

Item Number: 9
Application No: 22/00194/FUL
Parish: Luttons Parish Council
Appn. Type: Full Application
Applicant: Mr and Mrs A and C Thornton
Proposal: Change of use and alteration with linking extensions of agricultural buildings to form 1 no four bedroom dwelling and 1 no. three bedroom dwelling with formation of vehicular access and associated parking and landscaping
Location: Manor House Farm Main Street East Lutton Malton North Yorkshire YO17 8TG
Registration Date: 8 March 2022
8/13 Wk Expiry Date: 3 May 2022
Overall Expiry Date: 27 April 2022
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Yorkshire Water Land Use Planning	In area not served by public foul sewerage network
NYCC Natural Services	Recommend conditions and informatives
Lead Local Flood Authority	Low flood risk and no comments to make
Highways North Yorkshire	Recommends conditions
Luttons Parish Council	Comments- crossover close to highways bridge over the Gypsy Race may cause engineering and/or drainage issues
Sustainable Places Team (Environment-Agency)	No response received
Environmental Health	No response received

Representations: **None received**

BACKGROUND:

The Planning and Development Manager has requested that the application is reported to Planning Committee for determination.

SITE:

The application site amounts to 0.16 hectares and is on the north side of Main Street, East Lutton. The buildings the subject of this application stand within the development limits of East Lutton ('Other Village'). Manor Farm barns are a range of brick and pantile (predominately hipped roofs) traditional farm buildings which take the form of a three sided quadrangle around what was once a covered fold yard. On the northern side is a long, two storey barn and there are two single storey flanking wings down each side (east and west). The southern boundary is the former fold yard wall which runs parallel to the road. The buildings were previously used as milking parlours, stables, grain and general storage and for the keeping of livestock. The buildings now stand disused and redundant being unsuitable for modern farm practices.

Manor Farm House, which is set back from the road and 10 metres to the north east of the barns, is Grade II listed and the barns are curtilage listed. There are various modern, steel framed agricultural buildings to the north and north-east of the barns. The site is also within an Area of High Landscape Value. Access is currently gained off Main Street to the west of the barns. The site is in Flood Zone 1,

the Gypsy Race flows parallel to the road south of the site. 'Holme Farm' stands opposite the site on the southern side of the main road. To the south-west of the site and beyond a paddock under the applicant's ownership stands 'The Cottage' which is a detached dwelling which fronts the main road. To the north east, beyond the gardens to the front of Manor Farm House, stands 'Paddock House' which is also a detached dwelling which fronts the main road.

HISTORY:

22/00195/LBC- External and internal alterations with linking extensions of agricultural buildings to allow conversion to form 1 no four bedroom dwelling and 1 no. three bedroom dwelling with formation of vehicular access and associated parking and landscaping. Due to be determined under delegated powers.

06/01074/FUL- Change of use, alteration and extension of agricultural buildings to form 1 no. three-bedroom dwelling with erection of detached double garage, 1 no. four-bedroom dwelling with double garage and shed and 2 no. two-bedroom dwellings with parking and amenity areas and formation of vehicular access. APPROVED 01.05.2007. Permission lapsed prior to lawful commencement.

06/01075/LBC- Conversion, alteration and extension of agricultural buildings to form 1 no. three-bedroom dwelling with detached double garage, 1 no. four-bedroom dwelling with double garage and shed and 2 no. two-bedroom dwellings with formation of vehicular access through the front wall, removal of dutch barns and removal and re-building of lean-to gable extension. APPROVED 01.05.2007. Permission lapsed prior to lawful commencement.

PROPOSAL:

Change of use and alteration with linking extensions of agricultural buildings to form 1 no four bedroom dwelling and 1 no. three bedroom dwelling with formation of vehicular access and associated parking and landscaping.

