

**Item Number:** 7  
**Application No:** 19/00550/MFUL  
**Parish:** Swinton Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Commercial Development Projects Ltd  
**Proposal:** Works to existing farmhouse to include alterations and extensions to form a five bedroom dwelling to include change of use and alteration of adjacent outbuildings to form a triple garage, stabling, tack room, workshop, summer house and an open sided covered area, amalgamation and alteration of 2no. semi-detached cottages (Anna Cottages) to form 1no. four bedroom dwelling to include erection of part two storey/part single storey rear extension, detached double garage and amenity area, change of use, alteration and extension of detached stable block to form 1no. three bedroom dwelling with attached double garage and amenity area, change of use, alteration and extension of barns grouping to form 2no. four bedroom dwellings, 2no. three bedroom dwellings and 1no. two bedroom dwelling with covered amenity areas, garaging and shared parking, repositioning of agricultural barn partially housing communal heating system controls and ground source heat pumps with photovoltaic array on roof and for storage of land management and grounds maintenance equipment and removal of existing portal frame barns and 8no. metal silos together with use of both the existing eastern site access and the western access adjacent to the reservoir with a new track along the western edge of the site  
**Location:** Home Farm Braygate Street Swinton Malton YO17 6QT

**Registration Date:** 16 May 2019  
**8/13 Wk Expiry Date:** 15 August 2019  
**Overall Expiry Date:** 19 June 2019  
**Case Officer:** Alan Goforth **Ext:** 43332

#### CONSULTATIONS:

<b>Paul Jackson AONB Manager</b>	Comments
<b>Sustainable Places Team (Environment-Agency)</b>	No objections but recommend condition
<b>Yorkshire Water Land Use Planning</b>	No response received
<b>Building Conservation Officer</b>	No objections
<b>Alan Tomlinson</b>	No response received
<b>Housing Services</b>	No comments
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Swinton Parish Council</b>	No objection

**Neighbour responses:** Mr Richard Davies (comments), Mrs Charlotte Lawson (supports)

---

#### BACKGROUND:

The application is to be determined by Planning Committee as a major development because the application site area exceeds 1 hectare (2.47 hectares). There are no objections to the application from any consultee or member of the public.

## **SITE:**

The application site is a redundant farmstead situated 1.5 miles south west of Swinton and 2 miles west of Malton. Access is from the south off Braygate Street. The site is within the open countryside and the Howardian Hills Area of Outstanding Natural Beauty. Public footpath number 25.93/6/1 runs south-north along the access road on the eastern side of the site and links to the B1257 to the north.

The application site amounts to 2.47 hectares. The site was constructed as a model farm for the estate and the range of buildings have local historic interest. The buildings comprise three existing dwellings, outbuildings, stables, workshop and barns with covered fold yards. The predominant construction materials are brick with some stone detailing and roofs are generally clay pantile with the exception of the fold yards. Home Farm house has rendered walls on the southern and eastern elevations and stone walls with brick quoins and detailing on the northern and western elevations. It is understood that it is 10 years since the site operated as a working farm and there has been limited maintenance of the buildings over the past 30 years. It is noted that the current owner has undertaken remedial work to roofs and existing building fabric in the past 12-18 months.

There are three residential properties on site which are currently unoccupied; Home Farm house and numbers 1 and 2 Anna Cottages. Home Farm and Anna Cottages are shown on historical maps from the late 1800's. In more recent times modern, steel framed agricultural buildings have been erected to the rear, northern site of the farm yard. In 2005 permission ref. 05/00013/FUL was granted for the change of use of agricultural buildings to a construction training workshop and associated rest room and parking area (previously developed land). The change of use related to the former cow house and staff room brick under pantile roof buildings (Unit 3 on the proposed plans).

## **HISTORY:**

05/00013/FUL- Change of use of agricultural buildings to a construction training workshop and associated rest room and parking area. APPROVED 02.06.2005.

