

Update Sheet

27 October 2022 - Update List

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PLANNING COMMITTEE
SUPPLEMENTARY INFORMATION
27th October 2022 - Update list

Agenda Item	Application number and Parish	Respondent	
1			
2	21/00730/FUL Great Busby	Environmental Health (E.H.)	<p>An additional E.H. response has been provided (as summarised below) –</p> <ul style="list-style-type: none"> • Acknowledge that a further assessment of ‘noise breakout’ from proposed night-time activities has been undertaken, which has identified the following: <ul style="list-style-type: none"> (i) with all doors and windows closed on the building, the predicted noise level will be +1dB on the representative background noise level (between 23:00-07:00) (ii) with two of the roller shutter doors open during these night-time hours, the predicted noise level will be +11dB on the representative background noise level. This would indicate a significant adverse noise effect at Location 1 (i.e. the boundary of Elhams Market Garden Caravan Site) • The acoustic consultant states that up to two roller shutter doors would be open during the day-time operation of the site (when internal operations using machinery are taking place) and closed during the night-time. • Note that confirmation is provided in the agent’s supporting documents (on 06.07.2022) that vehicle that are too large for the building would be worked on outside during the daytime. This has not been assessed the E.H. have concerns that noise from the use of tools and machinery used outside may impact the amenity of occupiers of Elhams Market Garden without the benefit of mitigation. • The supporting documents confirm a 24-hour operation element of the applicants’ business, with customer access being between 08:00 – 18:00 daily, but with employees the working on site beyond these hours to accommodate vehicles which has been brought to site later in the day. The call-out element of the applicants’ business operations

			<p>take place offsite in the majority of cases, with any vehicles unable to be worked on in situ in their location, worked on the following daytime at the application site.</p> <ul style="list-style-type: none"> Based on the additional supporting documentation and given further consideration to the impact on nearby occupier amenity, E.H. have recommended the following conditions: <ul style="list-style-type: none"> (i) Hours of operation to the general public to be restricted to 09.00-18.00 daily. (ii) Loading/unloading of vehicles and machinery to be undertaken (daily) between 08.00-18.00. (iii) Hours of operation for employees between 08.00-21.00 (daily) only. (iv) The servicing of vehicles/machinery to be undertaken inside the building of Skate Beck Farm. A maximum of two roller shutter doors are permitted to be open during the repair and servicing of machinery.
3			
4	22/00739/FUL Brompton	Applicant Additional Documents/Information received (1) -	<p>An additional 'Technical Note' (Highways) document (dated 14.10.2022) has been submitted by the agent in support of the application and to seek to address the LHA's questions/concerns. Members are made aware that included within the appendices of the Technical Note are the following plans –</p> <ul style="list-style-type: none"> (i) Visibility Splays (V-1001) (ii) Swept Path Analysis (T-1002 A) (iii) Swept Path Analysis – Articulated Vehicle (T-1001 A) <p>The contents of the Technical Note are summarised below:</p> <p><u><i>Submission of a plan/information to demonstrate appropriate visibility splays are achievable</i></u></p> <ul style="list-style-type: none"> Acknowledges the DMRB requirement to achieve northbound and southbound visibility splays of 2.4m x 215m. A southbound 2.4m x 215m visibility splay in accordance with the national speed limit is confirmed to be achievable (and is shown/demonstrated on drawing V-1001). In order to verify the (85th percentile) vehicle speed along this part of the A684, an Automatic Traffic Count (ATC) was undertaken which recorded volume and vehicle

speed. The ATC results showed that the (85th percentile) speed of northbound vehicles approaching the site access is 57.7mph.

- Based on calculations (which have taken into account the aforementioned (85th percentile) speed measurements, the Technical Note states that there is a northbound visibility requirement of 2.4m x 190m. This, as shown on plan V-100, cannot be achieved within the land under the applicant's control with only a 2.4m x 160m visibility splay achievable (requiring a 52mph 85th percentile recorded speed) Paragraph 2.11 of the Technical Note concludes that, *'the shortfall in visibility splay is not so severe that this would cause a highway safety concern, particularly in the context of the trip generating potential of the development'*.
- Reference is made to two previous appeal decisions on the site, and the Inspector's and Highway Authority's conclusions with regards to road safety risk.
- The Technical Note has calculated and considered the increase in trip generation resulting from the proposed development. Overall, it is suggested that the proposed six additional pitches could generate an additional 36 two-way vehicle trips daily...which over a 12-hour day (07:00-19:00) would equate to 3 two-way trips per hour, which the Technical Note concludes would be a 'negligible uplift'.
- Accident data over the previous five-year period has not identified any accidents within the vicinity of the site, concluding that the existing development and access arrangements do not constitute a highway safety concern, and that based on the expected level of trip generation, it is not expected that any road safety issues would be introduced by the development proposals.

