

Item Number: 6
Application No: 21/00392/FUL
Parish: Howsham Parish Meeting
Appn. Type: Full Application
Applicant: Mr and Mrs Charlton
Proposal: Erection of replacement dwelling (1no. 4 bed detached dwelling) with associated parking and landscaping, with change of use of land to rear to form additional domestic curtilage to include demolition of outbuilding and extension and alteration of existing stables to form home office and store.
Location: Wychwood, Village Street, Howsham, Malton, YO60 7PH
Registration Date: 19th March 2021
8/13 Wk Expiry Date: 14th May 2021
Overall Expiry Date: 03rd September 2021
Case Officer: Rachael Balmer **Ext:** 43357

CONSULTATIONS:

Initial consultation:

NYCC Ecology: recommended surveys, and then emergent surveys
Building Conservation Officer – objects to some elements
Howardian Hills AONB Manger- objects to some elements
Environmental Health Services – recommends conditions concerning contamination
Yorkshire Water- recommends conditions
NYCC Local Highway Authority – recommends conditions

Re-consultation

NYCC Ecology: recommends conditions
Building Conservation Officer – No objections
Howardian Hills AONB Manger- No objections- concerns addressed
Environmental Health Services – recommends conditions concerning contamination, no objections and no reasonable ground to require further data
Yorkshire Water- recommends conditions

Representations: Mrs. S. Elsey, Mrs V Murray, Mr. M. Shaw, Dr. V. Cadman, R. and M. Groom.

1.0 SITE:

- 1.1 Wychwood is a small-holding with a dwelling, domestic curtilage, then outbuildings to east, accessed from the southern side, with small paddock and field with barn beyond. The application site only comprises the existing domestic curtilage of Wychwood and seeks an extension to that with the inclusion of the sheds and stables which are adjacent to the garden boundary fence and the immediate access to those buildings. The application site also identifies the southern (side) access to the paddock- which also provides access to a number of properties in the vicinity.
- 1.2 Wychwood is a 1960-70s dormer bungalow. It has undergone extensions and alterations to its rear elevation. This is a property on the main street of Howsham owned/occupied by the applicant. The property is set back from the street, with a picket fence and parking on the northern side of the property.
- 1.3 The site is wholly within the Conservation Area of Howsham which extends back to the former Back Lane (which is now the drainage ditch).

- 1.4 A number of properties are listed in Howsham- notably the Grade I Listed Church of St. John. Views of the upper part of the property are achieved from the church yard. The adjacent property to the north, no.10 Howsham is Grade II Listed. It, and no.8 Howsham both sit either side, and are positioned forward, of the application property. To the rear of the site are no. 9 Howsham (Blacksmiths Cottage) to the north east, and no.s 1 and 2 Church View are to the south and offset.
- 1.5 The site is not within the Howardian Hills AONB, but it is capable of being viewed within the context of the AONB, which begins on the other side of the road to the houses, to the west of the village.
- 1.6 In the context of this site, the Development Limits of Howsham only extend back to the domestic curtilage of 'Wychwood', not into the stables, paddock and field. The site is therefore both within Development Limits and partly within the Open Countryside (as of the Policies Map 2019).

2.0 PROPOSAL:

- 2.1 The proposal seeks two main elements. The first is the replacement of the existing property of Wychwood with a four bedroom, two-storey dwelling, with recessed two storey rear gabled wing and flat roof, single storey rear projection. The second element is the extension of the domestic curtilage to include the footprint of the existing outbuildings and their access. In seeking this change of use, by conversion demolition, extension and alteration the existing buildings into one building. Comprising two offices, garden store and household store with WC. The extension of the domestic curtilage does not extend to the small paddock to the rear.
- 2.2 The new dwelling is to be sited so that its principal front elevation is comparable to the existing front elevation of Wychwood, with the formation of a porch, and its rear elevation at ground level extends to the building's rear as it was previously extended. It is proposed to be 11.3 metres in width, with the dwelling being extended out 1.85 metres closer to the southern boundary. The main body of the house will have a pitched roof five metres to the eaves and a further 3.5 metres to the ridge. To the rear is proposed a two storey gable wing extending across half of the rear elevation. This projects 1.9 metres out from the main rear wall, and attains an overall height of 7.2 metres, some 1.3 metres lower than the main body of the house. The single storey rear projection would extend across the full width of the property and extend to a depth of 4.84 metres.
- 2.3 The dwelling frontage is designed in a traditional approach. The rear is more contemporary in its approach to fenestration design and use of materials at ground floor level. The main body of the house, porch and two storey gable wing propose the use of clay pantiles and handmade local red bricks in the Flemish bond with lime mortar. Timber sliding sash windows are to the frontage, with aluminium frames to the rear. On the single storey projection the use of zinc cladding is proposed with a sedum roof and roof right. No access (other than for maintenance) is proposed to the sedum roof it will not therefore form a balcony area. The glazed balcony doors open inwards and a glazed balustrade placed in front to prevent access.
- 2.4 The outbuildings will be in part demolished and then the stables extended, to attain an overall length of 18.1 metres and height of 3.35metres. They are not extending eastwards beyond the existing stable wall, and extending 1.5 metres within the existing domestic curtilage. They are to be timber clad with a coated metal sheeting roof. They propose a mixture of timber doors and glazing panels.
- 2.5 Solar panels are proposed on the roof of the office/store, and a ground source heat pump proposed to be housed in the household store, and will be laid in the small paddock area adjacent. Greywater and filtering tanks will be in the garden. Ground surface treatments remain the same except for the resin bonded parking area to front, and additional patio and paths in the

garden, and access to the double door access to the garden store. No increase in parking provision is proposed (there are four spaces).

- 2.6 Boundary treatments include the planting of a new hedge, and fencing on the southern boundary. New fenced gates on the eastern boundary are to give direct access to the outbuilding from the current garden. A two metre high brick wall running along the northern boundary to the proposed outbuilding will extend to the side of the dwelling. This will then gradually fall to 1.2 metres height in a curve to be set just back from the main front wall of the dwelling to be followed on with low-level picket fence extending to the public highway.
- 2.7 Revisions to the scheme have been sought in the course of the application's consideration in response to concerns raised by the use of the paddock area, elements of the design and proportions and choice of some of the materials proposed.
- Clarification of the plans so that the only groundworks in the paddock are to install the ground source heat pump cabling, and no extension of this area into the domestic curtilage.
 - Clarification that there will be no balcony area created at first floor
 - The roof height of the main building has been increased by 1 metre;
 - The brick finish of the chimney has been simplified;
 - The materials of the two storey rear wing have been changed to brick and pantile;
 - The northern boundary wall has been replaced at the frontage of the property with a picket fence and graduated dropping of the wall. Originally it had proposed a two metre high wall the entire length of the northern boundary.

