

**North Yorkshire Council**

**Community Development Services**

**Richmond (Yorks) Area Constituency Planning Committee**

**12 September 2024**

**ZD24/00093/FULL - Full Planning Permission for Conversion of Existing Agricultural Building to form 1 No. Residential Dwelling, Including Change of use Adjacent Land to form Residential Curtilage. Retrospective Permission for Siting of Mobile Home on Site for the Purpose of Providing Temporary Accommodation At Barn Accessed from Back Lane Thornton Steward North Yorkshire On behalf of A&I Hemlsey**

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

**1.0 PURPOSE OF THE REPORT**

- 1.1. To determine a planning application for conversion of an existing agricultural building to form 1 no. residential dwelling, including change of use of adjacent land to form residential curtilage. Retrospective permission for siting of mobile home within the site for the purpose of providing temporary accommodation on land accessed from Back Lane, Thornton Steward.
- 1.2. This application has falls outside the current Scheme of Delegation, as it has been referred to planning committee and accepted.
- 1.3. It is recommended that planning permission be granted subject to conditions.

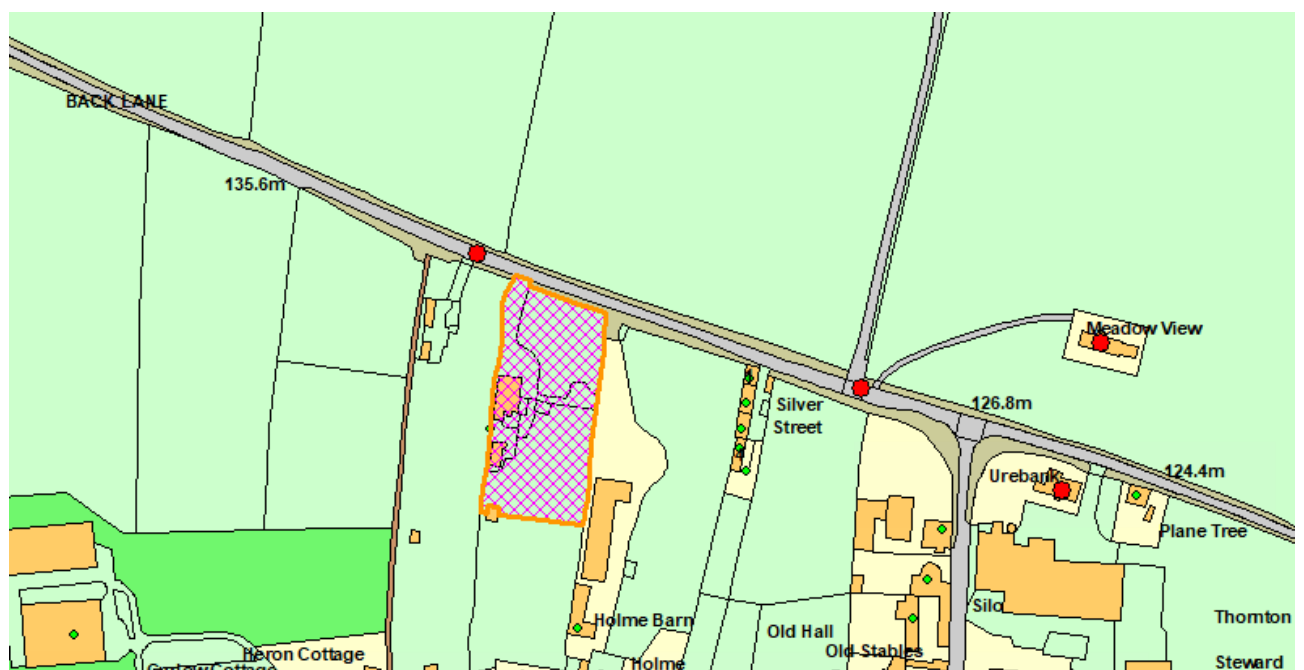
**2.0 SUMMARY**

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

- 2.1. The application seeks planning permission for the conversion of an existing agricultural building into a residential dwelling, change of use of adjacent land to be used as residential curtilage, and retrospective permission for siting a mobile home on the site to be used as temporary accommodation.
- 2.2. The application site is an agricultural field situated on the south side of Back Lane which leads into the village of Thornton Steward. To the east, in the adjacent field, is a stable block. To the south is an existing agricultural field. An existing access and driveway from Back Lane will serve the application site.
- 2.3. The proposed development would be located outside but adjacent to the Development Limits (on the southern side) for Thornton Steward which is not identified as a Primary or Secondary Service village in the adopted development plan. One of the key policies for the consideration of this application is Policy CP4 which states that development should be

in or adjacent to the settlement's Development Limits as defined in the Local Plan 1999-2006, accessible and well-related to existing facilities, and within the capacity of existing or proposed infrastructure.

- 2.4. Another key policy which has the greatest bearing is Policy CP8 which supports social and economic needs of rural areas lying beyond Policy SP2 settlements. This support encourages the reuse of suitable rural buildings for housing for which the application seeks planning permission. The Policy also supports developments that reuse such existing rural buildings without substantial alteration, extension, or reconstruction. Extensions are allowed subject to the scale and design complementing the character of the main building. Where