Vehicle Tracking, Manoeuvring and Parking

- The Swept Path Analysis plan (T-1002 A) demonstrates the swept path analysis for a car towing a caravan accessing and egressing the site from Stokesley Road. Although the movement of new statics on and off the site would require larger vehicles, such movements would be infrequent.

An existing static caravan was delivered to the site on a 16.5 articulated vehicle demonstrating that the existing access is capable of accommodating the required movement of this type/size of vehicle. The submitted (Articulated) Swept Path Analysis Plan (T-1001 A) demonstrates that a maximum articulated vehicle can turn around within

		<p>Case Officer Commentary</p>	<p>the site to deliver and remove static caravans and then leave the site in a forward gear, albeit involving 'a significant reversing manoeuvre' and with the aid of a banksman.</p> <ul style="list-style-type: none"> • There is sufficient space associated with each individual pitch to accommodate a car with touring caravan, as well as a static caravan and, therefore, there will not be a reason for overspill parking onto the adjacent highway network. <p>The aforementioned Technical Note (with accompanying plans) has been sent to the Local Highway Authority for comment. A response is awaited from the LHA to confirm whether the information (and plans) submitted adequately addresses there outstanding issues/concerns. Any response subsequently received from the LHA will be reported to Members at the meeting. However, based on the information and conclusions within the Technical Note (including confirmation that the full 215m northbound visibility splay cannot be achieved) Officers still consider that the applicant has not appropriately demonstrated that the development is located where it can be satisfactorily accommodated on the highway network; that highway safety would not be compromised; and that safe physical access can be provided to the proposed development from the highway network. The proposed development would therefore be contrary to the relevant parts of Policy IC2 of the Hambleton Local Plan.</p>
		<p>Applicant Additional Documents/Information received (2) -</p>	<p>An Ecological Impact Assessment (Ec.I.A) dated October 2022 has been submitted to the Council since the publication of the Committee agenda. The contents, conclusions and recommendations of the Ec.I.A. are summarised below:</p> <ul style="list-style-type: none"> • The development would result in the loss of other neutral grassland and a minor decrease of common forb species to the development, although existing native species hedgerow and boundary line trees would be retained. Overall, the effects on habitat from the development is classed as being 'negative' (significant) due to the long-term loss of grassland habitat, although impacts are restricted to site level. • The Ec.I.A. identified a pond within 250m of the proposed site, approximately 85m to the south. No access was able to be gained to the pond to determine its suitability for supporting great crested newts (GCN), although no records of GCNs were identified within a data search of recorded species within the immediate locale. The application site is considered to offer suitable terrestrial amphibian habitat (e.g. grassland, log piles, etc.)

although the risk of GCN using the site is considered to be low due to the lack of multiple ponds that are interconnected with high quality terrestrial habitat, which is not offered in this locale, although a residual risk to GCNs and other ubiquitous amphibian species is acknowledged to the presence of the pond and suitable terrestrial habitat.

- No notable or protected bird species were recorded on site, although boundary lines and trees would provide quality nesting and foraging habitat generally.
- Search data found no records of bats directly related to the application site, and records of bat activity locally was found to be low. The site features/characteristics offers suitable bat foraging habitat, although on-site roost habitat is limited.
- No hedgehog records were returned, although the site is considered to provide suitable hedgehog foraging, commuting and nesting habitat.
- To reduce the aforementioned impacts of the proposed development on habitats, amphibians, bats and hedgehogs (to a neutral impact) and enhance biodiversity within the site, the following mitigation measures, additional survey works and enhancements are proposed:
 - (i) Enhancements provided for roosting bats and nesting birds through the installation of on-site bat and bird boxes.
 - (ii) Precautionary construction working measures to protect hedgehogs and small mammals.
 - (iii) Approval of a directional external lighting scheme to retain the current ecological functionality of the site, particularly for commuting and foraging bats.
 - (iv) The proposed pond creation, grassland enhancements and native tree planting will provide ecological enhancements and suitable habitats for certain species, including foraging opportunities for bats and birds, while also mitigate for the loss of neutral grassland habitat within the site.
 - (v) The undertaking of any vegetation pruning outside of the bird breeding season.
 - (vi) A GCN presence/absence survey (in the form of an eDNA test) shall be undertaken in relation to the identified nearby pond during the optimal survey season. If GCN presence is confirmed, then works would need to be carried out under a Natural England's (District Level) Licence and works should not commence until this is granted. If the presence of GCNs is not confirmed, then a range of stated precautionary measures for amphibians should be adhered to.

