

North Yorkshire Council

Community Development Services

Richmond Area (Yorks) Area Planning Committee

11 June 2026

**20/00007/FULL - FULL PLANNING PERMISSION FOR PROPOSED DEMOLITION,
EXTENSION AND REFURBISHMENT OF EXISTING CARE HOME TO FORM 36 BED
CARE HOME WITH THE ERECTION OF TWO-STOREY CARE HOME WITH
ASSOCIATED ACCESS AND CAR PARKING**

At: Morris Grange Nursing Home, Middleton Tyas, Richmond, DL10 6NX

On behalf of: Mr Houghton

**Report Of The Head of Development Management– Community Development
Services**

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for full planning permission for the proposed demolition, extension and refurbishment of the existing care home to form a 36-bed care home, together with the erection of a two-storey care home with associated access and car parking at Morris Grange Nursing Home, Middleton Tyas, Richmond.
- 1.2 This application is brought to the Planning Committee due to significant material planning considerations in respect of the provision of new care accommodation in the countryside. The application was also referred to Committee at the request of the ward member.
- 1.3 The application was previously considered by Planning Committee on 10 October 2025 and was resolved for Planning Permission to be GRANTED, subject to the prior completion of a Section 106 agreement and the conditions set out in the Committee Report.
- 1.4 During the interim period whilst finalising the Section 106 agreement, several issues have arisen which prevented the application from being granted as in accordance with the committee resolution. These are set out below.
- 1.5 Based on the scheme brought in front of Committee in October 2025, the applicant engaged with the Authority's Health and Adult Services regarding the proposed care provision. Health and Adult Services have since confirmed that the level and type of care originally proposed is not currently in demand. As a result, the applicant now seeks to amend the proposed care model to better meet current needs.
- 1.6 The revised care model does not alter the lawful planning use of the site as a care

home, which remains within Use Class C2 (Residential Institutions), or as previously considered by Members in October 2025. However, when the application was last reported to Committee, the specific nature of the proposed care provision formed part of the officer assessment and recommendation, as well as the agreed heads of terms for the Section 106 agreement. As such, the level of care proposed contributed to Members' understanding of, and resolution on, the application. Specifically, the committee report referenced "Retirement Community Units" within the S106 Heads of Terms, when in fact the residents may not be of retirement age.

- 1.7 In support of the proposed changes to the care provision, the applicant has submitted an Executive Summary outlining the revised intended model of care.
- 1.8 In addition, during the preparation of the Section 106 agreement, the Authority's Legal Services team identified a land ownership issue which has required the submission of a revised red line plan which has been consulted on.
- 1.9 The changes outlined above are material planning considerations, altering the scheme previously resolved upon, and therefore require the application to be returned to Committee for a fresh resolution.

2.0 SUMMARY

2.1 That planning permission be GRANTED subject to prior completion of a S106 agreement and the conditions as listed in the Committee Report.

2.2 The proposed development at Morris Grange Nursing Home includes the demolition, extension, and refurbishment of the existing care home to establish a 36-bed facility. Additionally, a new two-story building is proposed to be constructed, consisting of 13 apartments designed for individuals in need of care. The development also includes associated access improvements and the provision of car parking.

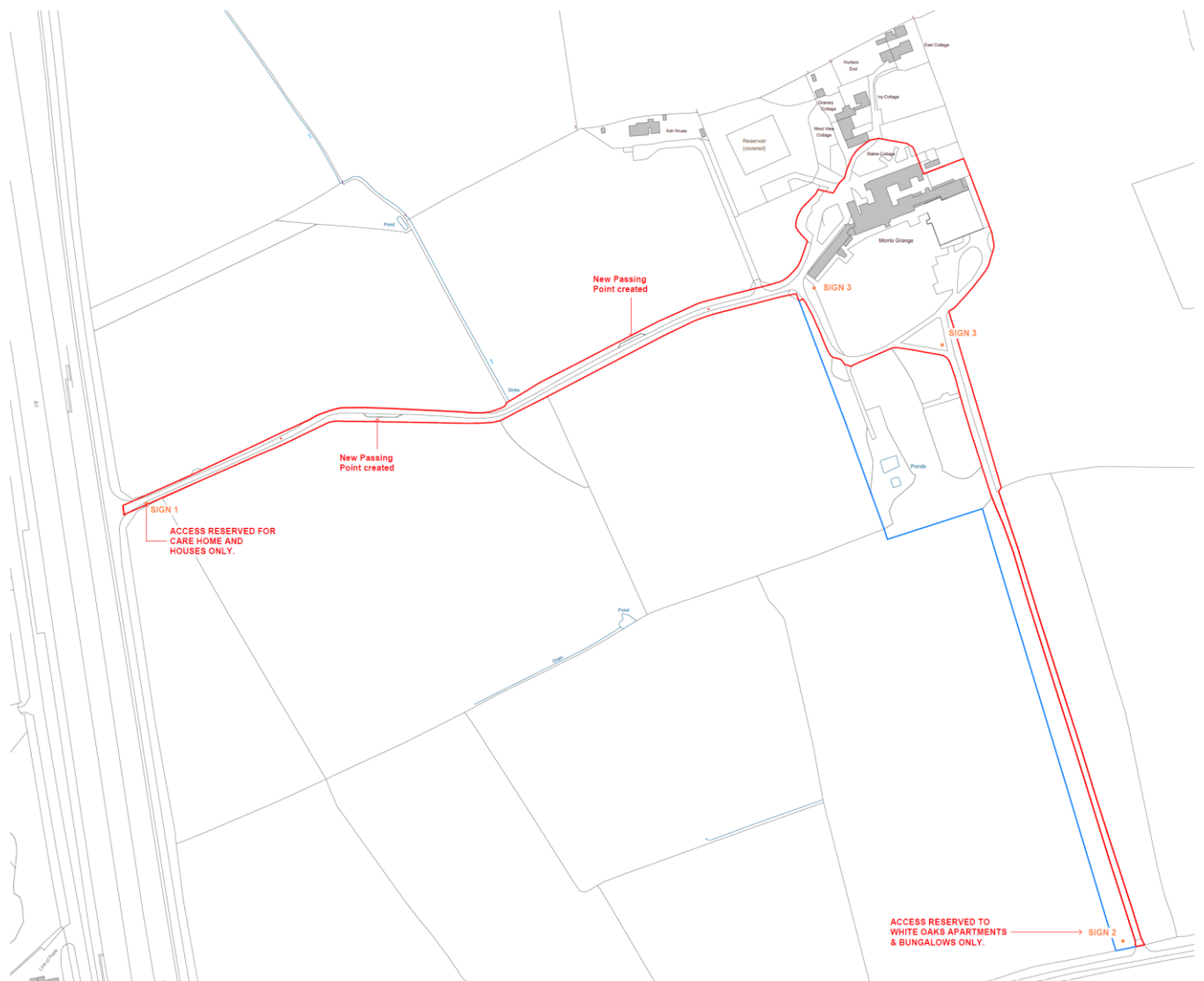
2.3 Morris Grange Nursing Home is located in an isolated rural setting near Middleton Tyas, Richmond, North Yorkshire. The site is surrounded by agricultural land with nearby settlements including Scotch Corner and Middleton Tyas. The care home complex is currently vacant, having last operated with 71 beds before being closed in 2016.

2.4 The existing building re-use and extension elements of the application complies with Policy CP8. The new build element partially conflicts with Policies CP4 and CP8, however, is considered acceptable due to a building in the same position and scale recently being demolished, overall reduction in the number of residents, proportionate expansion of a care home and the ability to share staff and services. Therefore, the principle of development is considered acceptable.

2.5 The need for a Section 106 agreement in respect of the new-build element arises from the requirement to secure the nature and occupancy of the accommodation as part of a C2 use. Whilst the existing building can be controlled via condition, the new-build apartments, by virtue of their form and layout, would otherwise be capable of independent occupation. The S106 agreement is therefore necessary to secure that the units remain in Use Class C2 and are occupied only by persons requiring care, together with associated control over the nature of that care provision.

2.6 All technical matters are found to be acceptable subject to conditions.

Figure 1: Location Plan



3.0 PRELIMINARY MATTERS

- 3.1. Access to the case file on Public Access can be found here: - [Planning Documents](#)
- 3.2. This application was previously considered by Planning Committee on 10 October 2025 and was resolved to be **GRANTED** planning permission, subject to the prior completion of a Section 106 agreement and the conditions set out in the Committee Report.
- 3.3. However, since preparation of drafts of the Section 106 agreement commenced, the applicant has engaged with the Authority's Health and Adult Services, who have advised that the level and nature of the proposed care provision is not currently in demand. The applicant has therefore proposed changes to the care model to better reflect current requirements.
- 3.4. Whilst the proposed changes do not alter the planning use of the site, they are material planning considerations which would alter elements of the scheme previously resolved upon. The application must therefore be returned to Planning Committee for a new resolution.

