



## Agenda

- Meeting:** Thirsk and Malton Area Planning Committee
- To:** Councillors Caroline Goodrick (Chair), Joy Andrews (Vice-Chair), Alyson Baker, Lindsay Burr MBE, Michelle Donohue-Moncrieff, Nigel Knapton and Greg White.
- Date:** Thursday, 19 February 2026
- Time:** 10.00 am
- Venue:** Council Chamber, Ryedale House, Malton, YO17 7HH

This meeting is being recorded and will be available to view [via our website](#) and uploaded to [our Youtube channel](#).

### Business

1. **Apologies for absence**
2. **Minutes for the meeting held on 18 December 2025** (Pages 3 - 4)
3. **Declarations of interests**  
All Members are invited to declare at this point any interests, including the nature of those interests, or lobbying in respect of any items appearing on this agenda.
4. **ZE25/00703/FUL - Erection of a dwelling and associated works and infrastructure at Garthforth Hall Cottage, Ryton Rigg Road, Ryton, North Yorkshire, YO17 6RY** (Pages 5 - 16)
5. **Any other items**  
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
6. **Date of next meeting**  
Thursday, 19 March 2026.

Members of the public are entitled to attend this meeting as observers for all those items taken in open session.

You may also be interested in [subscribing to updates](#) about this or any other North Yorkshire Council committee.

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Anyone wishing to record is asked to contact the Democratic Services Officer (details below) prior to the start of the meeting.

**Contact Details**

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Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)  
County Hall  
Northallerton

Wednesday, 11 February 2026

## North Yorkshire Council

### Thirsk and Malton Area Planning Committee

Minutes of the meeting held on Thursday, 18 December 2025 commencing at 10.00 am.

Councillor Caroline Goodrick in the Chair and Councillors Nigel Knapton and Malcolm Taylor.

Officers present: Alan Goforth - Principal Planning Officer, Nicki Lishman - Senior Democratic Services Officer, David Walker - Development Service Manager and Laura Zielinski - Solicitor Lawyer Planning and Environment.

Apologies: Councillors Joy Andrews, Alyson Baker, Lindsay Burr MBE, Michelle Donohue-Moncrieff and Greg White

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**Copies of all documents considered are in the Minute Book**

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#### **216 Apologies for absence**

Apologies for absence were received from Councillor Baker, Councillor Taylor substituted and Councillors Andrews, Burr, Donohue-Moncrieff and White.

The Chair confirmed the meeting was quorate and could proceed.

#### **217 Minutes for the meeting held on 16 October 2025**

The minutes of the meeting held on 16 October 2025 were agreed and signed by the Chair as a correct record.

##### **Voting record**

2 For

1 Abstention

#### **218 Declarations of interests**

The Chair made a personal non-pecuniary and non-prejudicial declaration on behalf of the Committee, as they were all colleagues of Councillor Lindsay Burr, the spouse of the applicant.

#### **219 ZE25/01109/REM - Erection of 5no. dwellinghouses on land at Sutton Grange, Langton Road, Norton on Derwent**

The Head of Development Management sought determination of a reserved matters application for the erection of 5no. dwellinghouses on land at Sutton Grange, Langton Road, Norton, North Yorkshire.

The application was reported to the Area Planning Committee for determination as it had been submitted by the spouse of Councillor Lindsay Burr MBE.

The Principal Planning Officer advised Members that a late representation had been received from a member of the public, who raised concerns about the capacity in the Malton and Norton sewerage system. The officer advised that the Local Planning Authority (LPA) was considering a reserved matters application of the appearance, layout, scale and landscaping on this application and that the principle of drainage arrangements was not a reserved matter, so was not for consideration. There were Yorkshire Water conditions on the outline application from 2020, which were carried forward on the Section 73 granted earlier this year. Those conditions 14, 15 16 on the Section 73 permission were extant and remained to be discharged.

In addition, the draft National Planning Policy Framework (NPPF) had recently been released by government. As this was a draft it carried very little weight, however the officer advised that the recommendation should be amended to a “minded to” decision and to delegate authority to officers to determine the application to subject to the assessment of any implications in the draft NPPF and subject to the conditions listed in the report.