Dwelling 1 would be a four bed formed from the western half of the two storey barn on the northern side of the yard and the western range of single storey barns. Dwelling 2 would be a three bed formed from the eastern half of the two storey barn on the northern side of the yard and the eastern range of single storey barns. The bedrooms would be primarily in the first floor of the northern building with living space at ground floor extending to the flanking single storey barns which also provide storage space.

There would be no change to the existing dimensions of the barns. The built additions are limited to a small link corridor for dwelling 1 in the north west corner and a small lobby on the north east corner for dwelling 2. The external alterations relate to existing openings for doors windows and a limited number of new openings for first floor windows and rooflights. The brickwork and clay pantiles would remain and be repaired or replaced where necessary.

Access is to be gained off the main road via an opening in the southern boundary wall and parking for a total of six vehicles would be provided centrally within the yard.

Foul drainage is to be via a package treatment plant located within the central yard area and surface water to existing soakaways. There will be no increase in impermeable areas.

The application is accompanied by a structural engineer's report; a Design and Access Statement including Heritage Assessment and an Ecological Appraisal.

POLICIES:

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

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

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

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

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

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

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

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

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

Planning (Listed Buildings and Conservation Areas) Act 1990 s.66 General duty as respects listed buildings in exercise of planning functions

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

APPRAISAL:

Principle of development

The Ryedale Plan-Local Plan Strategy (2013) sets out the strategy for the distribution of housing development during the plan period. Policy SP1 (General Location of Development and Settlement Hierarchy) sets out a hierarchy of settlements and seeks to focus new housing within the Principal Towns, Market Towns and Service Villages. The application site is within the development limits of East Lutton (‘Other Village’).

Policy SP1 of the Local Plan Strategy makes it clear that in ‘Other Villages’, *“development will be restricted to that:*

- *which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or*
- *which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Development Policy and Policy SP12 of this Plan, or*
- *which is justified through the Neighbourhood Planning process”.*

The first two bullet points are relevant in this case. At the national level the NPPF notes that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more specific circumstances apply. The relevant criteria set out in that paragraph are listed below:-

- “b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting”;*

It has been previously established that the retention, repair and conversion of the redundant, traditional curtilage listed farm buildings for residential use is supported in principle albeit the earlier application (2006) was considered under the old Local Plan (2002) and the permission, which allowed unfettered residential use, has since lapsed.

Policy SP2 (Delivery and Distribution of New Housing) of the adopted Local Plan Strategy supports the conversion and redevelopment of such buildings within ‘Other Villages’ subject to Local Needs Occupancy restrictions and therefore the principle of development is supported by Policies SP2 and also SP9 (The Land-Based and Rural Economy).

The application proposes 2no. dwellings to be exempt for the LNO requirement and this would conflict with Policy SP2. This will be discussed later in the report.

Design and impact on heritage assets and the AHLV

The starting point is confirmation that the existing buildings are structurally sound and capable of conversion without major building work.

The applicant’s structural report confirms that generally the barns have not been the subject of significant maintenance or repair for a considerable period of time. The buildings have suffered from water penetration and weathering. There has been dampness and timber deterioration but there has been limited movement and overall the report concludes the buildings are capable of conversion to habitable accommodation.

The farm house is Grade II listed and the range of traditional, redundant farm buildings, the subject of this application, are curtilage listed. As such, Ryedale District Council has a statutory duty to have special regard for the preservation of the listed buildings and their settings.

The curtilage listed barns form an important part of the setting of the Grade II listed farmhouse and make a strong positive contribution to the village streetscape. However, the redundant barns are at risk of continued deterioration without significant intervention.

Policy SP12 seeks to conserve and, where appropriate, enhance designated historic assets and their settings. Local and national planning policy (NPPF) also recognises the importance of securing the future of heritage assets particularly those at risk.

The proposed residential conversion to form only 2no. dwellings does not require the amount of built development involved in the previously approved scheme for conversion to form 4no. dwellings.