## **PROPOSAL:**

Planning permission is sought for works to existing farmhouse to include alterations and extensions to form a five bedroom dwelling to include change of use and alteration of adjacent outbuildings to form a triple garage, stabling, tack room, workshop, summer house and an open sided covered area, amalgamation and alteration of 2no. semi-detached cottages (Anna Cottages) to form 1no. four bedroom dwelling to include erection of part two storey/part single storey rear extension, detached double garage and amenity area, change of use, alteration and extension of detached stable block to form 1no. three bedroom dwelling with attached double garage and amenity area, change of use, alteration and extension of barns grouping to form 2no. four bedroom dwellings, 2no. three bedroom dwellings and 1no. two bedroom dwelling with covered amenity areas, garaging and shared parking, repositioning of agricultural barn partially housing communal heating system controls and ground source heat pumps with photovoltaic array on roof and for storage of land management and grounds maintenance equipment and removal of existing portal frame barns and 8no. metal silos together with use of both the existing eastern site access and the western access adjacent to the reservoir with a new track along the western edge of the site.

Once redeveloped the site would comprise 8 residential units (of which there are 3 existing units) as follows:-

### Unit 1

Home Farm- 5 bed principal dwelling with outbuildings, stables and garages.

There would be a two storey rear extension off the north elevation of the dwelling to form a double pile roof and a conservatory off the western elevation. The western garden wall and the adjoining timber stable would be removed to create a larger garden on the southern side of the dwelling and walls would be erected on the western side of the plot to enclose the private amenity space. The stables that connect to the north west corner of the dwelling would be converted to form garages.

There would be a detached open sided covered store to the west of the dwelling and a summer house to the south west both formed from the conversion of existing buildings. The existing stables and outbuildings/workshops to the north west and north of the dwelling would be retained. The principal access to unit 1 would be from the east via a tarmac access road.

#### Unit 2

Anna Cottage- formed from the amalgamation and extension of numbers 1 & 2 Anna Cottages to form single 4 bed dwelling with conservatory and double garage.

The existing single storey range off the rear, northern elevation would be demolished and replaced by a part two storey, part single storey extension. The ridgeline would be lower than the principal roof and subservient to the original house. A conservatory would be constructed off the eastern elevation and an entrance porch off the western elevation. A detached double garage constructed from brick under pantiles would be constructed to the north west. The garden to serve the dwelling would extend to the east and north east and would be enclosed by a 1.2m high hedge. The southern boundary would be a 1-1.2m high brick wall with stone coping. The principal access to unit 2 would be from the east via a tarmac access road.

#### Unit 3

Home Stables- conversion and extension to create 3 bed dwelling with conservatory and double garage.

The existing building is L shaped in plan form. The existing single storey store room (constructed from concrete blocks) at the southern end of the building would be demolished and replaced by a two storey block. In addition there would also be a single storey extension off the south west corner of the building that would contain two garages, a utility room, storage space and WC. There would be a narrow, single storey glazed extension off the inner, west facing wall of the building to create a garden room that runs the length of the building which would also act as a corridor to access the various ground floor rooms. The parking areas would be at the southern end of the plot and the domestic garden would be on the western side of the building containing orchard planting and enclosed by a combination of hawthorn and yew hedgerows. The principal access to unit 3 would be from the west via a tarmac access road.

#### Unit 4

Home Farm Barns would be developed and converted to create five residential units:-

- 4a- 3 bed dwelling in the south east corner
- 4b- 4 bed dwelling in the south west corner
- 4c- 2 bed dwelling in the western side
- 4d- 3 bed dwelling in the north east corner
- 4e- 4 bed dwelling with triple garage in the northern side

The barns would be reroofed and fabric repaired. The gardens for units 4b and 4c would be adjacent to the western side of the building and would include the western courtyard area. The garden for unit 4e would be to the north. The gardens would be enclosed by hawthorn hedges. Units 4a and 4d would have courtyard gardens within the eastern side of the complex and narrow walled gardens off the east elevation.

There would be no vehicular access down the western side of the building. Vehicular access for units 4a- 4d would be from the west and then via the access road to the south of the building between units 3 and 1. The central part of the building would provide garages and covered parking spaces for units 4a-4d. Access to unit 4e would be from the west and via the access road that passes the proposed renewable energy building. Unit 4e would have garages formed from the conversion of an existing wing projecting off the north elevation of unit 4d. All garages would be fitted with electric charging points for vehicles which will be linked to the renewable energy centre.

