

North Yorkshire Council

Community Development Services

Malton and Thirsk Area Constituency Committee

19 OCTOBER 2023

23/00197/FUL - CHANGE OF USE OF LAND FOR THE SITING OF 6NO. SHEPHERDS HUTS FOR USE AS HOLIDAY ACCOMMODATION IN CONNECTION WITH EXISTING PUBLIC HOUSE, EXTENSION TO EXISTING CAR PARKING AREA TO SERVICE THE SHEPHERDS HUTS INCLUDING INSTALLATION OF 2NO. EV CHARGING POINTS, ERECTION OF 1NO. BICYCLE STORE AND ASSOCIATED LANDSCAPING INCLUDING MOUNDED BANKS AND EXCAVATION OF POND ON BEHALF OF MR MICHAEL BREAREY (PROVENANCE INNS LTD)

Report of the Assistant Director Planning – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for the change of use of land for the siting of 6no. Shepherds huts for use as holiday accommodation in connection with existing public house, extension to existing car parking area to service the Shepherds huts including installation of 2no. EV charging points, erection of 1no. bicycle store and associated landscaping including mounded banks and excavation of pond on land at the Crown And Cushion, Main Street, Welburn
- 1.2 The application has been referred to the Committee for determination owing to the combination of public comment and objection in principle by the Council's Building Conservation Officer.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below.

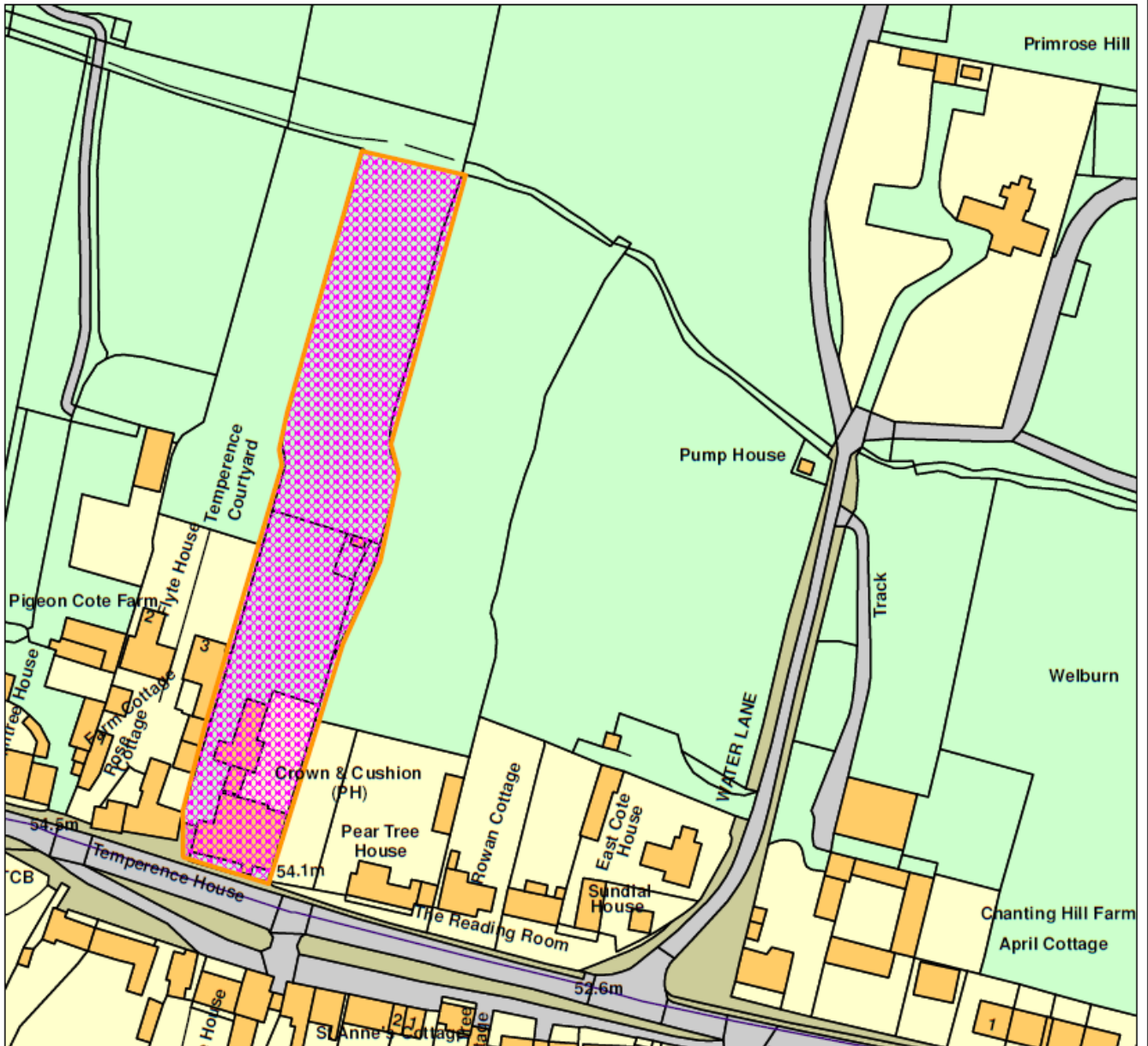
- 2.1. The Crown and Cushion public house is a Grade II listed building situated on the northern side of Main Street within Welburn Conservation Area. The public house falls within the village development limits, which terminates along the most northerly section of the expansive pub building. The Crown and Cushion incorporates a large car park to the north of the pub, beyond which is an open undeveloped paddock to the north both of which are located in land defined as the 'Wider Open Countryside' under the Ryedale Plan, Local Plan Strategy. The Conservation Area terminates c38m from the nearest section of the public house, close to the northern edge of the car park. The entire site also falls within the Howardian Hills Area of Outstanding Natural Beauty (AONB.)
- 2.2. The proposal seeks planning permission for the change of use of the open, undeveloped paddock land to the rear (north) of the Crown and Cushion car park for the siting of 6no. Shepherds huts for use as holiday accommodation in connection

with existing public house. This would include an extension to existing car parking area to provide 6 additional parking spaces and the installation of 2no. EV charging points, erection of 1no. bicycle store and associated landscaping including mounded banks and excavation of pond.