Mr Graeme Holbeck, Agent, spoke to the application.

Councillors agreed that the development raised no issues or concerns and confirmed the principle of development, including the drainage and sewerage issues raised, had already been considered at outline stage. Councillor Knapton proposed and Councillor Taylor seconded that Members were minded to approve the application.

#### **Decision**

That Members were unanimously minded to approve the application and to delegate authority to officers to determine the application to subject to the assessment of any implications in the draft NPPF and subject to the conditions listed in the report.

#### **220 Any other items**

There were no items of urgent business.

#### **221 Date of next meeting**

The date of the next meeting was confirmed as 10am on Thursday, 22 January 2026.

## North Yorkshire Council

### Community Development Services

#### Thirsk and Malton Area Planning Committee

19 February 2026

**ZE25/00703/FUL - Erection of a dwelling and associated works and infrastructure at Garthforth Hall Cottage, Ryton Rigg Road, Ryton, North Yorkshire, YO17 6RY**

#### **Report of the Assistant Director Planning – Community Development Services**

#### **1.0 Purpose of the Report and Background**

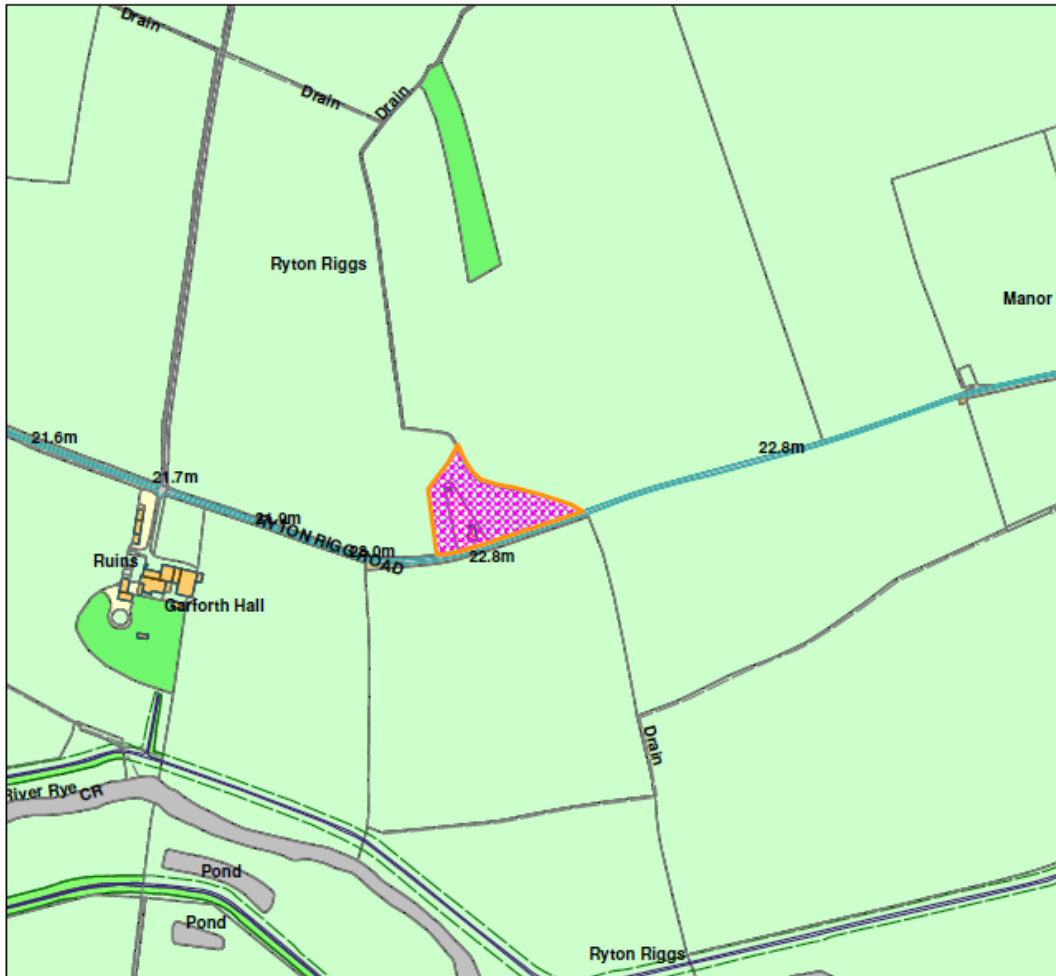
- 1.1 To determine a full planning application for the erection of a dwelling and associated works.
- 1.2 The application is referred to the Area Planning Committee for determination, in accordance with paragraph 9.3(a)(vi) of the North Yorkshire Council Constitution. Matters excluded from the delegation include: Planning applications on which a Member of the Council has made material planning representations in writing to the Corporate Director of Community Development within the publicity period and in consultation with the Chair the Corporate Director of Community Development is satisfied that it has been demonstrated that it raises significant material planning issues for the application to be considered by Committee. The necessary representation was made by Cllr Steve Mason