		Officer Commentary	<p>Subject to the undertaken the recommendations for ecological mitigation, enhancement and further survey work (GCNs) recommended within the Ecological Impact Assessment (Ec.I.A), the Ec.I.A. confirms that the proposed development can meet the relevant requirements and expectations of Policy E3 and E4 of the Hambleton Local Plan with regards to landscape and biodiversity impacts. If Members resolve to approve planning permission (contrary to the Officer recommendation) it is recommended that a condition is imposed requiring the aforementioned mitigation, enhancement and survey recommendations to be undertaken in accordance with the Ec.I.A.</p>
		Applicant Additional Documents/Infor mation received (3) -	<p>A Biodiversity Net Gain Assessment and Biodiversity Metric 3.1 have been subsequently submitted to the Council following the publication of the Planning Committee agenda. The findings, conclusion and calculation results are summarised below:</p> <ul style="list-style-type: none"> • Moderate condition 'other neutral grassland; will be lost to facilitate the development, although no irreplaceable habitats would be lost. • The proposals include a number of ecological enhancements, including the planting of 21 trees, hedgerow planting (16m in length), the creation of a pond and grassland enhancements. • Overall, there would be a 3 per cent gain in habitat units and a 2.8 per cent gain in hedgerow units, which it is concluded within the assessment would satisfy Local Plan policy. • The assessment includes specific recommendations (including timings) relating to the implementation of the various proposed ecological enhancements and future management/maintenance.
		Officer Commentary	<p>The BNG information submitted shows a modest net gain in biodiversity of 3 per cent and 2.8 per cent respectively, whilst the Local Plan E3 requirements are to achieve "a gain" the national scheme and expectations of Policy E3 are to achieve a 10% gain. If Members resolve to approve planning permission (contrary to the Officer recommendation) it is recommended that a condition is imposed requiring the aforementioned recommendations (including timings) relating to the implementation of the various proposed ecological enhancements and future</p>

		<p>Agent (in respect of the Committee Report) –</p> <p>Officer Commentary</p> <p>Neighbour reconsultation and Recommendation-</p>	<p>management/maintenance to be undertaken in accordance with the Biodiversity Net Gain Assessment.</p> <p>The agent disagrees with the conclusion at para.5.10 that the adjacent property of Rivadoon has the potential to be significantly affected by additional noise and lighting impacts from the development, but has asked whether the concerns could be addressed by planning condition(s), i.e. approval of (external) lighting and a restriction limiting commercial vehicles to one per pitch and no more than 3.5 tonnes.</p> <p>While the agent's suggestions for conditions to help address the Council's amenity concern are welcomed, Officers consider that they would be largely ineffective to addressing the amenity issues identified within the Officer report which are fundamentally related to the number and unrestricted number of traffic movements and activities associated with the development of no.6 gypsy and traveller pitches located in close proximity to the residential property of Rivadoon.</p> <p>It is brought to Members' attention that a 10-day reconsultation exercise has been undertaken with neighbours and other local residents who have previously commented on the application based on the additional information referred to above. This reconsultation period is due to expire after the date of the Planning Committee. Delegated authority is therefore sought by Officers from Members to issue the application (in accordance with the Committee's resolution) following the expiry of the reconsultation period, subject to there being no further representations received that raise any additional and significant planning issues related to the development that have not already been addressed.</p>
5			
6	22/00139/FUL Crosby	Additional Response (1): Thornton le Beans and Crosby with Cotcliffe Parish Council-	Two-page document in connection with objections attached.