The proposal represents a sensitive and sympathetic restoration scheme which retains traditional features and the agricultural character of the buildings. There would be no change to the existing building envelope or roof form. Any repairs or minor reconstruction would utilise reclaimed matching materials where necessary. The conversion also makes use of existing openings with appropriate fenestration and minimal additions. The proposed rooflights are well proportioned; not excessive in number; and would be conservation type. The additional windows on the inner facing elevation of the two storey barn would be appropriately styled; of timber construction; and would reflect the rhythm of the existing fenestration. The oak framed glazed link in the north west corner would be single storey and

of modest footprint and overall is a lightweight addition which would not detract from the heritage value of the existing buildings.

The parking and outdoor amenity space for the 2no. dwellings would be contained within the former foldyard and would neither physically or visually encroach upon the setting of the listed farm house. There would be a loss of part of the wall adjacent to the road to allow for vehicular access. It is considered that the limited loss of historic fabric is outweighed by the opening up of a view towards the two storey barn from the public highway which would allow for a greater appreciation of that part of the heritage asset from a public vantage point. The proposed conditions would ensure control over the construction detail.

It is considered that the development would represent the optimal viable use of the heritage asset and would enhance the immediate setting of the listed farmhouse in line with the requirements of the NPPF.

The Building Conservation Officer raised no objections to the corresponding application for Listed Building Consent. It is considered that the proposed development would not result in any harm to the heritage assets and would preserve the special architectural interest of the curtilage listed buildings and enhance the setting of the listed farm house.

The proposal recognises the importance of the space around the converted buildings and the domestic curtilage is shown as being tightly drawn close to the buildings. This is crucial to ensure character is not eroded and the listed buildings (and their setting) are not harmed by excessive enclosure or domestic paraphernalia.

It is considered that the proposed changes to land use within the site would not materially harm the setting and character of the listed buildings or the positive attributes of the locally valued landscape.

The outdoor areas are appropriately apportioned and the proposed parking areas and domestic amenity space would be enclosed and largely screened by boundary treatments and soft landscaping.

The proposal is therefore considered to comply with the requirements of Section 16 of the NPPF and Policies SP12, SP13, SP16 and SP20 of the RPLPS.

Residential amenity

As required by Policy SP20 (Generic Development Management Issues) the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.

The overall scale and massing of the buildings is unchanged and there are no concerns in relation to any overbearing impacts or overshadowing/loss of light.

The proposed site layout shows that proposed dwellings would benefit from adequate private, individual amenity space for the occupants as required by Policy SP4. There are no openings in the outer barn walls allowing access from the existing buildings. Access can only be gained via the link corridor/lobby on each side of the yard. The domestic curtilage is to be limited to the inner side within the yard and the boundary is tightly drawn to the outer sides providing access only for external maintenance (as shown on drawing 101). There would be a degree of mutual overlooking of outdoor space from the first floor but it is not deemed to be unacceptable. The associated boundary treatments and means of enclosure for the new dwellings incorporate soft landscaping to provide a degree of natural screening.

The existing buildings are arranged and orientated to be largely inward facing into the central yard. The east and west single storey wings have largely blank rear elevations. The proposed window and doors openings to serve the new dwellings would make use of existing openings and there would be no additional windows or doors formed in the outer/rear walls. The rooflights in the outer roof slopes of the single storey flanking barns would be above head height not allowing views out the buildings. Due to separation distance from neighbouring properties to the west and south and the proposed fenestration it

is not anticipated that the proposed change of use would adversely affect existing levels of amenity experienced by occupants of neighbouring buildings.

Similarly, it is not anticipated that the development would have an unacceptable impact on the levels of amenity currently enjoyed by occupants of the listed farmhouse which is set back to the north east of the barns and would continue to have dedicated access, parking areas to serve the dwelling and large private gardens.

