

**Item Number:** 9  
**Application No:** 18/01194/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr S Howarth  
**Proposal:** Erection of a three bedroom agricultural workers dwelling with detached double garage (part retrospective application)  
**Location:** Land At Leas Farm Lendales Lane Pickering North Yorkshire

**Registration Date:** 14 November 2018  
**8/13 Wk Expiry Date:** 9 January 2019  
**Overall Expiry Date:** 11 December 2018  
**Case Officer:** Niamh Bonner **Ext:** 325

#### CONSULTATIONS:

<b>Vale Of Pickering Internal Drainage Boards</b>	No objection
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Public Rights Of Way</b>	Recommend informative
<b>Yorkshire Water Land Use Planning</b>	No response received
<b>Environmental Health Officer</b>	Recommend conditions
<b>Pickering Town Council</b>	No objection - recommend condition
<b>Neighbour responses:</b>	Mr Stephen Hanson, Mr John Dineen,

---

#### SITE:

Leas Farm is an existing dairy farm situated within the open countryside. The agricultural business trades as RS & WA Howarth and operates an organic dairy enterprise from Leas Farm, Pickering. In 2017 the dairy herd extended to 400 pedigree British Friesian cows and 200 followers. The enterprise extends to 214 acres of owner occupied land and 33 acres of rented land at Lendales Lane. All of the agricultural land is down to grass and is used to support the dairy enterprise.

The dairy farming business has been established at Leas Farm since 2003. In 2003, the business was a 60 cow herd. Since 2003, the herd has undergone conversion to organic and large scale expansion to its current size of 400 milking cows. Milking takes place twice a day within a 20-40 dairymaster milking parlour. Calving also operates at the site, from August - November. All calves are bucket reared to 12 weeks of age at the site.

#### PROPOSAL:

This application seeks approval for the erection of a three bedroom agricultural workers dwelling with detached double garage (part retrospective application). Member's attention is drawn to the site specific history relating to this building, which will be detailed in the section below.

It is noted that the proposal is part retrospective and the shell of the building has been erected together with sandstone cladding and pantile roof.

#### HISTORY:

The following applications are considered relevant to the current proposal:

02/01003/FUL - Planning permission granted - Erection of lean-to extension to agricultural building to

form milking parlour and dairy.

12/01031/FUL - Temporary planning permission granted (3 years) Siting of a one bedroom mobile home for use as a temporary agricultural worker's dwelling with parking area.

14/00748/FUL - Planning permission granted - Erection of an extension to existing livestock building and alteration of access

15/01289/FUL - Planning permission granted - Erection of an agricultural building for storage and the housing of livestock

17/00071/FUL - Planning permission granted - Formation of an area of concrete hard standing (retrospective)

17/00303/OUT - Outline planning permission granted - Erection of an agricultural workers dwelling (site area 0.1ha)

17/00957/REM – Reserved matters application granted - Erection of a 3 bedroom agricultural workers dwelling (outline approval 17/00303/OUT dated 30.06.2017 refers).

18/00659/COND - Discharge of conditions 05, 06, 07, 11, 12 and 13 of approval 17/00303/OUT dated 30.05.2017 – Pending Consideration – This is pending consideration however in light of the current altered proposal, it is not considered necessary to discharge these conditions. Some of the submitted information is however pertinent to the current application.

18/01364/FUL –Pending Consideration - Formation of cattle track (retrospective)

Through the planning enforcement process it was identified that the building for which approval had been granted in 2017 was positioned in a different location (in error) during the construction process.

The original siting was approved under the reserved matters application reference 17/00957/REM. The dwelling however has been positioned in closer proximity to the southern boundary of the site. Both the plans for the Outline and Reserved Matters application indicated that the dwelling would be situated within a specific red line area. This red lined area would be positioned at c13.97m inset from the southern boundary of the land in the applicant's ownership. The approved proposed site plan (Drawing no. 11141-02) illustrated that the dwelling would also be inset a minimum of c2.6m from the southern boundary of the red lined area at the south western corner of the building.

This was measured on site and it was found that the dwelling has been positioned c5.6/5.7-6.0m from this shared boundary at various points, rather than the c16.6m minimum indicated on the plans. It also appears that the dwelling is positioned c5m in closer proximity to Lendales Lane. The applicant was advised that this should be regularised through the submission of a full planning application.

