 that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Prior to the commencement of the development hereby permitted, details of the hard landscaping and surfacing within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To satisfy the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number 105 P02. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 10 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 11 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
- c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 12 All works shall be carried out in accordance with the details contained in the Protected Species Survey Section 7 (Wold Ecology 2016) for Old Abattoir, Nunnington as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: Reason: In order to comply with the Wildlife and Countryside Act and Policy SP14 (Biodiversity) of the Ryedale Plan - Local Plan Strategy.

- 13 Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy

- 14 Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy

- 15 Unless otherwise agreed in writing by the Local Planning Authority, none of the dwellings shall be occupied (or the site shall not be brought into use) until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy

- 16 In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the Local Planning Authority. An appropriate investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the Local Planning Authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy

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

REVISED Site Location Plan - 001 P01.
REVISED SITE Layout Plan - 105 P02.
REVISED ELEVATIONS - 131 P03.
REVISED ELEVATIONS- 130 P03.
REVISED SECTION - 132 P01.
REVISED GROUND FLOOR - 110 P02.
REVISED FIRST FLOOR - 111 P03.

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

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties