

Parish: Nether Silton
Ward: Bagby & Thorntons
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Committee Date: 16 February 2023
Officer dealing: Mr Nathan Puckering
Target Date: 10 November 2022
Date of extension of time (if agreed):
17th February 2023

22/02147/FUL

Demolition of existing all purpose agricultural building and erection of a new dwelling.

At: School Farm, Lead Lane, Nether Silton, Thirsk
For: Mr Mike Craddock.

This application is referred to the Planning Committee following a deferral at the December Committee to allow a review of the design.

1.0 Update

- 1.1 The matter was initially considered at the December Planning Committee, for further consideration of the design, noting in particular the north elevation fronting onto the road.
- 1.2 The applicant has undertaken a design review and has made a number of amendments to the proposals as set out below:
 - Reduction in height of the central door feature to the road elevation.
 - Replacement of slit window with hopper style agricultural window as found in local agricultural buildings.
 - Simplification of fenestration of the east elevation gable.
 - Re-design of the rear elevation fenestration to create a more vernacular appearance.
 - Removal of the roof/wall velux window
 - Use of traditional style openings to the rear outshoot
 - Use of traditional style openings across the rear (south) elevation.
- 1.3 Officers have considered the proposed amendments to the scheme and undertaken a further 10-day consultation with local residents and the Parish Council. The Parish Council responded as follows:

“At the Parish Council meeting last night, Councillors considered the revised application for the demolition of existing all-purpose agricultural building and erection of a new dwelling at School Farm.

Councillors did not feel this revised application had changed enough to alter the Parish Council’s original opinion. In particular the slit type windows and the addition of shutters are not a feature of this area. The shutters draw further attention to the large, glazed areas and, in reality, seem to be for aesthetics rather than use given that in the closed position they would significantly impact on the amount of light entering the building.

Councillors are opposed to the development of such a contemporary design in an Article 4 Area and with its proximity to a listed building.

They are concerned that if approved, it will set a precedent which could lead to the special architectural and historic interest of the village being put at risk.

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The new building exceeds the footprint of the existing barn and due to the size of the new building, Councillors feel this is over-development of the site with no demonstration of this type of housing need.

Taking all this into account the Parish Council still objects to this application and would like to see it refused.”

- 1.4 4 letters of objection were received during this consultation period which raised the following concerns:
- The introduction of architectural features that are not found elsewhere in the village.
 - The proposal does not comply with policy S5 owing to it not being within the settlement, representing a more than “limited” increase in floorspace and the harm that will occur to the immediate surroundings.
 - The size remains too large.
 - The solar panels will make the building highly visible during daylight hours.
 - There has been no requirement for such a large dwelling identified in the Housing Needs Assessment.
 - The issues with loss of privacy for the garden opposite have not been addressed.
 - There are no dimensions written on the drawings.
 - There will still be harm to the adjacent listed building owing to it not being subservient.
 - The design will harm the character and appearance of the conservation area.
 - It will set a harmful precedent.
 - It will compromise highway safety, especially during construction.
- 1.5 Officers have considered the revisions to the scheme along with the additional representations. Officers consider that the amendments to the proposals result in a more vernacular appearance to the proposed dwelling. In particular the east elevation and approach to the building, when viewed from the road to the east of the village, results in a less fussy appearance more akin to an agricultural building that one might expect to be found in this location adjacent the village. The revised scheme is considered to meet Members requests for amendments to the design.
- 1.6 The remainder of the report remains as previously set out to Members in December and the recommendation remains as previously published, subject to minor amendments to the conditions to reflect the updated drawings.

2.0 Site, Context & Proposal

- 2.1 School Farm is a grade II listed dwelling located within the village of Nether Siltan, on the boundary of the North York Moors National Park (NYMNP). The village is linear in form, with dwellings sited on both the northern and southern side of Lead Lane that runs east-west through the settlement - School Farm being to the south. The boundary of the NYMNP follows Lead Lane, with the area to the south being outside the National Park. The southern part of the village is less densely developed, with less of a main frontage on the road. Nevertheless, School Farm is one of the buildings that does directly front Lead Lane.
- 2.2 Directly to the east of School Farm is an open sided agricultural building. It is constructed in black profile sheeting and a fibre cement roof. It is described as being "general purpose" which it is understood is used alongside a parcel of land

the applicant owns that stretches southwards adjacent to the site. The boundary of the Nether Silton Conservation Area runs down the driveway that separates the agricultural building from School Farm, with the former just outside. Nevertheless, the building itself is in a very prominent location on the roadside at the edge of the village and as such it presently dominates views of the southern side of the village upon approach from the east.