- 2.3. This amended scheme proposes 6no. huts in comparison to the originally proposed 8no. huts, also omitting the use of the originally proposed larger hut style and repositions the huts closer to the car park, to leave a greater open undeveloped area to the north and east of the site. It also includes the removal of the originally proposed hardstanding to the exterior of the huts, together with a reduced extent of paths and less lighting. The present scheme also includes amendments to landscaping, including additional indicative planting and the removal of benches to facilitate the originally proposed 'nature viewing area.'
- 2.4. The principle of the development is considered to align with the following policies contained within the Ryedale Plan; Policy SP1 (General Location of Development and Settlement Hierarchy) and SP8 (Tourism.)
- 2.5. The scheme has been also carefully considered in relation to the setting of the Welburn Conservation Area and the Grade II Listed public house, together with the potential impact upon the Howardian Hills AONB, the form and character of the site, drainage, ecology, neighbouring amenity, access and highway safety.
- 2.6. It is considered that the scheme as amended, secures an acceptable form and design, which would not harmfully impact the significance of the Howardian Hills AONB or the character of the paddock and could be delivered without harm to the local highway network, drainage or ecology. The scheme, subject to the conditioning of the Noise and Amenity Management Plan is not considered likely to result in material adverse amenity impacts for occupiers of adjoining dwellings and the less that substantial harm to the setting of the Welburn Conservation Area is balanced against the public benefit that securing on site accommodation would bring to the long term economic viability of the public house, which is identified as a community facility. It is also not considered that this would affect the setting of the Grade II Listed public house nor any other surrounding Listed Buildings.

23/00197/FUL

Not Set

**Scale:** 1:1,500

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Organisation	North Yorkshire Council
Department	Development Management
Comments	Not Set
Date	03/10/2023
MSA Number	Not Set

3.0 Preliminary Matters

3.1. Access to the case file on Public Access can be found here:-
<https://planningregister.ryedale.gov.uk/caonlineapplications/simpleSearchResults.do?action=firstPage>

3.2. There are 4 relevant planning applications for this site which are detailed below, as this relates only to the public house, the associated listed building consents have not been detailed.

13/00513/FUL: Erection of rear oak framed entrance lobby with extended pitched roof, formation of cellar entrance door and external paved area with ground level raised to form level access to the building. Approved 12.07.2013

13/00855/FUL: Change of use and alteration of outbuildings used for storage to a private dining room and lounge as additional facilities to the public house together with relocation of the rear drystone walling and signed entry gate to form an extended paved garden area. Approved 13.12.2013

15/00954/FUL: Erection of single storey extension to side elevation to form a kitchen. Approved 12.10.2015

15/00957/FUL: Erection of a single storey extension to rear elevation. Approved 23.11.2015

4.0 Site and Surroundings

4.1. The Crown and Cushion public house is a Grade II listed building situated on the northern side of Main Street within Welburn Conservation Area. The public house falls within the village development limits, which terminates along the most northerly section of the expansive pub building.

4.2. Vehicular access to the site is taken directly from Main Street Welburn, to the large car park to the north of the public house building.

4.3. Beyond the car park is an open undeveloped paddock to the north both of which are located in land defined as the 'Wider Open Countryside' under the Ryedale Plan, Local Plan Strategy. The Conservation Area terminates c38m from the nearest section of the public house, close to the northern edge of the car park.

4.4. The entire site, including the public house, car park and paddock falls within the red line application site and extends to c0.32 hectares. The paddock area where the proposed Shepherds huts and new car parking spaces would be spans approximately 95m from north to south and 29m from east to west at its maximum points.

4.5. The entire site also falls within the Howardian Hills Area of Outstanding Natural Beauty (AONB.)

- 4.6. The paddock includes a beck within the most northerly section (which is a tributary of Cram Beck) crossing the site from east to west. Beyond this land levels rise notably. The paddock includes landscaping to the east and north in the form of a hedgerow with some gaps and mature tree planting to the west within the ownership of the land to the west.
- 4.7. The Crown and Cushion public house is adjoined to the east, west and beyond Main Street to the south by domestic properties. The paddock where the Shepherds huts and additional car parking spaces are proposed are adjoined by land which appears to fall under the ownership of 3 Temperance Courtyard to the west and open farmland to the north and east.
- 4.8. Public rights of way are present in Welburn, a bridleway from Water Lane northwards, from which views of the landscaped paddock can be achieved from the north east and a public right of way to the south of the village, from which no views of the site can be realised.

5.0 Description of Proposal

- 5.1. This application seeks full planning permission for the change of use of land for the siting of 6no. Shepherds huts for use as holiday accommodation in connection with existing public house, extension to existing car parking area to service the Shepherds huts including installation of 2no. EV charging points, erection of 1no. bicycle store and associated landscaping including mounded banks and excavation of pond. As noted, this incorporates amendments from the originally submitted scheme and consequently was subject to reconsultation.
- 5.2. The 6no. proposed Shepherds huts would each span 5.06m x 2.5m in footprint, with a maximum height of c3.2m. They would incorporate a traditional Shepherds hut appearance, mounted on black, metal wheels and constructed of painted timber cladding, with a curved, corrugated roof. Each would have three oak windows, a stable style, oak access door and a flue. Internally this would provide a double bed, two armchairs, a coffee point, a wood burner and a sink, shower and toilet. As noted, the previously proposed outdoor terraces have been removed from the scheme but the units would be installed on a limestone shingle base, with appropriate sub base. The 6no. units would be located predominantly to the south and west of the paddock area, with a more open, undeveloped area retained to the west and north of the site.
- 5.3. The scheme would involve the provision of 6no. parking places for the proposed site users to the southern part of the paddock, directly adjoining the existing paddock. This however would be completed with hogging, in contrast to the hard surfacing of the existing car parking.
- 5.4. The amended scheme now relates to the 6no. units being located in a more confined area within the paddock, predominantly to the south and west. These huts would be accessed via a defined main central path, with limited connections to each unit. This

main path would terminate at the point of the most northerly unit to prevent incursion into the remainder of the paddock. These paths would also be completed with hogging and timber edge protection.

