

## North York Moors National Park Authority

<b>Hambleton District</b> <b>Parish: Kilburn High &amp; Low</b>	<b>App No. NYM/2019/0136/FL</b>
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**Proposal:** Alterations, conversion of outbuildings and extensions to building to provide residents only bar/restaurant, 18 no. bed suites, two retail units, staff accommodation and associated parking and landscaping works

**Location:** The Hambleton Inn, Hambleton, Thirsk

**Applicant:** Studio Map Limited, fao: Mr David McCormack, Bridge House, 1-2 Station Bridge, Harrogate, North Yorkshire, HG1 1SS

**Agent:** Studio Map Limited, fao: Mr David McCormack, Bridge House, 1-2 Station Bridge, Harrogate, North Yorkshire, HG1 1SS

**Date for Decision: 05 July 2019**

**Grid Ref: 452325 483039**

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations – Document No's Specified
3. RSU001 Use Restricted to That Specifically Proposed
4. RSU000 The staff accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the business known as The Hambleton Inn, and shall not be sold or leased separately without a further grant of planning permission from the Local Planning Authority.
5. GACS03 No Outside Sales or Display
6. GACS07 External Lighting – Submit Details
7. MATS01 Stone to be Approved
8. MATS00 No work shall commence on the construction of the walls of the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
9. MATS11 Render Details
10. MATS21 Roof Slate to be Agreed
11. MATS22 Pointing – New Development – Standard Mix
12. MATS26 Timber Cladding (the parts of the development to be timber clad)(vertical timber boarding)
13. MATS28 Timber Cladding Samples
14. MATS30 Doors – Details of Construction to be Submitted
15. MATS33 Doors – Finish to be Agreed
16. MATS40 Detailed Plans of Window Frames Required

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## Conditions continued

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| 17. | MATS43 | Windows – Submit Details of Colour/Finish   |
| 18. | MATS54 | Trickle Vents Shall Not be incorporated into Windows  |
| 19. | MATS70 | Guttering Fixed by Gutter Spikes  |
| 20. | MATS72 | Black Coloured Rainwater Goods  |
| 21. | MATS00 | Prior to the erection of any acoustic fences, full details shall be submitted of its height, design and materials. The fence shall thereafter be erected in accordance with the approved details and thereafter be so maintained.   |
| 22. | MATS00 | Prior to the installation of the glazing to the southern gable end of the development hereby permitted, that would serve room B9, details of the tinting and level of reflection of the glass shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall thereafter be installed and maintained in accordance with those approved details unless otherwise agreed in writing by the Local Planning Authority.   |
| 23. | DRGE00 | The development hereby approved shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority. |
| 24. | ARCH02 | No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.  |
| 25. | MISC13 | CO <sub>2</sub> Details to be Submitted   |
| 26. | MISC02 | Bat Survey Submitted  |
| 27. | HWAY00 | There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.  |

The works shall be implemented in accordance with the approved details and programme.

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## Conditions continued

28.      HWAY00    Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:-
- a. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number DC/E9A using conservation-type kerbing.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
29.      HWAY00    Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number 2018 16 - 20Q for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
30.      HWAY00    Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway (Hambleton Lane - across the whole site frontage and driveway access to the east) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
31.      HWAY00    No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. wheel washing facilities
- e. measures to control the emission of dust and dirt during construction
- f. a scheme for recycling/disposing of waste resulting from demolition and construction works

**Informative**

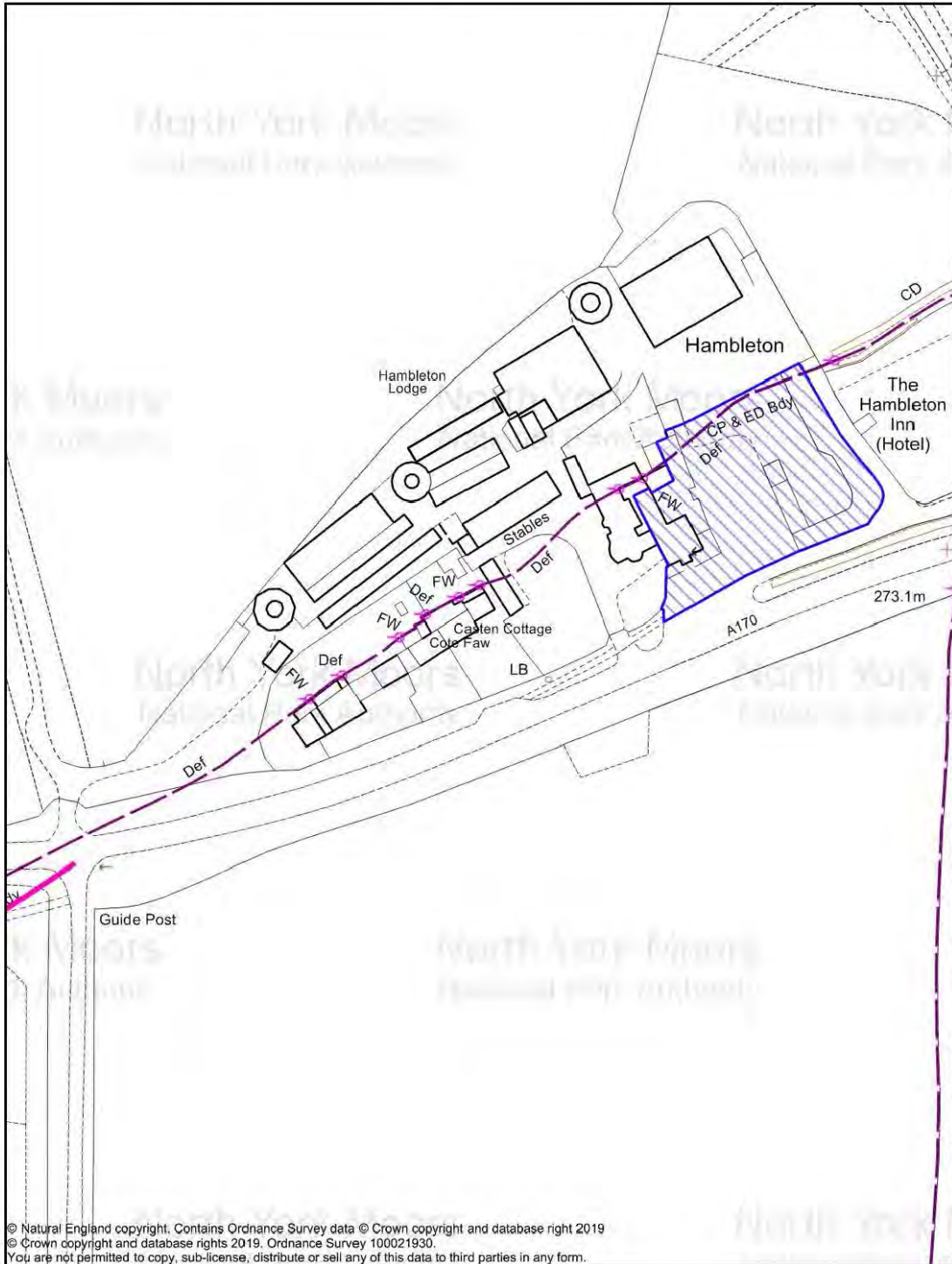
1.        You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in Condition 28.



North York Moors National Park  
Authority  
The Old Vicarage  
Bondgate  
Helmsley YO62 5BP  
01439 772700

Application Number: NYM/2019/0136/FL

Scale: 1:1500



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**Consultations****Hambleton District Council – No objections**

**Parish – 21/05/2019** - It was agreed to support the application with caveats/concerns around two main areas:

1. Reduction in speed limit outside Hambleton Inn – Cllrs felt that this would be unnecessary. Alternative measures might be more suitable including slip roads and central reservation for turning.

2. Some concerns were raised with reference to the roadside appearance and style of the proposed new buildings and that stylistically that the building jarred with the surrounding environment.

20/9/2019 Kilburn Parish Council – Our response of 20 May erroneously stated that we had no concerns about the reduction of the current speed limit. We would like to correct this as follows:

Concerned that the speed limit needs to be reduced from the national speed limit to 40mph to avoid risk of accidents due to the nature and layout/landscaping of the road. However, concerns regarding the ingress and egress of the site, and other measures such as including slip roads and central reservation for turning are still relevant. Delivery access appears to involve an access road to the horse racing stables and adjacent properties. This could also cause major problems with ingress and egress of the site as this access road does not have clear sightlines onto the main road.

