

**Item Number:** 11  
**Application No:** 22/00097/FUL  
**Parish:** Habton Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr & Mrs Taylor  
**Proposal:** Erection of 1no. five bedroom replacement dwelling following removal of the existing dwelling, alterations and renovations to the stable and annexe building to provide additional living accommodation for the main dwelling with one bedroom annexe accommodation to include the erection of a single storey link extension, erection of 1no. one bedroom ancillary dwelling associated to the replacement dwelling with double garage and conversion and alterations to modern barn to allow formation of leisure facilities for domestic purposes  
**Location:** Longlands Hall Riggs Road Ryton Malton YO17 6RZ

**Registration Date:** 3 February 2022  
**8/13 Wk Expiry Date:** 31 March 2022  
**Overall Expiry Date:** 10 March 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### CONSULTATIONS:

<b>Yorkshire Water Land Use Planning</b>	
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	Comments
<b>NYCC Natural Services</b>	Comments
<b>Tree &amp; Landscape Officer</b>	
<b>Building Conservation Officer</b>	
<b>Habton Parish Council</b>	
<b>Highways North Yorkshire</b>	No objection

#### Representations:

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#### SITE:

The application site, Longlands Hall comprises a large farmhouse together with a range of traditional outbuildings and a modern agricultural building, set in approximately 17 hectares of land.

The site is located within the area of Ryton and accessed via a long driveway taken from Riggs Road, it is located approximately 5km to the north of Malton Town Centre. The site is surrounded by open countryside, and there are no immediate residential dwellings adjacent to the site, with the wider area predominantly characterised by a pattern of sporadic farmsteads and small groups of development. The nearest neighbours are located c240m to the west/south west and c290m to the north west of the residential dwelling. The site is located within the Vale of Pickering Landscape Character Area and in land designated as the 'Wider Open Countryside' under the Ryedale Plan, Local Plan Strategy.

The property incorporates a two and a half storey dwelling of a significant scale, with the majority of the building incorporating an attractive and traditional vernacular form. The dwelling incorporates a central section, with a pair of two storey extensions to the east and west added to the dwelling over time, which are set back and set down from the original section. Other extensions have been added over time, including a pair of balanced single storey extensions to the southern elevation, which forms the principal elevation of the building and more functional additions to the rear. The original central section spans c10.4m in width, but including the pair of historic side extensions, the two storey section of the dwelling spans a total of c21m in length, with a maximum width of c12.1m. The property incorporates a range of roof styles, predominantly pitched roof forms of varying pitches with the single storey

elements to the front incorporating flat roofs with lantern roof lights. The majority of the dwelling is completed with brickwork and a pantile roof.

Traditional farm outbuildings are positioned closely to the north of the dwelling creating an enclosed courtyard, which is attractively landscaped. It is noted that of the outbuildings, one two storey element has been granted permission for conversion to an annex, but the rest remain in undeveloped with some in active agricultural use for a small number of livestock. Directly to the north of these traditional rural buildings, falling within the red line of the application site is a small paddock where livestock graze.

To the west of the traditional outbuildings is a modern farm building, spanning c16.5m x c23m in footprint. This incorporates a pitched roof design with a maximum roof height of c6.9m. This is completed with low concrete walls, wooden cladding and a corrugated metal roof.

The site location plan indicates the wider area of agricultural land falling under the same ownership. Formal garden space is present to the south west and south. The vast majority of the application site falls with Flood Zone 3 as designated by the Environment Agency.

Public Rights of Way are located to the north and north west of the site, c320m from the current dwelling at the nearest point.

### **PROPOSAL:**

This proposal seeks planning permission for the erection of 1no. five bedroom replacement dwelling following removal of the existing dwelling, alterations and renovations to the stable and annexe building to provide additional living accommodation for the main dwelling with one bedroom annexe accommodation to include the erection of a single storey link extension, erection of 1no. one bedroom ancillary dwelling associated to the replacement dwelling with double garage and conversion and alterations to modern barn to allow formation of leisure facilities for domestic purposes

Negotiation has been undertaken with the Planning Agent and a scheme with a limited range of amended design details has been received by the Local Planning Authority in April 2020. These have not been subject to formal reconsultation as they relate to no increases upon scale or massing, with limited design alterations which will be further discussed below.