The redevelopment would involve the removal of eight silos and a portal frame barn in the north west corner of the site. In this area a renewable energy building would be a constructed with a footprint of

approximately 430m<sup>2</sup>. The portal frame building would be constructed from fair faced blocks to the lower walls with Yorkshire boarding at high level. The pitched roof would be grey composited sheets and photovoltaic arrays would be installed on the south facing roof slope. The building would stand 7.5m to the ridge and the eastern elevation would be open sided. A ground source heating system would be installed in the field to the north and a below ground exchange unit would be to the north west of the building. The building would contain power and photovoltaic converters and control of the communal heating system would be from this building. The building would also provide storage space for land management and ground maintenance purposes.

The access road on the western side of the site is tight to the existing field hedgerow. There would be copse (three tree wide woodland block) planted along the inside of the access road (eastern side). A package treatment plant would be installed to the north east of Anna Cottages.

The application is accompanied by a Design and Access Statement; Flood Risk Assessment; a Structural Appraisal; Ecological Assessments; a Geo-environmental Assessment; a Landscape and Visual Appraisal; an Arboricultural Survey; a Historic Building Assessment; and a Viability Assessment.

## **POLICIES**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

### The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

### Material Considerations

National Planning Policy Framework 2019 (NPPF)

National Planning Practice Guidance 2014 (PPG)

## **APPRAISAL:**

The main considerations in the determination of this application are:

- Principle of the development;
- Design, character and form and the undesignated heritage asset;
- Impact on the AONB;
- Impact on local amenity;
- Impact on highway safety;

- Groundwater protection;
- Protected Species; and
- Local occupancy restrictions.

### Principle of the development

The principle of development, which involves the conversion and re-use of redundant traditional rural buildings, extensions to existing dwellings and the reuse of some previously developed land (training workshop), is supported by Policies SP2 and SP9. However, as a result of the open countryside location under Policy SP2 Local Needs Occupancy restrictions would be applied to the residential conversions (Policy SP21). The application is made on the basis that the residential conversions (Units 3 & 4a-e) are exempt from the local occupancy requirements and this is discussed later in the report.

### Design, character and form and the undesignated heritage asset

It has been established that the existing buildings are structurally sound and capable of conversion to residential use. The proposed alterations incorporate appropriate detailing, make sensitive use of existing openings, maintain historic fabric and also the distinctive façade of unit 4. Furthermore the works involve the removal of later, unsympathetic additions and extensions to buildings within the site. The proposed extensions are generally subservient in scale and form and do not detract from the character and appearance of the existing buildings in accordance with Policy SP16.

The proposed extensions would be constructed from brick and stone with pantiles to the roof to match existing. A number of steel casement windows would be retained and new windows would comprise side hung casement and Yorkshire sliding sash with vertical sliding sash on units 1 and 2. Doors would be a combination of vertical boards in softwood and oak panel. All replacement rainwater goods would be cast iron. The approval of the details of the external construction materials shall be secured by condition. The design also incorporates renewable sources of energy in the form of solar panels, ground source heating and also includes electric car-charging points in accordance with Policy SP18.

The application is accompanied by a heritage assessment that classifies the buildings as non-designated historic assets worthy of suitable conversion and conservation. The site is of interest in historic and architectural terms and its setting as part of a wider estate landscape. The Building Conservation Officer has confirmed that the complex can be identified as a non-designated heritage asset. The proposal retains the significance of the asset and the Building Conservation Officer has no objections.

It is considered that the proposed development would secure the conservation of a non-designated historic asset and the sensitive re-use and adaption of the historic buildings on site. The protection and enhancement of heritage assets is promoted by Policy SP12 and it is considered that the proposed development complies with the aims of the policy.

### Impact on the Area of Outstanding Natural Beauty

The site is within the Howardian Hills AONB. The Countryside and Rights of Way Act 2000 places a statutory duty on authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.

National planning policy (paragraph 172 of the NPPF) states that “*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty*”.