- 2.3 This application is seeking permission for the demolition of the agricultural building and the construction of a detached two storey dwelling in its place. It will be similar in scale to School Farm, with the main frontage facing northwards towards Lead Lane. A step down in the roof ridge at the eastern side to a smaller two storey section and a small single storey element set forward from the main dwelling breaks up the frontage. There'll also be a single storey rear offshoot. The dwelling will be constructed in coursed natural stone, with a natural slate roof. Instead of traditional window fenestration to the road facing elevation, the application proposes glazed vents in the principle elevation taking inspiration from agricultural building design. All other elevations will have more standard fenestration in an off-white finish. Access will be taken through an existing gate onto a private parking area.
- 2.4 Throughout the consideration of the application, alterations were secured which can be summarised as follows:
- A step down in the roof ridge to help address concerns with the massing of the building.
 - An alteration to the windows from anthracite grey to a more traditional off-white alternative.
 - Removal of a 2.1m high garden wall from the side of the dwelling.

3.0 Relevant Planning History

- 3.1 19/02412/MBN - Conversion of redundant agricultural storage barn to two storey residential unit. - Prior Approval Refused for the following reasons:
- Based on the information submitted and that gained from a site visit - it has not been demonstrated that the last use of the building was solely for agricultural purposes as required in order to benefit from permitted development rights under Part 3, Class Q of the General Permitted Development Order.
 - It is considered that the proposed development is harmful to the setting of the listed building located adjacent the application site and as such leads to less than substantial harm to the significance of the listed building, this in turn leads to the conclusion that the proposed change of use is otherwise considered undesirable in this location. When the tests set out within the National Planning Policy Framework (NPPF) are applied, as required by para. W(10) of the General Permitted Development Order, it is considered that the proposal causes less than substantial harm to the significance of the heritage asset, which is not outweighed by any public benefit, and therefore fails the test set out in the National Planning Policy Framework for development impacting heritage assets.

4.0 Relevant Planning Policies

- 4.1 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 S7: The Historic Environment
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 E4: Green Infrastructure
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

National Planning Policy Framework

5.0 Consultations

5.1 Parish Council - Object with the following comments:

- The new building is out of character with the other properties in the village, especially with its proximity to a listed building. The new building is of a contemporary design and if approved will set a precedent which could lead to the special architectural and historic interest of the village being put at risk.
- The new building exceeds the footprint of the existing barn and, due to the size of the new building, is over-development of the site with no demonstration of this type of housing need.
- Request Hambleton District Council consider this application at Planning Committee rather than it being a delegated decision due to the level of local opposition and the property being in an Article 4 Area.

5.2 NYCC Highways - No objections subject to conditions.

5.3 Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.4 North York Moors National Park - No objection subject to a condition being attached to control external light to ensure it is of a style and luminance which minimises glare and light pollution, in order to protect the Dark Sky Reserve above the National Park.

5.5 Environmental Health - No objections.

5.6 Environmental Health (Contaminated Land) - No objection subject to condition relating to the discovery of unexpected contamination.

5.7 Yorkshire Wildlife Trust - No comments to make.

5.8 Site Notice and Neighbour Notification - 13 letters from members of the public received, 6 objections and 7 in support. The comments can be summarised as follows:

Support:

- The dwelling has been designed in a way that is in keeping with the character of the rest of the village.
- For Hambleton to thrive we need to be a place that young people and families wish to move to or remain in. The proposed property would provide a much-needed modern family home that respects the environment in which it is built.
- This property seems to be a vast improvement on the current disused barn.
- The dwelling incorporates sustainable energy saving features.
- The objections seem to show a disquiet based on 'new comers' to the village, but the applicants have family connections to the locality.
- The lack of well-proportioned family homes suitable for modern living with home working spaces in the area is severely lacking, it's so important that our rural areas remain accessible and functional for young families, and I feel this proposal really addresses that, whilst remaining sympathetic to typical rural architecture and aesthetics.
- The village needs to gently evolve, and this proposal strikes the right balance between heritage and modernity.