This proposed scheme would incorporate a replacement 2.5 storey building on the footprint of the existing dwelling, completed predominately with brickwork, to include stone quoins, cills and lintels, with a slate roof. This would incorporate one central principal 2.5 storey section that would span c15.95m from east to west with a depth of c12.5m from north to south. This element would incorporate a ridge height of c12.5m and would incorporate a pitched roof design with traditional gable chimney stacks, feature glazing at ground floor level, sliding sash windows above and 3no. palladian style curved roof dormers to incorporate sash windows on the southern elevation, set down and set back from the ridge. Two small terraces (with footprints of c1.75m x c4.8m) would be present along the northern roof slope to serve the master suite, these would be completed with glazed balustrading inset along the original roof slope.

To the east of this central section is an angled two storey element/wing which would create additional floorspace. This would incorporate a sectional hipped roof form, set down from the main ridge height by c 2.2m and also set back from the principal elevation to emphasise subservience, with additional chimney stacks. This eastern elevation would include the main entrance to the dwelling, but in design terms would not form the principal elevation, which would remain the south. Other design elements to ensure this element is subservient in addition to the ridge height (which was further set down during the design process) is the slightly more simple fenestration at this point, completed with stone cills and lintels unlike the quoins in the central section and further delineation of the eastern elevation by inseting a section of the rear to prevent visual massing. The simplification of the window detailing was requested by Officers and forms an amendment to the scheme. On the principal elevation a single storey projecting orangery is proposed extending from the eastern wing, to be completed with stonework and feature glazing. To the western elevation, a single storey orangery style element is also present.

The house would connect physically with the existing traditional outbuildings and modern farm building, which as noted would be fully converted to form additional domestic accommodation. Essentially through the use of connecting links it would be possible to circulate through the proposed replacement dwelling and these converted buildings internally. The Design and Access Statement notes that *“At present the former agricultural buildings are used for ad hoc storage and for some animal accommodation – albeit the holding is very much a ‘hobby farm’.”* This statement is commensurate with what was present during the site visit.

The proposed orangery element to the west of the replacement dwelling would be attached via a simple glazed link to the already converted two storey outbuilding, which under these plans would continue to form additional living space. Within this two storey former outbuilding, at first floor level there would be a small self contained internal annex area, with a bedroom, living room and kitchen area spanning c42 square metres. This could only be accessed internally from within the dwelling and essentially relates to a suite.

This two storey former outbuilding would then connect with the large modern farm proposed for conversion into the leisure complex by a further simple glazed link. The dwelling would also be connected to the outbuilding closest to the east wing via a single storey brick built link, with windows to mirror the main dwelling when viewed from the south. The outbuildings would be converted using their original form, however further sections of glazed links would be installed. The first would be a limited section internally within the courtyard to the west of the eastern run of outbuildings. The second would be a longer element, to the north of the outbuildings to facilitate permeability, running eventually to the large modern farm proposed for conversion into the leisure complex to the west.

The proposed conversion of the large modern barn to the west of the site into a leisure complex is noted. The Design and Access Statement notes *“The existing barn is no longer required to farm the land. The farm land to the north and west of the application site is let under notice to an adjacent farmer and hence there is no longer a requirement to store equipment, vehicles or feed within the building. Whilst it remains in a sound structural condition, the applicants see value in re-using the building for leisure purposes for their family.”* This would provide an indoor pool, spa, plant storage and a sports court. As noted, this element would be linked via the two glazed links to the former outbuildings and the main dwelling. This building would incorporate a small glazed extension to the eastern elevation to form a spa, which would open out onto an outdoor pool. This building would predominately remain in its current form visually, with new roof lights, limited new openings and new sections of standing seam zinc cladding to the east and south. Solar panels are also proposed.

A small section of additional land to the south of this farm building proposed for conversion would become additional domestic curtilage.

Approximately 23.75m to the east of the proposed dwelling would be the proposed 1 bedroom annex with car parking and domestic storage. This would be an ‘L’ shaped pitched roof design, with an open plan living room/kitchen, hall, office and utility at ground floor level, with a bedroom suite above to include a small external terrace to the north. The garage would provide covered space for two cars with storage above, accessible only via an external staircase. A small section of garden would be provided to the east. The building would be completed with timber cladding and a pantile roof with small pitched roof dormers. A dovecote style element creates a light source for the internal stairs and the use of PV tiles is noted.

It is indicated that the small paddock area to the north of the site would be replanted as an orchard and a ha-ha would be installed to limit the need for additional boundary treatments.