The importance of conserving and enhancing the natural beauty of the AONB goes hand-in-hand with preserving and sensitively converting and extending the existing buildings. The land has the highest status of protection in relation to landscape and scenic beauty and the application site was previously used for agricultural purposes with relatively large scale agricultural buildings and associated farm dwellings set within a greenfield, relatively undeveloped rural setting. The Home Farm site is screened and separated from the parkland associated with Swinton Grange by a belt of trees to the north-east and whilst the site may not be one of the AONB’s most significant heritage assets it does have the potential

to make a positive contribution. The removal of modern buildings which do not positively contribute to the landscape setting or the historical or architectural significance of Home Farm is supported.

The LPA would not support changes to land use within the site that would materially harm the appearance of the site or the positive attributes of the AONB. The design of the site layout recognises the importance of the space around the converted buildings. The extent of domestic curtilage and boundary treatment is crucial to ensure landscape character is not eroded by excessive enclosure or domestic paraphernalia. The extent of domestic curtilage has been limited on the western side of the site adjacent to units 3,4b and 4c where it is tight to the buildings. The wider areas of land such as open grass paddocks are not included within the red line application boundary.

The application is accompanied by a landscape assessment that is proportionate to the development and focuses on landscape character change. The additional soft landscaping does not significantly depart from the existing patterns of natural features and takes account of field boundaries, woodland belts and the topography of the land. The landscape assessment incorporates views of the site from nearby public rights of way and considers changes to the level and type of activity associated with the site. The access road on the western side of the site would be enclosed on both sides by planting to mitigate the visual impact of the road and vehicle movements. In addition the renewable energy building would be screened by copse planting to the east and west and the existing belt of trees to the north.

In general terms it is considered that the redeveloped site has the potential to contribute positively to the character of the AONB. The AONB Manager has not raised any objections to the development. The AONB Manager has commented on the new belt of trees proposed for the western perimeter of the site. The AONB Manager states *“On balance I feel that the new belt extends the area of parkland associated with Swinton Grange and creates a more 'enclosed parkland' feel for users of the Public Footpath. As correctly identified, this is one of the few remaining areas of grassland on the northern dip slope of the AONB - the new perimeter tree belt will enhance this experience, whilst long distance views over the Vale of Pickering are experienced either to the north of the development site or on other north/south Public Rights of Way on the dip slope. The key purpose of the new belt however was to mitigate the visual impression of a residential site in place of a predominantly agricultural one, and to that extent I feel it will be successful”*.

The AONB Manager has also requested a dark grey colour finish for the roof sheets of the renewable energy building and that the solar PV panels on the roof are black-framed. In addition the AONB Manager recommends careful attention is paid to the lighting of the new development. These matters are covered by conditions that would be imposed on any permission granted.

The external amenity space and parking areas for all units have been sensitively designed to ensure that domestic boundaries are drawn close to the buildings and the visual impact of parked cars is minimised. The use of a central courtyard of parking for unit 4 will help to minimising the visual intrusion of vehicles. The proposed development is design-led and seeks to conserve the designated landscape. It is considered that the siting, scale and design of the development and associated landscaping is acceptable and would ensure that the redeveloped site would not be visually prominent in the open countryside and designated landscape area in compliance with the NPPF and Policies SP13, SP16 and SP20.

#### Impact on local amenity

The application site is relatively isolated from any other properties in the locality. The wider site is no longer in agricultural use and the farm buildings are redundant and stand vacant. It is considered that conversion of the existing buildings to residential use is compatible with the existing land use and it is not anticipated that the proposed development would give rise to any unacceptable visual impact or any pollution or disturbance and as a result there would not be an adverse impact upon local amenity in compliance with Policy SP20.

The proposed buildings to be converted to residential use have been designed to provide adequate private, individual amenity space for the occupants that does not encroach upon the wider AONB landscape. The site layout shows clearly defined public spaces and secure private spaces in accordance with Policy SP16. The gardens would be of a size commensurate to the size and type of dwellings

proposed and sufficient parking would be available within the site as required by Policies SP4 and SP20.

#### Impact on highway safety

Policy SP20 requires that access to and movement within the site by vehicles, cycles and pedestrians should not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists.