#### **2.0 Executive summary**

**RECOMMENDATION:** That planning permission be refused.

- 2.1 The application relates to a parcel of land of approx. 0.5 hectares comprising of the curtilage of the former Garforth Hall Cottage and additional agricultural land. The site is remote from settlements and is outside defined development limits and as such lies within the open countryside for planning purposes.
- 2.2 The site was previously granted planning permission (ZE23/06968/FUL) to renovate and extend the derelict Garforth Hall Cottage, which was considered to be a non-designated heritage asset. The principle of that proposal was found to be acceptable in the open countryside location because it could be considered as a conversion of a traditional rural building (policy SP2) and because of the heritage benefit of retaining and bringing back into use a non-designated heritage asset (policy SP12).
- 2.3 During works to implement the permission the applicants were advised by their builder/surveyor that the structure had become unsafe. The applicants elected to demolish the building and instead construct a complete rebuild. The applicants were subsequently advised by a council officer that because the cottage had been demolished their planning permission to renovate and extend the cottage was no longer capable of being implemented. The new building works ceased at foundation level.
- 2.4 Planning permission to erect a new dwelling similar to the approved renovation has now been applied for. As there is no longer a building/dwelling on the site, the proposal is effectively for a new build development, and this application must be assessed as such.

- 2.5 The application site is located in the open countryside, isolated, remote from settlements and in a very unsustainable location. As such the principle of the development is considered to be contrary to local policies SP1 and SP2 of The Ryedale Local Plan and paragraphs 83 and 84 of the National Planning Policy Framework which seek to direct development to sustainable locations. The Council's Conservation Officer advises that there is no heritage benefit in building a new cottage on the site in a design similar to the approved plans for the renovation of the now demolished cottage. For these reasons refusal is recommended.



**Scale:** 1:5,000

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Organisation	North Yorkshire Council
Department	Development Management
Comments	Not Set
Date	21/08/2025
MSA Number	Not Set

### **3.0 Preliminary matters**

3.1 Access to the case file on Public Access can be found here: [ZE25/00703/FUL Documents](#).

3.2 Relevant Planning History:

21/00277/FUL - Renovation of the former cottage to include reroofing, installation of timber windows and doors and stonework repairs to form 1no. three bedroom dwelling with associated parking and landscaping. Approved 20.07.2021

ZE23/06968/FUL - Renovation of the former cottage to include raising of roof height to allow formation of first floor living accommodation and erection of single-storey rear extensions to form 1no. three bedroom dwelling with associated parking and landscaping. Approved 12.04.2024

ZE24/00538/COND - Discharge of conditions 04, 05, 06, 12, 14, 15 and 18 of planning approval ZE23/06968/FUL dated 12.04.2024 – Discharged 28.06.2024

### **4.0 Site and surroundings**

4.1 The site was previously occupied by a dwelling known as Garforth Hall Cottage, an isolated, derelict cottage sited in a narrow wedge of land surrounded by agricultural land. It is sited within the 'Wider Open Countryside' as defined under policy SP1 of The Ryedale Local Plan Strategy. The dwelling was demolished in 2024 because it was found to be structurally unsafe during works to renovate and extend it as approved under planning application ZE23/06968/FUL. It was not subject to any formal designations but had been identified by a Council Conservation Officer as a non-designated heritage asset.