The planning enforcement process also highlighted that condition 4 of application reference 17/00303/OUT had not been adhered to as the mobile home had not been removed from site before the construction of the dwelling. This is noted. However on reflection it is considered that it would have been more prudent to ensure that this was removed following completion of the agricultural dwelling, to allow an onsite agricultural worker to remain during the construction phase. The removal of this mobile home would be recommended as a condition to this current application should it be approved.

Also, at the site within the previous application 14-00748-FUL Condition 3 required the permanent closure of the access to the north of the site. This had not been undertaken. The Case Officer together with the North Yorkshire Highways Officer provided advice to the agent and they confirmed that this was now permanently locked and would not be used as an access. This is considered acceptable.

Additionally, the new hardened surface spanning c300m in length at a diagonal from the farm stead to the copse of trees to the south west has been installed without an application or agricultural notification being submitted. This was brought to the attention of the agent and an application has been submitted for this, under the reference 18/01364/FUL and is currently pending consideration.

## **POLICIES:**

Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing  
Policy SP9 - The Land Based Rural Economy  
Policy SP13 - Landscapes  
Policy SP16 - Design  
Policy SP19 - Presumption in Favour of Sustainable Development  
Policy SP20 - Generic Development Management Issues

National Planning Policy Framework (2018)

### **APPRAISAL:**

The main considerations within the determination of this application are:

- i. The Principle of Development
- ii. Character and Form
- iii. Neighbouring Amenity.
- iv. Flood risk
- v. Highway safety
- vi. Land contamination
- vii. Other matters , including consultation responses

It is noted that two letters of objection have been received, one from the occupier of the adjoining property to the south, Beckside and one from the occupier of Willow Cottage, both situated along Lendales Lane.

These raise the following summarised points and are available to review in full on the planning register:

- The original consent permitted the dwelling sufficiently far from boundary to minimise impact on neighbouring property.
- This position on the boundary now impacts upon the privacy of neighbouring properties with the upper windows now overlooking neighbouring gardens.
- If this has formed part of the original application it would have been objected to.
- Failure to comply with planning constraints without consultation, if approved would set a precedent for applicants to ignore planning requirements, disregard stipulations and impact privacy. Request this is refused and the dwelling is required to comply with the original consent.
- The original application was not objected to as the proposed development provided sufficient distance between the building and the boundary to their garden, immediately to the south, during construction it became clear that the building was significantly further south.
- Advised by the planning office that whilst the build was significantly further south that the approved plan the applicant had be advised to continue with the build and apply for retrospective permission in due course.
- The proposal for the southern gable end of the house has 4 windows overlooking our garden, 2 at ground level and 2 on the first floor. The proximity of the building (6.5 metres), the windows and their elevation will adversely affect our privacy and enjoyment of our garden. As such I would request that the planning committee reject the current application or if approved, this should include no windows in southern elevation to address our concerns with regards to privacy and the enjoyment of our garden.
- In addition there appear to be a number of errors within the application, in the application form it is noted that surface water will be disposed of by means of a soakaway and foul sewage by means of the mains sewer. However the flood risk assessment submitted in support of the original application confirms the soils will not be suitable for soakaways to be used as a means of disposal for surface water run-off. Additionally, there are no mains sewers in the proximity of the development (confirmed with Yorkshire Water). The house to the north and south of the development deal with foul sewage by the means of septic tanks or bio treatment tanks that discharge into Pickering Beck with the necessary discharge consents.
- Should planning permission be granted the Planning Committee should be aware that the

building as constructed is only 5.7 meters from the southern boundary not the 6.5 meters as stated in document 1900894, in excess of 10% error.

- Also in the flood risk assessment submitted in support of the original application it states in paragraph 5.2.1 that the development will be 25 metres from Pickering Beck and in the application form the agent states the proposed development is not within 20 metres of a water course, however the building erected is within 20 metres of Pickering Beck.

#### i. The Principle of Development

Within this wider open countryside location, new build dwellings are only supported where it is necessary to support the land-based economy, where an essential need for residential development in that location can be justified. The key element here is essential need.

It is noted that within the Reserved Matters application (reference 17/00957/REM) the principle of an agricultural workers dwelling in this location was considered and based on the submitted evidence including an agricultural appraisal, planning statement and financial accounts was found to be acceptable in June 2017.

In that report the Case Officer noted: *“There is now therefore a clear need to a full time agricultural worker, in the form of a permanent dwelling to reside on the site given the nature and numbers of livestock located at the site.”* This proposal is therefore considered to be in accordance with Policies SP2, SP9 and SP21 of the Ryedale Plan, Local Plan Strategy.