Kilburn Parish Council's original comments regarding design remain pertinent.

**Ward –**

**Highways – 21/05/2019 – Original scheme – recommend refusal.**

The proposed development is to be served with approximately 28 car parking spaces, this is insufficient to accommodate the guests visiting the suites, bar and restaurant areas together with the gym and spa facilities as well as the retail units (which may be open to the wider public). Staff will also need to be catered for given the location of the site in a rural area. Also concerns with regard to the layout of the parking, the redline not including the access roads to the south and east of the site or the access onto the A170; inadequate space available for deliveries and the larger turning manoeuvres associated with larger vehicles to the site via the ramp at the rear; the proximity of the four spaces to the south east of the site and the visibility available for traffic accessing the other businesses in the vicinity.

13/9/2019 – Amended scheme

I note that the description has now been changed to residents only bar/restaurant, which presumably restricts patronage to exclude casual call in the traditional manner of a public bar/restaurant. I am obliged to comment upon what is submitted and therefore the lower parking provision that will result will generally be acceptable. However, should this situation change the consequence is that the development would be deficient in car parking as previously advised.

I await further amended plans satisfactorily taking into account the comments below:-

Any acoustic barriers within the highway boundary, will affect driver visibility, may affect underground services situated within the verge and the stability of the retaining wall along its

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Consultations continued

northern edge. Would object to these as they would be considered to be unlicensed private structures/planting within the highway.

Whilst the submitted swept path analysis shows a multi-point turn for a vehicle as being able to just fit into the layout proposed, it is questioned whether in practice this will actually be carried out by drivers, given the proposed wall, landscaping trees and shrubs and existing boundaries shown. The arrangements can be seen to be very tight on the plan and I would therefore question the effectiveness of the proposal.

26/9/2019 – No objections subject to conditions. It should be emphasised that this is based upon the bar and restaurant areas now being restricted to residents' use only and not casual call public use.

**Yorkshire Water** – In this instance, no observation comments are required from Yorkshire Water as foul drainage is actually to private on-site package treatment plant system (not main sewer stated on app form), surface water to SuDS/existing watercourse.

**Natural England** – No objection

**North Yorkshire Police** – The overall design and layout is considered acceptable.

**Lead Local Flood Authority** – 9/8/2019 – further information shall be provided before any planning permission is granted by the Local Planning Authority.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance.

- It has been proposed that the discharge of surface water will be via soakaways. Percolation tests have been carried out and infiltration is deemed viable for the site. The LLFA has no objections to this.
- Volume Control Micro Drainage calculations are requested to confirm the functionality of the proposed site drainage network.
- An exceedance plan is required to show overland flow during an extreme flood event.
- An allowance of at least 30% must be made in SuDS design for increased amounts of rainfall as a result of Climate Change.

The LLFA recommends that the applicant provides further information before any planning permission is granted by the Local Planning Authority. The following should be submitted and approved by the Local Planning Authority; the applicant needs to provide MicroDrainage network calculations. Design calculations as necessary to demonstrate the functionality of the SuDS. Also, an exceedance flow route plan has not been submitted, the applicant must provide a site plan showing exceedance flow routes.

**North Yorkshire Fire & Rescue** – No observations

**EHO** –

**Ministry of Defence** –

**Campaign for National Parks** –

**North Yorkshire Moors Association** –

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Consultations continued

**Campaign to protect Rural England –****Campaign for Real Ale –****Advertisement Expiry Date – 30 May 2019**

**Others – James Wood, 19 Salisbury Avenue, Baildon** – It is a shame that the Hambleton Inn has fallen into such a state of disrepair. I support the proposed redevelopment as it is great to see a project that will breathe new life into a place that deserves to be used and enjoyed by future generations.

**Anna Lupton, Carr House Farm B&B, Ampleforth – 7/5/2019** Support. There is a need for such a business in the area. Research shows that there is an increasing demand for such luxury accommodation and facilities. Furthermore, this proposal would sit well alongside what the NYMNPA are trying to achieve at Sutton Bank. In view of the employment generated and business for local tradesmen, this can only be good for the economy.

Sympathetically planned to its surroundings, this would be a much needed addition to the area rather than the sad eyesore it is currently.

