

Parish: Oulston
Ward: Raskelf & White Horse
9

Committee Date : 27th October 2022
Officer dealing : Tim Wood
Target Date: 24 April 2018
Date of extension of time (if agreed):

18/00144/OUT

Outline application for the redevelopment of the site for up to 9 residential dwellings (Class C).

At: Oulston Hall Oulston North Yorkshire YO61 3RA
For: Mr Stephen Wombwell.

The report is for consideration by the Planning Committee as the resolution for approval under delegated powers was made by the Planning Consultative Panel prior to the adoption of the Hambleton Local Plan 2022 and proposal is for enabling development that is a departure from the policies of the Development Plan.

1.0 Site, Context and Proposal

- 1.1 Oulston Hall stands on the east side of the small village of Oulston. Oulston is a hillside village in an elevated position in the Howardian Hills above the Vale of York. The Howardian Hills are designated as an Area of Outstanding Natural Beauty.
- 1.2 The site is to the east and bounds on to the gardens of residential property on the east side of the main street. As a farmyard the site comprises mainly of hardstanding areas as well as modern grain storage buildings and older buildings including one of stone construction that is considered to be of importance for its traditional design and materials and is also of antiquity.
- 1.3 The site is gently sloping from the north-west down towards the south-east. There are few features within the site of interest, due to the agricultural operations requiring space for turning of large and heavy vehicles there is little if any ecological value to the main areas of the site. There is a group of small trees in the southern part of the site and potential for wildlife to have exploited spaces between boundary walls to residential property in the village and the rear of the agricultural buildings.
- 1.4 The proposal is to undertake residential development of the site, using the existing site access, refurbishing an existing farm dwelling and by a comprehensive clearance of the modern agricultural buildings to create a space for a group of new build dwellings. The stone barn noted at 1.2 is proposed to be converted. The scheme is proposed as 'enabling development' for assist in funding works at Newburgh Priory. At the time of the application for further enabling development the arrangements were described as follows:

"Permission was granted in 2016 by the Council for the change of use and conversion of a stable block and coach house, and swimming pool building for a wedding business at Newburgh Priory, a grade II listed former priory and accompanying grade II listed ancillary buildings. This application [18/00097/OUT at High Lions Farm] is one of two submitted to Hambleton District Council, as part of

an “enabling development” scheme. The other is planning application 18/00144/OUT Oulston Hall for the redevelopment of the agricultural site for 9 dwellings. Two applications have been submitted to North Yorkshire Moors National Park, also under the premise of “enabling development”. Both of these applications are in Coxwold; one is for four open market houses (NYM/2018/0039/FL), and the other for 3 affordable houses (NYM/2018/0037/OU). It is considered by the applicant that these affordable houses fulfilled the quota for the four sites; a total of approximately 15% affordable housing contribution.

The intention of the applicant is to secure permission at all three sites and the sites to be sold onto a developer. There is no intention by the applicant to develop the sites out; and the applicant wishes to have the applications considered in outline form only.”

- 1.5 Planning permission has been resolved to be approved on all the sites. Amendments had been discussed overall a prolonged period and in September 2020 resulted in an indicative layout that restricts the area of new building works to a space closely associated with the footprint of the buildings within the site. The updated indicative layout has been the subject of re-consultation to the neighbours and the Parish Council.
- 1.6 A public right of way (footpath) crosses the site. The route of the public footpath is to be accommodated within the layout without requiring any change in width of alignment.

2.0 Relevant Planning and Enforcement History

- 2.1 Members made a visit to the application site in August 2019 at the time of the visit to High Lions Farm (18/00097/FUL)

High Lions Farm, Yearsley

- 2.2 19/00097/OUT Outline application (with all matters reserved) for the conversion of agricultural buildings to provide up to 3 residential dwellings. This application has been resolved to be approved subject to the completion of a planning obligation to secure the uplift in value to enable the development at Newburgh Hall detailed below.

Newburgh Hall

- 2.3 16/02144/FUL Alterations and change of use of existing stables, back courting buildings and extension and conversion of swimming pool building to create new function suite and accommodation for weddings, parties, corporate events, storage and Estate office, alteration to main building to include new gates and modification of existing Estate Office to create reception area and creation of service area car park to rear of back courting; approved January 2017.
- 2.4 16/02145/LBC Listed Building Consent for alterations and change of use of existing Stables, Back Courting buildings and extension and conversion of Swimming Pool Building at Newburgh Priory to create new function suite and accommodation for

weddings, parties, corporate events, storage and Estate office. Alteration of Newburgh Priory main building to include new gates and modification of existing Estate Office to create reception area. Creation of service area car park to rear of Back Courting; approved January 2017.

- 2.5 Conditions have been discharged in order that a start can be made on the works at Newburgh Priory and thereby avoid the permissions lapsing.

Coxwold

- 2.6 NYM/2018/0037/OU Outline application for construction of up to 3 no. affordable dwellings (all matters reserved); approved 1 May 2020.
- 2.7 NYM/2018/0039/FL Construction of 4 no. open market dwellings with associated access, parking, garage/car ports, amenity space and landscaping works; following consideration at the NYM Planning Committee on 21 May 2020 awaiting completion of the section 106 to provide both affordable housing and a sum to contribute to “enabling” works to the listed buildings at Newburgh Priory. The minute states:

Resolved to be approved as recommended. Members requested that the wording of the Section 106 Agreement requires repair work to the culvert to the satisfaction of the Lead Flood Authority and its maintenance in perpetuity and that the funding generated is dedicated to the works to the structure and fabric of the Grade 1 Listed Building(s) at Newburgh Priory

3.0 Relevant Planning Policies:

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Local Plan Policy S1: Sustainable Development Principles

Local Plan Policy S3: Spatial Distribution

Local Plan Policy S5: Development in the Countryside

Local Plan Policy HG4: Housing Exceptions

Local Plan Policy HG5: Windfall Housing Development

Local Plan Policy E1: Design

Local Plan Policy E2: Amenity

Local Plan Policy E3: The Natural Environment

Local Plan Policy E5: Development Affecting Heritage Assets

Local Plan Policy E6: Nationally Protected Landscapes

Local Plan Policy E7: Hambleton's Landscapes

Local Plan Policy IC2: Transport and Accessibility

Local Plan Policy RM1: Water Quality, Supply and Foul Drainage

Local Plan Policy RM3: Surface Water and Drainage Management

Local Plan Policy RM5: Ground Contamination and Groundwater Pollution

4.0 Consultations

4.1 Oulston Parish Council – a detailed response has been provided and this is provided verbatim below

The Oulston village meeting planning group has met to consider the revised proposals submitted in August 2020.

We remain in favour of the principle of the change of use of the agricultural buildings for housing but are concerned that the number of houses and extent of this revised indicative proposal are not confined to the footprint of the existing agricultural buildings and still intrude into the open countryside and AONB.

This is very disappointing as it does not take account of our previous comments on the initial submission dated 27 March 2018 (attached)

This revised conceptual layout more closely reflects an agricultural “Crew Yard” and is therefore an improvement on the initial (2018) layout, but the eastern properties would still extend the current village edge into the countryside.

We therefore OBJECT to this proposal and suggest that it be resubmitted with a tighter devt. boundary (red line) on the eastern flank which follows the blue line on the plan below.



This means that the three proposed properties on and to the east of that line should be deleted bringing the total number down to six which is the maximum that we feel that the village can accommodate.

Within the Newburgh Priory's multiple enabling devt planning applications submitted in 2018 which are still being determined by HDC and NYMNP , only seven new properties (two of which are single storey) on two separate sites are proposed in Coxwold, a village of around 85 homes with a large village hall, church, pub, shop, tea rooms, garage and public transport links, whereas Oulston, less than half the size and with minimal amenities and public transport links, is expected to accommodate nine. Therefore our request for a maximum of six is proportionate

If we recall correctly in the current HDC Local Plan dealing with small settlements such as Oulston, there was/is an allocation to limit these settlements to a maximum of 3 new dwellings over the 5 year period of the plan. Whilst we appreciate that this application is part of an enabling scheme, we feel that it must still abide by the control and limitation of numbers of units allowable.