#### ii. Character and Form

The proposal relates to a detached two storey dwelling. Access to the site will be provided via a new lane from the existing access, which currently serves Lendales farmyard and agricultural buildings.

The proposed detached dwelling is two storey in form and to be constructed with sandstone cladding and a red pantile roof. The main dwelling incorporates an eaves height of 5.6 metres and a ridge height of 7.8 metres, with a cross wing element to rear and a modest porch canopy along the principal eastern elevation. This dwelling will incorporate timber doors and UPVc windows.

A pitched roof double garage is present to the rear of the main dwelling, incorporating a ridge height of 4.9 metres and an eaves height of 2.7m constructed of the same materials as the dwelling, with two traditional garage doors. Hardstanding will be installed to form a driveway and to serve a small area forward of the dwelling. A patio area will be located to the rear of the dwelling.

This proposal remains identical to that which was previously approved under the application 17/00957/REM. Conditions in relation to windows and door details, samples of materials and a sample panel were previously recommended. Some information was submitted in relation to a discharge of conditions application 18/00659/COND. Whilst this has not been discharged formally, due to the revised full application being currently considered the stonework and pantiles are considered appropriate. These plans did note a garage door was of the type to be confirmed, however this would be an up and over style but no cross sections of the internal doors were provided. For clarity a condition in relation to external joinery will be again added as a condition.

The site landscaping incorporates the retention of the existing hedgerow along the principal eastern elevation and the installation of 1.2m high post and rail fencing along the rear western and side northern and southern elevations which is considered acceptable.

This proposal is therefore considered to be in accordance with Policy SP16 of the Ryedale Plan, Local Plan Strategy.

### iii. Neighbouring Amenity

As noted, two letters of objection have been received, referenced above. It has been established that the dwelling has been sited closer to neighbouring property, Beckside. This domestic property is located at a distance of c67m from the proposed dwelling. However the field between these dwellings has benefitted from an application approved to change the use of the field to additional domestic curtilage.

Therefore whilst it is acknowledged that the dwelling has been constructed in closer proximity to land within the ownership of the neighbour, it is however not considered this field directly to the south forms what could reasonably be considered to form private amenity space. This field incorporates fruit trees, greenhouses and raised planters etc and it is not considered that harmful overlooking to the detriment of residential amenity would be experienced.

However the agent has agreed that it is appropriate to treat the two windows at first floor level on the facing southern elevation with obscure glazing – which has been illustrated on what will become the approved plan. It is considered that this would be a pragmatic approach that would overcome the potential perception of overlooking that may be experienced by the occupiers of the neighbouring property. Permitted development rights will be removed to allow alterations to the property which will prevent additional openings being created without permission and a further condition will be recommended to ensure the two obscure glazed windows on the southern elevation at first floor level remain obscure glazed in perpetuity.

There are also two secondary windows to be installed on the side southern elevation at ground floor level. The site does incorporate planting to the southern boundary, including very mature hedgerow (c2.5m in height) along part of the southern boundary. The section along which the dwelling has been situated incorporates some lower elements. During the site visit it is apparent that on both sides of the post and rail fence separating Beckside from the application site, saplings/hedgerow planting has been introduced which remains in protective plastic grow tubes. The site owner has confirmed that on their side, this relates to a mix of blackthorn and quickthorn, native species to the UK which was planted last winter and which they intend to grow and thicken in this less heavily planted area.

It is therefore considered appropriate that a condition is recommended to ensure that once established, this hedgerow is maintained at no lower than 2m in height is appropriate. Therefore whilst it is considered that windows at ground floor level would not be likely to result in harmful overlooking of the adjoining property nor private amenity space, it is acknowledged that the landscaping when established the current planting will form an appropriate separation between the two spaces. Additionally the adjoining property will also have control of the height of their own planting in the future at this point.