Object:

- Demolishing this barn would change this historic landscape and ultimately the character of Nether Silton for future generations.
- The design of the proposed dwelling is overly contemporary and not in keeping with the rest of the village.
- The development would be considered as harmful to the character and appearance of School Farm and Nether Silton and would not be on the footprint of the existing barn as suggested. It is too large and will be bigger than the building it replaces.
- The applicant refers to "new buildings" in the village but those referred to are not new.
- The dwelling would overlook Bellwood Cottage (the dwelling on the opposite side of the road) and lead to a loss of light.
- The proposed dwelling does not meet the identified housing type need for the village.
- The 2.1-metre-high walls that runs of either side of the house are not proportionate to any other walls in the village apart from those around Silton Hall.
- The applicant already owns a dwelling in the village and therefore an additional one shouldn't be necessary.

5.9 Following amendments, a 10-day re-consult was carried out. The Parish Council objected again with the following comment:

"Councillors did not feel this new application had changed enough to alter the Parish Council's original opinion. Councillors are opposed to the development of such a contemporary design in an Article 4 Area and with its proximity to a listed building. They are concerned that if approved, it will set a precedent which could lead to the special architectural and historic interest of the village being put at risk. The new building exceeds the footprint of the existing barn and due to the size of the new building, Councillors feel this is over-development of the site with no

demonstration of this type of housing need. Taking all this into account the Parish Council objects to this application and would like to see it refused."

- 5.10 During the re-consult period, 13 further letters of objection and 15 letters of support from members of the public were submitted. Additional points raised can be summarised as follows:

Objection

- The alterations do not address the impact on the village and surrounding area.
- There is no reason why the conclusion that the change of use was undesirable, as decided under the previous prior notification, has changed due to the demolition and rebuild.
- The house will appear overbearing and not in proportion to those around it.
- It appears the street plans are not to scale which is misleading and does not allow residents to make an informed decision.
- The new dwelling would be closer to School Farm and obscure the natural landscape between the buildings.
- The size and position of the proposed dwelling would have a negative impact on surrounding properties (including listed buildings) the conservation area within the village and wider landscape.
- The village is in a Conservation Area, with half the village being in the North York Moors National Park and the other half to be converted to NYM National Park in the near future, all of which points to the necessity of adherence to current norms of design and construction of buildings within the Park.
- The proposal has architectural features that are not evident within the village, and it does not resemble any other stone outbuilding in the village.
- The new dwelling would be the largest stone building in the village and comparable to Silton Hall.
- The new dwelling would not be subservient to the listed building.
- The glare from the windows may affect neighbours.
- The development will alter the street scene.
- The fact it's on the edge of an Article 4 area should prevent development.
- The proposal does not gain support from policy S5 for replacement buildings.

Support

- The applicants have clearly heeded the heritage study they commissioned, appointed a heritage architect, and incorporated these considerations into their plans, along with the most recent amends, which look in-keeping and entirely appropriate to the surroundings of Nether Silton.
- This kind of development, with home working facilities, and much needed green power generation, will enable families to live and work in rural Hambleton, in turn keeping these communities and economies alive and well.
- The decision should be based purely on valid planning policy and not matters of a personal nature that are set out in some objections. The grant of this planning application to ensure consistency in how the planning process has been and is applied by the Planning Committee across the Thirsk Hillside villages.

6.0 Analysis

- 6.1 The main issues in this instance are i) the principle of a new dwelling in this location, ii) the impact on the setting of the listed School Farm, iii) the impact on the

setting of the Conservation Area, iv) design, v) residential amenity, vi) ecology and biodiversity and vii) highway safety.