We also remain concerned about the lack of clarity with respect to vehicular access, car parking and public rights of way; specifically:

- o Very careful consideration must be given to how vehicle access into any development from the village street is designed and laid out. The width constraint consequent on the proximity of the barn boundary wall and Horseman's Cottage and the lack of forward visibility where the proposed access road swings north into the development are fundamental safety concerns that have not been addressed in any of the information provided;

- o If the development is to proceed it must be to the exclusion of any agricultural vehicles using the access road from the village street and alternatives must be provided which allow the fields to the eastern boundary of the proposal to be accessed;

- o The village, by virtue of its location and lack of public transport facilities, is heavily reliant on private car access and has no suitable on or off street car parking, therefore car parking for residents and visitors to the development must be provided to the full standards as set out by the Highway Authority and designed in such a way as not to compromise the design philosophy as illustrated in the Design and Access Statement; and

- o The popular Foss Walk runs along the access road and through the proposed development, this path must be protected and its route properly integrated and made safe and welcoming.

Being an Outline application the proposals are merely indicative, so if approved the only element that would provide any certainty is the red line site boundary. This is why we feel that it is so critical to establish its alignment at this stage and we ask you to work again with the applicant to resubmit a reduced proposal with a tighter eastern margin.

If it were then possible for HDC to require any subsequent detailed application to adhere to a design brief which would be based upon a revised Design Access Statement depicting a reduced and modified layout reflecting the tighter cluster of farm buildings, it would provide some assurance.

4.2 NYCC Highways – Note the need to protect the public right of way and recommend planning conditions relating to layout of the access and site roads, footway etc, require the provision of footway and roads prior to occupation, maintenance of parking and turning areas including garage spaces, and site management measures.

4.3 HHAONB Manager –

- 1) No objection to the principle of using the area of the farm buildings and part of the associated yard for new housing.
- 2) The design concept of creating a 'farmhouse' with 'former farm buildings' would be an appropriate approach in this location.
- 3) I do however wish to Object to the extent of the proposed development (i.e. the Red Line area). The eastern edge of Oulston village is very sharply defined by

the curtilages of the houses along the main street, and when viewed from the Public Rights of Way network to the east (including the Foss Way Regional Walk), the village has a very pronounced 'development limit'. In addition, the eastern side of the village has good remaining evidence of the strip-farming field system that would have been common in the area.

- 4) In my view the boundary of the development, including domestic curtilages and any ancillary outbuildings, should therefore broadly follow the very defined line of the curtilages to the north and south of the site. This would ensure that development does not encroach out into the open countryside, which would have a negative visual impact on the AONB landscape, compromise the setting of the Oulston Conservation Area, and compromise the settings of the non-designated heritage assets of both Oulston Hall and the remnant strip-field farming pattern adjacent to the Hall.

- 4.4 Yorkshire Water – no objection but advise no assessment of the capacity of surface water sewers has been undertaken as the proposal indicates drainage via soakaway.
- 4.5 Publicity – site notice, press notice and neighbour letters of notification - 5 letters of representation have been received, 3 at the time of the initial consultation in 2018 and 2 following re-consultation in August 2020. All letters make remark about supporting development but raise concern about the number of dwellings proposed and the area extends beyond the footprint of the existing buildings.

The representations also advise:

Maximum number of units should be 5 or 6 and not going east of the existing buildings on the site

Reduction in farm traffic in the village

Existing modern buildings do not enhance the AONB

Conversion of the stone barn is supported

Floor area of new buildings shouldn't exceed the area of the agricultural buildings

Some affordable housing units should be provided as part of the scheme

9 new dwellings would be a 25% increase in the size of the village, this is too large.

Parking layout needs to avoid the site looking like a car park and visitor space is required to avoid an increase of on-street parking in the village

Pedestrian safety within the site including users of the Foss Way needs to be addressed

Concern for privacy of neighbours

Trees on the edge of the farmyard were planted by people from the village with funding from HDC and support from the Estate.