4.2 The site is located on the north side of Ryton Rigg Road and approximately 1.3 miles to the southeast of Great Habton. Garthforth Hall is approximately 260 metres to the west of the site and the River Rye is approximately 280 metres to the south-west.

4.3 Much of the land to the north and south of Ryton Rigg Road is in Flood Risk Zones 2 and 3. However the proposed dwelling is located in Flood Risk Zone 1 with only the rear (northern) part of the proposed curtilage in Flood Risk Zone 2. No works are proposed outside Flood Risk Zone 1. A site specific Flood Risk Assessment has been provided by the applicant

4.4 A public footpath leads north, past the east boundary of the site. It is not affected by the proposal.

### **5.0 Description of proposal**

5.1 The proposal is for the erection of a dwelling and associated works and infrastructure, using the existing site pedestrian and vehicle accesses. The background to this proposal is as follows.

5.2 Planning permission was granted on 12 April 2024 under reference ZE23/06968/FUL for the "Renovation of the former cottage to include raising of roof height to allow formation of first floor living accommodation and erection of single storey rear extensions to form 1 three bedroom dwelling with associated parking and landscaping" at the application site.

5.3 The applicant has advised that during initial site clearance and construction works pertaining to the implementation of the planning permission, it became apparent that the building was unsafe and that the welfare of operatives on site was at risk. The

decision was made that the safest way forward was to demolish the building, salvage the stone etc and use the salvaged materials to rebuild the cottage. The applicant did not check with the Council how this would affect their planning permission.

- 5.4 The Council was made aware that the cottage had been demolished and following a site visit by a member of the Planning Enforcement Team the applicant was advised that the demolition of the building was contrary to the planning permission and as a consequence it was no longer possible to implement the permission. Works to rebuild the dwelling have been halted at foundation level.
- 5.5 The current proposal is to rebuild the cottage in the same design and form as approved in planning permission ZE23/06968/FUL, using the salvaged materials which remain on site. The proposed application drawings are in effect the previously approved plans. The foundations of the proposed dwelling are in situ and are located on a similar footprint to the demolished cottage. Photographs of the cottage prior to demolition are shown in the applicant's Planning Statement.

## **6.0 Planning policy and guidance**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

### Adopted Development Plan

- 6.2 The Adopted Development Plan for this site is The Ryedale Local Plan Strategy 2013. Policies of particular relevant to this application are:

- Policy SP1 General Location of Development and Settlement Hierarchy
- Policy SP2 Delivery and Distribution of New Housing
- Policy SP12 Heritage
- Policy SP13 Landscapes
- Policy SP14 Biodiversity
- Policy SP16 Design
- Policy SP17 Managing Air Quality, Land and Water Resources
- Policy SP18 Renewable and Low Carbon Energy
- Policy SP19 Presumption in Favour of Sustainable Development
- Policy SP20 Generic Development Management Issues
- Policy SP21 Occupancy Restrictions
- Policy SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

### Emerging Development Plan

- 6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### National Guidance

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2024 (NPPF)

- Note: A draft revision to the NPPF is currently at consultation stage. As such significant weight is not afforded to the draft revision at this time.
- National Planning Practice Guidance

## **7.0 Consultation responses**

7.1 The following consultation responses have been received and have been summarised below. Full comments are available to view on the Council's website.

7.2 **Habton Parish Council:** No comment received.

7.3 **NYC Local Highway Authority:** No objection subject to conditions regarding; New and altered Private Access or Verge Crossing, Visibility Splays at Ryton Rigg Road and Construction Phase Management Plan - Small sites.

7.4 **NYC Ecology:** No objection subject to deemed BNG condition

7.5 **Local Representations:** None received.

## **8.0 Environment Impact Assessment (EIA)**

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environmental Statement is therefore required.