- 5.5. The proposed lighting scheme involves limited use of 7 strategically placed low level downlit bollards, positioned along the central path, these lights would include a maximum illumination of 360 lumens with the lighting orientated downwards. Each unit would have a single small 1000 lumen external light fitting attached to the unit. The four units located in closest to the village would have these positioned on the sides facing away from the neighbouring properties.
- 5.6. The wider works within the red line include the provision of additional landscaping, including the additional planting of trees, shrubs and a wildflower meadow, together with the creation of strategically placed gently mounded grassed banks, including a more expansive addition along the western boundary and in more limited areas to the north and south of Unit 3. Significant tree planting would be carried out along the proposed additional car parking spaces, with further landscaping along the southern boundary, internally within the site and to the north and east.
- 5.7. The scheme also includes the creation of a pond that would facilitate the diversion of the natural spring and collect surface water before flowing to the existing on site beck. This would be completed with a 1m high picket fence and would be designed to maximise ecological benefits and prevent flooding events.
- 5.8. An additional element of the scheme is the provision of a secure bicycle store, with capacity for 8no. bicycles. This would be located along the western boundary of the site, to the north western corner of the existing car park. It would incorporate a footprint of c4.9m from north to south and c2.86m from east to west. It would be constructed of timber, with a felt roof and would incorporate an open sided eastern elevation. Furthermore, a proportionate extension to the existing utilities compound sited to the north east of the existing car park would be undertaken. This would be extended by a maximum of c3.6m to the north, which would continue to be completed with c1.8m high close boarded fence.
- 5.9. 2no. EV charging points are also proposed directly to the north of the public house building. No specification has been provided of these units at this stage.

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 Plan – Local Plan Strategy, adopted 2013

Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Planning (Listed Buildings and Conservation Areas) Act 1990 .

7.0 **Consultation Responses**

- 7.1. The following consultation responses have been received, with the most recent summarised below. Full comments are available to view on the Council's website.
- 7.2. **Parish Council:** Original response withdrawn upon request received by Case Officer (10th May 2023)
- 7.3. **Building Conservation Officer:** Objection in principle *“Further to my objection in principle regarding the development of the land due to its harmful impact on the conservation area, the application has been revised from 8 units to 6 units with a reduction in car parking, lighting etc. My objection in principle is still maintained, however in my opinion the level of identified harm has been reduced to a low-mid range of less than substantial. According to paragraph 202 of the NPPF 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'”*
- 7.4. **Ecology:** No objection - *“Thank you for consulting the NYCC ecology team regarding this application, which is supported by a Biodiversity Net Gain (BNG) assessment and Great Crested Newt (GCN) survey report. The BNG assessment demonstrates that landscaping measures such as native tree and hedge planting, creation of wildflower areas and creation of a pond could deliver a 16% uplift in biodiversity units and an 82% increase in hedgerow units. The proposals are therefore comfortably compliant with policy.”* The response then provided advice about ensuring that a landscaping plan is combined with the relevant guidance from the BNG report. The Agent is seeking the inclusion of a landscaping condition, to provide this in due course. The response also confirmed *“Surveys have identified Great Crested Newts in nearby ponds... a Natural England Protected Species mitigation licence will be required.... Our advice is that there is unlikely to be any significant risk to the long-term survival of local GCN populations, so the proposed development is compatible with the 'favourable conservation status' test set out in the Conservation of Habitats & Species Regulations 2017.”*
- 7.5. **Environmental Health:** No objection - Advice provided on caravan licence, the concerns raised locally over water pollution, and noise from occupiers of the Shepherd's huts. In relation to noise, it was concluded *“I am not of the opinion that this will be an issue.”* However advice was provided in relation to limiting noise which formed the basis for the submitted Noise and Amenity Management Plan. Confirmation was provided on the proposed lighting where it was noted *“I do not feel that the lighting scheme would cause a statutory nuisance.”*
- 7.6. **Housing:** No objection – Requests informative for Applicant to contact the Council as a caravan site licence may be necessary.

- 7.7. **Howardian Hills AONB Manager:** Comments on original scheme (no specific objection but some areas of concerns and proposed conditions suggested in relation to noise reporting, no hot tubs/fires/bbqs, ensuring visitors park within the site, lighting should be minimal, pond design, boundary planting and delivery of biodiversity commitments) No comments on amended scheme.
- 7.8. **Local Highway Authority:** No objection, recommend condition to secure parking.
- 7.9. **Yorkshire Water.** No objection, recommend condition and informative.

Local Representations

- 7.10. 17 local representations have been received in total, including 11 letters of objection from the occupiers of 7 properties and 6 letters of support from the occupiers of 5 properties and one supplier of the business Coffeecare, together with one neutral response.
- 7.11. Following the full readvertisement of the amended scheme, of the responses outlined above, 2 additional letters of objection were received confirming the scheme did not address their original concerns, together with the letter of support from Coffeecare.
- 7.12. Support
- Rural pub is at the heart of the community and if this small scale development assists the public in continuing to be successful then it's only a good thing. The pub is valued.
 - Wildlife and nature have been considered and are being actively increased.
 - Plans appear carefully considered and being part of the village, they presumably have no desire to do anything detrimental
 - Businesses need to change and most of the other pubs in the Provenance Inn group have accommodation.
 - The Shepherds huts appear to be of a high standard and would hope that is there is any undue noise late at night this is addressed appropriately at the time.
 - As a community, we need the pub to succeed and this will help to keep the pub open in the current climate when so many others are closing.
 - Wanted to move to a village with a pub and haven't found it to be noisy
 - Beneficial to Welburn and Neighbouring villages, Not only for other local businesses and our local tourism but also by creating employment for locals
 - Regular visitor to the Crown and Cushion, feel the proposal would be a benefit to the area. A wide range of accommodation is essential to suit everyone's budget and requirements.
 - The location would not be of detriment to the look of the village as the area is not visible from the road.
 - The type of people using Shepherds huts will be suitable for village life, should not cause any noise issues.
 - We (Coffeecare) would like to write in support of the planning application as a local family-run business provider of goods and services that works in partnership with the Provenance Group... Further guests would allow the property to amend it's opening hours, serving more products to the local community, increase employment and

ensure that this community asset at the heart of the village remains viable for the future providing a place for local groups to meet and increasing tourism to the area.

One of the supportive responses (Occupier of Tannery Cottage sought clarification on certain aspects:

“It would be helpful if actions were taken to avoid excessive noise, such as no outdoor entertaining or gathering after 10PM.

To avoid any additional disturbance to neighbours could there be a ban on outside cooking and barbeques?

Further assurance around the amount of light pollution caused by this development would be helpful.

Welburn is a naturally dark village and additional unchecked lighting would be a cause for concern. I would also be keen to see a condition that users of the Shepherd Huts had to park in the parking spaces provided and not cause additional and unwanted on street parking. Finally I assume all the concerns regarding wildlife and in particular Great Crested Newts will be taken into account when deciding this application. Overall I can see the benefits of this application but have some reservations as highlighted above. Provided these issues are mitigated then I would support the application.”