Concern about the capacity of the village sewage system

Improvements should be made to the broadband

Careful use of materials will be required and retain westernmost stone boundary wall

New alternative access to the fields should be from outside of the village

If gas tanks are required for the new dwellings these should be located away from public view

Where will the grain storage be provided?

5.0 Analysis

5.1 The matters for consideration in this case is

- i) the principle of development,
- ii) housing mix and scale,
- iii) impact on the protected landscape and countryside,
- iv) impact on neighbouring amenity,
- v) impact on highway safety, and
- vi) ecology matters

Principle of development and links to Enabling Development

5.2 The site is located adjacent to the village of Oulston a location that is more than 4km from Easingwold which is the nearest significant place with services. Oulston was not recognised as a sustainable location within the Hambleton LDF Settlement Hierarchy but in the Hambleton Local Plan is identified as a “Small Village” where development will be supported that is proportionate to the size of the settlement and it’s level in the hierarchy. The site is beyond the built form of the settlement and for the purposes of policy S5 of the Hambleton Local Plan is in the countryside and cannot take support from the status of Oulston as a “Small Village”. Policy HG5 relating to Windfall Housing Developments adjacent to the built form of Service, Secondary and Small Villages supports proposals subject to the following requirements:

- a. a sequential approach to site selection has been taken where it can be demonstrated that there is no suitable and viable previously developed land available within the built form of the village; and
- b. it will provide a housing mix in terms of size, type and tenure, in accordance with the Council’s Housing and Economic Development Needs Assessment (HEDNA) and Strategic Housing Market Assessment (SHMA) or successor documents. All proposals will individually or cumulatively;
- c. represent incremental growth of the village that is commensurate to its size, scale, role and function;
- d. not result in the loss of open space that is important to the historic form and layout of the village; and
- e. have no detrimental impact on the character and appearance of the village, surrounding area and countryside or result in the loss of countryside that makes a significant contribution to the character or setting of that part of the village.

5.3 Reviewing the requirements of HG5:

- a. the proposal is not supported by any documentation to show that a sequential approach has been taken to site selection that demonstrates that there are no suitable and viable previously developed sites available within the built form of the village, however, the application was submitted before the adoption of the Hambleton Local Plan when such an assessment was not required. It is accepted by scrutiny of mapping and council records that there are no sequentially preferable sites within Oulston.
- b. the housing mix can be required by planning condition.

- c. the housing growth resulting from the proposal is considered not to be commensurate with the size, scale, role and function of the settlement. The proposal does not comply with this policy requirement.
- d. the scheme does not result in the loss of open space of importance.
- e. the scheme has the potential to have a detrimental impact on the character and appearance of the village in its countryside site and harmfully impact upon the setting of the western part of the village.

- 5.4 To address the harmful impacts note above due to the number of dwellings proposed and the landscape setting great care is required to ensure that the housing mix and the general layout of the site address the issues and prevent harm by design details and conditions of approval.
- 5.5 As the application has been submitted as part of a larger “enabling development” proposal, it is also necessary to consider the weight to be given to Hambleton Local Plan Policy E5 and paragraph 208 of the NPPF which both support enabling development where the public benefits of the enabling development outweigh any harm. The NPPF 2021 sets out, in paragraph 208, that "Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies".
- 5.6 Historic England (HE), in 2008, published guidance "Enabling Development and the Conservation of Significant Places". The HE document sets out how applications should be tested, in terms of the legal basis, requiring the justification necessary to determine the application and understanding the financial figures. It is clear that development should be on a level which generates the minimum amount for the upkeep and repair of heritage assets. Monies raised through enabling development should not be spent on non-essentials, such as furnishings.
- 5.7 There has been some disagreement as to whether outline applications can provide a true and accurate estimation of the profit a development will return; the outline application will provide land uplift for the landowner. The value of the uplift (between the value of the land without a planning permission and the value with a planning permission for residential development) will then be secured by a legal agreement. In this case a section 106 agreement (S106) between the landowner and local authority is the appropriate mechanism. The agreement will require that the money is to be spent on agreed and specified works to the listed buildings at Newburgh Priory. The disagreement arises due to the difficulty in assessing the value arising from the outline planning permission to the complete converted dwelling.
- 5.8 The section 106 agreement would control the uplift in value resulting from the conversion and controlling how it will be used for the upkeep of the agreed historic asset. Public benefit which arises from the maintenance and upkeep of a historic asset is the reason this development can be acceptable where it may not normally be supported.