- 3.5. The remainder of this report has been updated throughout.
- 3.6. The scheme was originally submitted in 2020 and sought planning permission for a 50-bed care home together with a three-storey close-care apartment building comprising 23 apartments. The application remained undetermined for a prolonged period whilst awaiting the submission of bat survey information.
- 3.7. In May 2024, an amended scheme and bat survey were submitted, seeking permission for a reduced scale development comprising a 36-bed care home and a two-storey apartment building containing 9 single-bed and 4 two-bed apartments for residents in need of care. The amended scheme was approved by Planning Committee in October 2024.
- 3.8. Subsequently, the scheme was further amended to incorporate a revised site plan showing two passing places along the existing east–west access track, together with a supporting statement explaining that the applicant is unable to secure free access in perpetuity via Scurrah House Lane along the north–south access track. These amendments formed part of the application as was resolved by Committee in October 2025.

Historical Context

- 3.9. An Historical O.S. map (of 1928) indicates that Morris Grange was previously used as a ‘Sanatorium for children’. Extensions to the sanatorium were approved in 1960. By 1962 it was referred to as a ‘handicapped persons home’ when further alterations were approved. Further extensions and a warden’s flat were approved in 1966. In 1971 planning permission was refused for conversion of disused outbuildings into flats, as it was considered that the proposed development would result in a substandard increase in the use of the existing vehicular access to the trunk road to the detriment of the safety and convenience of all highway users. A further proposal in 1971 for conversion of existing property to houses and flats was also refused for the same reason. In the period 1972/3 planning permissions were granted in relation to plans for the conversion of disused cottages, stables, granary etc. to dwelling houses/flats (to the north side of the Morris Grange complex).
- 3.10. When the care home was operational it provided accommodation for up to 71 residents in their own rooms. The care home went into administration in 2016 and was purchased by the current owners in May 2019, with a view to the current proposed total refurbishment and redevelopment of the site.
- 3.11. The site has extensive planning history dating between 1987 and 1999, however, is not considered relevant to the determination of this current application.
- 3.12. There is a live application, reference ZD24/00489/FULL, for 4 x 3 bedroom care homes to the south of the existing building.
The separate application (Ref: ZD24/00489/FULL) relates to a physically and functionally distinct parcel of land and is capable of being implemented independently. It does not form part of the operational planning unit assessed within this application. Notwithstanding this, the Local Planning Authority has had regard to the potential for cumulative impacts arising from both schemes. Having regard to their scale, use and level of occupation, it is considered that the developments would not, either individually or cumulatively, give rise to unacceptable impacts in respect of highway safety, residential amenity or infrastructure capacity. The proposals are therefore appropriately assessed separately and do not amount to site splitting.

4.0 SITE AND SURROUNDINGS

- 4.1. Morris Grange is a well-established care home, unoccupied since 2016 and purchased by the current owners in 2019. Whilst there is a small group of dwellings to the north of the care home, these were established through the conversion and adaptation of former cottages, outbuildings/stables originally associated with Morris Grange. An agricultural worker's dwelling (Ash House) is located to the north-east of the care home, built with justified agricultural need as a replacement dwelling, as a result of the widening of the A1 Trunk Road to the west. The northern boundary of the care home complex (to the east of the entrance and parking area, is defined by mature trees being conifer types to the west side and deciduous trees to the east side behind the small private care home garden on the north-eastern side of the main entrance to the premises. The closest dwelling is Stable Cottage, which is two-storey and has first floor windows that look out onto the conifer trees.
- 4.2. This *enclave* of dwellings and care home form an isolated group, some distance from any existing established village or town (*as defined in the Adopted Local Plan*), with no direct access to local services. Morris Grange has two vehicular accesses to the site (one from the west and north alongside the A1 Trunk Road from Middleton Tyas; and the other one from the south, off Scurragh House Lane). A Public Right of Way crosses the site and its access routes. The proposal has been designed to retain the alignment and functionality of the route. The Council's Public Right of Way/Countryside Access Team have been consulted on multiple occasions and have raised no comments. It is considered that, subject to appropriate management during construction secured via condition, the proposal would not adversely affect the use or enjoyment of the Public Right of Way.
- 4.3. The proposals relate to the whole of the former Morris Grange Care Home and garden grounds, (excluding an area of open land).
- 4.4. It is noted that elements of demolition have already taken place prior to the determination of this application. To the extent that any works have been carried out without the benefit of planning permission, the application is therefore part-retrospective.

5.0 DESCRIPTION OF PROPOSAL

- 5.1. These proposals relate to the redevelopment of the existing single storey, former Morris Grange Care Home, including demolition, extension and refurbishment of the existing buildings to form a 36-bed care home, together with the erection of a two-storey building comprising 13 units of accommodation. These units would form part of the wider Use Class C2 (Residential Institutions) use of the site and are intended for occupation by persons requiring care, rather than as independent residential dwellings. The development also includes associated access and car parking.
- 5.2. The submitted Design and Access statement advises that the earlier Morris Grange Care Home was a 71-bed property which was at the end of its useful life needing considerable modifications and updates to be useable in the current Care Home market.
- 5.3. The proposal also includes a new two-storey apartment building to the eastern boundary of the site. This is sited where there was a similar scale building which was demolished. The new building would include the ground floor area built into the natural slope of the site

accommodating 3 of the apartments at lower ground floor level to the south and the remaining 10, above at ground floor level. 9 flats are to be single bedroom and 4, two-bedroom apartments. Parking for residents and visitors car parking would be located adjacent to and within the old basement area of the now demolished building.

- 5.4 The remaining single storey building is proposed to be reconfigured to allow for 36 new care home bedrooms that meet modern standards with wider corridors and larger bedrooms/bathrooms. Previous additions, such as conservatories are to be removed and the overall design of the existing building, rationalised. Bedrooms are reconfigured to face south, into the garden. In the main, external alteration are minimal, mostly comprising of relocation of windows and replacement roofing and rendering. A new entrance area takes the place of an existing flat roofed extension with a new entrance lobby, small café for visitors and a new kitchen and laundry. New roofing would be of red-pantiles to match the existing with matching render wall and locally sourced quoin detailing. Doors and windows will be replaced with white UPVC double glazing with black soffits, fascia and rainwater goods.
- 5.5 Externally to the front of the building, new car parking and driveways will be surfaced in tarmac with existing gravelled car parking at the front of the care home retained. A new turning area will allow delivery and refuse vehicles to turn and retrace their route to the main road. Passing spaces will be added to the half kilometre long drive way on the east-west access. A drop-off / pick-up and ambulance area will be provided adjacent to the front entrance.
- 5.6 A minimum of 16 car parking spaces will be provided at the entrance area – 1 per 8 residents (5), 1 for a professional visitor and up to 10 for staff. The mature garden area to the south of the Care Home will remain. Gardens will be made accessible to able bodied and wheelchair residents. The development would be accessed via Scuragh Lane, with a secondary access via the pre-existing road that runs east-west to the service road. The east-west road is used by private residences to the north of the site. The scheme proposes the inclusion of two passing places along the east-west road to assist with the flow of traffic. A track runs north/south which is intended for access to the care apartments only.
- 5.7 The proposal would be required to comply with Part M building regulations & would be required to be DDA compliant, apart from the preexisting corridors constrained by existing structures within the central 'old house' part of the existing building.
- 5.8 The proposed development comprises the refurbishment and extension of the existing building to provide a 36-bed care home, together with the erection of a new two-storey building containing 13 self-contained units of accommodation. These units would form part of the overall Use Class C2 (Residential Institutions) use of the site and are intended to be occupied by persons in need of care.
- 5.9 The units are not proposed as independent residential dwellings and would operate as part of a single, integrated care facility, with residents having access to shared staffing, services and support. The nature of the accommodation and its occupation is controlled through the planning condition and Section 106 agreement.
- 5.10 It is proposed to maintain these unit numbers, allowing them to be made available to other cohorts in addition to those who are elderly. The applicant has submitted an Executive Summary setting out the revised model of care, which accompanies the

application and forms part of the supporting planning information. Specifically, the applicant states within their Executive Summary that the additional “*cohort is described as medically fit to leave hospital but not yet able to live independently at home and living with complex working-age conditions that require structured recovery environments. The proposed system of care would provide short-term, therapy-led recovery support for people who cannot yet safely return home. This is particularly critical in a large rural geography where same-day home care is not always available.*”

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:

- Richmondshire Local Plan 2012-2028 Core Strategy, adopted 2014
- Saved Local Plan Policy 23 of the Richmondshire Local Plan 1999-2006
- The Minerals & Waste Joint Plan 2015 – 2030 adopted 2022

Emerging Development Plan – Material Consideration

6.3. 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 2024
- National Planning Practice Guidance
- National Design Guide 2021

Proposed changes to the NPPF

6.5. The Government consulted on proposed revisions to the National Planning Policy Framework between December 2025 and February 2026. The consultation has now closed, however the revised Framework has not been adopted and does not yet carry full policy weight. Relevant policies include –

- **DM1** – Preparing Development Proposals
- **DM3** – Determining Development Proposals
- **S5** – Development Outside of Settlements
- **L2** – Making Effective Use of Land
- **DP3** – Key Principles for Well-Designed Places
- **CC2** – Planning for Climate Change
- **CC3** – Adaptation to Climate Change
- **P3** – Living Conditions and Pollution

- **F4** – Assessing Flood Risk for Decision-Making
- **F7** – Ensuring Development is Safe from Flooding
- **N2** – Improving the Natural Environment
- **N3** – Trees in New Development

6.6. Whilst draft national policy may be treated as a material consideration, officers consider that, given the stage reached and the absence of finalised adopted wording, only negligible weight can be afforded to the proposed changes in the determination of this application. The proposal has therefore been primarily assessed against the adopted Development Plan and the extant National Planning Policy Framework (2024).