Objections

- Siting of huts is behind the building line of the linear village, planning applications behind the building line have been refused for good reason in the past.
- Could be resited in a field or wood in a countryside setting
- No public consultation on the scheme
- The submission in answer to the relevant polices requirements falls short
- The pub is viable, employing 20, majority part time students, this would increase staff by 4, 3 part time. Hardly a significant increase to the rural economy.
- Tourism is thriving in the village – enough places to stay in and around Welburn and this will affect bookings to privately owned cottages which are not part of a chain.
- Doesn't expand community facilities, only beneficiaries are pub and café locally.
- With up to 16 adults in what is currently empty pasture land , possibility of socialising between groups and detrimental to the quiet rural nature of the village
- Concern over noise from ev charging points, boilers, car usage, sound from within units will resonate loudly due to topography, no noise assessment carried out
- Public garden and patio area is set back, so sound is muted, the car park is less sheltered and can be extremely noisy, generally for a short durations. The huts only serve as a profit making enterprise for the pub not the community, would create constant noise day and night with people outdoors most of the time, children, dogs and socialising. Will there be a warden on site
- Concern over light pollution, unhappy with existing flood lighting at the site, it is a dark sky village
- Material loss of privacy at the end of our garden (3 temperance court) where we have had a summerhouse for over a decade
- Consultation should be carried out to ensure secured by design principles are met.
- A detailed construction management plan should be submitted

- Concern over on street parking on main street, obstructing access from driveways and creating issues, problem greatest outside pub,
- Speed of traffic in the village, further cars and additional journeys would exacerbate
- Traffic and highways assessments should be carried out.
- AONB purpose is to protect the countryside and views and prevent unacceptable development, Shepherds huts generally were single units in isolated areas.
- Concern over impact upon wildlife/wildlife corridor, presence of otters, newts and great crested newts noted, requirement for BNG and a landscape management strategy, the boggy ground supports many species, any interference will no doubt
- Full preliminary ecological assessment and survey on site is needed to determine viability and An LVIA should be submitted.
- Site will be visible to walkers using the bridleway/footpath
- Has toxic run off been assessed. Concern over inadequate village sewerage
- Scale of units akin to large caravans (comments on original scheme) and Shepherds huts traditionally are moveable. No reference for maintenance of site/huts
- The setting of a conservation area and a significant number of listed buildings nearby
- Visual intrusion, noise, light and increase in vehicular traffic would change the character and appearance of the area and would result in harm to the conservation area which would be neither preserved nor enhanced.
- No renewable energy provided or carbon neutral construction methods, in direct violation of council policy following declaration of climate emergency
- Concern over precedent.
- Fire Risk

Neutral:

The following neutral response was received from the occupier of Pear Tree House:
"We live next door to the pub and support its ongoing viability as a village amenity. We have some concern over additional noise that may result from this development - the current business of the pub only occasionally impacts us and is limited in duration - we have concern that 24 hour occupation by residents of this development may increase the impact and duration of any noise issues. Visually providing the current boundary and hedge features are kept intact this should be minimal to us , we currently have no direct view of the development site and it is well screened by existing trees and shrubs."

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 Environment Statement is therefore required.

9.0 Main Issues

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

- Principle of development
- Form, Character and Impact upon the AONB.
- Impact upon the setting of the Conservation Area and the Grade II Listed Buildings

- Access, Highway Safety and Parking
- Noise, Amenity and Lighting
- Ecology
- Other Matters

10.0 ASSESSMENT

Principle of Development

- 10.1. Policy SP1 (General Location of Development and Settlement Hierarchy) notes 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.'*
- 10.2. Within the adopted Ryedale Plan, Local Plan Strategy, land outside Development limits is identified as 'Wider Open Countryside.' Policy SP8 Tourism supports the principle of new *"touring caravan and camping sites and static caravan and chalet self-catering accommodation"* in the Wider Open Countryside where they can be *"accommodated without an unacceptable visual intrusion and impact upon the character of the locality."*
- 10.3. The potential effect of this proposal on the character of the locality will be considered in the relevant sections below. Policy SP8 also acknowledges the potential benefits that well designed tourism facilities can make to the economic wellbeing of the area
- 10.4. The National Planning Policy Framework notes in Paragraph 84(c) that planning policies and decisions should enable *"sustainable rural tourism and leisure developments which respect the character of the countryside."*
- 10.5. The scheme for the works within the paddock, the bike shed and extension to the existing utility area is therefore is considered acceptable in principle, subject to the imposition of the time limited occupancy conditions for new holiday accommodation detailed within Policy SP21 Occupancy Restrictions in the Ryedale Plan, Local Plan Strategy. A further condition to tie these new holiday units to the ownership of the Crown and Cushion Public House will also be recommended to ensure appropriate amenity is secured in perpetuity.
- 10.6. The principle of the EV charging points within a community facility such as this is also considered to align with Policy SP18 (Renewable and Low Carbon Energy) of the Ryedale Plan, Local Plan Strategy. This will however be subject to full assessment that they would not adversely impact the AONB, character of the Conservation Area and setting of the Grade II Listed Building.
- 10.7. It is therefore considered that subject to full consideration of the other sections below this proposal for a modestly scaled tourism site and other associated development in this location is broadly acceptable in principle and in accordance with Policies SP1 and SP8 of the Ryedale Plan, Local Plan Strategy.

Form, Character and Impact upon the AONB.