The redeveloped site would use the main access that serves the farm house on the eastern side and also the secondary access further to the west which is adjacent to the reservoirs. The internal access road is extended along the western side to provide access to the converted buildings. Access is gained off Braygate Street which is subject to a 60mph speed limit where it passes the site and is a relatively straight road although there is a slight bend in the road to the east.

A member of the public has highlighted that the main access on the eastern side of the site is a popular public footpath. The representation highlights that the increased traffic in and out of the site could be a safety concern for any walkers. The road/public footpath on the eastern side of the site would be the main access for two dwellings (Home Farm and Anna Cottage) which at present form three residential units which would mean that traffic levels should not increase significantly. The representation from the member of the public suggests that the new access road be completed first before building work commences and is installed for the use of the whole development, with restricted access left in place for the existing road. The representation also states that construction traffic could be a hazard with the access meets the main road. An informative shall be included to ensure the public footpath is maintained clear of any obstruction and a condition shall be imposed to confirm and control the routes to be taken by construction traffic.

The LHA acknowledge that the site lies some distance from public transport services, and no dedicated footways are present beside existing carriageways in the immediate locality. However, the LHA highlight that Malton town and Swinton village both lie within the recommended general cycling distance parameters (5km) as laid down in Local Transport Note 2/08 published by the Department for Transport.

Each dwelling would include a garage in which cycles could be securely stored and the all conversions would incorporate electric car-charging points in the garages. A recreational walking route already exists through the site and can be used to access a wider network of routes if desired. The LHA confirm that, on balance, the issue of connectivity and sustainable transport measures could be considered to be met to a reasonable degree, and given that the site is being wholly redeveloped with a comprehensive and well thought-out scheme, as opposed to piecemeal, no highway authority objections are raised in principle.

The LHA have confirmed that overall the proposed development would not give rise to a significant increase in traffic using the public highway, once the construction/conversion phase has been completed. The LHA have no objections subject to the inclusion of conditions to cover: the highway verge crossings for the accesses; the provision and maintenance of visibility splays; and the creation and retention of proposed parking areas.

The net increase in dwellings is not considered to be significant in terms of the generation of traffic and the impact of construction traffic can be controlled by condition. It is considered that the traffic associated with the additional dwellings would not have any significant impact upon highway safety and the proposals incorporates appropriate measures to encourage the use of sustainable transport and complies with the requirements of Policy SP20.

#### Groundwater protection

The application is accompanied by a preliminary site assessment. The site is located upon a principal aquifer and within Source Protection Zone 2 and therefore the controlled waters are particularly sensitive. The Environment Agency have no objections to the proposed development but recommend a

condition is imposed requiring a remediation strategy to deal with the risks associated with contamination of the site.

In light of the above it is considered that the development would not be at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution and complies with the NPPF and Policy SP17.

### Protected Species

With regard to Policy SP14 there is potential for enhancements and the minimisation of fragmentation of habitats through planting and land management. In addition there should be species protection and mitigation within the development site.

The application is accompanied by species surveys for bats, barn owls and nesting birds. Bat roosts are protected thorough the year whether bats are present or not. The survey has confirmed that as a result of the proposed works bat roosts will be disturbed and destroyed. Consequently, a Natural England European Protected Species development license is required before building works can commence in relation to building numbers 1, 3 and 5 as identified in the survey. A condition shall be imposed to ensure the license is in place prior to works to those buildings. The survey recommends that the works include provision for a bat loft and bat boxes in addition the existing and proposed planting provides foraging habitat. If permission is granted conditions would ensure that works are carried out in accordance with the surveys and the recommended mitigation and compensation.

There was no evidence of barn owls roosting in any of the buildings. The buildings are suitable for nesting birds and the survey recorded numerous inactive nests. In response an informative shall be included to ensure that works to buildings take place outside of the bird nesting season.

### Local occupancy restrictions

Due to the open countryside location under Policy SP2 Local Needs Occupancy restrictions would be applied to the residential conversions (Units 3 & 4a-e). The application includes a heritage assessment and viability assessment to argue the case for the redevelopment of the site for residential purposes without any LNO restriction.

