

Mssrs Hardcastle
c/o J C Robinson (Yorkshire) Ltd
Mr J Robinson
The Old Twine Mill
Low Laithe
HARROGATE
HG3 4BU
Your Ref:

NOTICE OF DECISION ON PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: Conversion of 3no traditional barns to form 3no dwellings with associated extensions, fenestration alterations, boundary works and access alterations. Demolition and removal of slurry tank and various modern farm buildings. Retention of selected farm buildings.

LOCATION: Saltergate Hill Farm Skipton Road Hampsthwaite Harrogate North Yorkshire HG3 2BU

APPLICANT: Mssrs Hardcastle

North Yorkshire Council being the Local Planning Authority for the purposes of the application received on 18 April 2025 for Full Planning Permission, as described above, have resolved to

GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

The conditions to which the permission is subject are as follows:

- 1 The development hereby permitted shall be begun on or before three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the following submitted details:
 - 'Proposed Site Plan'
 - 'Proposed - Site Sections & Location Plan'
 - 'Barn A Drawings Existing & Proposed'
 - 'Barn A Window & Door Elevations'
 - 'Barn B Drawings Existing & Proposed'
 - 'Barn B Windows & Door Elevations'

'Barn C Drawings Existing & Proposed'
'Barn C Windows & Door Elevations'
DWG: 5243 REV: N

As received by the council on 8th April 2026.

Section 7 - Ecological Impact Assessment - MAB Environment & Ecology Ltd
REF: 2024-1739.

As received by the council on 6th March 2025

Sections 4.2, 4.3, 5 and Table 4 - Residential Noise Assessment from Nova
Acoustics REF: NP-011157

As received by the council on 20th November 2025

- 3 Prior to their first use, samples of the external materials to be used for the construction of the new extension, mews walls, hardstanding and other new build elements hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Samples shall also be made available on site for inspection. The development shall then be carried out in strict accordance with the approved details.
- 4 Notwithstanding the submitted details, full joinery details of all new windows and doors, including internal doors, shall be submitted at a scale of 1:10 for approval in writing by the Local Planning Authority. The details shall include sections and profile details. The development shall thereafter be carried out in accordance with the approved details.
- 5 Notwithstanding the submitted details for new windows and doors, all double glazed units shall have a maximum overall thickness of 12 mm and shall incorporate colour matched spacers to the frames or black edge spacers.
- 6 Notwithstanding the details already submitted, full details of all replacement or new rainwater goods shall be submitted to the Local Planning Authority for written approval. The development shall thereafter be carried out in accordance with the approved details.
- 7 Notwithstanding the details submitted to date, full details of all roof repairs to Dwelling A and Dwelling B shall be submitted to the Local Planning Authority for written approval. These details shall include plans, a method statement, and samples or specifications of any new or replacement roofing materials. The development shall then be carried out in strict accordance with the approved details.
- 8 Prior to their installation, elevation details of the gates hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. These details must include the proposed materials and finishes. The development shall then be carried out in strict accordance with the approved details.

- 9 All bathroom and toilet windows on the dwellings shall be obscure glazed to level 3 or higher of the Pilkington scale of privacy or equivalent and that level of obscure glazing shall be retained throughout the life of the development.
- 10 Prior to the occupation of the dwellings hereby permitted, the slurry store and farm buildings identified on the plan under Appendix 2 within the Farm Management Plan (received by the council on 7th August) which are identified to be demolished shall be taken down and removed from site and their use ceased in full.
- 11 Prior to the occupation of the dwellings hereby permitted, the use of the existing farm buildings to be retained as identified on the plan under Appendix 2 within the Farm Management Plan (received by the council on 7th August) shall be limited to the use specified on that plan.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, outbuildings, garages, roof or dormer windows other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.
- 13 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further windows or doors shall be inserted in the development hereby approved, without the prior written approval of the Local Planning Authority.
- 14 The rooflights hereby permitted shall be of conservation type with recessed installation to sit flush with the roof covering. The rooflights shall be finished in a dark colour and be maintained and retained in perpetuity.
- 15 Prior to the commencement of the development hereby approved, details of a drainage strategy which includes the proposed means of disposal of surface and foul water drainage for the site shall be submitted in writing for the approval of the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved plans. Furthermore, unless otherwise approved in writing by the Local Planning Authority, the building(s) within this development shall not be occupied or brought into domestic use prior to completion of the approved foul drainage works.
- 16 The landscaping works shall be carried out in accordance with the proposed planting within the 'proposed site plan' (REF: 5243 REV: L) unless otherwise agreed in writing by the Local Planning Authority. Hard landscaping works shall be carried out prior to the first occupation of the dwellings and the soft

landscaping works shall be carried out in accordance with the approved details within the first planting season following the first occupation of the development.