- 5.9 Since the first consideration of this proposal by the Hambleton Planning Consultative Panel in 2020 there is greater certainty regarding the proposals. The residential scheme in Coxwold has a resolution of approval and a scheme for affordable housing has been in approved. The proposed works at Newburgh Priory have still an extant consent.
- 5.10 On the basis of the applicants' assessment all four developments will be required to come forward to generate the necessary income for restoration of the heritage asset at Newburgh Priory. The heads of terms of the S106 agreement have prepared to control the enabling funds.
- 5.11 Notwithstanding the complications of the viability and finalising a S106 agreement, the principle of development is acceptable under Policy E5 and paragraph 208 of the NPPF which both support enabling development where the public benefits of the enabling development outweigh any harm.

Housing mix and scale of development

- 5.12 The development proposes up to 9 dwellings. The proposed units to be formed would consist of a mix of 9 dwellings, including a conversion. The plans are indicative at this stage. At reserved matters stage it is expected that a mix of sizes and types of dwellings would be maintained however, the size of the dwellings must meet the nationally described space standards and provide sufficient uplift in value to achieve the values sought to enable the development.
- 5.13 Building 9 new dwellings is a larger scale of development than would be supported by the Hambleton Local Plan HG5 c., the scale is not commensurate to the small size of the village. The circumstances of the site need to be taken in to account: the land is already occupied by buildings and has a developed appearance; it will not have an impact on the village street and will not be seen cumulatively with any other new development.
- 5.14 Although the land is not 'previously developed land' (see the glossary of the NPPF) the extent of the farm buildings and the farmyard have a different character to the agricultural farmland that lies beyond the site. The large scale of the buildings and activity associated with the farming use, a use that will cease if the site is redeveloped, as well as the location of the site that is behind properties in the main street are significant. The impact of the works will be experienced by users of the public right of way, otherwise the development would not be evident from the village street. As noted above the site is not in a location that is accessible without the use of private transport, the site is not sustainable in the sense of having ready access to services. However, this is a matter that requires a balance of the other impacts of development including the enable development factors.

Impact upon the Howardian Hills AONB

- 5.15 The detailed layout and appearance of the site is to be considered at the reserved matters stage. The conversion of a building and refurbishment will have little impact upon the appearance of the AONB and the removal of the modern large portal framed buildings will improve the character and appearance of the area. These same benefits were noted at the scheme at High Lions. The impact of forming new dwellings and gardens is substantial and if the development form failed to respect

the context of the village of Oulston harm would be found. The indicative layout plan shows a tightly drawn group of buildings that do not extend beyond the area of the farmyard and with appropriate detailing would not result in a harmful impact upon the HHAONB. The details of the scheme that will require further approval will need careful scrutiny at that stage to ensure that both at the broad landscape scale and the fine grain scale the proposal is appropriate to this nationally important designated landscape.

Impact upon neighbouring amenity

- 5.16 There are dwellings with gardens that adjoin the application site. It is considered that the removal of the agricultural uses will result in an improvement in the residential amenity of neighbours when the scheme is completed. There will inevitably be periods of disturbance during construction work that will particularly impact upon immediate neighbours and will have some wider impacts, this is also true of the agricultural operations on the site.
- 5.17 The agents have confirmed that the grain that is currently stored within the agricultural buildings on the site will in future be stored near to Shipton and no new grain storage buildings will be required to replace those currently on the site.
- 5.18 The reserved matters application and details can be brought forward in a manner to ensure that the amenity of neighbours is protected in terms of overlooking and privacy. Details of the boundary treatments can also be carefully considered.