The Principle

- 6.2 The site in this instance is not allocated for housing development and therefore policy HG5: Windfall Housing Development is relevant. This states "A proposal for housing development within the main built form (defined in policy S5: Development in the Countryside) of a defined settlement (see policy S3: Spatial Distribution) will be supported where the site is not protected for its environmental, historic, community or other value, or allocated, designated or otherwise safeguarded for another type of development."
- 6.3 Policy S3 defines Nether Silton as a "Small Village", which is the lowest tier of the Settlement Hierarchy. It has limited services by way of a single public house and a church. The justification for policy HG5 sets out how in rural areas windfall housing development can help support local services and facilities and thus the sustainability of these settlements. As such, it is recognised that, whilst these smaller defined settlements may be more limited in the services they offer, their longevity and sustainability requires small scale housing development. As a result, subject to the site being 'within the main built form', policy HG5 supports residential development in principle in this location.
- 6.4 Policy S5 states that "The built form is defined as the closely grouped and visually well related buildings of the main part of the settlement and land closely associated with them." It then lists a number of exceptions that should not be considered part of the built form. These are as follows:
- any individual building or group of dispersed buildings...which are clearly detached from the main part of the settlement;
 - agricultural buildings on the edge of the settlement.
- 6.5 This building is clearly an agricultural building that sits on the end of the row of built form and in this sense is on the 'edge of the settlement'. However, the justification of policy S5 and the definition sets out that "a decision as to whether land is considered to be part of the built form will be made on a case-by-case basis taking account of all prevailing circumstances." On this occasion, given the greater amount of development on the northern side of Nether Silton and the fact it extends some way beyond the edge of the southern part of the village, one gets the sense that the edge of the village is further east than where the building in question sits. Furthermore, the nature of the site and the relationship with School Farm and its domestic curtilage means that the building and site very much feels like part of the village, as opposed to the open countryside beyond.
- 6.6 On this basis, Officer's consider that whilst the building is on the edge of the village in the sense of the row of built form of this particular part of the settlement, owing to the characteristics of the village and the relationship between the site and the settlement, i.e. "other prevailing circumstances", it can still be said to be part of the built form of Nether Silton. Consequently, as the proposal constitutes residential development within the main built form of the settlement, it gains support in principle from policy HG5.

The Impact on the Setting of School Farm

- 6.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application 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.
- 6.8 The National Planning Policy Framework requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building. Policy E5 of the Local Plan echoes this test of harm being weighed up against public benefit, as set out in national policy.
- 6.9 A professionally prepared Heritage Statement was submitted in support of this application. This concludes that the development will have a 'minor beneficial' impact on the setting of School Farm owing to the removal of the barn and the design and alignment of the proposal being suitable in comparison. Officers would broadly agree with this conclusion.
- 6.10 The existing barn is considered to have a harmful impact on the setting of the heritage asset at present. Whilst it is noted that School Farm as a former agricultural unit will have probably been set amongst outbuildings, the current barn is a 1980s building which is of an unattractive, functional design, that dominates views of the heritage asset from the east. In this respect, its removal is welcomed and this aspect of the works will in and of itself enhance the setting of the listed building.
- 6.11 The alignment of Lead Lane and the fact that the proposed dwelling is to be set back from the highway will open up views of the heritage asset upon approach from the east. The design of the dwelling will be explored in greater depth in subsequent sections of the report but on the whole, the barn-like vernacular is considered to be suitable for its location and in keeping with the rural character of the village. In this respect, it will sit comfortably alongside the listed building.
- 6.12 The quality of the design and suitable siting, in addition to the removal of the harmful barn, means that on the whole Officers are content that the development will not be harmful to the setting or significance of the listed building. It is therefore considered acceptable when assessed against policy E5 of the Local Plan and the requirements of the NPPF.
- #### Impact on the setting of the Conservation Area
- 6.13 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset.
- 6.14 The Heritage Statement submitted also assesses the impact on the setting of the Nether Silton Conservation Area. It also concludes that owing to the removal of an unsightly building and the improvement of the general approach to the Conservation

Area, the development will have a minor beneficial impact on the setting of the Conservation Area. Again, Officers would agree with this conclusion.

- 6.15 As set out above, the current barn is in a prominent location, being on the roadside and the first building that one sees upon approaches from the east. Owing to the size and design of the barn, it appears even more incongruous. This harmful feature will be replaced by a more suitably designed building that is more in keeping with the character of the rest of the Conservation Area. Views of the listed building, one of the focal points of the Conservation Area, will be opened up and more readily available - allowing one to experience this historic interest and architectural features of the Conservation Area as well.
- 6.16 As a result, the setting of the Conservation Area will be enhanced as a result of this development and consequently the proposal also complies with policy E5 and the NPPF in this respect.