The porch has not been revised due to the need for it to meet minimum accessibility requirements.

3.0 HISTORY:

- 3.1 1988 3/65/24/OA Outline application for the erection of a dwelling in conjunction with associated smallholding (Site Area 0.03H) at land to east of and adjoining Wychwood, Howsham, Malton. Refused.

02/00903/FUL Erection of conservatory to rear. Approved

19/00574/FUL Erection of a four bedroom dwelling with linked garage following demolition of existing buildings. Refused. This was preceded and followed by a series of pre-application enquiries. This application concerned the demolition of a shed in the rear-most paddock of the site, and not a replacement dwelling- as with this current application.

- 3.2 No further relevant planning history.

4.0 POLICY:

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of any planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises:

The Ryedale Local Plan Strategy (2013)

The Policies Map (2019)

The Local Plan Sites Document (2019)

The Yorkshire and Humber Plan (Regional Spatial Strategy)- York Green Belt Policies (YH9 and Y1)

(The latter two components are not considered as part of the determination of this proposal)

The Ryedale Plan - Local Plan Strategy (5 September 2013)

Policy SP1 General Location of Development and Settlement Hierarchy
Policy SP2 Delivery and Distribution of New Housing
Policy SP12 Heritage
Policy SP13 Landscapes
Policy SP14 Biodiversity
Policy SP15 Green Infrastructure Networks
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

Material Considerations:

National Planning Policy Framework (NPPF) (July 2021)
National Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

c. 9 Part I Chapter VI Special considerations affecting planning functions

s.66 General duty as respects listed buildings in exercise of planning functions.

s.72 General duty as respects conservation areas in exercise of planning functions.

Howsham Conservation Area Appraisal (2001)

5.0 CONSULTATIONS:

- 5.1 A brief summary of the position of statutory and non statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view on the public access webpage, and referred to in the report accordingly. The application was made subject of a two week re-consultation in light of changes made to the scheme.
- 5.2 In terms of other representation responses, there has been two responses in full support (including a family member coming to live at the property).
- 5.3 There is a general consensus on the part of representors that the existing dwelling detracts from the Conservation Area of Howsham but three responses received have raised concerns about parts of the scheme which are split into design/use considerations and residential amenity considerations.
- A more traditional approach to fenestration;
 - Use of more traditional materials;
 - Visually commanding appearance to the building;
 - The proposed replacement dwelling is close to the Grade I listed church and would have a visual impact on the setting;
 - Concerns about the presence and size of the porch
 - Concerned about the ultra-modern architectural elements- incompatible with traditional buildings and graveyard
 - Light pollution from the big picture window- harming to the nocturnal character of Howsham
 - Modernity and scale of the rear elevation would be incompatible with existing views (and glare from window)

- Extending the domestic curtilage to create two stores and two offices- encroaches on the village envelope- change of use and form a wedge for future development;
- Outbuilding- a large building relative to surrounding buildings, inappropriate building materials and style and the solar panels being highly visible
- The paddocks of Wychwood are important to the character and appearance of the conservation area
- Unwarranted modernisation in the Conservation Area
- Scale/layout density of the proposed office/store in relation to its setting and partially outside of the development limits of the village
- Design aspects of the rear elevation of proposed new house – not in keeping with the character and designation of Howsham as a Conservation Area.
- Concerns about permitted development rights
- Conservation designation and development limits are in place to protect such settlements from progressive densification of buildings and progressive development.
- Request that the Council consider withholding or restricting permitted development rights to prevent further loss of amenity privacy and green space.

In relation to residential amenity:

- No. 8 have identified no issues regarding the scale of the property, its siting (being slightly closer) or loss of privacy in relation to their property, no windows overlook their property they refer to presence of the wood burner flue and its proximity to their kitchen.
- No.8 have stated future use of the stable block would be unlikely to increase traffic along the access lane, which gives access to five dwellings.
- Concerns raised about the use of the flat roof as a balcony overlooking properties (no.7)
- Noise generated by the ground source heat pump (no.s7 and 9)
- The proposed office store building will be nearly abutting the side elevation of no.9
- Consider that it is difficult to assess properly the full nuisance effects
- Increased loss of privacy – affecting the front no.9 by virtue of the new dwelling in its scale and fenestration and the rear with the office and store building;
- Loss of privacy due to the potential balcony
- Overshadowing, affecting both the front of the property no.9 by the proposed new build and to the rear in respect of the home office/store
- Noise and light affecting enjoyment of rear terrace and garden(no.9)
- Scale of proposed outbuilding is excessive in relation to existing buildings
- Construction of the outbuilding will result in loss or damage to the trees which are of a size to be protected by virtue of them being in a conservation area. (Leylandii hedge)
- Clarification of the position of the ground source heat pump is required as it represents a potential source of intrusive noise- and it is difficult to ascertain whether it will be an issue.

5.4 Some of these responses cover matters which are not material planning considerations and are civil matters, these are listed below:

- Ambiguities in the plans around the boundaries around the side elevation of no 9 Howsham (Blacksmiths Cottage)- in relation differences between the site plan and the objectors title plans and site location plans.
- Reduce access to the side wall of no.9 Blacksmiths Cottage, and access issues if access required to no.9 Howsham.

5.5 It should be noted by Members that the resultant building does not encroach in any of the plans onto land which is not within the applicant's ownership and therefore the correct notices have been served. Given the differences in scale- officers have used the site block plan and elevation plans given that they are more detailed to scale off to evaluate the proposals.

5.6 Reduction in access to a wall is a civil matter. But Members may wish to note that the side wall of no.9 already extends to their boundary- as the objector has stated (by confirming accuracy of the site location plan), so they already require consent of the owner of Wychwood to access this elevation in any event- irrespective of the development proposals. The proposed building also extends across half of the gable-end of no.9, but is not touching. Any matters relating to shared boundaries or access are Party Wall matters, and therefore not material planning matters.