7	22/00010/TPO2 Knayton	Owner	<p>I have no issues whatsoever with health and safety of people and in particular the children living next door. Nor do I have any issues with tree husbandry to ensure the trees are healthy.</p> <p>With that in mind I am happy to take the advice of the council regarding the health of the trees and the safety of property and people, but I would not want to remove healthy trees merely for the sake of it. We have already started to tend to the west side of the property adjacent to the farm to ensure the trees are safe and healthy and will of course continue to do the same on the east side.</p>
8	18/00097/OUT Yearsley	Agent	See one page summary of scheme attached.
9	18/00144/OUT Oulston	Agent	See one page summary of scheme attached.
10	22/01474/OUT Dalton	Additional Technical Consultee Response (E.H.)	<p>The following additional response (as summarised) has been received from Environmental Health (E.H.) (dated 21.10.2022) based on consideration of the Noise Assessment Report (N.A.R.) submitted as part of the application –</p> <ul style="list-style-type: none"> • Overall, the N.A.R. has been undertaken to a standard that provides enough information about future anticipated noise levels at the nearest noise sensitive receptors. • However, as the N.A.R. has been undertaken in the context of an outline application (where certain details are not yet known), it has made an initial assessment (based on number of assumptions) that has identified that there could be an adverse impact at the nearest noise sensitive receptors during night-time hours. However, the N.A.R. recommends mitigation measures to ensure that the noise impact is ‘low’. • Based on the assessment, conclusions and recommendations within the N.A.R., E.H. have recommended the following conditions: in order to protect the amenity of the nearest noise sensitive receptors: <ul style="list-style-type: none"> (i) The building(s) shall be designed to provide suitable screening from any noise from any external plant and/or any externally terminating plant. Any fixed plant shall not exceed a specific sound level of 69dB L_w.

		<p>Officer Commentary</p> <p>Additional Technical Consultee Response/ Comments</p> <p>Recommended Planning Conditions – Amended Wording</p>	<p>(ii) Facades of buildings shall be constructed from a suitable material that provides a minimum sound insulation performance of R_w 38dB when tested in accordance with EN ISO 10140-2 and rated to BS EN ISO 717-1. Building design should avoid or minimise openings on the façade facing the nearest noise sensitive receptors.</p> <p>(iii) Traffic calming speed humps shall not be installed on the access road.</p> <p>(iv) A 3m acoustic screen shall be installed along the northern boundary of the development and a 2.4m high acoustic screen shall be installed along the western boundary of the development.</p> <p>Subject to the formal agreement of the ‘prior to the commencement’ planning conditions with the agent, it is recommended that the aforementioned conditions are imposed to the outline planning permission, if Members resolve to approve the application, subject to minor amendments to their wording to prevent duplication with other conditions.</p> <p>The Local Highway Authority have provided additional comments to confirm that on reflection they consider that it would be appropriate to secure the cost of monitoring the Travel Plan and a proportion of the cost of enhancements to the bus service from the applicant (via Section 106 agreement, if outline planning permission is approved)</p> <p>Following discussions with the agent, the following minor amendments are recommended to the recommended conditions listed in Section 6 (‘Recommendation’) of the Officer Report:</p> <ul style="list-style-type: none"> • <u>General</u> – rewording of conditions referring to phasing to reflect a scenario where the development commences without the need for phasing. • <u>Condition 4 (Plan List)</u> – removal of references to Wider Indicative Site Plan, which has been submitted as an indicative only plan
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		Updated Recommendation -	<ul style="list-style-type: none"> • <u>Condition 8 (parking and manoeuvring)</u> – to delete, a duplication of condition 8. • <u>Condition 16 (Landscape and Ecological Management Plan)</u> – alter wording to submit upon submission of a reserved matters application, rather than before a reserved matters submission. • <u>Condition 17 (BNG)</u> – specific mention added of the latest metric to be used. • <u>Condition 26 (water main)</u> – alter wording to be more specific about ‘prior to the commencement of the development’. • <u>Condition 36 (emissions)</u> remove reference to odour sensitive receptors’. <p>The Parish Councils of Topcliffe and Dalton have made Officers aware within the last week that they were not aware until recently of the application, and that they therefore felt that they have not had sufficient opportunity to make formal representations on the application. The Officers can confirm that the Council records show that Parish Council consultation correspondence were sent out following the validation of the application, Officers recommend that application is deferred in order to allow the Parish Councils of Topcliffe and Dalton to consider the application and to submit any representations in order that they can be appropriately considered by the LPA.</p>
11			
12	21/02619/FUL Shipton	North Yorkshire County Council Highways	<p>Final comments: No objection subject to the following conditions:</p> <p>Roads and sewers. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.</p> <p>Reason for Condition: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.</p>

Street lighting and road construction programme

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason for Condition

To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

Off-site works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Removal of the existing pedestrian refuge island to the east of the site and the resulting reinstatement of the carriageway and footway of the A19 prior to the development being brought into use.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason for Condition To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

Parking provision

No dwelling must be occupied until the related parking facilities have been constructed in accordance with the approved drawing reference Y81:1220.03 Revision E. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

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.