7.0 CONSULTATION RESPONSES

7.1. The following consultation responses have been received and have been summarized below. Where they are in relation to the latest round of consultations, addendums have been made and clearly labeled. Otherwise, comments are shown from the previous round of consultations.

7.2. Parish Council:

- Residents object to the apartment element of the proposal until confirmation is provided on their use. - *Case Officer comment: The apartments are to be used as use class C2 care home accommodation.*
- Apartments may result in increase in traffic.
- Addition of café will attract more visitors, traffic and delivery vehicles
- The proposed passing places on the access road should be conditioned
- Concern raised over felling of trees which may require permission.
- There is no provision of cycle storage
- Overlooking of Hunters End and East Cottage in particular
- Foul drainage issues – septic tank at full capacity, inadequate pipework and existing approved developments not yet completed
- High water table and fields flood – surface water will need to be carefully controlled to avoid further flooding
- Width of road on proposed roundabout – inadequate for delivery, emergency and refuse vehicles
- Concern over intention to limit north/south access to care home traffic only
- Highlight the existing of the Public Right of Way on the site and the need for it to be maintained.

They further commented in response to the revised access proposals raising the following concerns:

- The provision of passing places on the east west road into the care home and residential properties at Morris Grange.
- The erection of signposts at locations around the care home and roads leading to it and the residential properties.
- The applicant stating they cannot provide free access to the site via the road from Scurragh House Lane (the north south road). Residents, through the Parish Meeting, have the following comments regarding these proposals:
- The provision of two passing places on the east west route are welcomed.
- Examples provided by the applicant of signposts are those currently placed at the road entrances and do not relate to the proposal.
- The applicant states it is “unnecessary and unreasonable” to allow residents free access to the north south route to Scurragh House Lane. The only explanation offered in correspondence dated 24 January 2025 is regarding safety and volume of traffic and also stating there is an alternative route. Residents have had access to this route for over the statutory 20 years provided in legislation and wish this situation to remain.
- Residents have provided the following justification for having access to Scurragh House Lane:

The first choice of access/exit route for all residents of the properties on the 'Morris Grange' site, is the lane which leads down to the new service road.

However, it is convenient to sometimes be able to use the route via Scurragh House Lane.

A couple of years ago, a tree fell across the lane which leads to the service road, completely blocking it, so we had to use the SHL route.

Also, when we get a lot of snow, it tends to build up at the junction of the lane and the service road, making it impassable.

However, there is no such problem via the SHL route.

We have all had unrestricted use of this route historically and it would be a very welcome, neighbourly gesture, if the new owners allowed us to continue, and one which I'm sure all would all be grateful for.

- 7.3. **Division Member(s):** request that application is heard at committee.
- 7.4. **Highway Authority:** No objections subject to condition that the access, parking, maneuvering and turning areas for all users is delivered before first use of the development.
- 7.5. **Public Right of Way Team:** The Council’s Public Right of Way/Countryside Access Team have been consulted on multiple occasions in respect of the proposal and have raised no

comments.

- 7.6. **Highways England:** No objection
- 7.7. **Police Architectural Liaison Officer:** Site lies within an area with low crime and disorder levels. Recommend to applicant that CCTV and key code access should be used to increase security of residents and vehicles.
- 7.8. **Local Access Forum:** The proposals do not appear to include arrangements for cyclists to access the development and we expect there may be shift workers who can cycle to the care home. All large places of employment should provide secure cycle parking and changing rooms for those opting for sustainable transport, but we do not see such facilities on the plans, so we advise these be included.
- 7.9. **Yorkshire Water Services:** A 90mm MDPE water main crosses the site near Stable Cottage, which should not be affected by the proposals. The three water mains in the adjacent field should not be affected by any work connected with this development. The developer may need to speak to the owner of Ash House to get an approximate location of the recorded private supply pipe, which feeds the property. The pipe is likely to run in the verge/grass along the parking area to the front of the current Nursing Home and prior to any excavation works, recommend that the pipe is located by conducting a site survey. NOTE: With reference to the relevant Site Access Deeds associated with the adjacent reservoir, Yorkshire Water shall have right of access at all times, with or without vehicles, subject to contributing to maintenance of the access road. From the submitted information, private facilities will be utilised for the disposal of both foul and surface water from the site. As there is no public sewerage infrastructure near the site, we have no comments to make in this regard.
- 7.10. **Environment Agency:** No objection to the proposal, subject to condition.
- 7.11. **Ecologist:** Appropriate surveys have been completed and a single day roost used by very small numbers of Common Pipistrelle bats was located behind the soffits. While all bat roosts are protected by law, day roosts like this are of lower conservation significance and their loss can be mitigated by standard measures (in this case, installation of suitable bat boxes during the refurbishment). On this basis, the proposed development complies with the Favourable Conservation Status test set out in the Conservation of Habitats & Species Regulations 2017.
- We recommend a Condition to comply with the recommendations set out in section 6.1 of the bat survey report.
- A protected species mitigation license will need to be obtained from Natural England, so it's important that the applicant liaises with their ecologist.
- 7.12. **Environmental Health:** Having considered the potential impact on amenity and the likelihood that the proposed development will cause a nuisance to neighbouring properties, I consider that the impact will be low. Conditions relating to contamination, noise/dust during construction and artificial lighting are recommended.
- 7.13. **LLFA:** No objection subject to conditions.

- 7.14. **Health & Adult Social Care: In response to latest amendments.** Adult Social Care have reviewed the revised model of care submitted in support of the application. They advise that the revised document does not, in their view, reflect significant changes following previous discussions with the applicant. Adult Social Care have concerns regarding the proposed model of care, in particular the co-location and management of two distinct care services on a single site. They also express concern regarding the level of demand within North Yorkshire for the proposed scale of ABI (Acquired Brain Injury)/ARBI (Acquired Related Brain Injury) provision. In addition, Adult Social Care raise questions regarding the flexibility of the proposed service to respond to future demand, the delivery of a 'therapy-led' care model and note that there is no guarantee that the Council would commission intermediate care provision from the site as this would be subject to a separate procurement process.

Local Representations

- 7.15. **Ramblers:** Ramblers note that a public right of way crosses the access road. It should be always kept unobstructed and useable for walkers including during any construction works.
- 7.16. Summary of 9 representations received including 1 received during the recent consultation, reiterating their original objections when consulted on the scheme as originally proposed (where comments made are material planning considerations) – all documents and full details can be viewed using the link at the beginning of this report :

OBJECTIONS/COMMENTS:

Parking provision and access

- Question adequacy of proposed parking/loading and turning
- Proposed turning circle seems inadequate for delivery and waste vehicles □
Parking areas will need to be of porous material to allow drainage to trees
- Insufficient parking provision for staff, residents and visitors
- Lack of garage or cycle storage facilities
- Lack of warden/staff parking

Vehicular access to the nursing home, reservoir and private residences

- Yorkshire Water require access at all times to the reservoir and this is the only access for 6 existing private dwellings sharing the access with Morris Grange which needs to be kept clear for access
- Intensification of use of access(es)
- Poor infrastructure – access surface is poor having deteriorated as the nursing home previously expanded, especially unsuitable for HGVs
- Request nursing home use Scurragh House Lane for HGV access
- What are the plans for the south access off Scurragh House Lane
- Concerned about traffic speed, both during construction works and afterwards – roads regularly used by local residents, walkers and cyclists
- Need for passing places/safe refuge for pedestrians

Impact of construction traffic on privately maintained road

- Concerned construction traffic will damage this privately maintained road

Ecology

- Concerns about the amount of tree felling that took place in Spring 2020 □
Lack of ecology survey – bats in existing buildings? / Great Crested Newts?

- Clarification on which trees are to be retained?
- Additional tree planting/landscaping would help to assimilate new three storey building and compensate for recent tree felling

Foul Drainage and Flood risk

- Lack of foul drainage details, current foul drainage system for Morris Grange does not work and has not been serviced for many years
- Lack of flood risk assessment and surface water disposal

Renewable Energy Provision/Carbon Savings

- No evidence of use of renewable energy provision, ie solar panels

Housing mix conflict with Policy 5

- Housing mix conflict with Policy CP5 of the Local Plan

Sustainability of the location

- Location not sustainable conflict with Policies CP3 and CP4 of the Local Plan

Impact on Neighbours

- Shared boundaries with neighbours – loss of privacy - how will privacy be maintained?
- Impact of extra traffic and noise on existing private residents

Other Issues

- Medical waste storage should be well away from neighbouring residential properties and public areas
- Changing the name from Morris Grange to White Oaks is an issue for some local residents and suggest that a 'Morris Grange Cottages' signpost is erected at the top of the lane on the A1 access road

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
- Five Year Housing Land Supply
- Employment
- Design Appearance and Impact on the Countryside
- Impact on Neighbours
- Access and Parking Arrangements
- Flooding and Drainage
- Renewable Energy Provision – Climate Change Mitigation
- Trees & Protected Species

- Type of Residential Occupancy/ Tenure and Affordable Housing Provision
- BNG
- Changes to Care provision
- Other Issues Raised
- The Public Sector Equality Duty
- Changes to care provision & Section 106 Agreement
- Public Right of Way

10.0 ASSESSMENT

Principle of the Proposed Development

Current Use

- 10.1 Morris Grange is a well-established care home (albeit presently vacant), located in an isolated rural location, not adjacent to or within any defined existing settlement, the nearest being the small village of Moulton over 1km to the south-east. The care home is surrounded by agricultural land, with Scotch Corner and Middleton Tyas located to the north. Based on the evidence of the 1928 O.S. Map and subsequent planning history; and as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), the current authorised use for the Morris Grange Care Home site is as a Class C2 – Residential Institution (Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres).