5.7 In response to the revised plans we received four responses,

- A reaffirmation of support.
- The Council's Conservation Officer, confirming no objections.
- The AONB Manger confirming no objections as concerns have been satisfied.
- A reaffirmation of objections to the scheme in relation to previously made objections concerning the design, queries around the balcony and access to the roof, overbearing effect and overlooking experienced by no.9 Howsham as a result of the new dwelling and the as extended outbuilding with the inclusion of two pictures showing the existing out building stable from the objector's side of the hedge. Clarification on the technical specification of the Ground Source Heat Pump is sought.
- A reaffirmation of objections to the scheme concerning the porch, the access to the roof raising overlooking concerns, and the formation of the store/study outbuilding in relation to the character and appearance of the Conservation Area - seeking something more in harmony with the village's vernacular architecture and fine surrounding landscape.

6.0 APPRAISAL:

6.1 The following areas are identified as being important to the consideration of the application.

- (i) Policy principles concerning replacement dwellings
- (ii) Policy principle the extension of the curtilage to include the outbuildings
- (iii) Impact on the Conservation Area- Replacement Dwelling
- (iv) Impact on the Conservation Area- Extension of Domestic Curtilage and Formation of Office/Store building
- (v) Impact on Listed Buildings
- (vi) Landscape Considerations and Setting of the AONB
- (vii) Residential amenity
- (viii) Site-specific matters, access, impacts on trees, drainage and ecology

i) Policy principles concerning replacement dwellings

6.2 Replacement residential dwellings are specifically considered within the Policy SP2 of the Ryedale Plan Local Plan Strategy. This identifies that providing the dwelling is a replacement, then irrespective of where it is located (within settlement/open countryside) the new dwelling is a) supported in principle, and b) is not subject to any occupancy stipulations. These occupancy restrictions would be applied in relation to conversions or new builds in a settlement such as Howsham (termed an 'Other Village' in Policy SP1- the Settlement Hierarchy and General Location of Development). Therefore the proposal complies with policy principles in the adopted Development Plan.

ii) Policy principle the extension of the curtilage to include the outbuildings

6.3 The existing domestic curtilage of Wychwood is defined by solid fences to the rear. The outbuildings abut the eastern boundary fence. For clarity, it is the red outline of the planning application which mutually defines the extent of the existing domestic curtilage, and proposed

extension of that area to extend to include the retained stable building, and access to the building to form an extended planning unit.

- 6.4 The planning considerations around the extension of domestic curtilage are considered on a site-specific basis, considering what impacts, if any, will arise from the extension in relation to planning considerations. This is in relation to changes in the character and appearance of the settlement as a direct impact of the change of use. This would be in relation to heritage considerations (Policy SP12) landscape considerations (Policy SP13) and general development management considerations (Policy SP20). The rest of the report evaluates the impact of this proposed extension of the domestic curtilage in relation to those relevant policy considerations.
- 6.5 References have been made to the fact that these buildings are partly outside the Development Limits and therefore not in the domestic curtilage. It should be noted that Development Limits do not define domestic curtilages, but are a policy tool to identify where development in principle (usually in relation to new dwellings) can take place in a settlement. Such delineations do often correspond with key boundary features in settlements, and these are often the rear extent of domestic gardens.

iii) Impact on the Conservation Area – Replacement Dwelling

- 6.4 Howsham is an extremely high quality environment, with almost every property along the main street a listed building culminating in the Grade I listed Howsham Hall at the northern end of the village. The village and its surrounding land are within a Conservation Area. S.72 Planning (Listed Buildings and Conservation Areas) Act 1990, places a general duty in respect to conservation areas in the exercise of planning functions. It requires “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”. The impact of the proposal is therefore considered firstly in relation to the new replacement dwelling and then the formation of the office/store building and extension of the domestic curtilage.
- 6.5 In addition, paragraph 199 of the National Planning Policy Framework (NPPF) states that ‘*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*’ In addition Paragraph 200 States ‘*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*’
- 6.5 In relation to the principle of the demolition of the dwelling there have been no objections raised to this. Wychwood, as built, is a building that has a neutral/negative impact on the Conservation Area of Howsham. The Council’s Senior Conservation Officer writes:
- “The property is a mid-late 20th century dormer bungalow which makes a neutral-negative contribution to the conservation area and setting of listed buildings and I have no objection in principle to the demolition of the dwelling.”*
- 6.6 There were some design concerns raised by the Conservation Officer in relation to some of the features at the proposed building’s frontage.
- “In order to keep the height of the property low, the roof seems a little weak. Thought could be given to strengthening the roof perhaps slightly raising the height of the ridge to better reflect the local vernacular and surrounding properties. In addition, the chimney seems slightly over detailed to fully integrate into the more simple context and one at each end of the ridge would better reflect the other properties in the village. Porches do not strongly feature within the village and whilst I have no objection to either the front or side porch, I do consider that the*

front porch is just slightly over sized.”

The roof height and pitch has been increased, creating a more balanced frontage and pitch of roof which is replicated on other properties in Howsham. The porch has not been reduced or deleted. Its dimensions are now in better proportion with the rest of the property, and it is set back from the strongly defined frontage of Howsham, and so would not read as a prominent projection. It is acknowledged also that as a modern dwelling, accessibility considerations can be reasonably considered in relation to the design approach. It is considered that in this regard, the new dwelling complements the existing build character of Howsham in relation to its frontage design references and its overall siting and scale.

- 6.7 What attracted a greater number of objections was the contemporary approach to the rear elevation. This elevation is just as important as the frontage. It can be appreciated (upper elevation) from key views within the publically accessible parts of the Conservation Area. Views of the rear and side elevations are achieved from the church yard. Objections from interested parties have focused on the principle of the proposed fenestration and materials in the Conservation Area. Objections from the Conservation Officer and the AONB Manager, set out respectively below, related to the use of the materials (zinc cladding)- but in particular at two storey height.