In terms of potential impact from the operation of the farm it is noted that Dwelling 1 'turns its back' on the adjacent farm access and only has two small window openings (serving entrance hall and WC) in the elevation on the western side. It is not anticipated that the use of the access would be detrimental to the amenity of the occupants. The more modern farm buildings are detached from the former fold yard in a separate yard north of the farm house. Due to the separation distance it is not anticipated that there would be any nuisance or disturbance issues that would have an unacceptable effect on the future occupants of the proposed dwellings.

Overall, it is considered that acceptable levels of residential amenity can be achieved for existing and future occupants of the dwellings and neighbouring buildings in compliance with Policy SP20.

Highways

Policy SP20 advises that *"Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads"*.

Access is to be gained via a new 5.5 metre wide opening in the wall on the southern side of the former fold yard in the location approved as part of the earlier permission. There would be vehicular parking (3 spaces per dwelling) provided within the central yard. The farm access to the west of the barns (outside the application site boundary) would remain unchanged.

The highways officer has confirmed no objection subject to conditions to cover the construction specification of the access/verge crossing; parking for the occupants; and a construction management plan.

The concerns of the Parish Council in respect of the access construction are noted but the construction of the access in the location shown and as per highways specifications would ensure no risk to the Gypsy Race bridge.

It is considered that the traffic movements can be accommodated and the site would be served by a safe access with suitable visibility in compliance with Policy SP20.

Biodiversity/Protected Species

Policy SP14 aims to conserve and enhance biodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features.

The application is accompanied by an Ecological Appraisal which has been considered by the County Ecologist.

It has been confirmed via surveys that the buildings are not used by roosting bats or Barn Owls but do provide nesting places for small birds including Swallow and House Sparrow.

The County Ecologist recommends that the permission includes conditions to require the applicant to adhere to the recommendations in the appraisal in respect of bats, birds and mammals should they be encountered during construction. An informative is also requested in relation to the timing of works and nesting birds. In terms of other mitigation a condition shall secure details for the provision of replacement nest sites for Swallows.

A condition will be included to control external lighting and this would also be in the interests of bats foraging activity and commuting routes from roosts.

In light of the above it is considered that the application takes account of protected species and provides for suitable precautions, mitigation and enhancement and complies with Policy SP14.

Local occupancy restriction

Returning to the matter of the local occupancy restriction and the proposal for conversion to form 2no. open market dwellings consideration has been given to the further supporting information provided by the applicant.

The applicant has provided the LPA with information on the land value; build costs; and development value for the proposed development with and without the local occupancy restriction.

It is clear that there are significant costs associated with the specialist conversion/restoration of these historic buildings and that a reasonable return for the developer is needed to reduce the risk and address the heritage deficit. The local occupancy restriction is a significant restraint in this regard.

In addition it is considered that, notwithstanding any local occupancy restriction, demand in the sales market could potentially be limited by virtue of the nature and style of the existing buildings; the distinctive layout and potentially only appealing to a relatively small section of the market.

The historic buildings, which make a strong positive contribution to the streetscene and setting of the listed farmhouse, are in a deteriorating condition and are at risk in the absence of a viable scheme for re-use and restoration. The proposed development represents an opportunity to address a heritage deficit and conserve the asset and achieve sustainable development in line with the aspirations of local heritage Policy SP12, and paragraph 199 the NPPF:

“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).”

Local Planning Authorities are also expected to have ‘special regard’ to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, when considering planning applications.

Those benefits of the scheme are afforded therefore significant weight in the decision making process both as a constituent of the Development Plan, in relation to SP12 and as material planning considerations in the forms of the NPPF and Primary Legislation.

The heritage benefits discussed earlier in this report are matters of therefore substantial weight in favour of approving the application and, in this case, taking account of the information provided by the applicant and professionals, outweigh the harm caused by the part-conflict with Policy SP2 in respect of non- implementation of the local occupancy condition. It is considered that the proposal should be supported and, in this instance, the requirements of Policy SP2 should be applied flexibly to enable unfettered residential occupancy in the form of 2no. dwellings.