Design

- 6.17 Policy E1 of the Local Plan concerns the design of development. Generally speaking it requires all development to be of a high quality, integrating successfully with its surroundings in terms of form and function, reinforcing local distinctiveness and helping to create a strong sense of place. It then goes on to list a number of design principles that help to achieve this overarching aim. These include ensuring development responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment, as well as contributing positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance, visual relationships, views and vistas, the use of materials, native tree planting and landscaping.
- 6.18 The proposed design has clearly been informed by the rural character of the village. It is understood the design has taken inspiration from a traditional barn and features such as glazed vents and the 'hit and miss vertical timber' glazing and large stone head above the door, creating the illusion of a large barn opening, helps to ensure this is well executed.
- 6.19 Initially the scale and massing of the proposal was of concern in terms of the fact it may appear overbearing and harmful to the surrounding street scene. The surrounding buildings vary in size and orientation which creates a less formal frontage and "breaks up" the street scene. Officers wanted to ensure this character was respected. The subsequent reduction in height of the eastern-most section and the smaller single storey element to the front addresses this initial issue and will mean the dwelling would sit more comfortably within the surrounding context. The hedgerow to the front of the site is to be retained, which is welcomed. This will further soften the visual impact of the dwelling, especially when viewed from directly in front.
- 6.20 A 2.1m high stone wall was initially proposed to project from the eastern side of the building. The exact reason for this wasn't clear. The overly tall structure in such a prominent location would have been incongruous and thus was omitted. The small section of wall to the rear has been retained as this will effectively be invisible and will help to ensure mutual privacy for residents of both the proposed dwelling and School Farm.

6.21 The rear elevation in contrast to the front is in a more domestic, although relatively contemporary idiom. In order to achieve a satisfactory level of daylight into the habitable parts of the dwelling, bearing in mind the limited fenestration to the roadside elevation, the rear is dominated by glazing. These elements are not readily visible from the public frontage and do not as a result impact in any significant way on the appearance of the area.

6.22 All in all, the design of the proposed dwelling is considered to be appropriate for the location and a high-quality proposal. It achieves the requirements of policy E1 and is therefore ultimately acceptable.

Residential Amenity

6.23 Policy E2 of the Local Plan requires all development to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.

6.24 Two of the objections received from members of the public raise concerns about the impact of the development on the privacy and daylight provision of Bellwood Cottage, a small two storey dwelling that sits opposite the site on the other side of Lead Lane. It is noted that Bellwood Cottage sits closer to the road, and thus the site, than may ordinarily be the case and therefore it may be more susceptible to an impact in this respect. The separation distance between the new dwelling and Bellwood Cottage will be 20m. It is worth noting that the lack of full-sized traditional windows in the elevation of the new dwelling that faces northwards, will significantly negate this problem when combined with the 20m separation distance. In terms of daylight provision for this adjacent existing dwelling, the height of the new dwelling and the separation distance will ensure that there will be no discernible difference in the amount of light reaching the property opposite. Reference is made in the objection to the width of the proposed dwelling. However, Bellwood will still sit directly within the gap between the new dwelling and School Farm, so the fact the dwelling will be wider than the barn is considered relatively inconsequential.

6.25 The separation distance between the dwelling and School Farm will ensure mutual privacy and daylight provision for both dwellings. There would be a large opening on the elevation of the new dwelling that will face School Farm, but this will look directly onto the blank elevation of an outbuilding and thus isn't considered to result in a loss of amenity.

6.26 The proposed dwelling will be served by ample natural light. Despite the lack of any windows on the front elevation, the glazed slits will serve only non-habitable rooms save for one bedroom on the first floor. This room will be served by an additional opening on the side elevation so will still receive ample daylight. There is adequate amenity space provided to both the front and rear of the dwelling. All in all, the living conditions of the occupants will be of a high standard.

6.27 The above assessment demonstrates that the proposal will ensure a high standard of amenity for both existing residents and the future occupiers of the proposed development. The proposed development is considered to comply with policy E2.