“The replacement structure has been well considered and thought has been given to its integration into the village. I do however have concern with the two storey rear cross wing being a modern idiom and materials. There is a clear view of the rear of the property from the Grade I listed church and open clear views of such a modern intervention in a setting of traditional vernacular materials would in my opinion not preserve or enhance those qualities of the conservation are which is desirable to preserve or enhance. I have no concerns with the single storey aspect.” – Conservation Officer

“No objection to the use of modern and contemporary materials for single storey rear extensions. I do however have some concerns about the use of steel or zinc for the full height of the proposed two storey extension, and for the roof of that element. In my view the second storey walls and roof will be visible enough from within the Conservation Area such as to constitute a visually discordant element. I don't have any objection to the principle of the two storey extension, but feel that the roof and walls of at least the second storey should be in materials more complementary to the local vernacular.”- AONB Manager

- 6.8 The use of zinc cladding to the two storey element would have represented a discordant feature when viewed in relation to the main building- which is very traditional in its appearance. With this removed, the key views of the building will show the gable wing replicating the traditional materials of the main house. The single storey rear projection has retained a strong contemporary aesthetic, but the treatment is focused at southern side and rear and has been designed to have a dynamic rhythm and continuity with the inseting of the windows and use of the zinc cladding to frame the windows at ground floor. It is considered that it represents a bold, but not incompatible, treatment of the rear elevation of the building. It will therefore not undermine the character and appearance of the Conservation Area.
- 6.9 Concerns were raised about the feature window by three respondents. Officers consider that its modernity is tempered by the fact it is not a solid glazed area, but broken by the vertical glazing bars and aesthetically balanced in this rear limb projection with the un-hipped gable end. Aluminium provides a better quality finish to the windows than that of uPVC by allowing a finer detail in relation to the glazing bars, and given the larger size of the widow aluminium is better suited to this than timber. Concerning illumination impacts, the feature window is taller than the windows in a similar position on the existing property. But it is considered that in relation to lighting in a bedroom, there would not be a materially significant increase in lighting or glare from this window compared to that which is created by the existing two windows on that first floor of the existing building. The more contemporary approach to the glazing on the rear elevation is uncluttered, makes good use of the building's form and scale and massing of the rear wing, and uses quality materials. Therefore is not considered to undermine the

character and appearance of the Conservation Area.

- 6.10 In terms of concerns raised in relation to the design/material considerations around the new dwelling, they have now been addressed to the satisfaction of the Conservation Officer, who stated she had no objections to the revised proposals. The AONB Manager has confirmed that the revisions have addressed their previous concerns.
- 6.11 It is therefore considered that in relation to the proposed dwelling there would be an enhancement of the Conservation Area. It therefore complies with the tests of the NPPF and Policy SP12 (Heritage) which seeks to ensure proposals in the Conservation Area either protect or enhance the character and appearance of the Conservation Area. It is also considered that the proposal also complies with Policy SP16, concerning design. It is considered that the scheme will reinforce local distinctiveness in its respectful treatment of the siting and scale of the proposed dwelling in relation to both the original dwelling and those surrounding properties. It employs an essentially traditional form and the use of traditional detailed design features which are applied in Howsham. This is nevertheless a new building, and the contemporary features are modest and sympathetic to the building's design, and give recognition that this is a 21st Century dwelling.

iv) Impact on the Conservation Area – Extension of Domestic Curtilage and Formation of Office/Store building

- 6.12 In relation to the principle of the extension of the domestic curtilage as proposed by this application, The Conservation Officer initially responded that:

“I do have strong concern regarding the change of use of the paddock area into domestic curtilage. The transition from domestic curtilage into countryside is drawn much tighter elsewhere along main street and I consider that this change of use would have a harmful impact on the conservation area and setting of the listed building especially the Grade I listed church of St. John which would share a boundary with the enlarged domestic curtilage.”

“I have no objection to the demolition of the stable/barrel roofed structure and the erection of an outbuilding/home office. I also have no objection to a slight enlargement of domestic curtilage.”

The AONB Manager writes:

“Any expansion of the domestic curtilage should not extend beyond the domestic curtilage of the adjacent houses, in order to maintain a strong distinction between the developed part of the village and the rear tofts”.

- 6.13 A large area of Howsham's Conservation Area is undeveloped, this is not unusual in itself; settlements are as much formed by the spaces around buildings as the buildings themselves. The Tofts, areas ploughed behind the houses, and the back lane was the point where people stopped and turned their ploughs back around. This represents an area of Howsham's historic past, and is accordingly, part of the Conservation Area. The key open areas of the paddock and toft field beyond are not part of this application and are retained in their open and undeveloped state and so this open quality is retained in full.
- 6.14 The overall morphology of Howsham is retained with this change of use of the land and buildings. The Howsham Conservation Area Appraisal states in the opening sentence about the form of the village that: *‘The village has a well-defined linear form which runs in a north direction for approximately half a kilometre’*. Howsham is an unusual settlement in that its morphology is strongly influenced by the topography in which it lies but crucially the development of Howsham Hall, with the demolition of one side of the village. There are some more sporadic properties to the north but the build form on the eastern side which is single depth for the most part, but not exclusively so. The red outline stays well within the extent of the domestic curtilage of no.9 Howsham and nos. 1 and 2 Church View. It is very much

contained within the context of other dwellings and their curtilages. The building is visually proximal to other buildings (and dwellings), being read within the context of Wychwood, and nos. 10 and 9 Howsham, and of 1 and 2 Church View. The existing outbuildings are abutting the established curtilage, and extending towards and into that area, and the proposal only seeks to extend the curtilage to include these existing buildings and the access to them. The footprint of the resulting building 2.43 metres longer the collection of existing buildings in the site- and that extension is into the existing curtilage. In terms of its height the Nissan hut is 3.76 metres in height with the stable 0.3 metres lower. The proposed structure is, at 3.35 metres in height the same height as the existing stable, and therefore lower than the Nissan hut.