Conclusion

The principle of the development is generally supported by local Policies SP2 and SP9 although the proposal for an unrestricted open market dwelling conflicts with the requirements of Policies SP2 and SP21 in relation to local needs occupancy.

It is clear that these traditional, redundant farm buildings are designated heritage assets (curtilage listed) which are at risk due to their present condition and warrant preservation. It is noted that the earlier permission for 4no. open market dwellings failed to materialise.

The proposed alterations and extensions take into account the special interest of the historic buildings. The current residential development proposal would form two dwellings and would secure sensitive repair, conservation and future viable use of the buildings. There are heritage benefits arising from the conversion of these traditional farm buildings of historic value that contribute towards the village streetscape and enhance the setting of the adjacent listed farmhouse.

The proposal for 2no. dwellings would reduce development pressure on the site compared to the earlier permission for 4no. dwellings. Overall, it is considered that this two dwelling scheme is capable of achieving heritage benefits over and above those which would have been gained through the implementation of the earlier permission. The proposal is modest in terms of the residential units created and the development would enhance the immediate setting of these redundant, traditional listed buildings in a way that the earlier permission would not have.

It is accepted that for the heritage deficit to be addressed a capital receipt is required to ensure the viability of the development.

The applicant has provided information in relation to build/conversion costs analysis and an Estate Agent's statement on anticipated values and the viability of the development with or without the LNOC. It is evident that the absence of a local occupancy restriction would reduce developer risk and increase the viability of the development and incentivise a scheme which would result in clear heritage benefits.

In this case, taking account of the building cost/viability information provided, it is considered that the desirability of restoring and preserving these historic farm buildings in order to secure heritage benefits and a long term sustainable use in line with Policy SP12 and the NPPF and primary legislation, outweighs the conflict with the local occupancy requirement set out in Policy SP2, and the LNOC should not be imposed in this scheme.

There are no unacceptable impacts in terms of residential amenity; highways; or protected species. In light of the above, on balance, it is recommended to Members that planning permission is granted.

RECOMMENDATION: Approval

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan. Overview Plan ref. 001 Rev A, dated 15.08.2022
Site Plan - As Proposed ref. 101, dated August 2021
Ground Floor Plans, Sections- As Proposed ref. 102, dated August 2021
First Floor Plans, Roof Plans, Sections- As Proposed ref. 103, dated August 2021
Elevations, Sections- As Proposed ref. 104, dated August 2021

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

3 Details and samples of any new replacement materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority prior to use.

Reason: To prioritise the use of reclaimed materials and to ensure an appropriate external

appearance in accordance with the requirements of Policies SP13, SP16 and SP20 of the Ryedale Plan- Local Plan Strategy.

- 4 Prior to their installation, details of all windows, rooflights and doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance in compliance with Policies SP12 and SP16 of the Ryedale Plan- Local Plan Strategy.

- 5 All rainwater goods shall be of cast iron construction with a black colour finish.

Reason: To ensure a satisfactory external appearance in accordance with Policies SP12 and SP16 of the Ryedale Plan- Local Plan Strategy.

- 6 The guttering to the development hereby permitted shall be directly fixed to the wall material by means of gutter spikes with no fascia boarding being utilized in the development and shall thereafter be maintained.

Reason: To ensure a satisfactory external appearance in accordance with Policies SP12 and SP16 of the Ryedale Plan- Local Plan Strategy.

- 7 All rooflights shall be of a conservation type and be top opening.

Reason: To preserve the appearance of the curtilage listed buildings and comply with Policy SP12 of the Ryedale Plan- Local Plan Strategy.

- 8 All flue outlets shall have a matt black finish.

Reason: To preserve the appearance of the curtilage listed buildings and comply with Policy SP12 of the Ryedale Plan- Local Plan Strategy.

- 9 Prior to installation full details of the materials, colour finish, height and design of all means of enclosure; methods for the delineation of the plots; and boundary treatments including gates shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of either dwelling.