conversion is not appropriate the policy allows replacement of buildings with similar scales and appropriate design that would achieve more sustainable development than by conversion. In all cases, development proposals should respond to climate change and be designed to be sustainable, consistent with the requirements of Core Policies CP2 and CP3; should not conflict with landscape character, amenity, environmental protection, or nature conservation policies of the plan.
- 2.5. The agricultural building benefits from permitted development and a change of use could be achieved under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows for agricultural buildings to be converted into dwellings without the need for full planning permission subject to specified procedures being completed and subject to certain limiting provisions.
- 2.6. The proposed development would not raise any significant or unacceptable issues with regards to highway safety, amenity, ecology, drainage, landscape, and land contamination and would result in an acceptable and policy-compliant development. The provision of one dwelling which would be a four-bed unit over two storeys, would help meet the identified need within the Plan Area for smaller development proposals, which has been given moderate weight in the planning balance.



**ZD24/00093/FULL – Extract from UNIFORM Maps Scale 1:2500**

### **3.0 PRELIMINARY MATTERS**

- 3.1. Access to the case file on Public Access can be found here:- [Planning Documents](#)
- 3.2. The proposed residential curtilage plan is attached as Appendix 1.
- 3.3. The relevant planning applications for this application are detailed below.

10/00377/FULL – Full Planning Permission for Erection of Lean-to Extension for Storage of Animal Fodder – REFUSED 16.07.2010

09/00401/FULL– Full Planning Permission for Erection of Agricultural Building for Wintering of Animals and Storage of Hay and Straw – WITHDRAWN 08.10.2009

05/00117/FULL– Full Planning Permission for Erection of Agricultural Building for Storage of Feed and Machinery – APPROVED 04.04.2005

### **4.0 SITE AND SURROUNDINGS**

- 4.1. The application site measures approximately 0.38 ha and is located on the north side of Thornton Steward, and on the south side of Back Lane. There is an existing agricultural building finished on stone and metal profiling and a timber door and other outbuildings and mobile caravans. Immediately to the north are open fields on the opposite side of Back Lane, to the west are stables with surrounding open fields, and to the east is Holme Barn surrounded by open land. The nearest residential dwellings are situated to the west on Silver Street, approximately 80 metres away, and other residential dwellings sited within the development limits of Thornton Steward are approximately 100 metres away.
- 4.2. Two public rights of way run near the site, both directly from Back Lane and leading into the village centre.
- 4.3. The designated Conservation Area lies to the south of the application site and covers the main built-up area of the village.

### **5.0 DESCRIPTION OF PROPOSAL**

- 5.1. This application seeks full planning permission for the conversion of an agricultural building to 1 no. residential dwelling and its associated curtilage, and for the retrospective siting of a mobile caravan to be used as temporary accommodation. The existing access and driveway will be used for the proposed barn conversion. The outbuilding to the rear shows that this will be demolished as part of the proposals.
- 5.2. The proposed dwelling will comprise four bedrooms over two storeys. The dwelling will be rectangular shaped and at the widest points will measure approximately 14 metres by 9.4 metres. The height to the eaves will be 4.4 metres on the east elevation and 3.5 metres on the west elevation, and it will be 5.8 metres to the highest point of the ridge. The total floor area will be 190 sq. metres as confirmed by the agent. The dwelling will be finished in stone for the walls and natural stone slates for the roof.
- 5.3. It should be noted that there is no public footpath on Back Lane including at the site entrance. However, there is a grass verge on both sides of the road. Pedestrian access to the centre of the village is achieved by using the pedestrian footpaths which run from Back Lane.

### **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 as far as material to the application unless material considerations indicate otherwise.

#### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

Do not list or summarise policies.

- Richmondshire Local Plan 2012-2028 Core Strategy, adopted 2014
- Saved Local Plan Policy 23 of the Richmondshire Local Plan 1999-2006

#### Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Council is preparing a new Local Plan; however, it is at too early a stage to be a material planning consideration.

#### Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework
- National Planning Practice Guidance

### **7.0 CONSULTATION RESPONSES**

- 7.1. The following consultation responses have been received and have been summarised below.

- 7.2. **Parish Council:** The Parish Meeting object to this application and are concerned about the impact of this development on the rural character of the village and the potential for it to set a precedent for further development in the area.

- 7.3. The following has been flagged up:

- The application is incorrect in stating that the 2010 extension application was granted.
- Concerns was raised about the mobile home, which has been on the land without planning permission since December 2021 and has some form of septic tank, which may not have the necessary building regulations approval.
- Concerned about the expected flow of water from the property.
- Concern by some nearby residents that the property being attached to an off-grid sewage system with a far greater flow could lead to local flooding of their properties.
- Concern that this application does not turn into the surreptitious beginning of significant development surrounding the local area.
- That consideration should be given to ensure the effectiveness of the robust policies to protect the countryside, particularly so close to a conservation area.

NB – The Parish Clerk has provided attached documents as part of their objection, including a letter written to the Local Planning Authority during the 2010 planning application referred to in Paragraph 3.3 above.

Minutes of discussions relating to the application site from January 12, 2022, to the date of application submission were also included.

- 7.4. **Division Member(s):** Councillor Tom Jones submitted a referral to planning committee request on 20 May 2024. The reason considered the planning infringement on the application site in question. The local community and the Parish Council felt it is important for the Planning Committee to make the decision on this matter and be informed of the situation.
- 7.5. **Ecology:** A licensed bat surveyor assessed the building and concluded that it has negligible potential for roosting bats or other protected species. Therefore, no further surveys are required by the ecology team. The applicant should follow precautionary advice outlined in section 4 of the bat risk assessment report.

The requirement for biodiversity net gain would not apply as the application is for a conversion.

- 7.6. **Environmental Health:** It is considered the development's impact on amenity and nuisance will be low.

A condition addressing contamination, along with two informative conditions: one about the proposed sewage treatment and the other about radon protection are recommended to be attached to any permission.

- 7.7. **Local Highway Authority:** No objection. A condition addressing parking is recommended to ensure adequate provision for off street parking.

- 7.8. **Yorkshire Water Services (YWS):** No response received, expired 8<sup>th</sup> May 2024.

#### Local Representations

- 7.9. 4 local representations have been received of which all objected. A summary of the comments is provided below, however, please see website for full comments.

- 7.10. Objections:

- The barn exceeds the original permitted size and has not been challenged.
- The site has not been used for agriculture for years.
- The mobile home has been present since 2021 without permission.
- Two other caravans, a container, and other non-agricultural sheds exist on site.
- Density and design are not in keeping with surrounding area and character of nearby Conservation Area.
- This would undermine the rural character of the area.
- There has been recent flooding on Back Lane in the winter.
- Increased traffic along Back Lane would be problematic.
- This would set a precedent for further development, not only on that site but also on other greenfield sites around the conservation area.
- The land is located adjacent a conservation area and should be considered within this wider context.
- This contravenes Spatial Principle SP3 of the Local Plan
- Request enhanced monitoring of the developments by the Local Planning Authority to ensure compliance with any rules or restrictions.
- Green space should be protected.
- This application should be referred to a full Planning Committee

## **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:

- Policy Considerations
- Principle of Development
- Housing and Affordable Housing
- Highway Safety
- Design and Impact on the Character and Appearance of the Thornton Steward Conservation Area
- Impact on Amenity
- Foul and Surface Water Drainage
- Ecology
- Biodiversity Net Gain
- Land Contamination
- Sustainability
- Other Matters

## **10.0 ASSESSMENT**

### Policy Considerations

10.1. The list of documents with relevant policies are set out in Section 6 above.

10.2. Policy SP4 which sets out that 5% of housing growth will be 'elsewhere in the plan area' which equates to 153 dwellings, with 60 of those in Lower Wensleydale where the site is located. The entire plan area housing target is 3,060 dwellings per year. The policy guides that the target of homes each year is not a ceiling for the level of expected growth. It is realistic, deliverable, and therefore an achievable target to address current and future needs. A managed approach will be taken should further suitable, sustainable, and deliverable housing sites come forward, such as the application site and they will be considered on their merits.

10.3. Policy CP4 is a key consideration for this planning application as it encourages development on the edges of villages as a means of bringing forward additional housing that is required to meet Local Plan housing targets. In all cases development proposals should be accessible and well related to existing facilities and within capacity of existing infrastructure or should demonstrate that necessary additional infrastructure can be provided.

10.4. In terms of location, Policy CP4 states that development should be:

- in, or if deliverable opportunities do not exist within adjacent to the settlement's Development Limits as defined in the Local Plan 1999-2006;
- accessible and well-related to existing facilities; and,
- within the capacity of existing or proposed infrastructure.

10.5. Another key policy requirement that has the greatest bearing on the consideration of this application is Policy CP8 as this policy encourages re-use of suitable rural buildings for

housing, tourism and employment generating uses supporting Spatial Principles SP3 and SP5.

- 10.6. Other policy considerations of the Local Plan Core Strategy that need to be noted at this point are :
- Policies SP1 Sub Areas and SP2 Settlement Hierarchy which give a pattern of settlements for organising development in rural areas.
  - Policy SP3 Rural Sustainability promotes rural vitality and quality for the plan area. The policy notes state that the Council need to strike the balance between growth and protecting the countryside.
  - Policy CP3 sets out that development will be encouraged to utilise previously developed land first (brownfield land), where that land is in a sustainable location and is not of high environmental value, in preference to greenfield sites.
  - Policy CP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and working proactively with applicants to find solutions which mean that proposals can be approved wherever possible.
  - Policy CP2 ensures that all new residential development makes carbon savings by exceeding the minimum level of standards prevailing through Part L of the Building Regulations or equivalent standards that would be feasible and viable on site and should be adaptable to climate change in terms of its location, design, and layout.
  - Policy CP12 supports development that conserves and enhance the significance of environmental and historic assets.
  - Policy CP13 promotes high quality design of both buildings and landscaping and supporting visually attractive developments.

#### Principle of Development

- 10.7. The application site is outside but adjacent to the Development Limits for Thornton Steward which is not identified as a Primary or Secondary Service village in the adopted development plan. The proposal seeks planning permission for conversion of the existing agricultural building to a four-bedroom dwelling, without significant extension. Whilst this is outside of the defined 'development limits' of the settlement, Policy CP8 fully supports the re-use of suitable rural buildings for housing. Furthermore, this is supported by Policy SP3 and CP4 which seek modest level of additional residential growth in villages outside of the settlement hierarchy (such as Thornton Steward) and to be sited adjacent to development limits of these settlements, where deliverable opportunities within 'development limits' do not exist.
- 10.8. Overall, the principle of the proposed development on this site is considered to meet the expectations of Spatial Principles SP3, as well as policies CP4 and CP8 of the Local Plan and guidance within the NPPF.
- 10.9. It is also highlighted that the application site could benefit from permitted development rights under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows for agricultural buildings to be converted into dwellings without the need for full planning permission subject to specified procedures being completed and subject to certain limiting provisions which might require

changes to the submitted proposals. It is considered that this planning application provides an opportunity for the Council to ensure that the development will be sustainable and not cause any adverse impacts as a result.

#### Housing and Affordable Housing

- 10.10. The change of use to one additional housing unit of accommodation makes a small contribution to the housing stock and accords with the expectations of Policies SP4 and CP4 of the Local Plan.
- 10.11. The affordable housing requirement as stated within Policy CP6 therefore does not apply to this application. The Council have insufficient evidence published to require affordable housing for minor development (less than 10 dwellings and less than 0.5ha), and it is considered acceptable that no affordable housing is required for this application.

#### Highway Safety

- 10.12. The proposed development would utilise the existing vehicle access to the site located on the south side of Back Lane. The site has two separate access gates from Back Lane. The proposal utilises one of the accesses to the west side. The proposed development includes sufficient driveway and an area to accommodate within the site the parking and associated manoeuvring requirements of the occupants of the proposed barn conversion without compromising the existing parking and manoeuvring arrangements of the existing property. The Highway Authority are satisfied and have raised no objections to the proposed development, subject to the imposition of standard conditions to ensure satisfactory arrangements are provided for off street parking.
- 10.13. Notwithstanding the objections raised about increased traffic on Back Lane, it is considered that the proposed development would meet Highway Authority requirements and the proposals accord with the expectations of Policies CP3 and CP4 of the Local Plan in this regard.

#### Design and Impact on the Character and Appearance of the Thornton Steward Conservation Area

- 10.14. One key planning objective, set out in the adopted Local Plan, is 'to protect and enhance the historic heritage and the unique character and identity towns and villages by ensuring that new developments are appropriate in terms of scale, location and appearance in the context of settlement form and character.' Policies CP12 and CP13 require the highest quality design for buildings that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, form, and space, with CP12 requiring development to preserve the character of designated and no designated heritage assets (including Conservation Areas).
- 10.15. The site is located outside the Conservation Area boundary, but it is adjacent to the boundary. The overall scale of the existing building would remain as existing in terms of the eaves and ridge height. The caravan has been on the site, and it is considered that the temporary feature will be removed and therefore any harm is not permanent. The proposal retains the appearance of the original building, particularly as viewed from Back Lane and



the proposed alterations to include windows and doors are to enable the conversion of the agricultural building to residential use. The existing roof and walls made of corrugated iron sheets on the building will be replaced with natural stone slate for the roof, and matching stone for the walls. It is considered that the proposed external changes are minimal, considered appropriate and will enhance the overall character and appearance of the original building and appearance when viewed as part of the wider Conservation Area.

- 10.16. The visible changes on this unlisted building, outside the Conservation Area boundary are limited and would not introduce any features that are not in keeping with the surrounding area. It is considered the proposed changes enable the building to be reused as housing. Overall, the broad appearance of the building will remain the same and the design is acceptable, as it would preserve the character and appearance of the adjacent Thornton Steward Conservation Area. I am therefore satisfied that this accords with the expectations of Policies CP3, CP12 and CP13 in this regard.

#### Impact on Amenity

- 10.17. It is considered the proposed conversion and mobile caravan will not have any significant harm to residential amenity, particularly that of immediate neighbours including the stables and Holme Barn, and the other properties within the wider area, in terms of loss of privacy. This is due to the existing separation distances to the properties and the positioning of the proposed windows. It is also noted that the site is bounded by mature hedgerows and shrubs which provide further privacy.
- 10.18. The position of the proposed amenity area for the proposed barn conversion has also been considered and it is concluded the site can provide adequate private amenity space for the proposed dwelling, without prejudicing the amenity space of neighbouring uses.
- 10.19. It is considered there will be limited impact on amenity during the conversion works and a condition recommending working hours will be attached to any permission to avoid severe impact in terms of nuisance for neighbouring users. I am therefore satisfied that the proposals accord with the expectations of Policies CP3 and CP4 with regards to neighbour amenity and privacy.

#### Foul and Surface Water Drainage

- 10.20. The submitted proposed site with drainage details shows that foul water from the development would be discharged to a package treatment plant proposed on the east side with a linked drainage field to the south. It is recommended that if planning permission is approved conditions are imposed requiring additional details of the means of foul sewage disposal system. The applicant will also be required to ensure that all necessary approvals by building control for the treatment system are implemented.
- 10.21. No details have been provided regarding surface water. The Local Plan, the NPPF and NPPG require more sustainable ways of surface water disposal to be considered first. Only where other more sustainable disposal methods (e.g. to soakaway and watercourse) based on the surface water hierarchy are not feasible, should the discharge of surface water to the mains sewer be accepted. Therefore, notwithstanding the outstanding details regarding foul and surface water disposal, it is recommended that if planning permission is approved

conditions are imposed requiring precise details of the means of foul sewage and surface water disposal (following the principles of the surface water hierarchy) to be submitted to and agreed in writing by the Local Planning prior to completion of the development. This being the case, the proposals would comply with policies CP2 and CP4 with regards to providing the most sustainable means of surface water drainage for the development.

#### Flood Risk

- 10.22. The application site is located within Flood Zone 1 which has the lowest probability of flooding from rivers and the sea. Most developments that are less than 1 hectare are not required to provide flood risk assessments as part of the planning application. Concerns have been raised by the Parish Council and objectors about recent flooding on Back Lane. According to the flooding map for planning, the site is not at risk of flooding from either rivers and seas and surface water. However, Back Lane itself is prone to flooding with some low and high-risk areas. Yorkshire Water have not responded to the consultation of this application. A further email was sent to request a response, however, a response as not been received.
- 10.23. For the reasons set in paragraph 10.21 of this report, it is considered that the condition will ensure that sustainable means of drainage can be achieved for the site and that surface water flooding on Back Lane will not be intensified as a result.

#### Ecology

- 10.24. NYC Ecology have confirmed that they are satisfied with the submitted supporting Bat Risk Assessment report which concludes there is negligible potential for roosting bats and other protected species. A condition will be attached on any permission to ensure the applicant adheres to the precautionary advice in that report to be carried out as part of the development.

#### Biodiversity Net Gain

- 10.25. This application is exempt from this condition due to being a conversion of an existing building. NYC Ecology confirms biodiversity net gain would not apply.

#### Land Contamination

- 10.26. Having been consulted on the application, Environmental Health have confirmed that they have no objections to the application subject to the imposition of a planning condition setting out requirements in the event of contamination being found or suspected during construction. Overall, the proposed development does not raise any significant or unacceptable issues in relation to land contamination.

#### Sustainability

- 10.27. For the reasons set out in the paragraphs of Section 10 above, it is considered that the proposed barn conversion represents a modest, small-scale development of a site adjacent to the confines of the existing settlement. The reuse of existing agricultural buildings is supported by policies, and this includes housing uses. The final finish has been designed to reflect traditional building materials, such that it would not be harmful to the character of the countryside or the setting of the Thornton Steward Conservation Area. The use of separate drainage systems will be required for this site to ensure satisfactory drainage system for the

site. The proposal is therefore considered to be sustainable development that can accord with the expectations of Policies CP2 and CP3 of the Local Plan and the NPPF with regards to the provision of sustainable development.

#### Other Matters

- 10.28. Concern has been raised regarding planning infringement including the mobile caravan home in question which is noted to have been on site December 2021. The supporting Design and Access Statement states the mobile home has been sited for temporary accommodation whilst the agricultural barn is being converted. This planning application has come forward following an enforcement case of which a complaint was made by the Parish. The applicant was advised to submit a planning application to seek to rectify this breach. It is considered that should this planning permission be granted, it would be considered reasonable for the mobile caravan to be used temporarily.
- 10.29. Concern has been expressed about an existing septic tank, which may not have the necessary building regulations approval. This a separate matter to planning and there are no other records detailing such. It is noted that this application seeks to discharge foul sewage to a package treatment plant to be sited behind the mobile home. This will be further assessed by condition to ensure this is the most suitable arrangement for the proposals as the details provided are limited.
- 10.30. Concern has been raised that this application might set off significant development surrounding the local area. Every planning application is required to be considered on its own merits, and in this case the proposals put forward in this scheme are considered to meet the expectations of both the Development Plan and the National Planning Policy Framework. Whilst the granting of planning permission to this scheme would accept the principle of the barn conversion on this site, any subsequent separate applications would have to be considered having regard to the merits submitted, all relevant material planning issues raised and the relevant policy requirements at the time of consideration.
- 10.31. Concern has been expressed that the existing agricultural barn was extended without consent. The original consent for the agricultural barn was approved in 2005 under planning permission reference 05/00117/FULL, almost 20 years now. An application was submitted in 2010 for an extension and this was refused under application reference 10/00377/FULL. It is noted that the Design and Access Statement supporting the application incorrectly states that this was granted. This could mean that the existing agricultural building is unlawful. However, if the breach has not been subject to enforcement action and the 4-year period or whichever is relevant has lapsed, the applicant could seek to rectify the breach by submitting a Lawful Development Certificate.
- 10.32. Concern has been raised that the site has not been used for agriculture for years. There is no record of any official change, and the sites lawful use is for agricultural purposes. Part of this application proposes to change the main building to residential and only a small parcel of land to be used as the residential curtilage. The remaining site will remain in agricultural use.

#### The Equality Act 2010

10.33. Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment, and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The application proposes a barn conversion to residential with an associated curtilage and to retain an existing caravan for use as temporary accommodation. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics, as described above.

## **11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1. The development site meets the expectations of Policy CP8 of the Local Plan Core Strategy which enables existing rural buildings to be re-used for housing. The proposal for the change of use of the building can be achieved through permitted development rights under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 11.2. The proposed finishing materials and overall scale of the proposed development will sit comfortably in relation to the surroundings on the edge of the adjacent settlement and surrounding countryside. The proposed barn conversion will not introduce any new buildings or extensions. The proposed development will preserve the setting of the Thornton Steward Conservation Area. The proposal will not result in any significant or unacceptable impacts on the amenities of the occupants of neighbouring users. The mobile caravan home is temporary and will be removed following completion of the conversion.
- 11.3. The proposed development incorporates sufficient on-site parking provision to meet the needs of the development and will maintain highway safety and amenity.
- 11.4. The proposed development represents an appropriate and efficient use of the land. The development is therefore considered to be sustainable. Overall, the proposed development meets the requirements and expectations of the policies of the Development Plan, the NPPG and the National Planning Policy Framework.

## **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 before the expiration of three years from the date of this permission.

Reason: To comply with section 91 of the Town & Country Planning Act 1990 (as amended).

### **Condition 2 Approved Plans**

The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

- a) Application form and certificate

- b) Location Plan
- c) Location Plan with site curtilage outlined in red.
- d) Design and Access Statement
- e) Proposed Plans and Elevations – Drawing no. PR01
- f) Proposed Site/Drainage Plan – Drawing no. PR02A
- g) Protected Species Survey and Risk Assessment for outbuilding dated March 2024.

Reason : To comply with the requirements of Section 91 of the Town and Country Planning Act

#### Condition 3 New windows and doors

Prior to their installation, details of all new windows and door frames, and any glazing bars, together with details of the method of construction and opening mechanism and opening movement of all windows shall be submitted to and approved in writing by the Local Planning Authority. All windows shall be set in a reveal of a minimum of 100mm. The windows shall then be installed and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area in accordance with Policies CP12 and CP13 of the Richmondshire Local Plan Core Strategy 2014.

#### Condition 4 Roof Tiles

Samples of the roof blue slate and pantiles to be used shall be made available on site for inspection and approved in writing by the Local Planning Authority prior to their use in the development.

Reason: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority about this matter.

#### Condition 5 All new stone work

All new external stone work used in carrying out the development hereby permitted shall match as closely as possible the stone work of the existing building as observed during the site visits by the Council, unless approved otherwise in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the proposed development.

#### Condition 6 Parking

The dwelling must not be occupied until the related parking facilities have been provided in accordance with the details approved in writing by the Local Planning Authority and as shown on Drawing Number PR02. 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.

#### Condition 7 Separate drainage systems

The site shall be developed with separate systems of drainage for foul and surface water on site.

Reason: In the interests of satisfactory and sustainable drainage.

#### Condition 8 Foul Drainage

No development approved by this permission shall commence until a scheme for foul drainage has been submitted to and approved in writing by the Local Planning Authority. This should comply with the NPPF and PPG on foul drainage matters and include details of nearest public foul sewer, dimensions of the proposed treatment plant, points of discharge, distances to buildings and details for future maintenance of the drainage system.

Reason : To prevent pollution of water environment.

#### Condition 9 Surface Water Drainage

The development hereby approved shall not commence until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Principles of sustainable drainage shall be employed wherever possible, including following the sustainable drainage hierarchy. Any works shall be implemented in accordance with the approved scheme prior to the first occupation of the dwelling.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

#### Condition 10 Ecology

The development hereby approved shall be undertaken in accordance with all mitigation measures and method statement contained within the Protected Species Survey and Risk Assessment for outbuilding report (March 2024) listed within condition above.

Reason : To ensure that appropriate ecological mitigation and working practices are adhered to in accordance with .

#### Condition 11 Contamination

If contamination is found or suspected at any time during development that was not previously identified, all works shall cease, and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development, occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land contamination: risk management (LCRM), has been submitted to and approved in writing by the local planning authority.

Where remediation is necessary, a scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any further development occurs. The

development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors

#### Condition 12 Construction Hours Restriction

Construction works shall not take place outside 8am - 6pm Mondays to Fridays; and 8 am - 1pm on Saturdays. No noisy works shall take place on Bank Holidays and Sundays.

Reason: In the interests of the amenities of neighbouring properties.

### Condition 13 Removal of PD Rights

Notwithstanding the provisions under Article 3, Schedule 2, Part 1, Classes A - E; Part 2, Classes A - C: and Part 14, Classes A to I of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent Order revoking and re-enacting that Order, no development of the types covered under these Classes shall be undertaken without the prior submission to, and approval by, the Local Planning Authority of a formal application for planning permission.

Reason: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority regarding these matters.

### Condition 14 Caravan to be removed

The caravan hereby permitted to be sited is temporary and should be removed upon completion of the barn conversion hereby permitted.

Reason: In the interests of protecting the character and appearance of the countryside and wider Conservation Area.

**Target Determination Date:** 15.09.2024

**Case Officer:** Nyasha Mapanga, [nyasha.mapanga@northyorks.gov.uk](mailto:nyasha.mapanga@northyorks.gov.uk)

Appendix A – Location Plan with proposed residential curtilage outlined in red.