- 6.15 Both the Conservation Officer and the AONB Manager have no objections to the controlled extension of the curtilage which did not stray beyond existing buildings or established curtilage of surrounding properties, and these proposals adhere to that principle.
- 6.16 The building's external treatment is also considered to be very much compatible with the Conservation Area. The building as extended and altered would remain subservient, with a strong agricultural vernacular, and represent a transitory building between the domestic dwelling and the open fields. Regarding the building's use as proposed office/store would still perform as a subsidiary and ancillary building to the main house. The use of the solar panels on what is a shallow profiled roof of a subsidiary outbuilding would be a sensitive response to seeking to harness a renewable energy resources in the Conservation Area, as other dwellings have utilised such structures to no ill effect in the village (no.8 Howsham). It is therefore considered that the change of use and extension of these outbuildings would not undermine the character and appearance of the Conservation Area.
- 6.17 External lighting between the buildings would need further consideration, to ensure it kept to low levels, and this can be considered through a suitably worded condition. There is an ability to ensure sensitive lighting is provided within the short distance between the new dwelling and the outbuilding.
- 6.18 Representations have sought to remove permitted development rights in the curtilage as extended. This is a prudent approach when considering larger areas of newly formed domestic curtilage in sensitive locations. However, the extension of the curtilage is very tightly drawn to the proposed buildings, and it is not considered that the removal of permitted development rights would be necessary or reasonable given this very tightly defined extent of the extended domestic curtilage, which is already and area of hardstanding.

v) Impact on Listed Buildings

- 6.19 S.66 Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities to have special regard when considering whether to grant planning permission for development which affects a listed building or its setting. That special regard is in relation to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. No impacts would be physically experienced by this proposal.
- 6.20 The proposed dwelling (as now revised) and the extended outbuilding would also not adversely affect the setting of any listed building. The closest listed building is no.10 Howsham, which is a Grade II listed cottage separated from Wychwood by the drive of Wychwood and the access to nos. 10 and 9 Howsham. The boundary wall changes have resulting in the retention of existing views of no.10 Howsham, with the curve of the wall now dropping from 2 metres to 1.2 metres and then to a low picket fence. The positioning of the new dwelling and its general form and scale is not dissimilar to the current building and so there will be no change in the way that no.10 Howsham is experienced in the streetscene, and therefore the Conservation Area.
- 6.21 As previously referred to, the upper parts of the rear and side of Wychwood are viewed from the church yard of the Grade I Listed Church of St. John, and so represent part of the wider setting

of the church. Concerns were previously raised about the very strong modern vernacular of the two storey element of the rear cross wing on the rear elevation, with the zinc cladding, and the modern approach to the fenestration. This has now been revised so that the materials on these upper and side elevations are traditional in their appearance, and whilst the feature window remains retained, it is considered that its form and design will not present as a discordant feature when viewed from the church yard (as discussed earlier). Indeed it is considered that the choice of materials and design of the proposed dwelling will be an enhancement when compared to the existing mixture of materials, agglomeration of extensions and non-traditional form of Wychwood. As such it is considered that the proposal would enhance the setting of these listed buildings by virtue of the more traditional and unified approach to the replacement building's design and materials. It is therefore considered to comply with Policy SP12 in respect of enhancing the wider setting of listed buildings.

vi) Landscape Considerations and Setting of the AONB

6.22 The Howsham Conservation Area Character Appraisal states that much of village's landscape character and setting is provided by the outstanding countryside that surrounds the settlement. One of the most significant features of Howsham is how the settlement is sited within an area of particular landscape sensitivity. Howsham is located within the Derwent Valley, at the southern end of Kirkham Gorge. The village is situated on the boundary between the Howardian Hills AONB, and the Wolds Area of High Landscape Value, and is an area of landscape transition. The settlement is on rising land, but there are also topographical variations close to the settlement, which mean that clear views of the settlement at distance are limited.

6.23 The AONB is a national-level landscape designation, and Howsham, bordering on the AONB, is within the setting of the AONB. Policy SP13 (Landscapes) requires that the natural beauty and special qualities of the Howardian Hills Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced and the impact of proposals on the AONB, its setting will be carefully considered.

Proposals will be supported where they:

- Do not detract from the natural beauty and special qualities of these nationally protected landscapes or their settings
- Seek to facilitate the delivery of the Howardian Hills AONB Management Plan Objectives
- Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area

In the first instance, the last two objectives are not relevant to this proposal.

6.24 The site is within the Area of High Landscape Value of the Wolds. This is a local landscape value designation, which draws attention to the natural beauty and scenic qualities of particular areas of landscape character. Policy SP13 also states that the Wolds is of significant historic landscape value and a loss or degradation of the elements that integral to their historic landscape character make these landscapes particularly sensitive to change.

6.25 The proposed replacement dwelling and the extension and conversion of the outbuildings to be incorporated into the domestic curtilage are not considered to have a landscape setting impact in principle. This development is not departing from the historic form of the settlement, and whilst is on land which has a longstanding connection to existing properties, but for the purposes of agriculture, the key elements of the paddock an open fields are retained, allowing the form of Howsham to be understood, and appreciated from the eastern vantage points along the public footpath. These proposed structures are viewed intermittently and very much within the context of existing buildings and curtilages of the existing properties of Howsham. The extension of the curtilage is very tightly drawn and the proposed out building is subordinate in scale and so will not be perceived. No objections have been made by the AONB Manager concerning this scheme, since previous concerns have been addressed.

- 6.26 As referred to earlier in the report, it is considered that the nature of the external lighting between the extended outbuilding and the dwelling should be conditioned. This is to ensure that such lighting is kept to a minimum, to provide an access which is both safe and compatible with the nocturnal character of Howsham. For these reasons, and subject to the use of the above-mentioned condition, the development is therefore considered to comply with to Policy SP13 of the Ryedale Plan- Local Plan Strategy.