Reason: To ensure that the development does not prejudice the appearance of the locality, as required by Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 10 Prior to installation full details of the proposed ground surfacing materials across the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the character and appearance of the area and to satisfy Policy SP20 of the Ryedale Plan- Local Plan Strategy.

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

maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution in this rural location in compliance with Policies SP14 and SP20 of the Ryedale Plan- Local Plan Strategy.

- 12 The development must not be brought into use until the access to the site at Main Street has been set out and constructed in accordance with the ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and footway must be constructed in accordance with the approved details and Standard Detail number E50 and the following requirements:

- The final surfacing of any private access within two metres of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users and to comply with Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 13 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. 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 and to comply with Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 14 No development must commence until a Construction Management Plan 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 plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Wheel 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.

Reason: In the interest of public safety and amenity and to comply with Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 15 Vehicular access to the site shall be only via the new opening in the wall on the southern side of the former fold yard as shown on drawing ref. 101, dated August 2021.

Reason: In the interest of public safety and amenity and to comply with Policy SP20 of the Ryedale Plan- Local Plan Strategy.

16 Domestic land use/curtilage associated with the 2no. dwellings hereby approved shall be limited to that shown delineated on drawing ref. 101, dated August 2021.

Reason: To ensure that the development does not prejudice the appearance of the locality, as required by Policy SP20 of the Ryedale Plan- Local Plan Strategy.

17 The development hereby permitted shall proceed in accordance with the best working practices (bats) set out in Section 5.1.2 of the Ecological Appraisal by Ecology & Forestry Ltd, dated August 2021 and also good working practices in relation to badger and other mammals during construction as set out in Section 5.3.2 of the Appraisal. The development shall also make provision for 3no. bat boxes and 2no. House Sparrow nest boxes (Section 5.2.3 of the Appraisal) as ecological enhancement prior to the occupation of either dwelling.

Reason: In the interests of protected species and to comply with Policy SP14 of the Ryedale Plan- Local Plan Strategy.

18 The construction work shall make provision for nesting swallows within the development (Section 5.2.4 of the Appraisal). Details of replacement nest sites (type and location) shall be submitted to and approved in writing by the Local Planning Authority and thereafter installed/created prior to the occupation of either dwelling.

Reason: To ensure appropriate mitigation measures are secured to comply with Policy SP14 of the Ryedale Plan- Local Plan Strategy.

19 During the development any unforeseen land contamination found shall be notified immediately in writing to the Local Planning Authority and work cease until the extent of the contamination has been investigated and remedial action, which has been agreed in writing with the Local Planning Authority has been completed. Submission of a verification report to be approved in writing by the Local Planning Authority will be required on the completion of any remedial work.

Reason: To ensure management of any contamination risks and to satisfy the requirements of Policy SP17 of the Ryedale Plan- Local Plan Strategy.

20 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the dwellings hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: In the interests of amenity and to ensure that the appearance of the building is not prejudiced by the introduction of unacceptable additions and in the interest of residential amenity in accordance with Policies SP16 and SP20 of the Ryedale Plan- Local Plan Strategy.

21 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 other alteration of a dwellinghouse

Class B: Additions etc to the roof of a dwellinghouse

Class C: Other alterations to the roof of a dwellinghouse

Class D: The erection or construction of a porch outside any external door of a dwellinghouse

Class E: Buildings etc incidental to the enjoyment of a dwellinghouse

Class F: Hard surfaces incidental to the enjoyment of a dwellinghouse

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

INFORMATIVES

1. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:
https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%20and%20highways%20and%20pavements/Specification_for_housing_ind_est_roads_street_works_2nd_edition.pdf The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.
2. Any vegetation removal and building work is required to be undertaken without harming nesting birds or destroying their nests. The timing of works shall follow the recommendations contained within 5.2.2 of the Ecological Appraisal by Ecology & Forestry Ltd, dated August 2021.
3. The developer may require third party consent to discharge from the package treatment plant to the Gypsy Race.