## **HISTORY:**

The following applications are considered relevant to the current proposal:

00/00690/FUL: Erection of conservatory and sun room extension to south elevation. Approved

14/01117/GPAGB: Change of use of agricultural building to a dwellinghouse (Use Class C3) Refused

18/00362/FUL: Change of use and alteration of barn to form a 2 bedroom detached residential annexe following the demolition of existing storage sheds. Approved

18/00511/HOUSE: External alterations to include erection of a part single storey part two storey extension to the west elevation, alterations to existing single storey extension on south elevation to form flat roof with roof lantern, together with erection of an entrance door portico following demolition of conservatory and repositioning of rear porch and some alterations to existing windows and doors. Approved.

### **POLICIES:**

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 SP9 The Land-Based and Rural Economy

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

National Planning Policy Framework

National Planning Practice Guidance

### **REPRESENTATIONS:**

The Parish Council confirmed in their response dated 1st March 2022 that *“concerns were raised about the scale of development in a rural setting, heritage and flood risk. it is recommended that this application be considered by the planning committee.”*

The Parish Clerk was asked whether this *“was considered to be an objection from the parish, or if it is the raising of concerns?”* The Parish Clerk confirmed on the 18th April *“it was expressed as a concern.”*

Notwithstanding this, following detailed review of the scheme of delegation, it is considered appropriate to bring this to Members of Planning Committee.

No further third party representations have been received.

### **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Design, Form and Character
- iii. Impact upon neighbouring amenity
- iv. Flood Risk
- v. Ecology
- vi. Other matters, including consultation responses.

- i. Principle

The Ryedale Local Plan Strategy is the Development Plan and includes a settlements hierarchy. Policy SP1 (General Location of Development and Settlement Hierarchy) states that development in the non-service villages will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities.

Policy SP2 (Delivery and Distribution of new housing) supports the principle of replacement dwellings in the Wider Open Countryside.

As noted, the proposed replacement dwelling will involve the demolition of the existing dwelling and its replacement with a new house, with the retention and conversion of the existing traditional partially converted outbuildings and existing modern farm building.

The existing dwelling is an attractive large farm house, which has experienced predominantly sensitive alterations over time and remains an attractive example of vernacular architecture. However, the principle of a replacement dwelling in this location is considered to be acceptable and in accordance with the requirements of Local Policy, subject to consideration of the following matters. As a replacement dwelling, this would not be subject to a Local Needs Occupancy Condition.

The principle of conversion of the existing two and single storey traditional outbuildings is also considered acceptable and subject to final detailing would help to maintain the traditional character of the site.

The retention and conversion of the existing large farm building, which incorporates a functional agricultural appearance is proposed and this is identified as no longer serving an agricultural need in this location.

It is considered that not every building of this type would be suitable for such a conversion. However in these site specific circumstances, as this would form additional ancillary accommodation in association with an established domestic dwelling (albeit proposed for replacement) and due to its proximity to and relationship with the main building, this is considered appropriate in principle. This is also subject to final detailing.

In terms of the proposed internal annex suite and proposed annex contained within the new detached building, Policy SP21 of the Ryedale Plan, Local Plan Strategy notes: *“Where further residential accommodation within the curtilage of an existing dwelling is proposed to complement the existing living arrangements, such as to provide a ‘granny annexe’ the proposed development shall remain ancillary to the existing house and shall not be separately occupied. Accommodation that has a separate access and the ability to be fully self-contained is discouraged.”*

The proposed annex within the detached building would incorporate approximately 142 square metres of usable domestic accommodation floor space at ground and first floor level and could be entirely self-contained, although only one bedroom would be provided, which is indicative of this being a bonafide annex. The proposed building would incorporate the only covered garage space for the main building as no other garaging is present within the wider site, which again illustrates the likely close relationship. The site incorporates only one electrically gated access and it is considered unlikely that these elements would ever be separated in the future. It is Officer’s view that that subject to the standard annex condition and a condition to preclude the conversion of the garaging hereby approved into additional residential accommodation, the proposed one bedroom annex in the detached building would in principle align with the spirit and requirements of Policy SP21 of the Ryedale Plan, Local Plan Strategy. The personal circumstances of the Applicant’s family as outlined in the Design and Access Statement is noted, which provides a justification for the necessity of this element, notwithstanding this, this element of the proposal would be considered policy compliant. However this in principle support would be subject to full assessment of the character and form of the proposed design which will be undertaken below.