vii) Residential Amenity

- 6.27 Policy SP20 of the Ryedale Plan Local Plan Strategy seeks to ensure that new development does not have a material adverse impact on the residential amenity of both existing and future residents on neighbouring land.
- 6.28 No objections to the replacement dwelling have been received from the properties closest to the new dwelling. Its proportions, in terms of footprint, are very similar. It is c.1 metre higher overall, and the eaves are higher, but this is not considered to result in a materially significant level of overbearing. The two storey wing extension is recessed and with the incline of the roof and distance between the extension and no.10 Howsham, it will not result in an overbearing effect for this property.
- 6.29 Officers were initially concerned that the first floor could be used as a balcony, and representations have raised concerns about this potential. This would have been detrimental to the residential amenity of no.8 Howsham, in particular, as their kitchen/dining/living space would be directly overlooked. The agent confirmed that it is a sedum roof- and access is for maintenance only, and not via the feature window. A glazed balustrade is proposed across the frontage of this opening. Concerns about the doors opening outwards on the plans have been raised. Nothing on the plans indicates that it could be used as a balcony: There is no balustrade around the edge of the roof of the ground floor projection which would be required to satisfy building regulations- and need planning permission in its own right in relation to height in proximity to the boundary. As such, sufficient information on the plans and by further submissions from the agent, confirms this is not a balcony, and would propose no residential amenity concerns.
- 6.30 The replacement dwelling would result in no additional levels of noise beyond that which are normally experienced in a dwelling house with garden situation.
- 6.31 Poor lighting choices can undermine residential amenity, particularly those that are external in operation. In this regard, and in response to the need to ensure that nocturnal character of Howsham Conservation Area is retained, it is recommended that details of external lighting of the site will be sought by condition. It is not considered that the proposed windows on the rear elevation will bring materially more light pollution. This is when they are compared to the greater volume of glazing on the existing dwelling on both the frontage and particularly the rear, and will be only extending eastwards by 2.5 metres. The feature window is at first floor and serves a bedroom so the extent to which lighting will be used consistently in this room is not considered to be materially significant, and is currently undertaken in the current dwelling.
- 6.32 Loss of privacy as a result of this glazing has been cited as a concern by the resident of no.9 Howsham. It is noted by officers that due to the properties orientation and positioning they will already experience a degree of overlooking from the existing bedroom windows, which the objector references. This proposed first floor window is 2.5 metres closer (14.5 metres overall from the neighbouring property). The new window is inset from the side wall and is lower in its elevation to that of the current bedroom windows, which also do not directly look across to no.9, but do so at an angle, so direct views are not achieved. Whilst being a slightly larger area of glazing than the current two first floor windows, it is not considered that the glazing proposed presents a materially significant increase in the capability to overlook no.9 than that which is currently experienced.

- 6.33 In conclusion, the replacement dwelling will not impinge on the residential amenity of any other surrounding residences, and therefore satisfies the requirements of Policy SP20. This policy seeks to ensure that no adverse impacts are experienced as a result of new development.
- 6.34 The resident of no.9 Howsham has objected to the proposed outbuilding in relation to matters of loss of privacy, over shadowing and noise. Each is considered in turn.
- 6.35 In terms of loss of privacy, the proposed building has no windows on the elevation facing no.9 Howsham. There is currently a large Leylandii hedge which is identified by the objector as being in their ownership, on the basis of a discussion with the applicant. This hedge is retained on the plans. It is not considered that the proposal presents any greater opportunity to overlook than the current situation, which affords no overlooking of no.9. The proposal also does not extend the curtilage to a level such that any space outside of the building would afford views across to no.9, reducing a sense of privacy. The privacy currently afforded to no.9 would be retained with this proposal.
- 6.36 The objector considers that the proposed buildings break the 45° rule and create a structure which is over 18 metres long in relation to their dwelling on a southern elevation. Officers have considered the impacts of the proposal in relation to a) what is currently on site and b) what is within the control of the applicant, and what is in the control of the neighbour. In terms of overshadowing, the hedge separating the properties is higher than the existing and proposed structures, and the proposed extended building is no higher than that of the existing stable, and would be lower than the current Nissan shed. So even if the hedge was cut lower, the presence of the structure would be not materially different to the existing structures in terms of creating an overbearing effect: the building is extending part way across the blank gable elevation of no.9, but as there are no windows on this elevation, no sense of overbearing or over-shadowing could be experienced. Whilst the objector has considered these structures to be temporary, they are not temporary. They can remain sited in effective perpetuity, or until such time as they require demolition due to their condition. These structures have been on sites for some considerable time, and have been effectively screened by the hedge which is in the objector's control to retain. It is also noted that the objector has in recent years acquired the property, and so has been fully cognisant of the scale and mass of these existing buildings in relation to their property.
- 6.37 In relation to noise concerns, the usage of the outbuilding as a dual office with garden store and general store is considered to be acceptable given its domestic nature and scale. The formation of domestic scale storage areas and two modestly sized offices is not considered to be an intensification of use that would undermine the general ambience of the area. The elevation facing no.9 Howsham has a solid, insulated finish, so will not provide a means by which noise can travel in the direction of this adjacent property. Given the nature of the use of the building, no additional vehicular movements would be generated by the proposed use other than those which currently exist. No exterior seating area is proposed nor achievable due to the extent of the curtilage. The ground source heat pump is to be housed inside the building, ensuring that no noise can emanate from the building. The access is provided by a door on the side facing away from the objector's property with no windows serving the room in which it is housed. Whilst noise from the pump will be generated, it will be at the level of many household appliances. The objector concerned with noise from the building has asked for the specification of the ground source heat pump to be provided for consideration. The proposal has been considered by Environment Health Officers as currently presented with no additional details, and they have no objections to the housing of the ground source heat pump inside the building. No further details have been sought on that basis. As such the levels of noise in terms of duration/type or volume generated by the use of the outbuilding are not considered to represent a level of noise which would be detrimental to the residential amenity of any proximal dwelling.
- 6.38 In conclusion, the proposed outbuilding as proposed to be used and altered, will not impinge on the residential amenity of the adjacent property, nor indeed the amenity of any other surrounding residences. It therefore fully satisfies the requirements of Policy SP20.

viii) Site-specific matters: drainage, access, impacts on trees and hedges, sustainable building and ecology

Drainage

- 6.39 The site is currently served by a septic tank for foul drainage, and this proposal will not change the method dealing with foul water. There is a mains sewer, but this is not proposed to be used. Surface water is identified in the application form as discharging to a watercourse, although they are also proposing to have grey water storage and filtration on the site.
- 6.40 Yorkshire water have not objected to the application but they have sought that a standard condition is imposed which seeks to control how surface water discharges from the site. (Consent to discharge to a water course needs consent from the IDB- which given the existing regime this would be in place).
- 6.41 Officers have sought clarification from Yorkshire water given the existing drainage regime, as it is not proposed that discharge to the public sewer is undertaken. Officers have included the condition for robustness, but acknowledge that in relation to the surface water management, this regime currently in place. Also, that in relation changes in the surface water regime as a result of the new dwelling and the outbuildings extension, these would in themselves not materially change levels of surface water runoff. Yorkshire water have advised:

“Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering rainwater harvesting overflow disposal to public sewer”.