It is not considered that there would be any other amenity impacts by virtue of this development in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

### iv. Flood risk

The site is located within Flood Zone 2. The Environment Agency had raised no objection to the proposed development when consulted on the original reserved matters application and had advised that the developer may wish to consider including measures to mitigate the impact of more extreme future flood events. Measures could include, raising ground/finished floor levels and incorporating flood proofing measures. This information was added to the original outline decision Notice in the form of an informative. It was not considered necessary to reconsult the Environment Agency formally, however they have been made aware of the new application. The agent has confirmed the following:

*“The client has not yet made any installation for the sewerage disposal but as no mains sewage is available in the area, intends to install a digester. As it stands this could drain into an adjacent ditch but most likely into a drainage field to the rear of the house. This has yet to be addressed formally but the applicant is not looking to drain into the adjacent beck.”*

The agent has also confirmed that the site will drain all surface water to soakaway. Within a letter of objection it is noted that the original Flood Risk assessment notes that the site would geologically not be suitable for a soakaway. The Internal Drainage Board were consulted on this current application and noted in relation to the use of a soakaway: *“we would have had no objection as no Board Maintained Watercourses would be involved. However as far as the surface water from the house is concerned I see no reason why a soak away would not be suitable. I have been involved with drainage matters in the area for many years and the soil in the area of Lea’s Farm are relatively permeable in the upper horizon before lacustrine clay is encountered. The volume of water from the single dwelling would quite easily be dealt with by a soakaway in this type of soil.”* This is considered to be acceptable to confirm that the principle of a soakaway will be appropriate in this instance.

It is therefore considered appropriate that a condition is recommended to seek details of the location and specifications of the soakaway and foul water drainage systems at the property, prior to their installation in order to ensure that appropriate methods are incorporated into this proposal. The previous Environment Agency informative will again be recommended.

A point raised within a letter of objection references that the site is now within 20m of Costa Beck, but that this is not highlighted on the application form and the same Flood Risk Assessment has been resubmitted. Following detailed review of the submitted, the Case Officer is assured that the dwelling will be located marginally over 20m from Costa Beck at the nearest point. It is not considered that if it were within 20m this would make a significant difference to the determination of the application due to the appropriate condition recommended in relation to further drainage details.

#### v. Highway safety

The Local Highway Authority have confirmed no objection to the proposed development, recommending a condition in relation to parking for dwellings being retained in the future.

In the previous outline application, further conditions were recommended in relation to details of access, turning and parking, precautions to prevent mud on the highway, onsite parking storage and construction traffic. A revised response within the Reserved Matters application confirmed that a condition in relation to ensuring appropriate parking for dwellings is retained in the future. This also noted that there were two previous conditions (11 and 12) which should be discharged from the outline application.

In the discharge of conditions application which has been submitted (18/00659/COND) but which will not be determined in light of this current application being considered, the level of information submitted for conditions 11 and 12 was considered acceptable by the Highways Officer.

Subject to the recommended condition and a condition requiring the previous information submitted for conditions 11 and 12 (plan reference 11141 -06 Site Compound and Wheel Wash Plan) to be carried forward, it is considered that the application would have no impact upon access or highway safety, in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

#### vi. Land contamination

The site is an agricultural field, with nearby associated buildings in connection with livestock storage and a milking parlour. It was noted in the original outline application that the agricultural field therefore had the potential for herbicide and pesticide to be within the land. The Environmental Health Officer had recommended appropriate conditions regarding land contamination.

Within the discharge of conditions of the reserved matters application a Phase 1 survey was submitted. This was reviewed by the Council’s Environmental Health Specialist who noted the following:

*“Following receipt of the Geoinvestigate Phase 1 report for Leas Lane Pickering (Report No: G18289) I recommend that condition 13 of approval 18/00659/COND be discharged. Following our discussions*

*I am aware that a revised application for this dwelling in an altered location has been submitted under application reference 18/01194/FUL, so given that the investigative works have been undertaken satisfactorily and do not recommend further intrusive investigations I would ask that the following condition is recommended for the revised application”*

This requested condition related to the potential discovery of unexpected contamination during the construction phase.

#### vii. Other matters , including consultation responses

The Town Council have stated the following with regard to the proposal:

*“The council has no objections to the plans but suggests that an agricultural worker restriction should be imposed to ensure that the building is only used for the stated purpose.”*

This is noted and as highlighted, an agricultural workers condition will be recommended in line with Policy SP21 of the Ryedale Plan, local plan strategy.

In relation to the points raised within the letters of objection, it is considered that a significant proportion of the points raised have been addressed in the appraisal above, however the following points are of relevance.

- During the determination period of the application, revised plans were received to correct the modest error in relation to siting identified within a letter of objection.
- The retrospective nature of the application. Members are aware that the Local Planning Authority must give this the same consideration as any other proposal and this decision cannot be prejudiced by virtue of the fact the application is retrospective.
- In relation to the objection which noted that the Planning Office had confirmed that whilst the build was significantly further south that the approved plan the applicant had be advised to continue with the build and apply for retrospective permission in due course. This is not accurate and the email from the Case Officer on the 7th September to the agent Mr Robson explaining that any works would be at their own risk and potentially result in an enforcement notice is appended to this report.