**George Lupton, Wass Grange, Ampleforth – 7/5/2019** - The Hambleton Inn is in a dire state of repair, is an eyesore and sheer waste of business. There are lot of people who would benefit by it becoming up and running again. Loneliness, isolation, stress and depression are among the issues which affect rural communities and farmers, so this would be positive for the community; it will also provide local employment.

**Mrs Sheila Ashby, Johnstone Arms, Boltby – 1/5/2019** – I am not expert on planning but would like to say that I think it would enhance the area if planning is given for this development. Obviously there are some consultee comments that need attending to but at the moment the site is looking more and more run down and it doesn't look good for the area. Bearing in mind that the NYMNP Visitor Centre is very close and there are a lot of tourists to this vicinity it would be best that this is an active site.

**Mr Bryan Smart of Mr, Hambleton House, Sutton Bank – 17/5/2019** - Object. Whilst we are delighted to see plans to restore the historic Hambleton Inn and tidy the property up, we feel that the scale of the proposed build is out of proportion with the size of the current plot and not in keeping with the area. Our concerns include:

1. Parking - how and where will all visitors and staff park/turn/wait/deliver goods and associated services? The A170 is very busy and access on and off the road is often difficult especially in the summer. When turning left towards Helmsley it is necessary to take a very wide swing to get a good visibility; accidents have occurred here on a number of occasions. If the new build takes place will there be enough room for cars and large horseboxes to get in and out onto the A170 without being restricted by activity at the hotel?
2. With 22 rooms there would be an average 44 guests, plus staff. Will the hotel be able to contain all these people in one small area with no garden, adjacent a main road and restricted parking without impinging on the access lane to Hambleton House and Hambleton Lodge?
3. Access from our property down the lane to the A170 is narrow and we have concerns about this access being hampered by cars parking inadvertently on the lane once the hotel is built. During construction we are very concerned that construction vehicles may cause problems with access and cause a danger to racehorses being exercised on the lane.



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Others continued

4. We understand that a gun shop would be part of the retail development at the site and we are 100% opposed to this from a safety and ethical standpoint.
5. The size of the proposed plans seem to be out of keeping with the small plot of land at the Hambleton Inn and feel that a smaller scale development similar to that at The Whitestonecliff Inn would be more suitable (a good pub/restaurant with self-catering lodges suitable for walkers/cyclists which would complement the other facilities in the area. The proposed plans are quite grand and would not benefit the local community in their current format and we feel that a smaller scale project would be more acceptable.

Additional comments - 25/7/2019 - We do not understand how the proposed alterations will improve the access concerns that we have flagged up previously. Unless provision is made to ensure that there will be ample room in front of the hotel for turning large HGV's in and out of the lane and 'no waiting/parking' notices placed in front of the hotel it is likely that horseboxes will be prevented from getting on or off the A170 at peak times. 2. We still feel that the number of rooms and size of the plans is out of keeping with the original hotel site and will cause noise and security concerns at both Kevin Ryan's and our own racing stables and that a smaller scale development would be more appropriate and in keeping with the area. 3. We are in full support of the Hambleton Hotel being refurbished and brought back to a modern version of the original historic meeting place of old and appreciate that times change and some modernisation needs to happen to make this proposal viable. However, it appears that it is likely to become an exclusive country club and not a meeting place for locals which is disappointing as the area needs a central hub where locals can meet, drink, eat and exchange news at the end of a long day.

Additional comments on amended plans– 3/9/2019 – Fail to see how these adjustments will reduce any of the problems associated with restricted parking and vehicular movements. Agree with Highway Authority concerns regarding the increased number of hotel vehicles causing restricted access to the small lane leading to our racehorse training establishment and also to Kevin Ryan's access road, not to mention the likelihood of vehicles stopping and turning on the fast moving A170. Vehicles have already picked up speed by the time that they reach the Hambleton Hotel a little further on and we regularly witness cars overtaking slower moving vehicles at this point, so there needs to be some very serious thinking about a speed restriction being put in place on the A170 along this stretch to avoid a serious accident. As previously explained it is already extremely difficult to safely turn in and out of the lane in front of the Hambleton Inn due to the camber of the driveway, the position of the bank on the left which restricts visibility and the small turning space available and if this becomes further restricted or blocked by service vehicles, guests or other vehicles the manoeuvre onto the fast moving and busy A170 will be even more dangerous especially in a slow moving HGV horsebox. Finally, there is already a problem with people parking their cars down the narrow lane to our property and we can only expect this to get worse if the proposed plans go ahead as people will try to find alternative places to park.