Principle of Development

- 10.2 The application seeks to refurbish the existing care home and build a new care building. Only 'Qualified Persons' may live there if approved as set out in the published S106. These include: persons aged over 55 in need of care (plus a non-qualified person to live with them in the new build block, which are two person units); persons suffering from a permanent physical or mental illness or disablement; adults aged 18 years and older require access to specialist care services as a result of various reasons including a learning disability including complex, cognitive and physical needs or a physical disability or sensory impairment.
- 10.3 To secure the use as C2 opposed to C3 (normal residential) for the new build flats, occupancy restrictions are required to be secured by a Section 106 Agreement as aforementioned. This would require each unit to have at least one occupant in need of care, and set out a definition of the minimum care requirements and services available.
- 10.4 The revised care model does not alter the use of the site, as previously brought before members in October 2025, which remains within Use Class C2 (Residential Institutions). With regards to the alterations to the care provision, the planning system does not require certainty of future Council commissioning. The S106 is designed with flexibility so the care model can be adjusted within the set parameters.
- 10.5 The works to the existing building are clearly supported by Policy CP8 which supports the re-use of buildings including extensions which complements the character of the main building. Likewise, this is also supported by paragraph 84 of the NPPF which states that "Planning decisions should avoid the development of isolated homes in the countryside unless...the development would re-use redundant or disused buildings and enhance its immediate setting". The principle of the development in respect of the existing building is thus compliant with Adopted Local Policy and National Policy/Guidance.

- 10.6 In respect to the new build element (13 flats) Policy CP8 supports the expansion of rural business. However, whilst this care home planning unit is rurally based, it not a business that requires a rural location. Policy CP4 sets out that development should be adjacent to a settlement’s Development Limit or ideally within them. This site is not within or adjacent to a settlement limit.
- 10.7 There are, however, material considerations which indicate the new build element is acceptable in principle. Firstly, as recently as 2016 there was an existing building of similar scale where the new build block is proposed. CP8 2h) supports replacement buildings of a similar scale and appropriate design which would achieve a more sustainable development than by conversion. In this circumstance, it appears the building was demolished to facilitate the new build block. Secondly, it is the sensible, proportionate expansion of a care home where they can share staff and services such as meals, medical support, personal care together with social and other activities for residents wellbeing.
- 10.8 Thirdly, the care home before it closed housed up 71 residents. The building as proposed including alterations and extensions would house up to 36 residents and the new build two storey block would house up to 17 residents (53 residents in total maximum). Therefore vehicle trips are not expected to be significantly higher than if the existing building was/had been internally refurbished. Paragraph 89 of the NPPF states that “decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land should be encouraged where suitable opportunities exist”.
- 10.9 A further consideration in favour of the development is the current and future need for care housing. The North Yorkshire Housing and Economic Development Needs Assessment 2025 (NYH&CDNA) identifies the following modeled population changes expected for North Yorkshire, of which some of these groups may need live at a care facility. As can be seen below all population types in the table are expected to rise bar ‘Impaired mobility’.

Table 13.7 Projected Changes to Population with a Range of Disabilities – North Yorkshire

Disability	Age Range	2023	2045	Change	% Change
Dementia	65+	10,235	17,076	6,841	66.8%
Mobility problems	65+	26,921	41,561	14,639	54.4%
Autistic Spectrum Disorders	18-64	3,231	3,343	111	3.5%
	65+	1,385	1,886	500	36.1%
Learning Disabilities	15-64	8,415	8,736	321	3.8%
	65+	3,046	4,105	1,059	34.8%
Impaired mobility	16-64	20,900	20,422	-478	-2.3%

- 10.10 Whilst the development proposed is not limited to a specific age cohort such as persons aged 65 and over, as referenced within the NYH&CDNA evidence base, that group represents a significant proportion of those likely to require specialist care accommodation. The NYH&CDNA identifies that demand for accommodation for older persons (typically defined within the evidence base as those aged 65 and over) is expected to increase over time.

However, the proposed development would also provide flexibility to accommodate a broader cohort of individuals with care needs, including working-age adults, which is a material consideration in favour of the scheme.

- 10.11 In addition, the North Yorkshire Housing and Economic Development Needs Assessment (May 2025) identifies an existing level of unmet need for specialist care accommodation. Paragraph 13.72 of the assessment indicates that there are approximately 300 individuals awaiting appropriate specialist accommodation. Whilst this forms part of the wider evidence base informing the emerging Local Plan, it nevertheless provides clear support for the existence of both current and future need for this form of development. Taken together with the demographic projections within the NYH&CDNA, this demonstrates both an immediate and longer-term need for specialist C2 accommodation.
- 10.12 The new build block is not strictly in accordance with Policies CP8 and CP4 due to its rural location outside and not adjacent to any development limit. However, the material considerations detailed above indicate this element is also acceptable in principle; of particular importance (a) paragraph 89 of the NPPF; (b) the co-location with the existing care home including the ability to share staff; (c) the strong and unmet need for this type of accommodation.
- 10.13 **Five Year Housing Land Supply and NPPF Paragraph 11**
The Richmondshire area cannot currently demonstrate a five-year supply of deliverable housing sites. As a result, and having regard to the age of the development plan, the policies most important for determining this application are considered to be out-of-date. In these circumstances, paragraph 11(d) of the National Planning Policy Framework is engaged, which sets out a presumption in favour of sustainable development. This means that planning permission should be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusal, or where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposal.

Employment

- 10.13 The application states that the proposals would require a staff of 36 people. This level of employment would support the local economy and would meet the expectations of Policy CP7 a) of the Local Plan in this regard.

Design, Appearance and Impact on the Countryside

- 10.14 Policy CP3 a) and paragraph 129 of the NPPF support development that promotes the efficient use of land. Policy CP4 3a) states that proposals should not impact adversely on the character of the landscape. Policy CP12 a) Supports development that conserves and enhances the plan area's natural assets. This is reflected in paragraph 187 of the NPPF. Policy CP13 supports schemes that provide high quality design and this is reflected in paragraph 135 of the NPPF. The single storey elements and central two-storey element of the proposals, for the most part would retain the existing mix of materials of stonework and render, with extensions constructed with sympathetic low pitched hipped tiled roofs to complement the style and mass of the existing building. It is clear that there are later additions to the eastern

side of the complex where the red pantile roofs retain their bright colour, whereas on the older part of the complex the red pantile roofs have toned down over time and are much darker. The proposed extensions, including the proposed care home apartment building, are intended to be built of buff brickwork with red clay pantiles to match existing. All windows and doors would be white upvc with black soffit fascias and rainwater goods.

- 10.15 The two-storey building, as seen in views from the south would be no more visible than the building it replaces in views from the public roads and footpaths in the area from some distance away; whereas the existing two-storey and single storey buildings tend to blend in with the surrounding landscape and are partially screened by the mature trees around the grounds. Given the established complex of buildings, the two- storey building in this location would not significantly change the appearance of the site as viewed in the landscape from the east and south; furthermore, views from the west would be less impactful due to the topography of the land which tends to undulate away to the west, with the A1 at a much lower level, and with the proposed building set back towards the eastern boundary with the mature garden trees to break up its appearance.
- 10.16 The proposed use of brickwork would be non-traditional for this rural area, however, given the overall mass of this building, traditional stonework or render could create a stark and austere appearance. The use of buff coloured bricks, would match those already there and complement the existing stone single storey elements of the complex to the west.
- 10.17 The majority of the complex would have a similar appearance to the existing, with the previous two-storey eastern wing replaced with a detached 2-storey building. Whilst the building would be seen in the landscape, it would not be significantly harmful and would not be contrary to the expectations of Policies CP3, CP4, CP12 and CP13 of the Local Plan and the above NPPF paragraphs

Impact on Neighbours

- 10.18 Policy CP3 1c) supports proposal that protect amenity. Policy CP4 states that proposal should not cause significant adverse impact on amenity. These policies are reflect in paragraph 135 f) of the NPPF. Concerns have been raised over potential overlooking from the care home apartment building to the existing dwellings to the north. The 2 storey building is proposed to be set out on the south-eastern side of the complex, furthest away from the private residential properties and behind the main building. Due to the digging down of the ground floor, the top of the new first floor windows will be below the existing buildings ridge line prevent any overlooking. The other elements of the proposal are essentially rebuilding of the care home to modern standards. Currently, bedrooms do face north towards the neighbouring dwellings, however, this will be at a lower density with the proposed floor plan (i.e. less residents facing north). As such, the proposals meet the expectations of Policies CP3 and CP4 with regards to the impact on neighbours in terms of outlook and overlooking.