## **9.0 Main issues**

9.1 The key considerations in the assessment of this application are:

- The principle of development
- Design and impact on the landscape
- Amenity
- Highway safety
- Ecology
- Drainage

## **10.0 Assessment**

The principle of development

10.1 The extant Ryedale Local Plan is now more than 5 years old. In accordance with the National Planning Policy Framework (December 2024), the annual housing requirement for this area is 373 homes, as derived from the Standard Method. Including the relevant 5% buffer, the 5-year supply requirement for this area is 1977 (up from 1959). Based on the most recent data (from the 2023/24 monitoring period), there is a demonstrable deliverable supply of 332 homes over a five-year period. This translates to 0.8 years of housing supply when measured against the five-year supply requirement. As a consequence of this housing supply shortfall, paragraph 11(d) of the National Planning Policy Framework (i.e. the "presumption in favour of sustainable development") is engaged for applications involving the provision of housing.

10.2 Paragraph 11d of the NPPF 2024 states:

For decision-taking this means: [...] where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 10.3. Due to the current lack of a 5 year housing land supply, Local Plan policies SP1 and SP2 where they affect the principle of development for housing outside of any defined limits or contrary to previous policy parameters/restrictions, carry less weight but all schemes must still be considered against all other policy requirements within the plan.
- 10.4. Local policy SP1 sets out a hierarchy of settlements and seeks to focus new housing within the Principal Towns, Market Towns (Local Service Centre) and Service Villages. The policy states that in all other villages, hamlets and in the open countryside development will be restricted to that:
- which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or
  - which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Development Policy and Policy SP12 of this Plan, or
  - which is justified through the Neighbourhood Planning process
- 10.5 Local policy SP1 classifies the application site in the lowest tier of the settlement hierarchy, in the “open countryside” category.
- 10.6 Although the development limits aspect of Policy SP1 is out of date and carries less weight, there remains some weight for the nuance depending on the tier. Settlements that are further down the settlement hierarchy detailed in the Policy are gradually considered less sustainable areas for growth. Therefore, whilst the development limits may now be applied less stringently without a five year housing land supply, sustainability considerations will still apply and justification required for a scheme to be considered acceptable.
- 10.7 Local policy SP2 states that in the open countryside housing development will be restricted to:
- New build dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified
  - Conversion of redundant or disused traditional rural buildings and where this would lead to an enhancement to the immediate setting for Local Needs Occupancy
  - Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate and restricted to Local Needs Occupancy
  - Replacement dwellings
- 10.8 As is the case for policy SP1, notwithstanding the lack of a 5 year housing land supply, the principle of delivering growth in line with a settlement hierarchy under

policy SP2 is currently considered to remain valid and relevant, with three exceptions of:

- The principle of apportioning of specific numbers across the hierarchy tiers is out of date and can no longer be applied as a reason for refusal. But the general spatial approach can still be reflected.
- The principle of only releasing our allocated sites to provide a 5 year housing land supply is out of date and can no longer be applied as a reason for refusal.
- The application of the Local Needs Occupancy Condition is out of date and any non-compliance identified during the application's consideration can no longer be applied as a reason for refusal.

10.9 As the site is outside development limits the site is classified in the Local Plan as being in the open countryside, which places the site low down the settlement hierarchy for housing. As acknowledged above, the development limits aspect of these policies is out of date and carries less weight, but in general the weight increases progressively down the settlement hierarchy tier.

10.10 Notwithstanding the reduced weight currently applied to policies SP1 and SP2 for the location of new housing, significant weight must still be applied to the key policies of the NPPF for directing development to sustainable locations.

10.11 Paragraph 83 of the NPPF states that:

To promote sustainable development in rural areas, **housing should be located where it will enhance or maintain the vitality of rural communities** [my emphasis]. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

10.12 Paragraph 84 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain exceptional circumstances apply. None of the exceptional circumstances listed under the paragraph apply to this proposal.

10.13 Because the application site is remote from other settlements, can only be reached via minor roads, is not served by a frequent public transport service and it is not in a location where new housing development could significantly support services in a nearby Service Village, it is considered that the location of the proposal is very unsustainable and principle of the proposed development contrary Paragraphs 83 and 84 of the NPPF and aims of Local Policies SP1 and SP2 in seeking to direct development to more sustainable locations.

Earlier planning permissions for a renovated dwelling on the site

10.14 The fact that planning permission was granted under applications 21/00277/FUL and ZE23/06968/FUL to renovate the now demolished cottage and bring it back into use as a dwelling merits some consideration.