- 10.8. Policy SP13 Landscapes of the Ryedale Plan, Local Plan Strategy notes *“The quality, character and value of Ryedale’s diverse landscapes will be protected and enhanced by ... Protecting the special qualities, scenic and natural beauty of the Howardian Hills Area of Outstanding Natural Beauty (and) the setting of the Area of Outstanding Natural Beauty.”* It also notes: *“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 including:*
- *The distribution and form of settlements and buildings in their landscape setting*
 - *The character of individual settlements, including building styles and materials*
 - *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
 - *Visually sensitive skylines, hill and valley sides*
 - *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*
- 10.9. The NPPF notes in Paragraph 176 that *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.”*
- 10.10. SP16 Design of the Ryedale Plan, Local Plan Strategy notes: *“Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which “Reinforce local distinctiveness and... Protect amenity and promote well-being.”*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- *The character and appearance of open space and green spaces*
 - *Views, vistas and skylines*
 - *Appropriate materials, quality and type of building techniques and elements of architectural detail.*
 - *Topography and landforms that shape the form and structure of settlements in the landscape*
- 10.11. Policy SP20: Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:
- *New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses*
 - *Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses*

- 10.12. The site is located within the open countryside, and as noted, within the Howardian Hills Area of Outstanding Natural Beauty (AONB.) The consultation response from the AONB Officer on the original scheme is available to view on the planning file.
- 10.13. However, as outlined above, the scheme has since been amended, with a reduction of the number of units from 8 to 6, the provision of only the more modestly scaled units, and their repositioning to take better advantage of existing landscape, facilitating the retention of a greater level of undeveloped paddock. This now includes the omission of the hardsurfaced outdoor amenity areas adjoining the units and the benches to facilitate the 'nature viewing area' originally indicated. The scheme also now includes more significantly more landscaping.
- 10.14. Within their original response, the AONB Manager made comments in relation to the scheme including "*The proposal does not appear to have a significant impact on visual amenity as it is generally well screened by existing boundary hedges and trees and by the topography and landform of the site and the surrounding land. However, boundary hedges could be improved to ensure privacy, and particularly on the eastern side to ensure the screening is complete when viewed from the public right of way.*" The site plan confirms in an annotation along the eastern boundary "*Existing hedging to be retained, relayed where gaps feature. Native species shown on landscaping plan.*" The Agent has agreed that the provision of a full landscaping plan should be submitted. This will be controlled by condition and an informative will highlight the requirements for a detailed assessment of the eastern boundary hedgerow planting, which should be of a native species.
- 10.15. Other advice provided by the AONB Manager has also been addressed, in terms of delivering a low key, light touch lighting scheme. As noted above the lighting scheme involves limited use of 7 strategically placed low level downlight bollard, with each unit would have a single small external light fitting. The four units located in closest to the village would have these positioned on the sides facing away from the neighbouring properties. This is considered acceptable and will prevent inappropriate illumination of the site. This would be secured by a compliance condition, with the requirement that any amendments to this would require the permission of the Local Planning Authority.
- 10.16. The AONB Manager's advice on conditioning guests parking on site, preventing hot tubs, fires and BBQS, as well as strict noise requirements and a methodology for report noise has been captured within the Noise and Amenity Management Plan (NAMP) which can be conditioned for compliance. These elements will be reviewed further in the amenity section but the NAMP would provide an appropriate level of control on these matters and other elements.
- 10.17. The point made by the AONB Manager, in relation to securing the delivery of the biodiversity commitments indicated within the application is noted, together with their comments on securing an appropriate pond depth and design. The amended plans, reviewed by the Ecologist contain a cross section of the pond, with the annotation "*shallow banks to provide habitat for invertebrates/wildlife, water plants to perimeter.*" The Ecologist reviewed this and made no comments, so it is considered they believe this to be acceptable.

- 10.18. It is considered that with the infill planting up along the eastern boundary and the additionally proposed site wide landscaping to be secured by condition, together with the low level of lighting, that only limited views from the public right of way to the east of the site could be realised. It is not therefore not considered that this scheme would adversely or materially affect the present character of the site from wider public views.
- 10.19. It is considered that the scale, form, materials and design of the reduced number of Shepherd Hut units, together with the low key nature of the associated hard landscaping and additional car parking will result in a scheme that can effectively assimilate in this location, without material harm to the wider character of the area and the special value of the AONB. This is concluded given the context of the existing landscaping, the site topography, the proposed additional landscaping and sensitive lighting scheme, which are elements that would be secured by condition. This is therefore considered to be in accordance with Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

Impact upon the Setting of the Conservation Area and Grade II Listed Buildings

- 10.20. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confirms in considering whether to grant planning permission for development which affects a Listed Building or its setting, the decision maker 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”*
- 10.21. Section 72 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 and enhancing the character and appearance of a Conservation Area.
- 10.22. As noted, the Crown and Cushion is a Grade II Listed Building and the public house and the majority of the existing car park is located within the Welburn Conservation Area.
- 10.23. The proposed Shepherds Huts and surrounding landscaping, together with the additional car parking and northern extension to the utilities compound would be sited at their nearest part, c48m to the north of the nearest part of the Listed Building. The bike shed would be located in the existing car park, c42m to the north of the nearest part of the listed building. This is considered to be a significant distance but full consideration of the potential effect on the setting of the Grade II Listed Building will be undertaken.
- 10.24. All of these elements outlined in the paragraph above would be undertaken outside of the Conservation Area, however full consideration will be given to the effect on their setting of this heritage asset.

- 10.25. The proposed EV Charging points would be positioned directly to the north of the most northerly section of the listed building, which is a more functional area that could not be seen from public vantage points.
- 10.26. Following initial comments from the Council's Senior Conservation Officer in April 2023, a Heritage Statement was submitted in May 2023 (Humble Heritage) considering the heritage planning context, the heritage assets and their significance, together with the heritage impact of the proposed development. This is available to view on the planning file.
- 10.27. This concludes *"This Heritage Statement concludes that the proposed development sensitively responds to the surrounding historic and landscape context while resulting in a series of social, economic and environmental public benefits. The modest scale, traditional and harmonious materials and design, landscaping enhancements, discreet location, buffer between the site and listed building, reversibility etc all serve to preserve the significance that the Crown and Cushion derives from its setting and also preserves the special character and appearance of the conservation area...The proposal will not cause any harm to any heritage asset and will result in a series of public benefits."*
- 10.28. The Council's Senior Conservation Officer visited the site and in a response dated 11th July 2023 on the original scheme for 8no. units. This concludes *"In my opinion this application affects the setting of the conservation area.... In my opinion the degree of harm to the conservation area is on the mid range of less than substantial due to the nature of change from an undeveloped rural grassed area to the presence of structures, lighting and increased activity. The presence of the PROW raises the level of harm. According to the NPPF where harm to heritage assets has been identified, those identified harms should be balanced by the public benefits of a proposal. In my opinion there are no identified heritage benefits associated with this development."*
- 10.29. The scheme was amended as outlined above and readvertisement was undertaken. In a response dated 8th August 2023 noted *"Further to my objection in principle regarding the development of the land due to its harmful impact on the conservation area, the application has been revised from 8 units to 6 units with a reduction in car parking, lighting etc. My objection in principle is still maintained, however in my opinion the level of identified harm has been reduced to a low-mid range of less than substantial. According to paragraph 202 of the NPPF 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*
- 10.30. An administrative issue meant that the Building Conservation Officer provided this response before seeing a letter from the Agent (dated 23rd July 2023) which provided further discussion on the amended scheme and a response to the Building Conservation Officer's comments. For the avoidance of doubt, this was then shared with the Building Conservation Officer who confirmed in an email dated 26th September *"Thank you for drawing the letter to my attention. I have read it and some*

of the points are helpful regarding the lighting and removal of larger units. It does not however change my previous response and I have nothing further to add.”