Access and Parking Arrangements

- 10.19 Policy CP3 1c) supports proposal that promote the safety of the population. Policy CP4 3e) states that schemes should not cause significant adverse impact on highway safety. This is reflected in paragraph 116 of the NPPF which states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”. The application proposes that for the main

access to development will be via Scurragh Lane to the west of the site. There is a secondary south-north access road. Two passing places (included within the red line of the application) are proposed for the east-west road which is currently shared with residential properties, and this arrangement would be maintained.

- 10.20 The second access which runs north/south would be used exclusively for the development. Residents have advised that this track has been used for access to residential properties to the north in the past, however it is the intention of the applicant to no longer provide this route. It is the applicant's intention to use this access for trade, deliveries and apartment access only. Concerns by the Parish and residents have been received, explaining that this access has been available to them for a number of years and so their right to access it is enshrined in law. This is a civil matter for the landowner and those deriving any benefit from the access to assert and is not a planning consideration. Given the proposed number of care home rooms/apartments are less than those previously used during the homes last operation, the use of the western access would be no more intensive than when the care home was previously operational. Furthermore, the proposed passing places would help vehicles pass each other on the east-west road. Parking provision has been made available on both sides of the care home complex. The Local Highway Authority, having been consulted on the most recent changes to the access arrangements east/west and north/south, and are satisfied that the proposal would not jeopardise the safety of the highway, subject to a condition to ensure that the parking and turning areas are laid out as approved prior to the site being brought back into use.
- 10.21 The Local Access Forum have raised concern that no specific provision has been made for the use of bicycles and their storage. If planning permission is to be granted to this proposal, the details of storage provision for bicycles could be secured by planning condition.
- 10.22 Concerns have been raised by local residents that the access roads are privately maintained and unadopted. They are concerned that access for existing residents is not restricted and that the roads are maintained. The applicant has noted that these are shared accesses, and maintenance is a shared responsibility. The applicant has stated a willingness to discuss operational aspects of the use of the accesses (such as delivery times) with residents. Agreement between these two parties is a civil matter. However, the care home could be reopened with internal alterations only and they would legally be able to use this access which we recommend giving moderate weight too. Furthermore, the care home operators will be motivated to keep both accesses in reasonable condition to ensure smooth operation and for reputational reasons.
- 10.23 Given the rural location, the proximity of local residents to the site and the shared access arrangements, it is recommended that hours of operation for construction traffic and works on site should be restricted by planning condition in the interests of local residential amenity.

Parking

- 10.24 20 car parking spaces are proposed at the entrance area, equivalent to 1 per 8 residents (5 spaces), 1 space for a professional visitor and 10 spaces for staff, plus 4 additional spaces. Of these 2 are disabled spaces. Additionally, 9 spaces are provided to the east of the new build block which provides a single space per flat. North Yorkshire Council Highways have not objected to parking proposals and they are considered to be adequate for the proposed development.

- 10.25 Due to the remote location it is not expected that many staff, visitors or residents will cycle to the facility. However this may occur to a lesser extent and as such covered cycle parking should be provided on site to increase sustainability. Details of cycle parking have not been provided and it is recommended this is condition to provide a minimum of 3 secure and covered cycle spaces and 2 covered cycle spaces. The proposals accord with the expectations of Policies CP3 and CP4 of the Local Plan and paragraph 116 of the NPPF in this regard.

Flooding and Drainage

- 10.26 Policy CP3 supports sustainable development which promotes the natural drainage of surface water and mitigates the effects of flooding. Policy CP2 requires development to be directed away from areas at highest risk of flooding and to minimise flood risk on site and elsewhere. This approach is reflected in paragraphs 173 and 175 of the National Planning Policy Framework (2024), which establish a risk-based approach to the location of development, requiring proposals to be directed to areas of lowest flood risk and to apply the sequential approach where relevant.
- 10.27 Whilst some minor, localised ponding may occur within landscaped areas during extreme rainfall events, the Planning Practice Guidance (Paragraph: 027, Reference ID: 7-027-20220825) recognises that such occurrences may be acceptable where they do not result in risk to buildings or impede safe access and egress. In this case, the submitted Flood Risk Assessment and proposed site layout demonstrate that finished floor levels and access routes would remain unaffected by surface water flooding, ensuring that the development would be safe for its users. Accordingly, it is considered that the proposed development can be made safe from surface water flood risk, would not increase flood risk elsewhere, and accords with national planning policy and guidance in this regard.
- 10.28 An acceptable Flood Risk Assessment has been submitted. The applicant notes that the site has superficial deposits of Glacial Till indicating infiltration is unlikely to be feasible, however, a condition requiring infiltration testing / ground investigation is recommended before soakaways are ruled out.
- 10.29 A drainage survey (CCTV survey) of the existing drainage network has been undertaken. The brownfield run off rate has been calculated at 75.2 l/s. The applicant has proposed a discharge rate of 37.6 l/s via a flow control device. The surface water drainage strategy indicatively includes attenuation via a purpose-designed pond providing approximately 280 m³ of storage. Drainage calculations have been submitted in support of this arrangement and have been reviewed by the Lead Local Flood Authority, who are satisfied that the proposed level of attenuation adequately mitigates surface water flood risk on a proportionate and site-specific basis.
- 10.30 The proposed surface water drainage strategy includes discharge to Ings Beck to the south of the site via an existing field drain. Ings Beck forms part of the wider River Swale catchment. No works are proposed within the bed or banks of an ordinary watercourse as part of this development. The Lead Local Flood Authority, as the statutory consultee for surface water drainage, has confirmed that this arrangement is acceptable subject to conditions. Should the water be discharged from the site, the final flow rate can be agreed via condition and should be an improvement on the existing situation.
- 10.31 Any requirement for separate consent under the Land Drainage Act 1991, including in respect

of the final discharge arrangements or future works affecting an ordinary watercourse, would be a matter for the applicant to address separately with the relevant drainage authority and does not affect the acceptability of the development in planning terms. An informative advising the applicant that separate consents under the Land Drainage Act 1991 is required.

- 10.32 The LLFA are satisfied with this if infiltration is not feasible and have no objections with the scheme as a whole.
- 10.33 It is considered that the drainage arrangements meet the expectations of Policy CP3(c) of the Local Plan, which requires development to incorporate appropriate surface water drainage and avoid increasing flood risk on site or elsewhere, and are consistent with the NPPG and paragraphs 173, 174 and 175 of the National Planning Policy Framework, which require development to be located and designed to be safe for its lifetime, informed by a site-specific flood risk assessment, and not to increase flood risk elsewhere.

Foul Drainage

- 10.34 There is no mains drainage within or nearby the site. However, there is a private shared foul drainage network within the site, associated with the existing development and nearby private dwellings. The Flood Risk Assessment submitted with the application identifies that further investigation is required to confirm the capacity and performance of the existing private drainage network. Neighbours have raised concerns regarding the capacity of the existing foul drainage system and the potential risk of overflow and pollution arising from the proposed development. These concerns raise material planning considerations relating to the protection of the water environment and human health.
- 10.35 The treatment of foul drainage from the extended development is therefore an important issue requiring appropriate control. There is sufficient land within the site to provide a separate sewage treatment package plant to serve the detached close-care apartment block, which would reduce pressure on the existing drainage network. A condition securing a detailed foul drainage scheme, together with a management and maintenance strategy, prior to occupation has been recommended as part of any approval.
- 10.36 Subject to this control, it is considered that the proposal would not give rise to unacceptable pollution risks and would meet the expectations of Policy CP3(c) of the Local Plan, which seeks to ensure development is served by adequate drainage infrastructure and does not result in harm to the environment.

Renewable Energy Provision – Climate Change Mitigation

- 10.37 Policy CP2 expects development to make carbon savings and adapt to climate change through design, construction and layout of buildings and associated open spaces. Paragraph 161 of the NPPF states that the planning system should support and help shape places in ways that encourage reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. No specific details have been submitted for renewable energy provision or enhancement over Part L of Building Regulations at this stage, however, if planning permission is granted, then it is recommended that this includes a condition requiring details of proposed carbon savings/climate change mitigation measures in association with the proposals to be submitted, agreed and implemented prior to first use of the development. These steps would accord with the expectations of Policy CP2 of the Local Plan and paragraph 161 of the NPPF in this regard

subject to a condition requiring an Energy Strategy be submitted to and approved in writing by the Local Planning Authority.

Trees & Protected Species

- 10.38 The submitted arboricultural report confirms that elements of the site have the potential to support protected species and identifies measures to retain and protect mature and healthy trees where feasible within the scope of the development. Policies CP3 and CP12 of the Local Plan seek to protect biodiversity and conserve the plan area's natural assets. Paragraph 187 of the National Planning Policy Framework requires planning decisions to contribute to and enhance the natural and local environment, including by protecting biodiversity, minimising impacts and securing net gains where possible.
- 10.39 The applicant has confirmed that development would be carried out in full accordance with the recommendations of the arboricultural report, including tree retention and protection measures, which would be secured through a compliance condition. In addition, the applicant has acknowledged the need to follow recognised procedures in the event that works have the potential to affect bat habitats, including contacting the Natural England Bat Advice Service where appropriate. Subject to these controls, it is considered that the proposal would accord with the objectives of Policies CP3 and CP12 of the Local Plan and paragraph 187 of the National Planning Policy Framework.
- 10.40 A Bat Activity Survey has been submitted, confirming that appropriate surveys have been undertaken and identifying a single day roost used by very small numbers of Common Pipistrelle bats located behind the existing soffits. Whilst all bat roosts are protected by law, the survey confirms that the identified roost is of lower conservation significance and that its loss can be mitigated through the measures set out in the report, including the installation of appropriate bat boxes and controls over the timing of works.
- 10.41 These mitigation and precautionary measures are secured through Condition 11, which requires the development to be carried out strictly in accordance with the approved Bat Activity Survey and its recommendations. Subject to this compliance condition, it is considered that the proposal would maintain favourable conservation status in accordance with the Conservation of Habitats and Species Regulations 2017 and would accord with Policies CP3 and CP12 of the Local Plan and paragraph 187 of the National Planning Policy Framework.