Ecology & Biodiversity

- 6.28 An Ecological Impact Assessment was submitted as part of the application. Also to note is the fact the site is within the 2.5km buffer zone around the North York Moors National Park and therefore policy E3 requires evidence of the extent to which the site and surrounding land is used by golden plover to ensure that loss of supporting habitat outside of the Special Protection Area does not occur. Policy E3 also requires all development to now demonstrate the deliverability of a biodiversity net gain.
- 6.29 The Ecological Impact Assessment concludes, following a desktop study and field survey, that several mitigation measures will be required to ensure no harm arises to breeding birds and bats. There will be no loss of potential bat roosting habitat but there will be a minor loss of sub-optimal foraging habitat (modified grassland). The removal of the existing pole barn will result in the loss of at least 1x passerine nest. These impacts are minimal and can be mitigated against through suitable measures. A condition ensuring the building is not removed during bird nesting season is recommended.
- 6.30 The assessment also addresses the potential impact on golden plover. It states "There is negligible risk of Golden Plover (*Pluvialis apricaria*), a Hambleton biodiversity action plan species utilising the site. There is no nesting habitat on-site (moorland habitat), and due to the small field size, and mature trees along the boundary, there will likely be an increased risk of predation, which will likely preclude winter foraging. Additionally, the site is within the village curtilage and is subject to frequent disturbance, which will likely inhibit use of the site by this species." On this basis, Officers are content no harm will arise and the requirements of policy E3 are met insofar as this issue is concerned.
- 6.31 The Ecological Impact Assessment also sets out that through additional planting along the eastern boundary and integral bat roost features, a net gain in biodiversity is deliverable. A condition ensuring final details of this to be submitted and approved, is recommended.
- 6.32 On the whole, the requirements of policy E3 are met and the impact on protected species and biodiversity is acceptable.

Highway Safety

- 6.33 To ensure that the proposed access from the existing gate entrance will not compromise highway safety, the Local Highway Authority were consulted on the application. They subsequently confirmed they had no objection subject to standard conditions ensuring the new access is constructed to the relevant standards, the parking and turning provision is complete prior to occupation and that a Construction Management Plan be submitted prior to works starting. These conditions are recommended. On that basis, the application is acceptable on highway safety grounds.

Planning Balance

- 6.34 The proposal has been assessed as resulting in no harm to the significance of the adjacent listed building, as well as the Nether Siltan Conservation Area. Furthermore, the design is considered to be of a high quality and appropriate for the location more generally.

6.35 Compliance with policies E1 and E5 of the Local Plan is therefore assured. The impact on the living conditions of surrounding neighbours, as well as on the natural environment has been assessed as acceptable and no other technical issues have arisen. Approval is recommended on that basis.

7.0 Recommendation:

7.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 216-03 Revision F, 216-06 Revision L, 216-05 Revision N and 216-04 Revision N; received by Hambleton District Council on 23.01.2023; unless otherwise approved in writing by the Local Planning Authority.
3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. There must be no installation of external lighting until full details of the lighting scheme are agreed in writing with the Local Planning Authority. The scheme must then be implemented in full accordance with this scheme.
5. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
6. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

7. Prior to the commencement of development a landscaping and biodiversity net gain scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide a) a landscape scheme including details of any change in surfacing materials and any planting schemes and shall show the retention of any significant existing landscape features and shall provide b) details to show how a 10% net gain of biodiversity will be achieved on site using the DEFRA biodiversity metric 3.1 (or the latest published version) and include a programme of work and subsequent maintenance arrangements. The development shall thereafter be carried out in accordance with the approved scheme.

8. The existing barn shall not be demolished during bird nesting season (March - August inclusive).

9. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the following requirements: - The existing crossing of the highway verge must be improved by reconstructing in accordance with the approved drawing reference 216-07 rev. C and Standard Detail number E50. - Any gates or barriers must not be able to swing over the existing highway. - The final surfacing of any private access 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.

10. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the approved drawing reference 216-07 rev. C Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

11. 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.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by 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 Local Plan Policies S1, E1 and E5.

3. To ensure that the appearance of the materials is suitable for the locality.
4. In order to protect the Dark Sky Reserve above the North York Moors National Park.
5. To control the extension or alteration of the development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Plan Policies S1, E1 and E2.
6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
7. To ensure that a suitable landscaping scheme is achieved for the development and that a net gain in biodiversity is achieved in accordance with the Hambleton Local Plan policies S1, E1, E3 and E7.
8. In the interest of protecting nesting birds.
9. 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.
10. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
11. In the interest of public safety and amenity.