- 17 In the event of failure of any trees or shrubs, planted in accordance with any landscaping scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens to the satisfaction of the Local Planning Authority.
- 18 Except in case of emergency, no demolition and construction works or ancillary operations, including deliveries to and dispatch from the site which are audible beyond the boundary of the site shall take place on site other than between the hours of 08:00-18:00 Monday to Friday and between 08:00- 13:00 on Saturdays.

The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

- 19 If contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the local planning authority.

- 20 No development shall commence until a Species Mitigation and Enhancement Plan (SMEP) has been submitted to and approved in writing by the Local Planning Authority. The SMEP shall show the number, type and locations of features to be incorporated into the development for bats, birds and hedgehogs as based on the recommendations set out across sections 7.3.2 (birds), 7.4.2 (bats) and 7.5.2 (small mammals including hedgehogs) of the submitted Ecological Impact Assessment. It must also contain a structure suitable to support nesting swallows.

The development shall thereafter be carried out in full accordance with the approved SMEP, and all features shall be retained, maintained and kept in a suitable condition for the lifetime of the development.

- 21 The development shall be carried out in strict accordance with the Biodiversity Gain Plan which shall be prepared in accordance with the statutory biodiversity metric dated the 23rd September 2024 as completed by Rachel Boulton and reviewed by Giles Manners (received by the council on 14th April 2025).
- 22 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority which includes:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan for a period of 30 years from the completion of development, including the management of invasive species and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.
- 23 The development hereby permitted shall not be occupied until the existing field access onto the A59 (Skipton Road) as shown on the approved plans has been permanently removed and reinstated in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the method of closure, materials, and any necessary reinstatement of the highway verge or boundary treatments. The approved works shall be completed prior to first occupation of the development and retained thereafter.
- 24 The development hereby permitted shall not be occupied until the visibility splays as shown on the approved plans have been secured. The visibility splays must provide an unobstructed view of 215 metres in both directions along the nearside channel line of the A59, measures from a point 2.4 metres back from the channel line along the centre of the access, and an object height of 0.6 metres. These splays must be kept clear of any obstruction and maintained for the lifetime of the development.
- 25 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;

2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. details of site working hours;
6. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

The reasons for the conditions are shown below:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 In order to ensure compliance with the approved details.
- 3 In the interests of visual amenity within the curtilage of a heritage asset, in compliance with Policies HP2 and HP3 of the Local Plan and provisions of the NPPF.
- 4 In the interests of the Grade II Listed Building, curtilage Listed Buildings and their setting in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out in the NPPF and Local Plan Policy HP2.
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- 7 In the interests of the Grade II Listed Building, curtilage Listed Buildings and their setting in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out in the NPPF and Local Plan Policy HP2.
- 8 In the interests of visual amenity within the curtilage of a heritage asset, in compliance with Policies HP2 and HP3 of the Local Plan and provisions of the NPPF.

- 9 In the interests of residential amenity and to comply with Policy HP4 of the Local Plan.
- 10 In the interest of protecting the amenity of the proposed dwellings.
- 11 In the interest of protecting the amenity of the proposed dwellings.
- 12 In the interests of residential amenity and visual amenity within the curtilage of a heritage asset, in compliance with Policies HP2, HP3 and HP4 of the Local Plan and provisions of the NPPF.
- 13 In the interests of residential amenity and visual amenity within the curtilage of a heritage asset, in compliance with Policies HP2, HP3 and HP4 of the Local Plan and provisions of the NPPF.
- 14 To safeguard the visual amenity of the street scene and heritage asset, in accordance with local policies HP3 and HP2.
- 15 To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.
- 16 In the interest of visual amenity within the countryside and to safeguard the character of the landscape in line with policy NE4.
- 17 In the interest of visual amenity within the countryside and to safeguard the character of the landscape in line with policy NE4.
- 18 In the interests of residential amenity, in line with policy HP4 of the Local Plan and guidance within the NPPF.
- 19 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy HP4 and NE9.
- 20 To ensure the protection and enhancement of biodiversity in accordance with the Ecological Impact Assessment recommendations and Local Plan Policy NE3.
- 21 In the interests of minimising impacts on biodiversity in line with Local Plan Policy NE3 and Section 15 of the NPPF.

- 22 In the interests of minimising impacts on biodiversity in line with Local Plan Policy NE3 and Section 15 of the NPPF.
- 23 In the interests of highway safety and visual amenity.
- 24 In the interests of highway safety.
- 25 In the interests of highway safety.