The proposed annex suite within the main dwelling, utilising the existing floor space is also considered acceptable. This would only be accessible internally from within the existing dwelling, so essentially relates to a functional suite for a care professional or family member. This also, would be subject to the relevant condition.

## ii. Design, Form and Character

Policy SP13 Landscapes of the Ryedale Plan Local Plan Strategy notes:

*Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:*

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

Policy SP16 (Design) of the Ryedale Plan Local Plan Strategy notes:

*Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being*

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

- *The type, texture, and colour of materials, quality and type of building techniques and elements of architectural detail*
- *Topography and landforms*
- *The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

Policy SP20 also requires that *"New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses"*.

Paragraph 126 of the NPPF notes: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

Paragraph 130 of the NPPF notes. *Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

Following review of the revised plans with limited amendments to the eastern wing, the Building Conservation Officer noted *"I have no comments to make."*

The scheme as outlined above relates to a significant proposal, focused around the creation of a substantial new dwelling. The proposed new dwelling, whilst of a larger footprint maintains the original position and orientation of the existing dwelling. The form and design would relate to a higher status dwelling in terms of style and architectural detailing, which Officer's believe can be assimilate within this significantly scaled plot. It is considered that this wider scheme is locally distinctive and has been sensitively and cohesively designed with a carefully considered approach.

It is noted that the proposed main dwelling would incorporate a traditional design, with high quality traditional materials and elements of architectural detailing that would relate to a high quality form and appearance. Conditions seeking details and samples of materials would be recommended.

Whilst the proposed dwelling includes significant vertical proportions and footprint, the proposed scale of the dwelling avoids appearing monolithic due to the inclusion of the subservient eastern wing, which as notes, is set down and set back from the principal building line. This eastern wing is then itself 'broken up' due to the inseting of a section towards the rear. The design approach to this area with more simplistic fenestration is also welcomed in terms of maintaining the higher status and primacy of the central section. A condition to seek further details of the fenestration and external joinery would be recommended.

The retention of the traditional outbuildings and courtyard form is welcomed and it is considered that the simple glazed links allow for an appreciation and visual understanding of the original form of these, whilst allowing better permeability around the new internal accommodation. The proposed enclosing of the area between the two storey converted outbuilding and the modern agricultural building with the glazed links also aids in sheltering and limiting visibility of the outdoor swimming pool.

The physical amendments proposed for the conversion of the disused agricultural building are considered appropriate, with limited amendments made to the northern and western elevations. The cladding of the eastern and partial cladding of the southern elevations with zinc is also considered acceptable in design terms. The use of solar panels on the southern roof slope is noted. It is considered that this retains the modern agricultural character of the building.

The proposed annex/garage/store as outlined above is considered acceptable in principle. The proposed design is considered commensurate with an ancillary garden style building, through the use of timber cladding and pantiles, visually linking with the pantiles of the outbuildings. This provides a visual contrast in comparison with the slate roof tiles and formal materials of the host dwelling, which together with the design and scale render this proposed building as notably subservient in comparison to the host dwelling, which is welcomed.

As noted, there are limited public view points or neighbouring dwellings in very close proximity to this site. In terms of more distant landscape views. It is considered that the proposed replacement dwelling could be relatively prominent within the wider area as topographically this is quite a flat landscape. The network of public rights of way (c320m to the north of the dwelling at the nearest point) would provide a position where views could be achieved and the site is currently more open along the south, on the approach taken via the driveway. This driveway also serves properties positioned much closer to the highway, including Philadelphia Cottages and Sleightholme Farm (all positioned a minimum of c240m from the existing dwelling.) However it is acknowledged that this is a considered to be a very well-designed replacement dwelling, undertaken with consideration of local distinctiveness and vernacular design. It also maintains the original positioning of Longlands Hall and would be completed with high quality traditional materials. Following careful review, it is not considered that the scheme this would relate to harmful landscape character impacts or cause material harm to the streetscene.

It is also noted that from certain wider views, ie. from the north and north west, the retained modern and traditional outbuildings will appear consistent with the existing arrangement and that the existing landscaping would serve to soften the appearance of the proposed scheme. It is also noted that a full landscaping scheme will be provided which would include (but would not be limited to) the new orchard planting to the north. It is considered appropriate to also seek a condition to prevent new external lighting unless agreed with the Local Planning Authority, to prevent potentially harmful light pollution in this predominantly unlit location.