Paragraph 200 of the NPPF states *“Local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably”*. Furthermore, paragraph 202 of the NPPF states *“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies”*.

It has been demonstrated and accepted that the group of buildings the subject of the application form a non-designated heritage asset having a degree of significance meriting consideration in planning decisions. The buildings are of historic interest and worthy of preservation and any redevelopment that ensures their viable re use and ongoing preservation and enhancement is supported in principle. It is considered that the viability assessment produced by Savills is supported by an appropriate level of evidence and overall is robust.

For the heritage deficit to be addressed it is argued that a capital receipt is required to ensure the viability of the buildings restoration. The land value, the high build costs and also the abnormal costs associated with the specialist conversion of the existing buildings are noted. The ongoing maintenance burden associated with these vacant buildings of historic interest is also acknowledged as is the overall risk to the developer. Furthermore, notwithstanding the local occupancy restriction, it is considered that demand in the sales market could potentially be further limited by virtue of the nature and style of the existing buildings; the distinctive appearance; and layout only appealing to a relatively small section of the market in terms of taste and affordability. The proposed development represents a clear opportunity to address a heritage deficit and achieve sustainable development and those benefits are afforded

significant weight in the decision making process.

In conclusion on this particular matter the Case Officer considers that in this instance, on balance, the benefits to be derived from the redevelopment of the site which would secure the future, viable use of a non-designated heritage asset aligns with national planning policy and outweighs the conflict with local policies SP2 and SP21 in so far as they relate to the imposition of the Local Needs Occupancy restriction. Should planning permission be granted the Officer recommendation is that the development is exempt from local occupancy restrictions.

### Conclusion

The proposed development involves the conversion and re-use of redundant traditional rural buildings, extensions to existing dwellings and the reuse of some previously developed land (training workshop). The proposed development also provides the opportunity to restore, enhance and secure a future for a non-designated heritage asset without having an adverse impact on the scenic beauty of the designated landscape, local amenity or highway safety.

It has been highlighted that the element of the proposed development which involves the creation of new, unrestricted open market housing formed from the conversion of existing buildings in this open countryside location conflicts with the requirements of SP2 and SP21 that relate to local needs occupancy. However, it is considered that the proposed development represents the only viable long term solution to ensure this locally significance heritage asset has a sustainable future and continues to make a positive contribution to the designated landscape. The sensitive conservation and enhancement of the identified asset is highly desirable in order to retain the local historical significance of the complex of buildings and, in these circumstances, it is considered that the heritage benefits outweigh the disbenefits of departing from the policies in relation to local occupancy restrictions.

It is considered that the proposal is acceptable and complies with Policies SP1, SP2, SP4, SP9, SP12, SP13, SP14, SP16, SP17, SP18, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The recommendation to Members is one of conditional approval.

### **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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan Existing ref. M45 01 EX10 01A  
Block Plan Layout Proposed ref. M45 05 EX20 01  
Master Plan Sheets 1 & 2 combined ref. 154-1&2  
Site 1 House Elevations Proposed ref. M45 01 EX30 01A  
Site 1 House Plans Proposed ref. M45 01 AR20 01D  
Site 2 Cottage Plans and Elevations ref. M45 02 AR50 01  
Site 3 Stable Plans and Elevations ref. M45 03 AR50 01  
Ground Floor Plan- Unit 4 Barns Proposed ref. M45 04 AR20 01 B  
First Floor Plan- Unit 4 Barns Proposed ref. M45 04 AR20 02 B  
Site 4 Barn Elevations ref. M45 04 AR30 01 A  
Barn Internal Elevations Plots 4 Proposed ref. M45 04 AR40 01  
Renewable Energy Shed Proposed ref. M45 05 AR50 01

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

- 3 Prior to the construction of any walling associated with the buildings/extensions hereby approved details and samples of the materials to be used on the exterior of the buildings 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 SP20 of the Ryedale Plan, the Local Plan Strategy.

- 4 Prior to their installation, 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.

- 5 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A site investigation scheme, based on the desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

- 6 Any new roof sheets on the renewable energy building hereby approved should be of a dark grey colour (Anthracite Grey, approximating to BS 4800 10 A 11/RAL 7016).