Construction Management Plan

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.

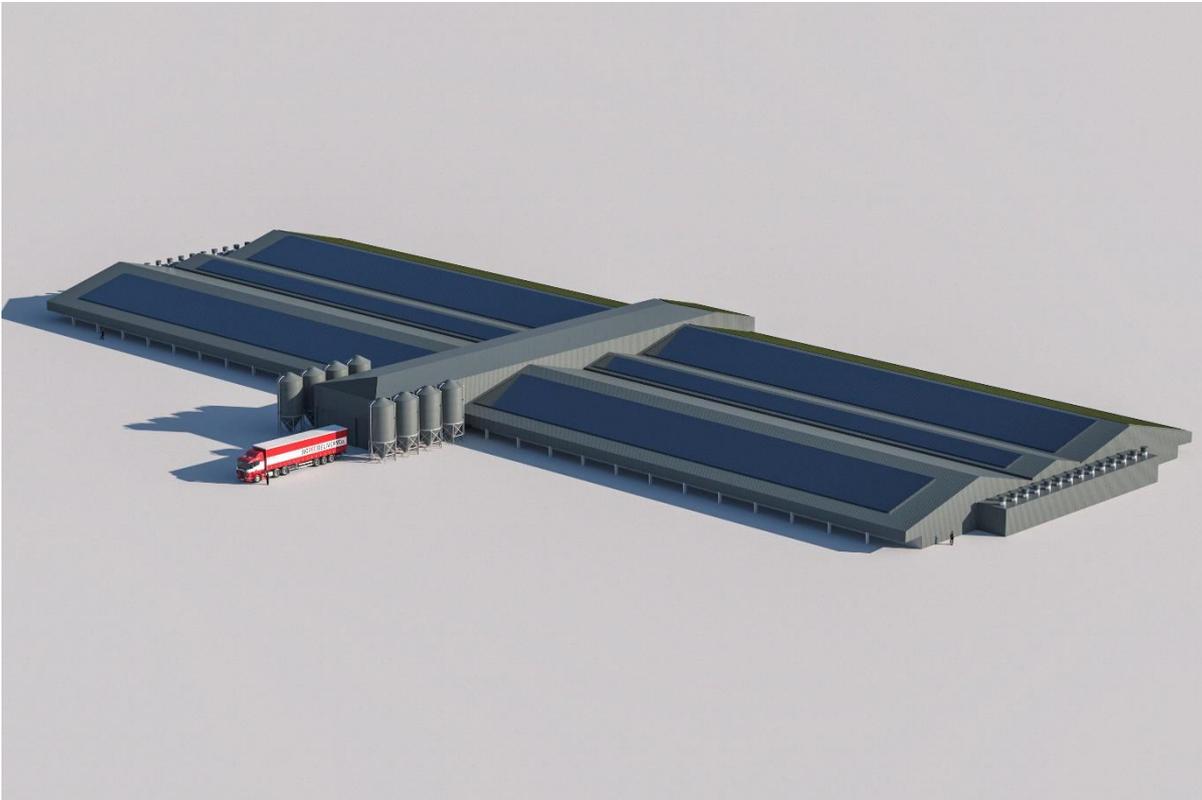
The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

- wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- the parking of contractors' vehicles;
- areas for storage of plant and materials used in constructing the development clear of the highway;
- contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition

In the interest of public safety and amenity

Below a computer generated image to scale of one of the two sheds proposed in Thornton-le-Beans using the applicant supplied shed dimensions and for comparison a 16.6 metre long articulated vehicle and one of the nine employees (at right). Footprint of built form is 9 x larger that the next largest in the neighbourhood.