INFORMATIVES:

- 1 Statutory Biodiversity Condition (Single Phase Development)
 - 1.1 Deemed Condition
Development may not be begun unless:
 - (a) a biodiversity gain plan has been submitted to the planning authority; and
 - (b) The planning authority has approved the plan.
 - 1.2 Key Requirements
 - 1.2.1 The biodiversity gain plan must include[1]:
 - (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
 - (b) the pre-development biodiversity value of the onsite habitat;
 - (c) the post-development biodiversity value of the onsite habitat;
 - (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 - (e) any biodiversity credits purchased for the development; and
 - (f) any such other matters as the Secretary of State may by regulations specify.
 - 1.3 When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant[2].
 - [1] Paragraph 14(2) of Schedule 7A TCPA 1990
 - [2] Paragraph 14(2) of Schedule 7A TCPA 1990
- 2 If any topsoil is taken onto site for the formation of a domestic garden it should be certified as suitable for a domestic garden. This should be validated through sampling once on site.
- 3 In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning

permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: <https://www.gov.uk/permits-you-need-for-septic-tanks>

- 4 There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the plan on the case file.

ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form. If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire Council) for a Temporary Closure Order is required. Please contact the Council or visit their website for an application form.

iv) the existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.

v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.

vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be

regarded in the same way as a Public Right of Way until such time as the application is resolved.

vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

You can see the officer's report on the application at www.northyorks.gov.uk/planning. Alternatively, you can contact Customer Services Tel No: 0300 131 2 131 or e-mail customerservices.har@northyorks.gov.uk.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In dealing with this planning application North Yorkshire Council as the Local Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application service for planning proposals and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, the documents that form the Development Plan, and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption, and are referred to in this notice of decision. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed through seeking solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.



Martin Grainger
Head of Development Management

Date of Decision: 7 May 2026

Date of Issue: 7 May 2026

NOTE: No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the Council in whose area the proposed development is situated, or of obtaining approval under any

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other bye-laws, local acts, orders, regulations and statutory provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.

Discharging Conditions – A fee is payable for the discharge of conditions attached to planning and other applications. Applications must be made in writing clearly identifying the application number and the conditions. The standard application form can be used but is not mandatory. The scale of fees can be found on the planning website www.northyorks.gov.uk/planning. Please note a fee is payable for each separate request and applications should be determined within 8 weeks of a valid request being received.

NOTE TO APPLICANT/AGENT: The Council posted a site notice publicising this application. If it is still on display, please remove it.

Community Infrastructure Levy (CIL) Note Accompanying Planning Decision

1. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), a development which has been granted planning permission becomes a CIL chargeable development if it proposes one or more new dwellings, or more than 100sqm of new build floorspace.
2. North Yorkshire Council is the CIL Collecting Authority for developments in North Yorkshire.
3. The Council will use the CIL Form 1 : Additional Information submitted with the planning application, alongside other application documents, to determine whether the application is CIL chargeable and to calculate the CIL charge.
4. If your application is deemed to be CIL liable, the charges will be calculated in accordance with the Community Infrastructure Regulations 2010 (as amended) and the applicable CIL rates from the Charging Schedule
5. The CIL is charged in pounds per square metre and is calculated by multiplying the applicable CIL rate by the proposed gross internal area (GIA) proposed by the development. The floorspace of existing buildings to be retained or demolished as part of the development will be deducted from the CIL chargeable area if part of the existing building has been in its lawful use for at least six months in the three years prior to permission being granted.
6. After permission is granted, the Council will issue a **CIL Liability Notice** if CIL liability has been triggered, which will set out the CIL charge payable on commencement of the development. The CIL charge will also be registered as a Local Land Charge against the relevant land.
7. **One (or more) of the development parties must assume liability to pay CIL for a CIL chargeable development by submitting an Assumption of Liability Form .** In the absence of this form, liability will default to site owner(s).
8. A development may be eligible for relief or exemption from CIL if it includes affordable housing, is owned by a charity and will be used wholly or mainly for charitable purposes, or is a self-build project. Relief or exemption must be claimed prior to commencement by submitting the appropriate claim form. Further information can be found on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy#relief-and-exemptions.
9. North Yorkshire Council do not have a policy for granting discretionary charitable relief or exceptional circumstances relief and will not accept claims made on this basis.
10. **You must inform the Council when the development is going to start by submitting a Commencement Form or a Notice of Chargeable Development (for permitted development)**
11. Once the Council has been notified that development works have commenced, a **CIL Demand Notice** will be issued setting out the total amount payable, how to pay, and when payment is due.

- 12.** Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed, and you will not benefit from the instalments policy.
- 13.** Late payment interest and surcharges will be imposed if payment is not received by the due date.
- 14.** Continued failure to pay CIL liabilities due will result in the Council initiating enforcement action, including serving a CIL stop notice prohibiting further development on the site, and applying to a magistrates' court for a Liability Order to recover the debt through the seizure of assets.
- 15.** Further information on CIL and all CIL forms are available on the Planning Portal at https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy Guidance on the Community Infrastructure Levy can be found on the Gov.uk website at <https://www.gov.uk/guidance/community-infrastructure-levy>
- 16.** For further information on CIL please contact the S106 and CIL Delivery Officer at Planningobligations.har@northyorks.gov.uk

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Where this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Otherwise, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission or prior approval for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.uk](https://www.gov.uk).

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