- 10.31. The Building Conservation Officer has identified the now reduced low-mid range of less than substantial harm associated with the setting of the Conservation Area and maintains an objection in principle. This identified harm needs to be weighed against the public benefit in the planning balance.
- 10.32. It is noted that this scheme will allow for tourist accommodation associated with the Crown and Cushion public house, where currently there is no accommodation available. Public Houses are considered to be community facilities in the Ryedale Plan, Local Plan Strategy (SP11) and contribute to the vitality of towns and villages and the well being of local communities. It is well documented that the hospitality sector is facing challenges nationally, a point which is made in paragraph 5.2 of the Design and Access Statement and in paragraphs 26 and 27 of the letter dated 11th July 2023. Such a scheme would undoubtedly help to diversify and sustain the public house now and in the future. This is considered to be an important public benefit and on balance, it is considered that this would outweigh the identified low-mid level of less than substantial harm to the setting of the Conservation Area. The amendments made to create a more sensitive, low key scheme are also acknowledged.
- 10.33. In the balancing exercise undertaken above, it is considered that Officers have fulfilled the requirement set out by Paragraph 201 of the NPPF where it noted “*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.*”
- 10.34. It is also considered that this scheme would preserve the character and setting of the Grade II Listed Public House and other nearby Listed Buildings. This would however be subject to a condition to secure full details of the proposed 2no. EV charging points, including level of illumination.

Access, Highway Safety and Parking

- 10.35. As noted, the scheme would introduce 6no. additional parking spaces to serve the reduced 6no unit scheme, together with a bike shed with capacity to securely store 8no. bikes.
- 10.36. The Highways Officer noted in their consultation response dated 24th March 2023 “*The plans as submitted show adequate parking facilities and the existing vehicular access offers sufficient visibility for access and egress to and from the site Therefore the Local Highway Authority offers no objections save for a condition being appended to any approvals granted to secure parking for the proposals.*” No response was received in relation to the updated scheme for 6no. units
- 10.37. Subject to the recommended conditions, in terms of transport, parking and highway safety this scheme is considered to meet the requirements contained within Policies SP16 (Design) and SP20 (General Development Management Issues) contained within the Adopted Local Plan, the Ryedale Plan Local Plan Strategy (2013). It is also

considered that the scheme is in compliance with the requirements of the National Planning Policy Framework.

Noise, Amenity and Lighting

10.38. Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

- *New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*
- *Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise*

10.39. Paragraph 185 of the NPPF notes “*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life65;
b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

10.40. As noted, the site is located within a central point in the village, with the pub and car park closely surrounded by neighbouring properties to the east and west, as well as the south to the other side of the highway.

10.41. The Council’s Environmental Health Officers were consulted in relation to the scheme. In their formal response dated 21st April, they confirmed the following:

“ I am aware that some residents/parish council have some concerns regarding water pollution and statutory nuisance.

I have discounted the concerns regarding water pollution because you have consulted with Yorkshire Water, the statutory undertaker, and providing the scheme meets their requirements, I have no concerns to object. Any complaints about watercourse pollution should be made to the Environment Agency, the relevant enforcement agency.

Concerns regarding noise from occupiers of the Shepherd's huts, I am not of the opinion that this will be an issue; however, to reduce the likelihood of noise being generated from the outside seating areas, could a condition be put on the consent, if granted along the following lines:

- *No outdoor fires, including firepits.*
- *No outdoor cooking, including BBQ.*
- *No hot hubs*
- *No use of the seating area after 11 pm.*

The other major concern appears to be light nuisance; we have not received any complaints about light pollution from the Public House or carpark.

The lights detailed on the proposed site layout plan 13/03/23 show a small bulkhead fitting to fitted to outside of the huts of 1000 lumens, the post lights are 638 lumens the lights are not directed over existing properties, I do not feel that the lighting scheme would cause a statutory nuisance.”

10.42. The points raised by the EHO were very helpful and mirrored the points raised by the AONB Manager. Whilst no specific concerns were raised by the EHO, it was considered appropriate to seek the submission of a comprehensive Noise Management Plan for the site. This document was submitted on the 29th September 2023. This can be read in full on the Planning file but mitigation measures include the following:

- Guests will not be permitted outdoor fires, firepits, fireworks, additional lighting, BBQs, or hot tubs.
- Guests will be directed to use only the parking spaces allocated for their hut.
- Guests will be informed that no amplified or non-amplified music is permitted after 9pm, with any music prior to that time be limited to a ‘low level’ to avoid disturbance for neighbouring residents.
- Guests will not be permitted to fly flags, drones or operate private generators.
- Guests will be provided with the name and contact details of the pub’s General Manager who will be living locally at Coneysthorpe, approximately a 6 minute drive away from site.
- Guests will be directed to dispose of all litter/ waste and recycling in clearly identified waste bins within the main car park.

- Further detail on communications with neighbouring residents and responsible staff members area provided, together with parking, waste, provision of rules within the welcome pack for guests.

- 10.43. Consequently, if this were to be recommended for approval, a condition would be sought for compliance with the Noise and Amenity Management Plan, with a requirement for its review annually or at the request of the LPA. A further condition to tie these new holiday units to the ownership of the Crown and Cushion Public House will also be recommended to ensure appropriate amenity can be secured in perpetuity.
- 10.44. It is also noted that concern has been raised by the occupier of 3 Temperence Court who have identified their summerhouse in the adjoining paddock to the west, which is sited along the northern boundary. It is noted that this is at a very significant distance from the rear of their property (at least 100m) and it is not clear if this forms part of their defined domestic curtilage in planning terms. However, given the distance from what would normally be considered their private rear amenity space, it is not considered that the siting of the huts and the proposed change of use would result in material harm to amenity. Furthermore, there is significant landscaping under their control at this point along the boundary, which will be supplemented by further landscaping. The amendment of the positioning of the units will also increase the distance of future holidaymakers from this summerhouse.
- 10.45. It is therefore considered that this scheme is acceptable in terms of amenity, in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and the NPPF.