Type of Residential Occupancy/Tenure and Affordable Housing Provision

- 10.42 Affordable housing is not required for the existing building as this use already exists and has not been abandoned. Policy CP6 seeks 30% of new dwelling in North Richmondshire to be affordable. Whilst the development is use class C2, High Court in Rectory Homes Limited v SSHCLG and South Oxfordshire District Council [2020] EWHC 2098 (Admin), determined that extra care developments within Use Class C2 are not exempt from providing affordable housing solely by virtue of falling within that use class. The decision highlights that in determining whether affordable housing will be required the focus should be on the relevant development plan policies rather than which use class the proposed development falls within. As the Richmondshire Local Plan does not rely on use class to define dwellings, an affordable housing contribution would be required from the proposed care home apartment units to be

Policy compliant.

- 10.43 The application site comprises previously developed land (PDL), as defined in the National Planning Policy Framework Annex 2, having been lawfully developed and occupied by permanent buildings and associated infrastructure. As such, the proposal is capable of benefiting from the Vacant Building Credit provisions set out in paragraph 65 of the NPPF, which are intended to incentivise the redevelopment of brownfield land by reducing affordable housing contributions proportionately.
- 10.44 In applying Vacant Building Credit, it is also necessary to consider whether the existing buildings have been abandoned or vacated solely for the purposes of redevelopment. The care home entered administration in 2016 and was purchased by the applicant in May 2019. The site was not made vacant for the sole purpose of redevelopment, and there is no extant or recently expired planning permission for the same or substantially the same redevelopment proposal. Officers are therefore satisfied that the site has not been abandoned for the purposes of national policy.
- 10.45 The existing lawful buildings on the site comprise a gross internal floorspace of approximately 1,882 sqm, which is to be refurbished or demolished as part of the proposed development. The proposed development would result in a total new gross internal floorspace of approximately 2,453 sqm, including the altered care home and the proposed close-care apartment building.
- 10.46 The NPPG (Paragraph: 027 Reference ID: 23b-027-20190315) provides further guidance on how to calculate the vacant building credit and this has been followed and provided below
- Existing Floor Space = 1,882sqm
Proposed Floor Space (including existing) = 2,453sqm
Difference/Uplift = 571sqm
- $571 \text{ (uplift)} / 2453 \text{ (total proposed)} = 0.23$
 $0.23 \times 30\% \text{ (Policy required amount)} = 6.98\%$
 $13 \text{ new dwellings proposed} \times 6.98\% = 0.9 \text{ dwelling requirement}$
- 10.47 As such, to accord with the NPPF and NPPG, which post-date the adopted Development Plan and represent material considerations to which significant weight is attached, the development would be expected to provide either one on-site affordable dwelling or a commuted sum equivalent to 0.9 of a dwelling. The proposal does not include any such provision. The development is therefore in conflict with Policy CP6 of the Local Plan and paragraph 65 of the NPPF. The applicant has confirmed that no affordable housing contribution is proposed and this matter has been considered in the assessment below.
- 10.48 In applying the above policy context, and having regard to the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF, the impacts of the proposal have been assessed in the round. The proposal gives rise to conflict with Policy CP6 and national policy in respect of affordable housing provision. However, material considerations weigh in favour of the development. A two-storey C2 building previously existed in broadly the same position as the proposed new-build block, with a larger footprint and physical attachment to the retained building. Its demolition and replacement results in a relatively modest net uplift in floorspace, forming the basis of the Vacant Building Credit. It is also relevant that, had the

previous building been retained and refurbished, no affordable housing contribution would have arisen. Further weight is given to the delivery of much-needed C2 accommodation, the reuse of previously developed land, and the limited scale of the affordable housing shortfall, which amounts to less than one dwelling. Taking these matters together, it is considered that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The proposal therefore accords with the presumption in favour of sustainable development.

Other Issues Raised

- 10.49 In this Electricity supply has been raised as a concern by local residents. For a development of this relatively small scale, and for a site which already has a supply from its previous use, it is considered reasonable to rely on the site operator to secure this with a provider.
- 10.50 Concerns have been raised about the prospective change of name from Morris Grange Nursing Home to White Oaks Care Village. The applicant has advised that the change of name is not yet confirmed. However, this is not a material planning consideration.
- 10.51 The Police Architectural Liaison Officer has suggested that medical supplies be kept secured. This is not a material planning consideration, although the applicant has advised that they would be kept safe and secure at all times and the applicant is happy to discuss this further with the relevant Officer.
- 10.52 The café is a small ancillary facility intended to serve residents, staff and visitors to the care home. Unrestricted public use could give rise to additional traffic and activity in this sensitive rural location. A condition is therefore recommended to ensure that the café remains ancillary to the C2 use, in the interests of highway safety and the protection of neighbouring amenity.

The Public Sector Equality Duty

- 10.53 There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment ; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no reason why the proposed development would prejudice anyone with the protected characteristics as described within this paragraph. Some persons with disability will benefit from the provision of modern of C2 care housing.

Biodiversity Net Gain

- 10.54 Planning permissions are, in certain circumstances, subject to the general biodiversity gain condition introduced by Schedule 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2021). This requirement applies to major development made valid on or after 12 February 2024. As this application was made valid prior to that date, it is not subject to the statutory requirement to deliver a minimum 10% biodiversity net gain.
- 10.55 Notwithstanding this, Policies CP3 and CP12 of the Local Plan seek to protect and enhance biodiversity, and national planning policy provides a framework for decision-making in this

respect. Paragraph 187 of the National Planning Policy Framework requires planning decisions to contribute to and enhance the natural and local environment, including by protecting biodiversity, minimising impacts and securing net gains where possible. The NPPF also reflects the application of the mitigation hierarchy, whereby harm to biodiversity should be avoided, mitigated, or, as a last resort, compensated.

- 10.56 In this case, the proposal does not result in significant harm to biodiversity and appropriate mitigation measures are secured through planning conditions. Whilst the development would not deliver measurable biodiversity net gain, the application predates the statutory biodiversity gain requirement and the impacts are limited and capable of mitigation. In this context, and having regard to the nature of the proposal, it is considered that the absence of measurable net gain does not give rise to unacceptable conflict with the aims of paragraph 187. The proposal is therefore considered to accord, overall, with the objectives of Policies CP3 and CP12 and the relevant provisions of the National Planning Policy Framework.
- 10.57 In accordance with these policy objectives, a landscaping condition is recommended to supplement and enhance existing biodiversity on the site.

Changes to care provision

- 10.58 The comments from Adult Social Care are noted. However, the matters raised relate primarily to service delivery, internal management arrangements, financial sustainability, market demand and future commissioning intentions. These are not matters capable of being regulated through the planning system and do not give rise to identifiable land-use planning harm. Any planning obligations secured through the Section 106 agreement are limited to matters which are necessary to make the development acceptable in planning terms, directly related to the proposed development, and fairly and reasonably related in scale and kind, in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The Section 106 agreement is therefore designed to secure land-use related matters only and does not seek to control operational or commissioning decisions.
- 10.59 The planning process is not required to demonstrate certainty of demand or future commissioning from North Yorkshire Council or any other party, and the grant of planning permission does not imply any obligation on the Council to commission or utilise the proposed facility. Issues relating to staffing structures, therapy provision and the safe management of residents fall within separate regulatory regimes, including CQC (Care Quality Commission) oversight and contractual arrangements, rather than development management.
- 10.60 The proposed development remains a care home use as previously assessed, with no change to the scale, layout or external impacts of the scheme. However, the age restriction for qualifying persons has changed as stated below in the qualifying person definition. The Section 106 agreement secures the nature of the care provision at a strategic level and reflects earlier engagement with Adult Social Care, without seeking to control detailed operational matters which fall outside the scope of planning control.
- 10.61 On this basis, whilst the views of Adult Social Care are carefully considered, they are afforded limited weight in the planning balance.

S106 Legal Agreement

10.62 The Section 106 Heads of Terms have been revised to reflect the updated care model and eligible resident cohorts in respect of the new build two-storey building, while continuing to secure the use of the development as C2 residential care accommodation. Whilst the use of the site as a whole is secured through planning condition, the Section 106 obligations are necessary to control the occupation of the self-contained units within the new-build element which, by virtue of their layout and facilities, would otherwise be capable of independent residential occupation. The obligations therefore ensure that the development functions as a C2 use in practice. On this basis, the obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind, in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The following has been agreed with the applicant.