#### vi. Conclusion

It is considered that the principle of the development for a full time agricultural worker, in the form of a permanent dwelling to reside on the site given the nature and numbers of livestock located at the site has already been established.

It is considered that the altered positioning of the dwelling, given the obscure glazing to the openings along the southern elevation of the dwelling at first floor level and due to the conditions to secure landscaping along the southern boundary would limit any harm by virtue of perceived overlooking by occupiers of the adjoining dwelling.

It is considered that the revised plans accurately reflect the current positioning of the dwelling and that the dwelling, subject to condition would not incorporate inappropriate drainage or have an unacceptable impact upon flood risk, human health by virtue of contamination or access and highway safety.

The proposed design remains appropriate in this altered siting and the materials are considered to be acceptable.

The proposal therefore complies with Policies SP1, SP2, SP9, SP13, SP16, SP17, SP19, SP20 and SP21

of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. Approval is therefore recommended, subject to the following conditions.

**RECOMMENDATION:                      Approval**

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

Site Location Plan (Drawing no. 11141-01 Rev A)  
Site Compound and Wheel Wash Plan (Drawing no. 11141-06 Rev A)  
Existing and Proposed Site Plan (Drawing no. 11141-02 Rev C)  
Proposed Floor Plans (Drawing no. 11141-03)  
Proposed Elevations (Drawing no. 11141-04 Rev A)  
Proposed Garage (Drawing no. 11141-05)

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

- 2            The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 of the Town & Country Planning Act 1990) or forestry or a widow or widower of such a person, or to any resident dependants.

Reason:- The development would be unacceptable unless justified by the local needs of agricultural or forestry, and to satisfy the requirements Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 3            Prior to the occupation of the development hereby permitted, the mobile home shall be permanently removed from the site.

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

- 4            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

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s), and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 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, and work must cease until an appropriate investigation and risk assessment must be undertaken. 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, to comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 6 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number 11141-02 Rev. A. 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.

- 7 All construction works must be undertaken in line with the details submitted as part of plan reference 11141 -06 Site Compound and Wheel Wash Plan.

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 construction vehicles in the interest of safety and the general amenity of the development.

- 8 Unless otherwise agreed in writing, the landscaping indicated between points A and B on the Site Plan (Drawing no. 11131-02 Rev C) shall be grown and maintained to a height of no lower than 2m in height. Any planting between points A and B that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of this decision shall be replaced by the approved type planting by the end of the first available planting season.

Reason: In the interests of neighbouring amenity and the character of the area, having regard to Policies SP20 of the Ryedale Plan, Local Plan Strategy.

- 9 Unless otherwise agreed in writing, the windows along the side southern elevation of the building at first floor level shall remain obscured glazed for the lifetime of the development.

Reason: In the interests of neighbouring amenity in accordance with SP20 of the Ryedale Plan, Local Plan Strategy.

- 10 Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of the development, 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.

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

- 11 Unless otherwise agreed by the Local Planning Authority, prior to the occupation of the development hereby permitted details of the soakaway for surface water discharge and foul water discharge should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that no discharges take place until proper provision has been made for their disposal.

## **INFORMATIVE(S)**

- 1 It is strongly advised that the application considers a range of flood resilient / flood proof construction techniques. Examples of these include;
- Using solid floor construction e.g. continuous concrete ground floor slab (minimum 150mm thickness and reinforced with mesh on lapped and tapped 1200 gauge visqueen damp proof membrane)
  - Ensuring that electricity supply cables enter building from roof level and are wired downwards; electric sockets should be positioned at least 600mm above floor level
  - Raising flood sensitive equipment to 600mm above floor level
  - Tanking external walls to 600mm above proposed floor level and continuous with floor damp proof membrane
  - Fitting anti-flood valves on internal building drainage
  - Using water-tight external door construction to a minimum of 600mm above proposed floor level
  - Using ceramic tiles or lime based plaster on the internal face of external walls at ground floor level
  - Considering water resilient ground floor coverings, such as clay tiles
  - Fitting a waterproof seal between cladding and floor slab
- 2 Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:
1. Connection to the public sewer
  2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
  3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres

from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

For further guidance and information on Environmental Permits please contact our National Customer Contact Centre on 03708 506 506.

- 3 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development.

Applicants are advised to contact the County Council's Access and Public Rights of Way Manager at County Hall, Northallerton on 0845 8727374 to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.