Ecology

- 10.46. The submission is supported by a Great Crested New Survey Report (Quants Environmental June 2022) and a Biodiversity Net Gain Assessment (Quants Environmental February 2023.)
- 10.47. In their original consultation response dated 13th March 2023, the Council's Ecologist noted:

Thank you for consulting the NYCC ecology team regarding this application, which is supported by a Biodiversity Net Gain (BNG) assessment and Great Crested Newt (GCN) survey report. The BNG assessment demonstrates that landscaping measures such as native tree and hedge planting, creation of wildflower areas and creation of a pond could deliver a 16% uplift in biodiversity units and an 82% increase in hedgerow units. The proposals are therefore comfortably compliant with policy.

There is a need to ensure that the Landscaping Plan reflects the measures set out in the BNG report. I notice, for example, that the Landscaping Plan differs from the BNG report in listing ornamental non-native species for pond planting. Once this has been done, I suggest the Landscaping Plan is combined with relevant guidance from the BNG report on establishing, maintaining and monitoring habitats. This should not be onerous as section 5 of the BNG report already contains most of the relevant information. This can be referred to as a Biodiversity Management and Monitoring Plan (or similar) and could be submitted for approval by Condition.

Surveys have identified Great Crested Newts (GCNs) in nearby ponds. The applicant's ecologist has concluded that there is a "moderate/high" risk to GCNs in terrestrial habitats and that a Natural England protected species mitigation licence will be required to exclude and remove newts during construction. Mitigation measures are set out in section 4.2.7 of the GCN survey report. The site is within an Amber risk zone for GCNs, so the applicant may wish to consider District Level Licensing as an alternative approach (Great crested newts: district level licensing schemes for developers and ecologists - GOV.UK (www.gov.uk)). The applicant should weigh up the relative cost and delays involved.

Our advice is that there is unlikely to be any significant risk to the long-term survival of local GCN populations, so the proposed development is compatible with the 'favourable conservation status' test set out in the Conservation of Habitats & Species Regulations 2017.

- 10.48. The Ecologist was reconsulted on the amended plans and noted in a response dated 26th July 2023 *"Our previous advice stands but the Biodiversity Net Gain calculation will need to be repeated for the amended plans to demonstrate whether the proposals still meet BNG requirements."* The Agent was asked to provide this, but made in an email dated 29th Re: the recalculation of the BNG this seems excessive given the original report was based on less planting/ more hardstanding and the ecologist previously stated: *"a 16% uplift in biodiversity units and an 82% increase in hedgerow units. The proposals are therefore comfortably compliant with policy."* The Ecologist responded to note on the 27th September *"I suspect when mandatory BNG rules come into force ... they would have to submit a revised calculation; under present circumstances we can exercise discretion and I'm happy with this based on the fact that there's more greenery not less."*
- 10.49. It is therefore considered that subject to a condition to secure a landscaping scheme (with an informative that this should align with the calculations in the submitted BNG report) and a separate condition to secure a Biodiversity Management Plan, together with an appropriate informative in relation to Great Crested Newts that this scheme would align with the requirements of Policy SP14 of the Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework.

Other Matters

- 10.50. The proposed units will connect to the existing Yorkshire Water sewers which is the most sustainable method of foul water disposal, with surface water drainage collecting in the proposed pond, then entering into the existing watercourse, which is a tributary of Cram Beck.
- 10.51. As noted, Yorkshire Water confirmed they had no objections subject to a condition to secure compliance with the Drainage Scheme and including a relevant informative. A condition will also be included to ensure Foul Water and Surface Water connections are made to the satisfaction of an approved Building Control Inspector. Full adherence to separate Building Control Regulations will however remain the responsibility of the Developer.
- 10.52. Whilst concerns have been raised locally about issues with the village foul water system, given Yorkshire Water as the statutory undertaker have no objections, it is

considered that subject to condition, this scheme includes an appropriate method for the management of surface water and foul water in accordance with the requirements of Policy SP14 of the Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. This application has been recommended for approval as it is considered to meet with the requirements of the Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework.
- 11.2. This proposed scheme, which includes the creation of tourism accommodation to the rear of the Crown and Cushion pub in Welburn is considered to be acceptable in principle within this location, which falls within the designated 'Wider Open Countryside under the Ryedale Plan, Local Plan Strategy. Subject to the amendments made and the relevant recommended conditions, it is considered to align with the requirements of the following policies within the Ryedale Plan, Local Plan Strategy: Policy SP1 (General Location of Development and Settlement Hierarchy) Policy SP8 (Tourism) Policy SP13 (Landscapes) SP14 (Biodiversity) SP16 (Design) SP17 (Managing Air, Land and Water Resources) SP20 (Generic Development Management Issues and Policy SP21 (Occupancy Restrictions, together with the National Planning Policy Framework (NPPF.)
- 11.3. It is also considered that this scheme would not relate to harm to the character or setting of the Grade II Listed Public House, nor other nearby Listed Buildings.
- 11.4. It has however been identified by the Council's Building Conservation Officer that the scheme would result in a low-mid level of identified harm to the setting of the Welburn Conservation Area. This identified harm has been balanced against the public benefit of the scheme supporting and sustaining the public house, which is an important community asset in Welburn. It is considered that this, together with the sensitively designed scheme, that has been reduced in scale would outweigh this identified harm. It is therefore considered that Officers have undertaken the 'balancing exercise appropriately, as outlined within Paragraph 201 of the NPPF.
- 11.5. The scheme, which includes sufficient additional car parking spaces and secure cycle parking is considered acceptable by the Case Officer and the Highways Officer.
- 11.6. The application is also considered to be suitable in terms of ecology, drainage and landscaping subject to the relevant conditions. It is not considered that this would result in adverse effects on the Howardian Hills Area of Outstanding Natural Beauty given the careful considering to the scale and design of the scheme and amendments secured.
- 11.7. The Environmental Health Officer has reviewed the scheme and raises no concerns in relation to amenity or noise, however notwithstanding this the Agent has provided a Noise and Amenity Management Plan, which will be conditioned to secure a good

level of future amenity for surrounding residents. The ownership of the proposed Shepherd huts will also be conditioned to remain under the ownership of the public house.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to conditions listed below

Recommended conditions:

Condition 1 Time Limit

The development hereby permitted shall be begun within three years of the date of this permission.

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

Condition 2 Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

Site Location Plan (Land Registry – no Drawing number.)