10.15 The case officer for application 21/00277/FUL was of the opinion that the residential

use of the cottage had been abandoned, noting that “The property is incapable of being occupied without considerable interventions, the roof is partly off, few windows remain in the building, and doors are off the hinges. The building is neither weather tight nor secure in a very significant way. The walls are standing, but cracks are present in the structure. Vegetation of a considerable size is growing through the building” and concluding that there have clearly been decades of non-use.

- 10.16 The officer noted that policy SP2 supports “Conversion of redundant or disused traditional rural buildings and where this would lead to an enhancement to the immediate setting for Local Needs Occupancy” but states that “had this been a demolition and rebuild- this would in principle not have satisfied the policy requirements of Policy SP2”. The cottage was identified as a non-designated heritage asset due to its age, likely more than 200 years old, and its functional and historical connection to the Grade II Listed Garforth Hall. As such works to secure a viable use of the cottage are supported by Local Policy SP12 and the NPPF. For these reasons the principle of proposal to renovate the cottage was considered to be in accordance with policy. Subsequent application ZE23/06968/FUL, a renovation of the cottage which also includes raising of the roof height and an extension was approved for similar reasons. Due to the subsequent demolition of the cottage, the current proposal is effectively a new build which is not policy compliant, at either local or national level, and it provides no heritage benefits.
- 10.17 The Council’s Conservation Officer’s pre-application advice for the current proposal was that she considers that there is no heritage benefit in rebuilding the cottage in its original form and materials, stating her concern “that the re-built cottage would effectively become a modern replica. It would be difficult to adequately replicate the traditionally laid stonework and historic patina as per the previous approved retained front and side elevations”.

#### Design and impact on the landscape

- 10.18 Policy SP13 states that development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities.
- 10.19 Policy SP16 states that to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings.
- 10.20 Policy SP20 requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses.
- 10.21 The land surrounding the property is relatively flat. There are no hedges or boundary features surrounding the property except for the extensive hedging to the site frontage, most of which is to be retained. The property is therefore particularly exposed, and viewable at distance particularly from the east and the adjacent public footpath and also, to a lesser extent, from the west along Ryton Rigg Road.
- 10.22 The original curtilage of the cottage can be identified in historic maps as a thin triangular wedge which extended as far back as a small outbuilding which was to be refurbished and was identified in former pre-app submissions. Similar to the previous applications the current proposal includes a significantly increased area of land within

the proposed curtilage which creates the potential for a much larger area of domesticated land.

- 10.23 Subject to conditions removing permitted development rights in relation to extensions and alterations to the building which increase its height; and to site outbuildings in the curtilage and for appropriate boundary treatments, landscaping and lighting, the design and impact on the landscape was found to be acceptable and in accordance with policy in the previous application.
- 10.24 As this application is essentially the same as planning approval ZE23/06968/FUL, the design and resulting impact on the landscape would be the same as the approved application except that the context of the site is now significantly altered by the demolition the buildings on the site. In terms of impact on the landscape, the question to be addressed in the planning balance is how to weight the impact of the proposal on the site and landscape in terms of the historic context of the site, against the impact on the site and surrounding landscape as it is now which, notwithstanding the presence of Heras fencing and building material, is visually an undeveloped, open site.
- 10.25 As the demolition of the cottage took place relatively recently, believed to be in the first half of 2024, it is considered, on balance, that greater weight should be given to the longer term, historic character of the site and landscape as experienced prior to demolition of the cottage. As such, it is considered reasonable to find the design and its impact on the landscape is acceptable, subject to the same conditions as planning approval ZE23/06968/FUL.

#### Amenity

- 10.26 The application site sits in relative isolation, with the closest residential property being Garforth Hall over 230 metres from the site. In view of this, it is not considered to have any negative impact on neighbouring amenity. The proposal is considered to provide a good standard of indoor and outdoor amenity space for its occupants. As such the proposal is considered to be in accordance with policies SP16 and SP20 of the Local Plan with regard to amenity.