NOT SHOWN ABOVE BUT INCLUDED IN THE APPLICANT'S SUBMISSIONS:

- Biomass Boiler stacks, fuel and ash stores
- Attenuation ponds (2-off each Approx 700 cu.m capacity and 300 sq m surface area)
- Roof fans
- Hardstanding areas (2-off each approximately 600 sq.m area)
- Fencing 1.8m high for perimeter and for flock separation (8 independent grazing areas)
- Electricity supply cabling / pylons
- Backup generators
- Access roads on site

NOT SHOWN BUT NECESSARY FOR OPERATION OF SITE (ACCORDING TO APPLICANT'S OPERATIONS IN MORTON-ON- SWALE) :

- Staff accommodation and domestic paraphernalia
- Manure store (L95m x W20m x H 8.34m for Morton on Swale manure from similar flock size)

CLAIMED BENEFITS

REALITY

Annual Purchases from UK suppliers of £2.2 million including benefits to local economy?

- The UK is self-sufficient in retail packed egg supply. (Source DEFRA 22/12/2021). New capacity here will therefore result in an equivalent loss of bird places elsewhere with corresponding loss of spend. The proposed investment is substitutional not additional in terms of spend eg in terms of feed costs which will be substantially the same irrespective of whether they are free-range, barn or cage chickens.
- Loss of tourism and leisure industry income eg hospitality, horse livery, holiday cottages and caravan parks
- No direct contribution to increased local costs from rates or s106 payments neither of which are payable.

An economically sustainable business?

- Producers are currently losing £8.57/ bird due to inability to recover massive increases in costs of energy, labour, feed and transport from uplifts in factory gate prices. (Source The British Free Range Egg Producers Association (BFREPA) 24th Oct 2022) For the proposed 128,000 bird flock this equates to annualised losses of £1.1 million.
- Potential revenues are overstated and not reflective of the UK market prices as published in The Ranger (BFREPA)

Capital Investment of £8.6 million?

- Likely that much of this will be spent with continental European manufacturers e.g. Big Dutchman via their UK agents Newquip.

Nine New Jobs?

- Wage costs for working with substance hazardous to health in a 24/7 operation likely to be at or near to national minimum wage
- More likely to be attractive to immigrant labour
- Neither high quality nor sustainable

No pollution of watercourses?

- Depending upon assumed range use, between 600 and 1600 tonnes of bird faeces will be deposited in the ranging areas each year, the geology of which the applicant's drainage consultant has concluded makes them unsuitable for infiltration as a means of control. Heavy rain which often follows longer dry periods will result in much of this being sluiced into the ecologically diverse but sensitive Cod Beck.
- Best and most versatile land to hen's toilet.

HGV Traffic will be routed via Knayton and the Allerton Wath Road?

- No Practical way of enforcing this, leaving all routes, including those through Thornton-le-Beans and Borrowby villages available if the SATNAVs so direct.

Biodiversity Nett Gain?

- No quantified gain has been offered using the approved DEFRA metric and no baseline survey has been conducted.

Landscape, visual and Heritage asset impacts will not be significant

- Claim clearly not supportable from independent assessments



January 2019

1 - The Core Estate

The Grade I Listed Priory and its surrounding listed structures have been home to the Wombwell family for over 300 years, regarded as a nationally significant collection of buildings. Despite careful stewardship, the economic reality is the Estate is unable to afford the upkeep of the core Listed Buildings. There is a real danger that the buildings will fall beyond repair and be lost without a sustainable future.

In 2011 an Estate Strategy was formulated to understand the options to reverse this decline. Subject to planning permission it was clear that allowing the conversion of disused buildings to deliver a purpose built wedding and events venue of exceptional quality, that would generate sufficient additional income, building on an established wedding business to provide a secure future for the buildings.

"This Development Strategy offers the once in a generation opportunity to provide a genuine boost to the Howardian Hills economy, creating a critical mass to help support secondary independent businesses and celebrate the area.

In doing so it would save the future of the Grade I Listed Priory and place the Estate on a long term-sustainable footing."



2 - Wedding, Events and Economy

Within the 2011 Estate Strategy an opportunity was identified to expand the existing wedding and events business - allowing a fully functional wedding and events operation with permanent facilities to place the Estate on a sound economic basis for the future and allow effective maintenance of the Grade I and II Listed Buildings. Consent for the business expansion was approved by Hambleton District Council in early 2017 application (ref- 16/02144/FUL & 16/02145/LBC), supported by Historic England. Once implemented this will cement the Estate as a driver in the tourism and visitor economy of the Howardian Hills.