Proposed Site Plan (Drawing no. 02 Rev H)

Proposed Guest & Chalet Hut Layout (Drawing no. 03 Rev C)

Proposed Drainage Layout and Strategy (Drawing. D01 Rev B)

Utility Area Details (Drawing no. D06 Rev A)

Bike Shed Details (Drawing no. 05)

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

Condition 3 – Ownership

The 6no. Shepherd Huts hereby approved shall remain in the same ownership as the property currently known as the Crown and Cushion Public House, Welburn.

Reason: In the interests of the amenity of existing and future occupiers and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

Condition 4 – Holiday 1

The accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.

Reason: To comply with the requirements of Policy SP8 and SP21 of the Ryedale Local Plan Strategy.

Condition 5 – Holiday 2

The accommodation hereby permitted shall be available for commercial holiday lets for a least 140 days a year and shall only be used for holiday letting to the same person, groups of persons or families for period(s) not exceeding a total of 31 days

in any one calendar year. The accommodation shall not be used as the sole, or main residence of any occupant.

Reason:- The site is located in an area where policy does not support permanent residential accommodation, and to satisfy the requirements of the National Planning Policy Framework and Policies SP8 and SP21 of the Ryedale Plan - Local Plan Strategy.

Condition 6 - Holiday 3

The owners shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason:- In order to ensure that the holiday accommodation is not used for unauthorised permanent occupation, and to comply with Policy SP2 of the Ryedale Plan - Local Plan Strategy

Condition 7: Soft landscaping

Prior to the commencement of the external works of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of any trees/shrubs and show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Informatives:

- This should align with the details submitted in the proposed Biodiversity Enhancement and Management Plan and relevant guidance from the Biodiversity Net Gain Assessment (Quants Environmental February 2023) on establishing, maintaining and monitoring habitats.
- The details required to satisfy the landscaping condition will require careful consideration, particularly in terms of the eastern boundary of the site, which is shall require infilling with native species. Future plans should show the precise level of boundary planting to be installed.

Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP14, 16 and SP20 of the Ryedale Plan - Local Plan Strategy

Condition 8: Lighting

The external lighting hereby approved shall be limited to the details submitted to the LPA within the Proposed Site Plan (Drawing no. 02 Rev H.) All lighting shall be

installed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
Reason: To protect the character of the area in accordance with SP13 and SP20 of the Local Plan Strategy.

Condition 9: Biodiversity plan

The development hereby approved shall not be brought into use until a biodiversity enhancement and management plan to provide net gains for biodiversity at the site has been agreed in writing by the Local Planning Authority, and the agreed measures have been implemented. The agreed biodiversity enhancement measures shall be permanently retained and maintained in accordance with the approved management plan.

Informative: This should be based upon Section 5 of the submitted *Biodiversity Net Gain Assessment (Quants Environmental February 2023)* and be accord with the details submitted in the proposed landscaping plan.

Reason: To ensure the development provides net gains for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework and Policy SP14 of the Ryedale Local Plan Strategy

Condition 10: Noise – Noise Management Plan

The development hereby approved shall be operated in accordance with the approved Noise and Amenity Management Plan produced by DEB Town Planning and Development Ltd.

This Plan shall be reviewed after a year from the date of this planning permission (or earlier at the request of the Local Planning Authority, following receipt by either the Local Authority or the venue of a verified and justified complaint(s)), to ensure that measures to limit noise and other disturbance are maintained.

Reason: To prevent harm to neighbouring amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

Condition 11: Yorkshire Water

The development shall be carried out in accordance with the details shown on the submitted, Proposed Drainage Layout & Strategy 011 D01 (amendment B) dated August 2023 prepared by W A Design Consultants, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage and to satisfy the requirements of Policy SP17 of the Ryedale Plan - Local Plan Strategy.

Condition 12: Foul Water Surface Water

Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the Shepherds huts hereby approved, the provision of surface and foul water discharges must be completed to the satisfaction of an approved Building Control Officer.

Reason: To ensure that no discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

Condition 13: Highways

No unit must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

Condition 14: EV Charging points

Unless otherwise agreed in writing with the Local Planning Authority, prior to their installation, details of the 2no. electric charging points must be submitted to and approved in writing by the Local Planning Authority.

Informative: It is recommended that these are modest in scale and if possible unilluminated.

Reason: To secure an appropriate external appearance given the proximity to a Grade II Listed Building in accordance with Policy SP12 of the Ryedale Plan - Local Plan Strategy

Informatives

Informative 1: The Developer's attention is drawn to the guidance within the consultation response from Yorkshire Water dated 21st August 2023 in relation to sewer adoption.

Informative 2: It is noted the Developer should contact the Council's Housing Team to ascertain if a Caravan Site Licence will be necessary.

Informative: The Developer's attention is drawn to the guidance within the consultation response from Ecology dated 13th March 2023 in relation to the Developer's responsibility in terms of Great Crested Newts and a Natural England Protected Species Mitigation Licence.

Target Determination Date: 18.04.2023

Case Officer: Niamh Bonner, niamh.bonner@northyorks.gov.uk

Appendix A – Proposed Layout Plan



LUMINOUS SPECIFICATIONS

COL MAPPING
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COMPARED SITE VISUALS

Visual comparison of the proposed site layout and surrounding context. The top image shows a wide view of the site with the proposed buildings and landscaping. The bottom image shows a closer view of the site with the proposed buildings and landscaping.

- A - THE BLOCK / APPROX. LAYOUT
- B - AMENDED TO SUIT EXISTING SITE LAYOUT, BIKE STORAGE AND BIKE RACKS
- C - CIVIL POINTS, CONC. CURB, LANDSCAPE LINE ADDED, LUMEN INFORMATION ADDED, 2.00M X 1.00M LIGHTS ADDED
- D - SEATING AREA, NEW WALKWAY & ADDITIONAL TREES ADDED TO 04.21 (0)
- E - LUMENS ADJUSTED 05.05.22 (0)
- F - REDUCTION TO KING, MEDIUM HITS ONLY, ONIT FAYED AREA, LIGHTING SPEC AMENDED / SERVICES 15.07.23 (A)
- G - IMAGES & DETAIL ADDED, SECTION THROUGH EAST TO WEST ADDED (AS VIEWED FROM THE NORTH), CURB MARK RELOCATED TO 8 SPACES, 20.10.23 (A)

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SCALE	1:200(3:0)
DRAWING NO.	R003(3:0)