Impact upon highway safety

- 5.19 The existing access from the village street in Oulston will be utilised to access the site. This has carried agricultural traffic and the change in type of traffic, from predominantly large and slow-moving agricultural traffic to light domestic vehicles is considered to be beneficial to neighbour amenity and will have no significant impact upon highway safety. The exact details of the layout of the access and layout of parking will be considered as part of the reserved matters application
- 5.20 The indicative site layout plans includes parking provision and on-site turning for each of the dwellings and there is no reason to conclude that there would be insufficient parking space to meet the needs of the proposed dwellings and through appropriate design can avoid an increase in on-street parking in the village.

Ecology

- 5.21 The application has been accompanied by a Bat Emergence Survey undertaken in 2017. The emergence survey has confirmed the presence of two small roosts, sporadically used by up to three common pipistrelle bats. Both roosts were noted to be in buildings that would be removed through the works. It is noted that the survey work was undertaken in 2017 and further survey work would be required before works could commence.
- 5.22 A licence will need to be secured from Natural England in order to derogate offence's arising as a result of the proposals, as the destruction or significant alteration of the roosts will be unavoidable in the context of the current proposals. It is considered that on the basis of the currently available information the application would not cause significant harm to habitats of protective species. Additionally

measures to provide alternative habitat can be required through planning conditions.

Biodiversity net gain

- 5.23 The Hambleton Local Plan Policy E3 introduces the requirement to achieve a net gain in biodiversity. The immediate surroundings to the application site, is land in the control of the applicant (Newburgh Priority Estate) and provides opportunity to achieve a net gain. A planning condition can be imposed to require the scheme to be prepared for approval and implemented.

Planning Balance

- 5.24 This scheme seeks permission for residential development in a location which would usually be found to be contrary to national and local planning policy. The proposal is for a relatively large number of new dwellings in a small village. This development will result in some economic activity through the construction of a mix of additional homes and spending of future residents. The scheme will result in the visual improvement of the immediate environment by way of removing modern agricultural buildings and re-using a traditional stone farm building. The landscape impacts of new building works is offset by the removal of modern agricultural buildings and a high quality of design that is appropriate to the setting and avoiding harm to the use of the public footpath. There is social gain by the provision of new housing in a village that has previously had little additional development in recent years. As a result of these benefits, set out above, alongside the securing of a sum of monies by way of legal agreement, to be used in the essential repair of a designated heritage asset, it is considered that the scheme, on balance, is found to be sustainable development in the terms of the Hambleton Local Plan and NPPF.

6.0 Recommendation:

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the completion of a planning obligation under section 106 of the Act to secure the uplift in value of the site to be used to enable the development of Newburgh Priory as detailed in section 2.3 and 2.4 of this report and the following conditions.
1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three years from the date of this permission; ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered location and illustrative layout SK02 received by Hambleton District Council on 27 Feb 2018 and 1 Sept 2020 respectively unless otherwise approved in writing by the Local Planning Authority.

3. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used; (b) the means of access to the site; (c) the landscaping of the site.

4. There shall be no demolition or construction undertaken on the development until a schedule has been agreed with the Local Planning Authority of those materials forming part of the building to be demolished which are worthy of re-use on the site. The schedule shall include a reference to where the materials will be used in the re-development of the site. The building shall be carefully taken down or dismantled and the materials contained in the schedule and stored for later re-use in the proposed redevelopment. The materials contained in the schedule shall be re-used in the redevelopment of the site in the manner indicated in the schedule.

5. All new, repaired or replaced areas of hard surfacing shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.

6. The development shall not be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which, within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.

7. Above ground construction shall not be commenced until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

8. Prior to construction of any building or regrading of land commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form. These details are required prior to construction or regrading because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

9. The construction of the development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted to and approved in writing by the Local Planning Authority. These details are required prior to the construction because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

10. The use of the development hereby approved shall not be commenced until the foul sewage and surface water disposal facilities have been constructed and brought into use in accordance with the details approved under condition 9 above.

11. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.