Reason: To ensure an appropriate appearance.

- 7 Prior to the laying of any driveways or turning areas within the site details of the ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance.

- 8 Prior to the occupation of any part of the development hereby approved details of the boundary treatment of the site (location, type, material & height) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary scheme shall be carried out in its entirety within 6 months of the approval of the details or such longer period as may be agreed in writing with the Local Planning Authority.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

- 9 Before the end of the first planting season (November - March inclusive) following the commencement of development or such longer period as may be agreed in writing with the Local Planning Authority, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. 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 during 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 enhance the appearance of the development hereby approved.

- 10 The solar PV panels to be installed on the roof of the renewable energy building hereby approved shall be black-framed.

Reason: To ensure an appropriate appearance.

- 11 Full details of any new or additional external lighting at the site, including lighting for site security purposes, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution.

- 12 All works shall be undertaken in accordance with the recommended mitigation and compensation set out in Section 7 of the Bat Survey dated October 2018 prepared by Wold Ecology Ltd.

Reason: In order to take full account of protected species that maybe using the building and to satisfy Policy SP14 of the Local Plan Strategy.

- 13 The following works relating to building numbers 1, 3 and 5 as shown on page 25 of the Bat Survey- demolition of building 1, roof stripping, scaffolding, pointing of masonry, soft strip, new doors/windows, internal conversion shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) A license issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Reason: To comply with the requirements of Policy SP14 of the Ryedale Plan, the Local Plan Strategy.

- 14 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

- c. The existing accesses (2 no.) shall be improved by re-construction across the existing highway verge in accordance with the Specification of the Local Highway Authority as shown on Standard Drawing No. DC/E9A to cater for delivery / construction traffic during the works

build phase and occupiers / delivery and service traffic thereafter.

f. That part of the western access extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 12.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

- 15 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 160 metres measured along both channel lines of the major road Braygate Street from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times. NB. The trunks of mature trees may remain if sited within the visibility splays.

Reason: In the interests of road safety.

- 16 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number M45 05 EX20 01 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 17 Unless otherwise approved 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 details of the routes and timing schedules/calendar dates to be used by HCV construction / delivery traffic have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes and timing schedules/calendar dates shall be used by all vehicles connected with construction / component delivery on the site.

Reason: In the interests of highway safety and the general amenity of the area.

- 18 Prior to installation details of all mechanical extraction and ventilation associated with the development hereby authorised 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 SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 19 The residential curtilage and domestic boundaries shall be laid out in accordance with approved drawings: Block Plan Layout Proposed ref. M45 05 EX20 01 and Master Plan Sheets 1 & 2 combined ref. 154-1&2 and retained for their intended purposes at all times.

Reason: In the interests of visual amenity and to preserve the appearance of the AONB.

- 20 Prior to the occupation of the converted buildings each garage shall be fitted with an electric vehicle charging point.

Reason: To promote sustainable transport and in accordance with the development principles for the site.

- 21 No development approved by this planning permission shall commence until a detailed construction phasing plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory progression of construction works.

- 22 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 2015 (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 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).

## INFORMATIVES

- 1 Condition 14- You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 2 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 team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) 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.
- 3 Condition 11- Only warm white external lighting should be used, properly shielded and on PIR sensors to avoid unnecessary light pollution. More detailed specifications are contained in Section 7 of the Bat Activity Report.
- 4 Conditions 14-16- An explanation of the terms used above is available from the Highway Authority.
- 5 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Right of Way Act 2000) and are further protected under the

Conservation of Habitats and Species Regulations 2017. 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 aforementioned acts and applies to whoever carries out the work.

- 6 Any works to the buildings (including demolition) and any vegetation removal is required to be undertaken without harming nesting birds or destroying their nests. The main nesting and breeding season runs from 1 March to 31 August. If this is unavoidable checks should be undertaken by a suitably qualified ecologist prior to any works. If nesting birds are found during the watching brief, disturbance and destructive works will need to stop until the young have fledged.
- 7 The applicant should deposit the submitted Heritage Report in the NYCC Historic Environment Record.