Table 1	
Category/Type	Term
Occupancy	<p>To restrict Occupation of the C2 Integrated Community Units to Qualifying Persons and any cohabitee, spouse, or dependant of a Qualifying Person.</p> <p>Qualifying Person definition as per the published S106 agreement and includes persons aged over 55 in need of care (plus a non-qualified person to live with them in the new build block, which are two person units) or; persons suffering from a permanent physical or mental illness or disablement or; adults aged 18 years and older require access to specialist care services as a result of various reasons including a learning disability including complex, cognitive and physical needs or a physical disability or sensory impairment or persons whose occupancy has first been approved in writing by the local planning authority</p>
	<p>Prior to Occupation to procure the services of a Registered Service Provider which might be the Owner or Operator or a third party to operate and have an office at the Site.</p>
Care services	<p>To ensure that a Health Assessment is undertaken for each Qualifying Person before Occupation of a C2 Integrated Community Unit to identify the level and type of care and other support and assistance they require;</p>
	<p>On or before Occupation of a C2 Integrated Community Unit to put in place a Care and Wellbeing Plan for each Qualifying Person which shall be reviewed and updated on a regular basis to ensure the Qualifying Person continues to receive the most appropriate level and type of care and support as their needs change;</p>

	To make available on reasonable request of the Council evidence to show that its commitments in terms of assessing Qualifying Persons and Care and Wellbeing Plans are being met provided that such evidence shall not breach confidentiality commitments or obligations to the Qualifying Person;
	At all times to provide the minimum level of care wellbeing and support services set out in the Care and Wellbeing Package;
Signage Strategy	Prior to any Occupation of the Development to install the signage as shown on the Signage Specifications and the in the locations marked with an orange dot on the Signage Strategy within the Site and the Blue Land and to retain it for the lifetime of the development.

10.63 The signage strategy includes a sign outside the redline, as such to control its delivery and retention it is included in the S106 agreement. The signage strategy is necessary to ensure that visitors, staff and delivery vehicles are directed to the appropriate access points within the site. In particular, it ensures that servicing and delivery traffic is directed away from the shared east-west access used by existing residential properties, thereby reducing potential conflict, protecting residential amenity and mitigating highway safety impacts associated with increased vehicle movements. The obligation is therefore necessary to make the development acceptable in planning terms and satisfies the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

10.64 These definitions provide the necessary context to ensure the obligations are precise, enforceable and limited to land-use planning matters. It is considered that the above S106 Heads of Terms are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development and as such complies with the Community Infrastructure Levy (CIL) Regulations 2010.

Public Right of Way

10.65 A Public Right of Way crosses the site and its access routes. The proposal has been designed to retain the alignment and functionality of the route. The Council's Public Right of Way/Countryside Access Team have been consulted on multiple occasions and have made no comments on the proposal. It is considered that, subject to appropriate management during construction secured via condition, the proposal would not adversely affect the use or enjoyment of the Public Right of Way.

11.0 PLANNING BALANCE AND CONCLUSION

11.1 The authorised use of the site is as a care home. It presently does not meet current care standards, with room sizes being sub-standard. The application proposed to re-use the existing building to provide a care home with 36 bedrooms and a new two-storey building consisting of 13 apartments designed for individuals in need of care (9 single bed and 4 two-bed apartments). 36 employees would be required to operate the care home.

- 11.2 The principle of development is considered acceptable with partial compliance with the Adopted Development Plan and the National Planning Policy Framework. Whilst the new-build element is not located within or adjacent to a defined settlement and therefore conflicts with Policies CP4 and CP8, this conflict is outweighed by material considerations, including the reuse of a previously developed site, the co-location with an existing lawful C2 use, and the contribution towards meeting an identified and growing need for specialist care accommodation, consistent with paragraph 89 of the NPPF.
- 11.3 The development is not compliant with Policy CP6 of the Local Plan, nor with paragraph 65 of the NPPF and associated guidance in the Planning Practice Guidance, in respect of the requirement to provide an affordable housing contribution equivalent to 0.9 of a dwelling. In addition, whilst national policy at paragraph 187(d) of the NPPF seeks to secure net gains for biodiversity, the proposal would not deliver measurable biodiversity net gain. These conflicts are acknowledged. However, in each case, the degree of conflict is limited. The affordable housing shortfall is less than one dwelling and arises in the context of Vacant Building Credit applied to a previously developed site. In respect of biodiversity, the application predates the statutory biodiversity net gain requirement and would not result in significant harm, with appropriate mitigation secured through condition. Having regard to these matters, and the overall planning merits of the scheme, including the delivery of much-needed C2 accommodation and the reuse of previously developed land, it is considered that these policy conflicts, both individually and cumulatively, do not significantly or demonstrably outweigh the benefits of the proposal.
- 11.4 The new building would be visible in the landscape; however, its design, siting and material finish would ensure that it does not result in significant harm to the character and quality of the rural landscape. Subject to conditions, the proposal accords with the expectations of Policies CP3, CP12 and CP13 of the Local Plan and the relevant provisions of the NPPF.
- 11.5 There would be no significant adverse impact on neighbour amenity or privacy as a result of the proposed development, and the access and parking arrangements would have no adverse impact on neighbour amenity or highway safety. This accords with the expectations of Policies CP3 and CP4 of the Local Plan in this regard.
- 11.6 Adequate provision can be made for foul drainage and surface water run-off, which can be secured by planning condition. This accords with the expectations of Policy CP3 of the Local Plan in this regard.
- 11.7 Details of renewable energy provision and climate change mitigation can be secured by planning condition. This accords with the expectations of Policy CP2 of the Local Plan. Adequate provision can be made for the retention and protection of identified valuable specimen trees during the development and for additional landscaping, the details of which can be secured by planning condition. This accords with the expectations of Policies CP3 and CP12 of the Local Plan in this regard.
- 11.8 Adequate provision can be made for the protection of protected species prior to and during the development, together with appropriate mitigation measures. This can be secured by planning condition and separately dealt with by any necessary wildlife license through Natural England.

- 11.9 A material benefit of the proposal is its contribution towards meeting an identified need for specialist care accommodation. The North Yorkshire Housing and Economic Development Needs Assessment (HEDNA), May 2025 identifies an ongoing and growing requirement for specialist housing and care provision arising from demographic change and levels of disability across the County. This includes provision for working-age adults with care needs as well as older persons, over the plan period. The HEDNA is a strategic evidence document prepared for plan-making purposes and does not rely on site-specific or operational waiting list data. Nevertheless, it provides robust, county-wide evidence that additional C2 accommodation is likely to be required. In this context, the proposed development would make a positive contribution towards addressing this identified need, and this benefit attracts moderate weight in favour of the proposal when considered alongside the other material planning considerations.
- 11.10 The comments from Health and Adult Social Care are noted; however, they relate to service delivery, perceived demand and future commissioning rather than land-use planning matters. As such, they do not identify planning harm and attract limited weight in the overall planning balance.
- 11.11 For the avoidance of doubt, the Section 106 obligations in relation to the signage do not seek to regulate private access rights, which remain civil matters, and are relied upon only insofar as they mitigate planning impacts associated with the development.
- 11.12 Overall, the proposals accord with the requirements and expectations of the relevant Spatial Principles and Core Policies of the Richmondshire Local Plan Core Strategy, and with the relevant sections of the National Planning Policy Framework and the National Planning Practice Guidance.
- 12.0 RECOMMENDATION**
- 12.1 That planning permission be GRANTED subject to prior completion of a S106 agreement and the conditions as listed in the Committee Report.

Recommended conditions:

Condition 1 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 certificates
- b) site Location plan ref. 05
- c) Arboricultural Tree Constraints Assessment Of Trees At Morris Grange, Middleton Tyas, Richmondshire 20th February 2020
- d) Flood Risk Assessment February 2020
- e) Design & Access Statement

- f) Drainage plan, connectivity survey and support photographs
- g) Site Plan – Access and Signage Strategy (including redline/ blue line) 150_05 Rev.P9
- h) Apartment elevations 1 AL(0)230
- i) Apartment elevations 2 AL(0)240
- j) Apartment ground floor plan AL(0)200
- k) Apartment ground floor plan AL(0)210
- l) Apartment ground floor plan AL(0)220
- m) Proposed apartment types AL(0)205
- n) Refurbishment plan AL(0) 100 Rev K
- o) Bat and Bird Scoping Survey March 2024
- p) Bat Activity Survey Report May 2024
- q) Non-mains drainage proposals dated 23rd June (Ref. 210618/MCW2145)
- r) Signage board elevations 310_11 rev. P1
- s) Executive Summary - Strategic Need for a Hospital-to-Home Rehabilitation & Working-Age Adult Support Centre in North Yorkshire received 19/2/2026

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2 Use class (Compliance)

The site shall not be used for any purpose other than for the provision of residential accommodation and care to people in need of care that is hereby approved, and no other use, including any use within the same class C2 as defined by the Town and Country Planning (Use Classes) Order 1987, as amended (or any order revoking and re-enacting that Order with or without modification) and notwithstanding the terms of any Development Order that shall be carried out without the formal consent of the Local Planning Authority.

Reason: Any use other than that approved might be detrimental to the amenities of nearby property and be unsuitable within a rural area and thus contrary to Local policy and the NPPF.

Pre-Commencement / any further works

Condition 3 Construction Management Plan (Approval Required)

No further development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works, details on the control of noise and dust during construction.

Reason: In the interest of public safety and amenity.