**Mrs Jill Ryan of Kevin Ryan Racing Limited, Hambleton Lodge, Hambleton – 28/5/2019**  
Although we are delighted The Hambleton Inn is to be restored, which will be great for the community, we are a little concerned that the construction and parking could interfere with the access for our horseboxes. It is always high risk when transporting highly strung thoroughbred racehorses and due to the location on the A170 drivers need a full line of sight before pulling out therefore a wide access is required to reduce any risk to the driver, passengers and horses. Due to the increased volume of traffic that will be created, due to a safety aspect, we would suggest an application to the council putting in force a 40 mile an hour speed limit from the top of Sutton Bank for approximately quarter of a mile.

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**Background**

The Hambleton Inn is located adjacent the A170 approximately 500m to the east of the National Park's Sutton Bank Visitor Centre. The property is not a Listed Building, or within a Conservation Area but is evident on historical Ordnance Survey mapping dating to 1853 and is considered to be a non-designated heritage asset.

The Inn forms part of a group of buildings, comprising private dwellings and the Hambleton Lodge race horse stables. It is bounded to the south by the A170, to the east by open countryside and to the north and west by the training stables and domestic properties. The Inn is constructed of white rendered masonry with a slate roof and has a large car park at the side with a border of mature trees to the east.

The site has operated for many years as a country pub with letting rooms. Planning permissions were granted in 2000 and 2001 for dining room and letting bedroom extensions, but these permissions were never implemented due to lack of anticipated business.

The Inn has closed in recent years and now has fallen into a poor state of repair. The current owner/applicant purchased the property in January 2018.

This application as originally submitted sought full planning permission for substantial extensions and renovations of the existing Inn to provide 22 new letting bedroom suites, a gymnasium/spa, five new associated retail units and two staff apartments. Renovations to the existing Inn would include the demolition of the rear outbuildings, extension at ground level to improve the bar and dining area.

The details of the originally submitted scheme were as follows: -

The existing centrally placed roadside main entrance would be retained. Attached to the eastern end of this existing building would be a single storey linear extension to provide five small retail units that would supply commodities relevant to country sport and leisure. This building would be constructed of stone with slate roof and would be stepped back and the roof stepped down midway along the length of the building, with full length glazed doors at front and rear.

Immediately to the rear of the original building would be a replacement single and two storey extension to provide an improved bar/lounge/restaurant area at ground floor and en-suite letting rooms above. The ground floor restaurant element would be fully glazed, with the upper section being rendered.

At the rear of the site and to the east would be a substantial L-shaped two-storey building, with the site being excavated to maximise the natural fall of the land to create a basement level, which would provide a gym and spa area and letting rooms (which would be glazed on the eastern elevation).

The new extension would be contemporary in design but would reflect the local vernacular in terms of materials, scale and bulk.

Car parking would be provided to the front and eastern side of the development, providing 20 parking spaces.

However, this scheme was recommended refusal by the Highway Authority due to significant lack of parking to serve the scale of development proposed.

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**Background continued**

The scheme has consequently been significantly reduced in scale. It is now proposed that the development would provide 18 en-suite rooms, one of which would provide staff accommodation. The gym and spa element would be omitted, only two retail units would be provided, and the bar/restaurant facilities would only be available for use by residents at the hotel only, and not the pub. This reduction in scale and footprint has enabled the on-site parking provision to be increased to 33.

**Main Issues****Policy****National Planning Policy Framework**

Paragraphs 83 and 84 of the NPPF 2019 seeks to support all types of business and enterprise in rural areas in order to create jobs and prosperity. It seeks to promote the development of land-based rural businesses, support rural tourism that benefit businesses, communities and visitors, and promote the retention of local services such as local shops, meeting places, sports venues, pubs and places of worship.

**Local Development Plan**

The relevant policies of the Local Development Plan are Core Policy A (Delivering National Park Purposes and Sustainable Development), Core Policy B (Spatial Strategy), Core Policy D (Climate Change), Core Policy G (Historic Assets), Core Policy H (Rural Economy), Development Policy 3 (Design), Development Policies 14 and 15 (Tourism and Recreation), Development Policy 18 (Retail) and Development Policy 23 (Road networks).

Core Policy A of the North York Moors Development Framework seeks to conserve the landscape of the Park and provide a scale of development that will not have a detrimental impact on the wider landscape.

Core Policy B sets out the strategy to meet the needs of people in the National Park based upon improving the sustainability of local communities by improving and consolidating existing services and facilities and includes restricting development in the open countryside.

Core Policy D seeks to address the cause of climate change and contribute to reducing greenhouse gas emissions in a number of ways, including requiring proposals for commercial development of over 200sqm to generate energy on-site from renewable sources to displace at least 10% of predicted CO<sub>2</sub> emissions.

Core Policy G of the Local Development Plan seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with high quality sustainable design being sought which conserves or enhances the landscape setting.

Core Policy H seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education and training.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that a high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular. In addition the policy requires that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; good quality sustainable design and construction

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**Main Issues continued**

techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Development Policy 14 supports the expansion of existing tourism businesses where the proposal provides opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; will not generate an increased level of activity; and new accommodation do not have an adverse impact on the character of the local area.

Development Policy 15 acknowledges that the tourism sector has an important role in the local economy and therefore the Authority seeks to retain existing facilities unless it can be robustly demonstrated that the business is no longer economically viable.

Development Policy 18 states that new retail development will be supported within existing defined commercial areas or where ancillary to an existing enterprise provided that the proposal does not result in a cumulative increase in activity which would have an unacceptable impact on the character of the area, the amenity of local residents or the wider vitality and viability of villages.

Development Policy 23 seeks to effectively minimise the overall need for journeys and reduce the environmental impacts of traffic on the National Park by permitting development where its location is capable of being accessed by public transport, walking or cycling, where there are existing public rights of way, and it is of a scale where the adjacent road network has the capacity to serve without detriment to highway safety.

**Draft Local Plan**

The draft policies relating to the proposed development would not be significantly different from current policies but due to objections received to some of these policies, little weight can be given to them at this stage.

**Principle**

In broad terms the refurbishment and extension of the Hambleton Inn complies with the general thrust of the tourism and rural economy policies contained within the Local Development Plan which supports the expansion of existing tourism businesses and developments which have an economic benefit.

**Retention of Existing Tourism/Community Facility**

This existing tourism/community facility has been closed for a number of years as it was previously failing to prove to be financially viable, most likely due to its location being accessible by car only and due to limited on site letting accommodation. However, it could be considered to provide an important community facility as it is the closest facility for villages such as Scawton and Cold Kirby. In terms of tourism provision, it is in a good location, close to Sutton Back and Helmsley with a variety of tourist activities such as walking, cycling, horse riding and heritage.

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**Main Issues continued**

Consequently, in terms of Development Policy 15, it is considered that an alternative tourist/economic/community use should be found for the building.

During consideration of the proposal, the nature of the development has changed, in order to overcome Highway Authority objections. This has led to the loss of use as a community facility, as all the facilities on site would be available for residents of the hotel only. Whilst this is unfortunate, the proposal would still meet the requirements of Development Policy 15 as a tourist facility would still operate from here, in accordance with the guidance set out in the Authority's "Economic use Test" Guidance Note. Consequently, refusal could not be justified on this basis.

**Employment and Rural Economy**

The development would ensure the continuation of this existing rural business and would provide local employment in the form of bar/restaurant/retail and cleaning staff.

Whilst the retail units proposed are clearly outside existing commercial centres, only two small units are proposed and these are to be operated ancillary to the main hotel use, and again, only available for use by residents in the hotel. This would be in accordance with Development Policy 18.

**Design/Setting**

Whilst the proposal comprises development in the open countryside, the development forms part of an existing business. The extensions have been reduced in scale and primarily consist of single-story development with basements. The proposed building has been designed to create the feel of a traditional courtyard development, but with a contemporary design. It is considered that the resultant development would be subservient in nature to the original pub/hotel building which would still be at the forefront of the site. The materials used would be a mix of those found in the local vernacular. This mix of materials in conjunction with the design will provide a development with a contemporary character but reflecting local vernacular.

The proposed development is also considered to represent an improvement to the character of the area with the regeneration of the existing site which due to its current poor state of repair, detracts from the character of the locality.

It is therefore considered that the design and materials of the proposal would be in keeping with character of the area and would be in accordance with Core Policy A and Development Policy 3 of the Local Development Plan.

**Landscape Setting**

The site is currently set against the backdrop of other development, both to the side and rear. A number of mature trees will need to be felled to enable the development towards the eastern boundary and a single mature tree in front of the building. These are visible from the public highway and make a positive contribution to the setting of the site. However, in wider landscape setting terms, the site is bounded to east and west by woodland planting and the loss of these trees would not have a wider landscape impact. Furthermore, new tree planting is proposed as part of the scheme.

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**Renewable Energy**

No details have been submitted at this stage but should Members be minded to approve the application then it is recommended that a condition requiring the submission of further details will be required in order to ensure compliance with Core Policy D is imposed.

**Archaeology/Undesignated Heritage Asset**

The host building is considered to be a non-designated heritage asset and the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application in accordance with the NPPF paragraph 197. It is considered that the courtyard design, set back behind the front wall of the host building would ensure that the character and setting of the host building would be retained and no harm to this heritage asset would result.

In terms of archaeology, the application site lies across the line of the Casten Dike, part of the extensive Cleave Dyke system of Late Bronze and Iron Age linear boundaries in the area. Two sections either side of the site are Scheduled Monuments, there has been little chance to investigate these features, and the Casten Dike exhibits possible re-use relating to the Battle of Byland 1322 and WW2, all of which makes it significant archaeology.

Whilst the dike may have been damaged during past use of the site, deposits may remain below the surface which will subsequently be destroyed by the planned works. However, the Authority's Archaeologist has advised that the proposed works are considered to be acceptable providing suitable recording is undertaken, which can be required by conditions.

**Ecology**

The submitted Preliminary Ecological Appraisal shows that the building is near to excellent well connected habitat for bats with woodland, Ancient Woodland and a small watercourse nearby. The building itself has a number of roosting opportunities for bats. The PEA states that:

*"The main building is assessed as having moderate suitability to support roosting bats and as such will require further survey. Two surveys (Emergence or Dawn re-entry) are recommended in the period May – August to assess the status of roosting. Should roosting be identified, further survey may be required to collect additional information, and a European Protected Species Mitigation Licence (EPSML) is likely to be required from Natural England in order to allow development to proceed."*

However, details of Emergence or Re-entry Surveys have not been provided with the supporting information and the Authority's Ecologist has advised that planning permission should not be given until results of these two surveys (emergence or dawn re-entry) have been provided and information as to whether mitigation for bats can be accommodated within the plans for the development.

These surveys have now been received and are being considered by the Authority's Ecologist.

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**Highways and Access**

The Hambleton Inn is located adjacent to the A170, one of the main routes into and out of the National Park. It is also located adjacent to successful racing stables which also generate a significant amount of traffic, including vehicles with horse boxes.

Concerns have been raised by the owners of the racehorse stables regarding the conflicts between users of the access to the stables and visitors to the hotel. This issue has also been considered by the Highway Authority. The proposal has been amended in accordance with the comments of the Highway Authority who now have no objections to the scheme. Whilst Officers understand the concerns of the neighbouring businesses regarding increased use of the access, it is not considered that refusal of the proposal could be upheld on this basis without an objection from the Highway Authority.

**Conclusion**

In view of the above considerations, it is considered that whilst it is unfortunate that the community facility element of this tourism business will be lost, the development would result in a form of development that would enable the regeneration of this existing run-down facility without detriment to the character of the locality. The development is considered to be in accordance with the policies contained in the adopted Local Development Plan and approval is recommended.

**Pre-commencement Conditions**

Condition(s) 23 & 24, 27, 28 & 31 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

**Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policy E5 and B1-4 which seek to conserve and restore built heritage, increase visitor spend and improve the variety of tourism accommodation.

The Management Plan acknowledges that tourism is an important element of the economy in terms of both income generation and a source of employment and that residents also benefit from visitor facilities. The aims of the tourism policies within the Management Plan are to seek to increase visitor spend, increase opportunities for visitors outside the peak seasons, improve overnight tourist accommodation and improve the quality and variety of facilities.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including amendments to the scale and design of the development so as to deliver sustainable development.