As a last resort rainwater harvesting overflow may discharge to the public sewer network at a rate to not exceed 2 litres/second. The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.”

- 6.42 It is considered that the proposal is compliant with Policy SP17, which seeks to ensure that management of foul and surface water is satisfactorily undertaken, and the inclusion of the condition can ensure that mechanisms for the discharge can be identified in detail.

Access

- 6.43 No objections have been raised by the Local Highway Authority. Officers consider that whilst there will be some temporary disruption as a result of the works, the use of the building for domestic purposes will be acceptable in relation to access. The Local Highway Authority has recommended the application of their standard conditions in relation to the retention of parking spaces and a construction management plan to ensure safe working and operation of the site in relation to public highway and the amenity of residents. As such the proposal satisfied the requirements of Policy SP20 in this regard.

Trees and hedges

- 6.44 On the site plan two smaller stature trees to the frontage are retained (one is outside of the red outline), a further tree is retained on the rear of the site. The trees at the frontage – given their siting are prominent in the Conservation Area. The tree to the rear is a fruit tree (pear). Each of these trees is subject to conservation area consent, and any works to the non-fruit trees requires the notification and consent of the Local Planning Authority. No works are proposed to the trees, however, works to the ground surrounding the trees is proposed in the frontage and the rear. So it is considered that prior to construction, a methods statement will be required which shows how, in relation to the proposed works, the root protection zones of the trees will be protected. This is to ensure the long-standing retention of these trees- although it is not considered that they are threatened by the proposal and so the making of a Tree Preservation

Order is unwarranted.

- 6.45 Hedges involved in this scheme are small scale domestic hedges, and therefore not subject to the Hedgerow Regulations. The southern boundary hedge is to be removed, and replaced with a new hedge. One of the objectors (no.9 Howsham) has referred to loss/damage of the trees adjacent to their property. The trees which lie between the extended outbuilding, and no.9 Howsham are not technically trees but are a line of closely planted Leylandii Cypress which have formed a mature hedge, most likely to provide screening from the existing outbuildings at Wychwood and a private garden area. As such, being a hedge, they are not subject to the Conservation Area consent regime for works to trees as they are not standalone specimens, but a hedge in a domestic boundary. It is noted that some trimming works are needed to the hedge to assist in the cladding and roofing works, and providing these take place on the applicant's land, they can undertake this work under common law. No consent of the Local Planning Authority is required. The hedge has grown and formed its shape within the context of the siting and height of the existing buildings, and that general arrangement of growing conditions, relative to the hedge, will remain unchanged.

Sustainable Building

- 6.46 The proposal seeks to utilise a number of sustainable building approaches to the site:
- Ground Source Heat Pump;
 - Solar Photovoltaic panels to the outbuilding;
 - Grey water recycling
 - Use of high levels of insulation
 - Sedum roof to the first floor extension
 - Reuse of some building materials (subject to asbestos safety assessment requirements).
- 6.47 The proposal is utilising two renewable energy sources, and maximising the opportunities to reduce energy usage. The proposed renewable energy technologies are sited sensitively, when considering the Conservation Area. The re-use of grey water is also supported. As such the proposal wholly complies with Policy SP18 which is concerned with developments adopting the energy hierarchy and reducing energy use and utilising renewable resources.

Ecology

- 6.48 In June 2021 an initial bat and nesting bird habitat potential survey was conducted for the buildings to be demolished. Its findings concluded that bats were present in the main dwelling. This led to an emergence survey conducted in July 2021, which identified two day roosts in the bungalow, used by single Common Pipistrelle and Whiskered Bats.
- 6.49 The proposed development was identified as resulting in the loss of house sparrow, house martin and barn swallow nesting habitat. To reduce any detrimental impacts of breeding birds it is recommended (by the report) that demolition works are undertaken outside of bird nesting season (March-August). If this is not possible then a check for active bird nests should be carried out immediately prior to works. Work to areas with active bird nests shall be carried out once any chicks have fledged to avoid disturbance. This is necessary to ensure compliance with the Wildlife and Countryside Act 1981. Lost nesting habitat will be mitigated for by the installation of three bird nesting habitat features. These are expected to be integral and incorporated into the new development.
- 6.50 There is no evidence to suggest that the proposed development will impact barn owls.
- 6.51 The response of NYCC Ecology is:
- “Although all bat roosts are protected by law, day roosts are of lower conservation significance and their loss can be compensated for by standard mitigation measures (in this case by incorporating bat roost features into the new building). As such, the proposed*

development meets the 'favourable conservation status' test set out in Regulation 55(9)(b) of the Conservation of Habitats & Species Regulations 2017.

Should Ryedale District Council be minded to approve this application, we recommend a Condition:

- (a) to adhere to the Method Statement on bat mitigation set out in section 8.2 of the Bat, breeding bird and barn owl survey report (MAB Environment & Ecology Ltd, August 2021);*
- (b) to adhere to the recommendations of the same Method Statement regarding nesting birds, including the provision of 3 integral bird nesting boxes.*

Because the specifications and locations of the bat and bird boxes have not been finalised, it may be appropriate to make the above subject to a discharge of condition. The applicant should agree these details with their ecologists and an email from the ecologists to confirm that the boxes have been installed as agreed would suffice for discharge of condition."

- 6.52 It is considered that the proposal is capable of satisfying the requirements of Policy SP14 ensuring no loss of habitat for protected species. This is subject to the addition of conditions which require the adherence to the methods statement provided, and to provide details of the specification and location of the bat and bird boxes. Also prior to the demolition of the main dwelling, the Natural England license shall be sought and submitted to the Local Planning Authority. This will confirm the precise siting of the boxes proposed.