#### Highway safety

- 10.27 The application makes use of existing pedestrian and vehicle accesses to the site. The proposal includes adequate onsite parking. The Highways Officer has stated no objection to the proposal subject to conditions regarding; New and altered Private Access or Verge Crossing, Visibility Splays at Ryton Rigg Road and Construction Phase Management Plan - Small sites. Subject to the recommended conditions the proposal is considered to be in accordance with policy SP20 of the Local Plan with regard to highway safety and parking provision.

#### Biodiversity

- 10.28 Planning Permissions in England are deemed to be granted subject to the general Biodiversity Gain Condition as set out by Schedule 7A, paragraph 13 of the Town and County Planning Act 1990 (TCPA) as amended by Schedule 14, Part 2, paragraphs 13, 14 and 15 of the Environment Act 2021. This is a pre-commencement condition.
- 10.29 The Council's ecologist has commented:

Minimum information requirements have been met in the form of a baseline habitat map (Appendix 1 of the BNG Assessment) and a valid Biodiversity Metric. It is predicted that development would result in a small net loss, with

0.21 habitat units and 0.1 hedgerow units required to meet the 10% uplift. This is because there is no scope for additional on-site landscaping outside the domestic garden. The applicant intends to purchase credits from a third-party habitat bank to make good this deficit.

In order to discharge the BNG 'deemed condition', the applicant would need to submit the following, after approval of the application and prior to commencement of works:

- A finalised Biodiversity Metric (the one submitted with the planning application can simply be re-submitted if there are no changes)
- A Biodiversity Gain Plan, using the standard template. This will need to include confirmation that appropriate off-site credits have been secured.

As the developed site would be domestic curtilage, no Habitat Management & Monitoring Plan would be required in this instance.

#### Drainage and Flood Risk

- 10.30 Foul sewage is proposed to be discharged into a sewage treatment plant and surface water discharged into a soakaway. The Vale of Pickering Internal Drainage Board were consulted on the previous application, ZE23/06968/FUL, to which they stated no objection. As this is essentially the same proposal as ZE23/06968/FUL is was not considered necessary to re-consult them over the current proposal.
- 10.31 A Flood Risk Assessment of the site has been provided by the applicant. The report demonstrates that the proposed dwelling is to be sited within flood zone 1 with some of the proposed dwelling's garden falling within flood zone 2. This approach ensures that the dwelling and future occupants are not at risk from flooding. The proposed dwelling will also not increase flood risk elsewhere through the utilization of soakaways for surface water management.

#### Heritage

- 10.32 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 10.33 Paragraph 216 of the NPPF states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 10.34 As Garforth Hall Cottage has been demolished the site no longer has any heritage value. The closest heritage asset to the site is Grade II Listed Garthforth Hall which is approximately 260 metres to the west of the site. There is very limited inter-visibility between the site and Garforth Hall. It is considered that the proposal will not affect the setting of Garforth Hall. As such the proposal is in accordance with local policy SP12 and Section 16 of the NPPF.

## **11.0 Planning balance and conclusion**

11.1 As a consequence of the identified housing supply shortfall within the Ryedale Local Plan area, paragraph 11(d) of the National Planning Policy Framework (i.e. the “presumption in favour of sustainable development”) is engaged for applications involving the provision of housing. For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

i. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

11.2 The application site is remote from settlements and in a very unsustainable location. As such the principle of the development is considered to be contrary to Local policies SP1 and SP2 and paragraphs 83 and 84 of the NPPF which seek to direct development to sustainable locations. As such it is considered that the development is not sustainable and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole

11.2 In terms of design and impact on the landscape, amenity, highway safety, ecology drainage and flood risk the proposal is considered to be acceptable.

## **12.0 Recommendation**

### **12.1 That planning permission be refused for the reason set out below**

The application site is remote from settlements and in a very unsustainable location. As such the principle of the development is considered to be contrary to Local policies SP1 and SP2 of The Ryedale Local Plan Strategy 2013 and paragraphs 83 and 84 of the National Planning Policy Framework 2024 which seek to direct development to sustainable locations.

Target Determination Date: 18.08.2025

Case Officer: [aisling.odriscoll@northyorks.gov.uk](mailto:aisling.odriscoll@northyorks.gov.uk)