Following review of the proposals, it is considered that a condition to remove certain PD rights is necessary to ensure the high quality appearance secured by the scheme would remain.

The Scheme is accompanied by an Arboricultural Impact Assessment (Yew Tree & Gardens 12/1/2022.) This reviews the existing planting within the site and categorises the retention value and health of these trees. This indicates some trees which would require removal due to health and some which would require removal to facilitate the proposed development. 2 trees would be removed from the north west of the site and 1 tree would be removed from the south west of the dwelling due to their condition. 5 small trees would be removed centrally from within the internal courtyard which are not particular visible from public views. 4 trees would be removed from the south of the proposed annex/garage building. 2 trees and a small section of hedgerow would be removed from the west of the garage/courtyard. Areas where hand digging to limit impact upon root zones are indicated as well as other areas for tree protective fencing.

The Arboricultural Impact Assessment concludes the following :

*“The proposed development will require the removal of a small number of trees in the semi mature age class and a short section of early mature age class hedge. All other surveyed tree and hedge stock may be retained in the development.*

*2. The proposed development layout would require limited incursions into the RPA of semi /early mature tree stock in one area of the site. Given the age of the trees, current site conditions and the use of a suitable working method (as per section 5d), these trees can be retained within the development.*

*3. A total of three surveyed trees require removal irrespective of any development due to their current condition.*

*4. The proposed development layout includes significant volumes of indicative tree planting. This planting would provide effective mitigation for the limited removals required in the development*

*5. No other trees are impacted upon by the development and no significant future conflicts with retained trees have been identified.”*

The Tree and Landscape Officer noted the following in their formal response dated 27th April 2022  
*“The AIA is a clear and detailed report which sets out clear justifications for the removal of trees and proposed working methods to minimise harm to trees where the roots are impacted upon and tree planting to mitigate loss of trees.*

*There are no high quality trees being removed that would be considered worthy of protection. The category U tree are in such condition that they would be removed for good arboricultural reasons anyway. The trees that will be removed are young to early mature in age so the visual impact relatively small. Loss of tree cover and amenity will be mitigated by the planting of new trees and hedges. The proposed hand digging and other methods to limit the impact on a small number of trees which will have root incursion is acceptable.*

*Having considered the tree report and proposal in full I have no objections to this proposal subject to conditions for:*

- 1. Landscaping clearly indicating the location of the new trees/hedges/shrubs, details of size, species, etc*
- 2. Tree protection in accordance with the Tree Report*
- 3. No storage of materials within RPAs etc*
- 4. Working method (as per section 5d of report).”*

These conditions will be included. It is however noted that the scheme indicates the inclusion of new orchard planting to the north which is considered to be a positive addition.

iii. Impact upon neighbouring amenity

The proposed development would not result in any harm to neighbouring amenity due to the significant distances between this property and neighbouring dwellings.



iv. Flood Risk

The proposal has been accompanied by an ‘Interim Flood Risk Assessment’ (Mason Gilliband Architects January 2022)

The Environment Agency noted in their response dated 3rd March 2022 *“The proposed development falls within Flood Zone 3, which is land defined in the planning practice guidance as being at high risk of flooding.*

*The application is for a replacement residential dwelling with additional living accommodation as part of the stable and annex building, which are considered to be a ‘more vulnerable’ land use in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance: Flood Risk and Coastal Change.*

*Provided the proposed development is built in accordance with the submitted FRA (ref Interim Flood Risk Assessment dated February 2021, by Mason Gillibrand Architects) and associated drawings (which show no ground floor sleeping accommodation) then we have no objections. We strongly recommend that finished floor levels are raised a minimum of 600mm above existing ground levels.”*

Although not specifically requested by the Environment Agency, the application will be conditioned to be built in accordance with this document. Further advice was given on Flood Risk and resilience which will be linked as an informative. The EA noted the FRA as being dated February 2021, but this is actually dated January 2022 and is the sole FRA related to this site which has been submitted.

The EA response provided confirmation of when the Sequential Test and Exception Test should be undertaken, replacement dwellings and annexes were not ruled out, although householder developments such as extensions, garages, etc were. For the avoidance of doubt, the scheme will be considered against these tests.