Contamination

- 6.53 Environmental Health were consulted on the application. This was due to the identified presence of Asbestos in a series of points across the site (en-suite wall finish, roofing felt and the exterior cladding of the Nissan hut. It is considered that the application presents an opportunity to safely remove asbestos from the site, and prevent any future risks, as whilst the situation is not urgent, in time it will become necessary.
- 6.54 The Senior Environmental Health Officer responded:
"In order to ensure that any asbestos present is safely removed, and to ensure that any existing materials to be re-used are safe, I would recommend that the following conditions (see below) be added with regard to contamination. I further believe these are necessary due to the previous land use and presence of agricultural type buildings which may have been subject to chemical contamination due to the nature of their use". Therefore Officers have duly recommended that such conditions are imposed. This is to ensure that the development complies with Policy SP20 in relation to the protection of sensitive receptors in relation to contamination.

CONCLUSIONS

- 6.55 The village of Howsham is very high quality in its historic character, and architectural fabric and surrounding environs. This is reflected by the density and scale of national-level designated historic assets both within, and close to the village. The site also sits adjacent to the national-level landscape designation of the Howardian Hills AONB and is within the local landscape designation of the Wolds Area of High Landscape Value. There has been a number of concerns raised regarding some elements of the design and materials of scheme which have been considered to have now been addressed in a sensitive manner. Officers consider that this new dwelling represents an almost unique opportunity within the context of Howsham village: To build an entirely new dwelling which mutually pays both due regard to key elements of historic build character in Howsham's Conservation Area, but also then successfully marrying this with contemporary build elements. The element of extending the domestic curtilage, with the demolition of the Nissan hut and shed, and extending the stables is also considered to be acceptable in its impact on the character and appearance of the Conservation Area.

- 6.56 Whilst objections have been raised in relation to the residential amenity impacts, Officers have carefully assessed the buildings as proposed, and consider no adverse impacts will result from these proposals.
- 6.57 All other aspects of compliance with the Development Plan have been satisfied, or can be controlled via condition, with no material considerations indicating to the contrary. Therefore in accordance with Policy SP19 of the Ryedale Plan- Local Plan Strategy- Presumption in Favour of Sustainable Development, this application is therefore recommended for approval with conditions as set out below.

RECOMMENDATION: Approval subject to the following conditions

1. The development hereby permitted shall be begun on or before 1st June 2021;

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:

Site Location and layout 20037 February 2021 PL/02

Site Layout Plan May 2021 20036 PL/03 Revision B

Proposed elevations of replacement dwelling May 2021 20037 PL/07 Revision A

Proposed floor plans for replacement dwelling February 2021 20037 2021 PL/05

Proposed roof plans for replacement dwelling February 2021 20037 2021 PL/06

Stable building proposed store and office building February 2021 20037 2021 A1/13

Reason: For the avoidance of doubt and in the interests of proper planning, and to be in accordance with the Policies of the Ryedale Plan- Local Plan Strategy.

3. Prior to their application/use samples of the brick/pantile/zinc cladding for the dwelling and the timber boarding/roof cladding to be used in the approved outbuilding shall be submitted to and approved in writing by the Local Planning Authority, and shall so be utilised in the development hereby approved

Reason: to ensure that the materials are sympathetic in their appearance to the existing building's construction materials, ensuring sensitive renovation of this traditional rural building in accordance with Policy SP12 (Heritage) Policy SP16 (Design) and Policy SP13 (Landscapes) of the adopted Ryedale Plan- Local Plan Strategy.

4. Prior to any electrical works, details of the external lighting including position and level of illumination of any external lighting on the site/buildings shall be submitted to and approved in writing by the Local Planning Authority and shall be thereafter so implemented.

Reason: to ensure that the level of external lighting is minimised to reduce the impacts of excessive lighting in the Howsham Conservation Area, in what is an area of low light in nocturnal character and ambience, in accordance with Policies SP12 (Heritage) SP13 (Landscapes) and SP20 (General Development Management Issues) of the adopted Ryedale Plan- Local Plan Strategy.

5. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Policy SP17 of the adopted Ryedale Plan- Local Plan Strategy

6. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
 - ii) the means of discharging to the public sewer network at a maximum rate of no more than 2 (two) litres per second.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Policy SP17 of the adopted Ryedale Plan- Local Plan Strategy.

7. No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority DWG no. P1/03. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: 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. In accordance with Policy SP20 – Generic Development Management Issues- of the adopted Ryedale Plan- Local Plan Strategy.

8. No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. The parking of contractors' site operatives and visitor's vehicles;
3. Areas for storage of plant and materials used in constructing the development clear of the highway;
4. Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
5. Protection of carriageway and footway users at all times during demolition and construction;
6. Protection of contractors working adjacent to the highway;
7. Details of site working hours;
8. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
9. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
10. Measures to control and monitor construction noise;
11. An undertaking that there must be no burning of materials on site at any time during construction;
12. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
13. Details of external lighting equipment;
14. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in accordance with Policy SP20 of the adopted Ryedale Plan-Local Plan Strategy.

9. Prior to commencement of the landscaping of the front and rear gardens, a methods statement for the protection of the trees root protection zones shall be submitted to an approved in writing by the LPA.

Reason: To ensure that the trees which make a contribution to the character and appearance of the Howsham Conservation Area are protected during the course of any works in conjunction with the development. This is in accordance with Policies SP12 (Heritage) and SP15 (Green Infrastructure) of the adopted Ryedale Plan - Local Plan Strategy.

10.

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. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites.

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, 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 (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. This is in accordance with Policy

SP20 of the adopted Ryedale Plan Local Plan Strategy.

11. A) The development hereby approved shall be undertaken in accordance with the Method Statement on bat mitigation set out in section 8.2 of the Bat, breeding bird and barn owl survey report (MAB Environment & Ecology Ltd, August 2021). The development shall also be undertaken in accordance with the recommendations of the same Method Statement regarding nesting birds, including the provision of no.3 integral bird nesting boxes.

B) Prior to the demolition of the main dwelling, the Natural England license shall be sought and submitted to the Local Planning Authority. This will confirm the precise siting of the bat boxes proposed and any mitigation measures to be employed at the time of the works.

C) The specifications and locations of the above-referenced bat and bird boxes shall be agreed in writing with the Local Planning Authority, they shall be so implemented and thereafter so maintained, and written confirmation from the ecological consultant provided to confirm that the boxes have been installed as agreed.

Reason: to ensure that species of conservation concern and their habitats are not undermined by the proposal, and that new development is able to incorporate roosting and nesting features. This is in accord with Policy SP14 (Biodiversity) of the adopted Ryedale Plan- Local Plan Strategy.