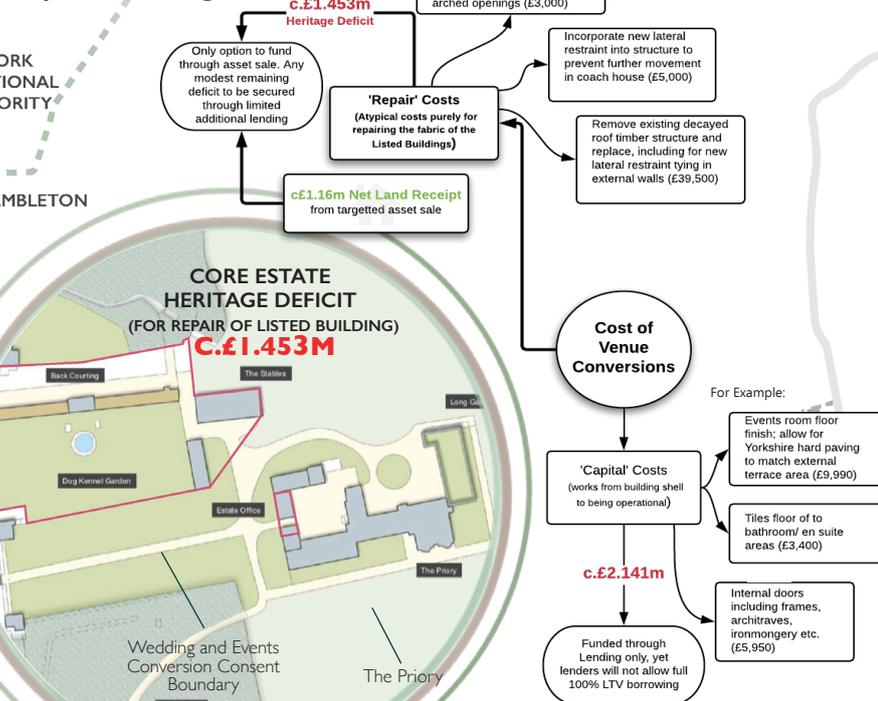
3 - Planning Fit

To achieve the catalyst funding for the building fabric repairs, four small developments were agreed to be promoted under local HDC Policy CP4, paragraph 79 (paragraph b) of the NPPF and Section 66(1) of the Listed Building and Conservation Areas Act 1990 and the special duty this places on preserving Listed Buildings (below). The developments fall in both NYMNPAs and HDC. Both authorities have confirmed that the principle of development could be acceptable in this context through positive pre-application engagement.

The Estate would enter into a legally binding S106 agreement whereby the net land receipts are wholly invested as proposed in draft Heads of Terms submitted for discussion. Should the sales generate more profit than anticipated, the S106 will guarantee that all profit will be spent on repairing the fabric of the core Listed Buildings. The proposals have been carefully balanced to ensure maximum value, whilst also ensuring delivery of mutual benefits, such as affordable housing and sympathetic placemaking.

The schemes are not formal Enabling Development in the context of the 2008 HE guidance as this applies to developing within the grounds of Listed Buildings. This guidance does not function when applied to complex proposals with multiple capital streams. Irrespective, the same principles have been matched and the developments brought forward as a linked heritage case (as set out within accompanying viability information).

4 - The Heritage Repairs Funding



Coxwold North

NYMNPAs Ref: NYM/2018/0039/FL
Full application for four plots
Conservation Area
Contribution based on Full Gross Land Receipt:

c.£385,000

Coxwold South

NYMNPAs Ref: NYM/2018/0037/OU
Outline application for up to three affordable plots
Housing Needs Assessment demonstrates need
Contribution based on Outline Gross Land Receipt:

c. -£235,000 (Deficit)

Development Proceeds

Total Net Receipt after £87,278 Planning costs & Capital Gains Tax at 20%

c.£1,16m

Associated Cottage

Asset Sale - Planning not required.
Current estimated MV: c.£200,000

Oulston

HDC Ref: 18/00144/OUT
Outline application for up to nine plots
Redevelopment of agricultural buildings
Based on current Outline Gross Land Receipt:

c.£985,000

OULSTON (HAMBLETON)

HIGH LIONS (HAMBLETON)

High Lions Farm

HDC Ref: 18/00097/OUT
Outline application for up to three plots
Conversion of Existing Disused Barns

Based on current Outline Gross Land Receipt:

c.£235,000