The proposed scheme for the replacement dwelling is considered sequentially acceptable due to it being in the location of an existing domestic dwelling. There would be no sequentially preferable location within the application site for this development. This would also not relate to a net increase in the number of new residential dwelling. The conversion of the existing outbuildings and modern building are considered sequentially acceptable due to them already being present and available. The proposed garage/annex building which is detached and positioned to the east is considered necessary to support the existing dwelling and also could not be located in a sequentially preferable area. It is noted that this could provide first floor level accommodation beneficial in a flood event.

In terms of the ‘Exception Test’ as outlined within para. 160 of the PPG, the following aspects should be demonstrated:

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

It is considered that this wider scheme would not relate to a net increase in residential development in this location, therefore it is considered that part a is not as relevant in this instance as a dwelling subject to this level flood risk is already present. However, the proposed scheme would be constructed to higher environmental standards and would have benefits including renewable energy, improved ecological provision, new planting and it would also relate to high quality design. The proposed annex will also support the wider family living arrangements. This scheme will furthermore secure this future retention of the traditional outbuildings through the sensitive conversion. The EA support for this proposed scheme indicates that the requirements of part b can be achieved. This is therefore considered to pass the sequential and exception tests.

No specific request for a flood evacuation plan was recommended by the EA and in this instance, given this relates to the replacement of an existing dwelling this will not be requested.

v. Ecology

In an email response dated 14th February 2022 The NYCC Ecologist noted *“Thank you for consulting the NYCC ecology team regarding this application. The main house, stable block and barn have all been assessed by an experienced bat surveyor, who has concluded that all three buildings have negligible potential to support roosting bats. No further surveys are required.*

*However, the report noted the presence of 10 Swallow nests in the stables without proposing any mitigation for the loss of nesting places. Many traditional Swallow nesting sites are lost as a result of conversion of agricultural buildings, so the applicant will need to consider what mitigation measures might be feasible.*

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

- *A Condition to provide 2 integral bat boxes in the new development, as per section 5.2 of the bat report (Initial Bat Scoping Survey Report, Longlands Hall, Ryton by Oatlands Ecology dated August 2021).*
- *A Condition to adhere to the guidance on timing of works in relation to nesting birds contained in section 5.4 of the bat report.*
- *An Informative to be mindful of the precautionary advice provided in section 5.3 of the bat report”*

A further document was provided by the Agent on the 17th March 2022 to include additional ecological measures that they would undertake within in terms of swallows. These include areas within the dovecots and above the garage.

In an email dated 21st March 2022, the NYCC Ecologist noted: *“This is excellent. A lot of Swallow nesting places are lost through barn conversions and we rarely see satisfactory mitigation. The architect has clearly given this careful thought, which is much appreciated. Please condition as per proposed measures.”*

The relevant conditions will be included.

vi. Other matters, including consultation responses.

It is not considered that this proposal would have any impact upon access nor highway safety due to the continued use of the existing accesses and significant parking areas within the site. It is noted that the North Yorkshire Highways Team confirmed in their response dated 2nd March 2022 that *“As the purpose of the proposal is associated with the existing domestic use there are no local highway authority objections to the proposed development.”*

A final response is still being awaiting by the Council’s Environmental Health Team in terms of the potential contamination of the site. It is considered highly likely that they will recommend the standard contamination conditions due to the historic land uses of the site. Some contamination work was undertaken as part of the partial conversion of the existing annex but the wider site may require further assessment given the scope of this application. Members will be updated if necessary at the meeting.

Whilst the concerns raised by the Parish Council are noted, as outlined above, Officers are of the view that the proposed development is significant but that it remains acceptable in principle, in terms of form and design, landscape impacts, access and highway safety, ecology, amenity and flood risk amongst other aspects. For the reason outlined above, Officer’s recommend that this proposal is approved subject to the relevant conditions.