12. If any contamination be suspected or encountered during development all works shall cease and the Local Planning Authority shall be notified in writing. No further works (other than approved contaminated land remediation measures) shall be undertaken or the development occupied until a Remediation Strategy Report has been submitted to and approved in writing by the Local Planning Authority and the approved remediation measures have been implemented in accordance with the timescales in the approved Strategy. No further works shall be undertaken or the development occupied until a Validation Report has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and Validation Report shall be prepared in accordance with Contaminated Land Research Publication 11 (Defra/Environment Agency, 2004. CLR11 Model Procedures for the Management of Land Contamination), Planning Policy Statement 23 Planning and Pollution Control and the Council's guidance note "Contaminated Land - A Guide to Developers."

13. Prior to the commencement of the development hereby approved a written statement of works and annotated plan shall be submitted to and approved in writing by the Local Planning Authority. The written statement shall identify the extent and sequence of works of conversion and the annotated plan shall show all areas of underpinning, demolition, refacing, replacement and reconstruction of foundations, walls and roofs that are necessary to implement the details of drawing no SK02 received by Hambleton District Council on 1 Sept 2020. Thereafter the scheme shall be implemented in complete accordance with the approved statement and plan.

14. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority:

- (1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
 - (a) the proposed highway layout including the highway boundary
 - (b) dimensions of any carriageway, cycleway, footway, and verges
 - (c) visibility splays
 - (d) the proposed buildings and site layout, including levels
 - (e) accesses and driveways
 - (f) drainage and sewerage system
 - (g) lining and signing
 - (h) traffic calming measures
 - (i) all types of surfacing (including tactiles), kerbing and edging.
- (2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - (a) the existing ground level
 - (b) the proposed road channel and centre line levels
 - (c) full details of surface water drainage proposals.
- (3) Full highway construction details including:
 - (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - (b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - (c) kerb and edging construction details
 - (d) typical drainage construction details.
- (4) Details of the method and means of surface water disposal.
- (5) Details of all proposed street lighting.
- (6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
- (7) Full working drawings for any structures which affect or form part of the highway network.
- (8) A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority.

15. No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level or block paved (as approved) and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority before the first dwelling of the development is occupied.

16. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of

wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.

17. There shall be no site clearance, demolition, excavation or depositing of material in connection with the construction on the site until the following proposals have been submitted to and approved in writing by the Local Planning Authority: (i) an on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway (ii) measures to ensure vehicles associated with construction works use the approved parking areas and do not park on the public highway (iii) a materials storage area on the site capable of accommodating all materials required for the operation of the site and measures to ensure its use (iv) the protection of trees; and (v) a detailed method statement relating to the programme of building works. The works shall be carried out in accordance with the approved method statement and the approved areas shall be kept available for their intended use at all times whilst construction works are in operation.

Reasons for conditions:-

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Hambleton Local Plan Policies S1, E1, E2, E6 and E7.
3. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
4. In the interest of maintaining the character of the area and conservation of existing building materials in accordance with Hambleton Local Plan Policies S1 and E1.
5. In order to avoid the pollution of watercourses and land in accordance with Hambleton Local Plan Policies S1, RM1 and RM3.
6. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Hambleton Local Plan Policies S1, E1, E4, E6 and E7.
7. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with the Hambleton Local Plan Policies S1 and E2.

8. To ensure that the development is appropriate in terms of amenity in accordance the Hambleton Local Plan Policies S1 and E2.
9. In order to avoid the pollution of watercourses and land in accordance with the Hambleton Local Plan Policies S1, RM1 and RM3.
10. In order to avoid the pollution of watercourses and land in accordance with Hambleton Local Plan Policies S1, RM1 and RM3.
11. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution in accordance with Hambleton Local Plan Policies S1, and E2.
12. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks and in accordance with Hambleton Local Plan Policies S1 and RM5.
13. To ensure that the works are undertaken as a conversion in order to maintain their intrinsic qualities and in accordance with the objectives of the Hambleton Local Plan Policies S1, E1, and E2.
14. In accordance with Hambleton Local Plan Policies S1 and E1 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.
15. In accordance with Hambleton Local Plan Policies S1 and E1 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.
16. In accordance with Hambleton Local Plan Policies S1 and E1 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
17. In accordance with Hambleton Local Plan Policies S1 E1 and E2 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.