Condition 4 Materials (Approval required)

No materials shall be used in the construction of the external surfaces of the development hereby permitted until details of such materials (with samples as appropriate) have been submitted to and approved in writing by the Local Planning Authority.

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

Condition 5 Contamination – Characterisation & Remediation Strategy (Approval required)

Prior to any further development, excluding internal works, demolition and site clearance until the steps in Sections A and B below are undertaken:

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents shall be submitted to and approved in writing with the Local Planning Authority (as necessary) to characterise the site in terms of potential risk to sensitive receptors:

- Preliminary Risk Assessment (PRA or Desk Study)
- Generic Quantitative Risk Assessment (GQRA) informed by an Intrusive Site Investigation
- Detailed Quantitative Risk Assessment (DQRA)
- Remedial Options Appraisal

Completing a PRA is the minimum requirement. DQRA should only be submitted if GQRA findings require it.

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall be submitted in writing to and agreed with the Local Planning Authority. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: LCRM (Environment Agency, 2020); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Further guidance is provided in the document Development on Land Affected by Contamination, Technical Guidance for Developers, Landowners and Consultants, Yorkshire and Lincolnshire Pollution Advisory Group, version 11.2 June 2020.

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site (NPPF Para 197).

Condition 6 Drainage Strategy and Infiltration Testing (approval required)

Prior to any further development, excluding internal works and demolition and site clearance, a drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This

shall include infiltration testing for soakaways in accordance with BRE 365. If infiltration is feasible this shall be incorporated into the drainage proposal.

If infiltration is not feasible, a scheme restricting the rate of development flow runoff from the site shall be submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to greenfield runoff rate and/or a minimum 30% reduction of the existing positively drained runoff rate for the 1 in 1, 1 in 30 and 1 in 100 year rainfall events. A 45% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development.

Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The drainage strategy shall include a detailed maintenance and management regime for the storage facility.

The drainage strategy shall demonstrate how the land outside the approved main entrance shall be made safe from surface water.

No part of the development shall be brought into use until the drainage strategy has been delivered in full including any flow restriction works. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason:

To ensure that surface water from the site is adequately managed and does not increase flood risk on-site or elsewhere. The condition is required at an early stage to inform the detailed drainage design and to ensure safe development of the site, in accordance with Policy CP3(c) of the Local Plan and paragraphs 173 and 175 of the National Planning Policy Framework.

Compliance conditions

Condition 7 Trees (compliance)

Before any further materials are brought onto the site or any further development is commenced, the developer shall implement the approved tree protection measures within section 5 of the hereby approved All About Trees- Arboricultural Tree Constraints Assessment – dated 20th February 2020. Specifically, the fencing and ground protection measures in line with the requirements of British Standard BS 5837: 2012 shall be installed.

The developer shall maintain such fences and ground protection until all development the subject of this permission is completed unless an alternative phasing timetable is first agreed in writing with the Local Planning Authority.

Reason: In the interests of good arboricultural practice and ensuring existing trees are adequately protected from works associated with the development.

Condition 8 Land and water contamination (compliance)

The development permitted by this planning permission shall be carried out in accordance with the non-mains drainage proposals dated 23rd June 2021 (Ref. 210618/MCW2145) including the following specific mitigation measures:

- The Biological Rotating Contractor treatment plant complies with BS EN 12566
- All foul water drainage from the proposed development will enter the sewage treatment plant for treatment
- All clean surface water from the proposed development will be excluded from entering the sewage treatment plant (it may be discharged directly to the pond)

- The field drain into which the treated sewage effluent will be finally discharged is not seasonally dry (i.e it has year round flow, apart from during periods of drought or unusually prolonged dry weather).

Reason: The Humber River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery. The proposal could lead to a deterioration of, or prevent recovery of, the receiving waterbody (GB104027069160 – part of the Scorton Beck from source to River Swale catchment) which currently has Poor status under the Water Framework Directive, by causing an unacceptable release of pollutants into surface water.

Condition 9 Construction work (compliance)

Noisy construction works audible outside the site boundary shall only take place between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time at all on Sundays and Bank Holidays.

Reason: In the interest of public safety and amenity.

Condition 10 Noise – loading/ unloading of vehicles (compliance)

No loading or unloading of vehicles shall take place on the site except between the hours of 07:00 and 19:00 on Monday to Friday and 07:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: To prevent an increase in background sound levels and protect the amenity of any residents

Condition 11 Ecology (compliance)

The development shall only be carried out in accordance with the recommendations (including the timing of such works) specified in section 6.1 of the hereby approved bat survey report. The bat boxes shall be installed in accordance with the approved report prior to first use of the development and thereafter shall be retained and maintained for a period of no less than 30 years.

Reason: This condition is necessary to ensure that ecology and biodiversity present on and around the application site are given adequate protection and mitigation measures forming part of the approved scheme are implemented in full as part of the development.

Condition 12 Landscaping (compliance)

Prior to first occupation of the development or the erection of the external wall of the new build block hereby approved a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: boundary treatments, plants (planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities when planted), planting and installation schedule/timetable and maintenance details.

The landscaping and boundary treatment shall seek to improve biodiversity of the site.

The boundary treatments and landscaping shall thereafter be installed and planted in accordance with the approved schedule/timetable. The boundary treatments shall be retained and maintained in perpetuity unless replaced like for like.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried

out no later than the first planting and seeding seasons following the development being brought into use or the completion of the development (whichever is the sooner); and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory landscaping and boundary treatment scheme of delivered.

Pre-Occupation

Condition 13 Crime prevention (approval required)

Prior to first occupation of the development or the erection of the external wall of the new build block, full written details of proposed crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority. The approved crime prevention measures shall be incorporated into the development and completed prior to the nursing home and close-care building being brought into use and thereafter retained.

Reason: In the interests of crime prevention.

Condition 14 Lighting (approval required)

Prior to first occupation of the development here approved, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall be shielded to prevent glare or any threat to highway safety or detriment to amenity. All lighting fixtures shall be installed at an angle to prevent light emitting directly above the horizontal plane unless otherwise first agreed in writing by the Local Planning Authority. Only such approved external lighting shall be installed and shall be operated in accordance with the approved details.

Reason: In the interest of amenity.

Condition 15 Part L Energy (approval required)

Prior to first occupation of the development or the erection of the external wall of the new build block hereby approved, an Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Energy Strategy shall detail measures to result in meaningful improvement over Part L of Building Regulations. The development will then be built entirely in accordance with the approved Energy Strategy and any technologies incorporated maintained and retained in perpetuity unless replaced with equipment which has high sustainability credentials such as being more energy efficient.

Reason: To ensure the proposal is sustainable and to meet the requirement of Policy CP2 of the Richmondshire Local Plan 2012-2028 Core Strategy adopted 2014.

Condition 16 Contaminated Land Condition: Completion (Approval required)

Prior to the first occupation of the development hereby permitted the following documents shall be submitted to and approved in writing by the Local Planning Authority.

A: REMEDIATION & VERIFICATION: Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the LPA for approval.

B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously-unidentified

contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.

C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details.

The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: LCRM (Environment Agency, 2020); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Further guidance is provided in the document Development on Land Affected by Contamination, Technical Guidance for Developers, Landowners and Consultants, Yorkshire and Lincolnshire Pollution Advisory Group, version 11.2 June 2020.

Reason:

To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

Condition 17 Bicycle Storage (Approval required)

Prior to first occupation of the development hereby approved, details of secure covered bicycle storage for staff and visitors shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be provided Prior to first occupation of the development hereby approved, and there afterwards be retained and maintained.

Reason: To facilitate sustainable transport movements and in the interests of human health.

Condition 18 access and parking (compliance)

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority and as shown on Drawing Number AL (0) 500 Revision B.

Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Condition 19 Passing Places (compliance)

No part of the development shall be brought into use until the hereby approved passing places have been constructed in accordance with details submitted to and 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 ensure that the details are satisfactory in the interests of the safety and convenience of all users of the access track.

Condition 20 Foul Water (Approval required)

No part of the scheme hereby permitted shall be occupied until a sustainable drainage scheme for foul drainage from the site has been submitted to and approved in writing by the local planning authority. The sustainable drainage scheme shall be retained, managed and maintained for the lifetime of the development in accordance with a management and maintenance plan which shall be submitted to and approved in writing by the local planning authority.

Reason for Condition: To prevent pollution of the water environment.

Condition 21 café use (compliance)

The cafe created as a result of the development hereby approved shall only be used by care home residents, their visitors and care home staff members only.

Reason: To preserve the amenity of nearby dwellings.

Condition 22

Public Rights of Way

During and following the construction of the hereby approved scheme, the adjacent Public Right of Way shall be maintained unobstructed, offering a clear and safe route for walking, and in a condition suitable for walking.

Reason: For the safety and unobstructed use of the Public Right of Way.

Informative

Separate consents under the Land Drainage Act 1991

The applicant is advised that separate consent under the Land Drainage Act 1991 may be required from the relevant Internal Drainage Board for any future works affecting ordinary watercourses or associated drainage infrastructure. Such matters are controlled under separate legislation and are not overridden by the grant of planning permission.

Target Determination Date: 14.5.2026

Case Officer: Jonathan Smith, jonathan.smith1@northyorks.gov.uk

Appendix A – Public Right of Way Map