**RECOMMENDATION:****Approval**

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

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

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

Site Location Plan (Drawing no. 6048/b/b/01)

Proposed Site Plan (Drawing no. 6048/c/b/02)

Proposed Ground Floor Plan (Drawing no. 6048/c/b/10)

Proposed First Floor Plan (Drawing no. 6048/c/b/11)

Proposed Second Floor Plan (Drawing no. 6048/c/b/12)

Proposed Elevations East & South (Drawing no. 6048/c/b/20 Rev A)

Proposed Elevations North & West (Drawing no. 6048/c/b/21 Rev A)

Proposed Former Stables North Elevation (Drawing no. 6048/c/b/30)

Proposed Stables Internal Courtyard Elevations Garden Room Elevations (Drawing no. 6048/c/b/31)

Proposed Stables Internal Courtyard Elevations Internal Barn Courtyard Elevations (Drawing no. 6048/c/b/32)

Proposed Barn Elevations (Drawing no. 6048/c/b/40)

Ancillary Proposed Plans and Elevations (Drawing no. 6048/c/b/100)

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

- 3 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 D: Erection or construction of a domestic external porch

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

Reason: To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 4 The self-contained residential annexes hereby approved (contained internally within the dwelling and externally within the new detached building) shall not be sold off or let off separately from the dwelling currently known as Longlands Hall. The annexes shall only be used by relatives/dependants/guests of the occupiers of the main dwelling and shall not be occupied as a separate or self-contained dwelling unit.

Reason: In order to ensure that the self-contained annex is available for its intended use and is not used as a separate dwelling, which would be contrary to Policy SP2 and SP20 in terms of its location and relationship to the existing dwelling.

- 5 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 or any subsequent Order, any garages within the site shall not be converted into additional domestic accommodation without the granting of an appropriate planning permission.
- Reason: In order to ensure that the self-contained annex contained within the detached building would not be extended without an appropriate permission, as this would be contrary to the requirements of Policy SP2 and SP21.
- 6 Prior to the above ground construction of the development hereby approved, details and samples of all materials to be used on the exterior of the buildings that are the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.
- Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy.
- 7 Notwithstanding the submitted details, prior to their installation, details of all windows, doors and garage doors and roof lights, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority. These shall be shown on a 1:10 scale drawing.
- Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 8 Prior to installation, full details of any additional external lighting at the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height and illuminance level. All lighting shall be installed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
- Reason: To protect the character of the area in accordance with Policies SP13 and SP20 of the Local Plan Strategy.
- 9 Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the dwelling/detached annex hereby approved, the provision of surface and foul water discharges must be completed to the satisfaction of an approved Building Control Officer.
- Reason: To ensure that no discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy
- 10 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
- Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.
- 11 Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in

writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 12 Unless otherwise agreed in writing by the local planning authority, the new residential accommodation hereby approved shall not be occupied (or the site shall not be brought into use) until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 14 The development shall be carried out in full accordance with the following ecological measures:
- i) Section 5.2 of the bat report (Initial Bat Scoping Survey Report, Longlands Hall, Ryton by Oatlands Ecology dated August 2021) and the ecological enhancements proposed (2no. bat boxes)
  - ii) Section 5.4 of the bat report (Initial Bat Scoping Survey Report, Longlands Hall, Ryton by Oatlands Ecology dated August 2021) and the requirements of timing of works in relation to nesting birds.
  - iii) The proposed ecological enhancements in relation to nesting swallows as detailed within the additional information provided by the agent on the 17th March 2022 (Mason Gillibrand Architects March 2022) to include nesting areas retained within the dovecot and above the garage.

Informative: The Applicant is reminded to be mindful of the precautionary advice provided in section 5.3 of the Initial Bat Scoping Survey Report, Longlands Hall, Ryton by Oatlands Ecology dated August 2021.

Reason: In the interest of ecological protection and mitigation in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

- 15 The development shall be carried out in full accordance with the mitigation measures contained within the Interim Flood Risk Assessment' (Mason Gilliband Architects January 2022).

Informative: the Environment Agency consultation response dated 3rd March 2022 should be fully reviewed as it provides useful guidance and links to construction techniques and other flood risk resilience measures.

Reason: in the interest of safety and to mitigate flood risk in accordance with Policy SP17 of the Ryedale Plan - Local Plan Strategy

- 16 Prior to the above ground construction of the development hereby permitted, unless otherwise 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 any trees/shrubs and show any 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. 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 in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

- 17 Prior to the commencement of the development the tree protection measures shall be installed in full accordance with the approved details contained within the Arboricultural Impact Assessment (Yew Tree & Gardens 12/1/2022.) These shall remain in place for the lifetime of the construction works. No storage of any construction materials will be undertaken within the approved root protection areas and the proposed development shall be undertaken in accordance with the working methods outlined in Section 5D of the above referenced report.

Reason: To enhance the appearance of the development hereby approved and to preserve the existing mature trees within the site to comply with the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy.