

## **PLANNING COMMITTEE**

Tuesday 23 September 2014 at 6.00 pm

Council Chamber, Ryedale House, Malton

### **Agenda**

16 **Late Observations**

(Pages 2 - 44)

# Agenda Item 16

RYEDALE  
DISTRICT  
COUNCIL



Please Contact: Mrs Karen Hood  
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All Members of the Planning Committee  
Council Solicitor  
Head of Planning & Housing  
Development Manager  
Managing Development Team Leader

Ref: Agendas/Planning/2014/2015

19 September 2014

Dear Councillor

**Meeting of the Planning Committee - 23 September 2014**

With reference to the above meeting I enclose for your attention the late observations received since despatch of the agenda.

Yours sincerely



Mrs Karen Hood  
Managing Development Team Leader

Enc

**APPLICATION NO:** 14/00734/MFUL

**PROPOSAL:** Establishment of a farmstead to include erection of a four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store and excavation of an attenuation basin/pond, formation of stoned area for external feed storage and vehicular access and landscaping with use of the existing general purpose agricultural building to include for livestock housing

**LOCATION:** OS Field No 1811, Cawton Road, Gilling East, Helmsley

### UPDATE REPORT

**Members Please note this replaces the Officer report published within the main agenda**

#### **SITE:**

At its closest the application site is located approximately 250m to east of the development limits of Gilling East, within the open countryside of the Howardian Hills Area of Outstanding Natural Beauty. It is associated with the relocation of the existing farmstead rented by the applicant situated at Ampleforth. The proposal is to construct a detached agricultural worker's dwelling, a detached double garage with additional storage, and two agricultural buildings for the housing of cattle and the storage of machinery and feed with related access and landscaping.

The application site currently consists of a large agricultural building, approved under agricultural notification ref. 13/00088/AGNOT (revised details to 09/01275/AGNOT) and a modest traditional stone built agricultural building.

#### **PROPOSAL:**

Planning permission is sought for the establishment of a farmstead to include erection of a substantial four bedroom agricultural worker's dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store and excavation of an attenuation basin/pond, formation of stoned area for external feed storage & vehicular access and landscaping.

The main components of the proposal consist of the following:-

- **Farmhouse:** An 'L' shaped 2-storey pitched roof dwelling, that will have a footprint which will measure 8.7m by 14.0m and be 9.3m at its ridge height to the main part of the dwelling. The 2-storey projection will measure 10.65m by 4.7m and be 6.9m at its ridge height, for the majority of the projection.
- **Garage/Store/Plant Room and Stable:** An 'L' shaped building with a first floor store area. The building will have a footprint approximately measuring 11.60m by 13.96m and 6.2m at its ridge height.
- **Cattle Shed:** A pitched roof blockwork and profiled sheeting building with a footprint of 31m by 22.8m and 7.0m at the eaves, 9.8m at its ridge height.

- **New Machine/Feed Store:** A pitched roof block and profiled sheeting building with a footprint of 31m by 22.8m with a ridge height to eaves of 6.9m and ridge of 9.8m.
- **Existing General Purpose Agricultural Building:** To allow use to include livestock housing

#### **HISTORY:**

09/01275/AGNOT – Determined - Erection of a general purpose agricultural storage building.

13/00088/AGNOT – Determined - Erection of a general purpose agricultural storage building.

14/00186/PREAPP - Construction of 2no. agricultural buildings and associated agricultural workers dwelling including detached garage with related access and landscaping.

#### **POLICY:**

##### National Planning Policy Guidance

National Planning Policy Framework 2012

National Planning Practise Guidance 2014

##### Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP13 – Landscapes

Policy SP14 - Biodiversity

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

Policy SP21 – Occupancy Restrictions

#### **APPRAISAL:**

Members will note that to date 4 no. letters of objection have been received to this application. In addition, Gilling East with Cawton, Coulton and Grimstone Parish Council have expressed concerns to the planning application by stating:

*“Councillors expressed concerns that the development was outside the residential footprint of the village and that the size of the property is excessive to the listed welfare needs of agricultural site provision. They expressed concern regarding traffic volumes in respect to the current road conditions and the impact on the junction from Cawton Road and Main Street considering recent issues with traffic problems. The Council also wished to note that the property plan as currently leaves scope for further development which could have an environmental impact over and above the economic gain stated within these statements.”*

The main considerations in the assessment of this application are:

- i) The principle of the proposed farmstead;
- ii) The principle of the proposed agricultural workers dwelling;
- iii) Impact on the Howardian Hills AONB;
- iv) Residential Amenity;
- v) Highway Considerations;
- vi) Tree and Landscaping; and

vii) Ecology

Introduction to the Principle of the Development

The consideration of the principle of this development is in two parts. First, the justification for the new farmstead, and second, the essential need for the proposed dwelling. Members will note that the need for the proposed dwelling is based on the acceptability of the new farm buildings. If the farm buildings are considered unacceptable either through matters of principle or through other material considerations, the essential need for the dwelling will not exist.

An independent assessment has been commissioned by the Council. The aim of the assessment was to provide advice on whether there is a need for the farmstead as a whole to relocate, and also whether there is an essential need for the proposed dwelling. The assessment can be seen within the appendix of this report.

Planning Policy Context

The Planning Policy context for this development is provided within Para 55 of the National Planning Policy (NPPF) which states that Local Planning Authorities should avoid new isolated homes unless there are special circumstances. One such circumstance is *'the essential need for a rural worker to live permanently at or near their place of work in the countryside.'* The NPPF does not include any clarification of how such need should be demonstrated. However it is considered that guidance can be taken from the now superseded Planning Policy Statement 7, Annex A. The recent decision of a Planning Inspector in Ryedale in considering planning application ref. 12/00331/FUL (appeal ref. APP/Y2736/A/13/2197766) confirms this:

*"7. No definition of 'essential' is given in the Framework, but the main parties agreed that the functional and financial tests set out in the Annex to the now superseded PPG7: Sustainable Development in Rural Areas form a reasonable basis for such an assessment. The functional test establishes whether the enterprise whether the need for a full time worker to live at the site can be justified for the proper functioning of the enterprise, and the financial test addresses the viability of the enterprise and whether it can sustain the cost of the dwelling. If this is not the case then the development cannot be said to be sustainable; promoting sustainable development (economic, social and environmental) is 'golden thread' which runs through the Framework."*

The comments of the Planning Inspector clearly state that both the functional need and financial test are key to identifying the sustainability of the proposed development. If the functional need or the financial viability of the enterprise cannot be demonstrated then it cannot be said that the development is sustainable and would therefore be contrary to the requirements of the Framework.

The tests from the former PPS7 Annex A in relation to agricultural workers dwellings are as follows:

- i) there is a clearly established *existing* functional need;
- ii) the need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

The guidance in PPS7 indicates that agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural

needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

If the proposal fails to satisfy the NPPF's requirement to prove 'essential need', the proposal would also fail to satisfy Policy SP2 (Delivery and Distribution of New Housing) of the Ryedale Local Plan Strategy which in the wider open countryside supports "new building dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified..."

i) The principle of the proposed farmstead

The applicant operates a large animal and pig finishing business in Ryedale. The backbone of the business is the land farmed around Gilling East and Ampleforth, which totals approximately 1,450 acres. Of this, c600 acres are owned by the applicant. The remaining c850 acres are rented on a Farm Business Tenancy and located around Ampleforth College. The applicant has advised that the Farm Business Tenancy has 7 years remaining and that this is the second ten year agreement.

The justification for the new farmstead can be found within the 'Planning Justification and Agricultural Appraisal' submitted in support of the proposal. This identifies that to date, calving of the suckler cattle and the lambing of the sheep has taken place in rented buildings close to Ampleforth College. However, the applicant claims that these buildings have a compromised layout and are nearing the end of their lifespan with no expected future landlord investment in relation to upgrading or their replacement. Further, it is identified that the land at Ampleforth only has 7 years remaining on its tenancy. It is stated that the applicant "*cannot justify investing in new buildings on this land, due to the uncertainty caused by the end of the agreement. Whilst it is hoped that the tenancy will be made available to the Mosey family again, this cannot be guaranteed*". The applicant also states that there is lack of farm workers accommodation close to the Ampleforth College Farm which results in poor accessibility and a lack of security.

Members will note that the applicant has advised that when the Farm Business Tenancy was last renewed, in 2011, no problems had occurred. Further, no written correspondence has been received or provided from the landlord stating that no further investment to the existing agricultural buildings will be made or that the existing tenancy will not be made available again. Whilst the applicant has provided photographs of the Ampleforth site (see appendix), no structural building surveys have been provided to prove the condition of the buildings. This raises concerns to whether the relocation of the new farmstead is essential for the needs of the continued operation of the farm enterprise.

The Design and Access Statement submitted with the application identifies four sites within the ownership of the applicant which have been considered as potential locations for the new farmstead (see attached Design and Access Statement). The application site, Site A, has been considered to be the best location for the reasons identified within the Design and Access Statement.

Whilst not included or considered within the Design and Access Statement, the applicant also owns an additional farm at Blackdale Farm. The independent appraisal commissioned by the Council comments on this site:

4.3.4 *It also appears from the land ownership plan that Blackdale Farm, Coulton Lane is also owned. The agent has confirmed that this farm is owned by Ian Mosey's company and is the feed production site with mill, grain drier and potato store. The agent advises that it is not possible to house livestock on the same site due to potential contamination issues and that there is no extra room to develop a farmstead. We are not aware of any restrictions on a feed mill and livestock enterprise being located on the same unit, for example, the DEFRA code of practice for the control of salmonella during the production of feed, whilst has measures to ensure that there is no cross contamination, includes no restrictions of having livestock based*

*at the same site. We have not visited the site and therefore cannot comment upon whether there is any additional space for the proposed farmstead.*

The issue of cross contamination has been disregarded by the appraisal commissioned by the Council. Therefore, the cross-contamination point is not considered to prevent the development of this site in 'principle' at Blackdale Farm. To this regard, the applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that Blackdale Farm could not accommodate the additional farm buildings.

Members are also advised that the independent appraisal raises serious concerns over the scale of the proposed farmstead, and whether it is of a sufficient scale to meet the functional needs of the farm.

*4.4.9 However, we do have concerns that the size of the livestock buildings proposed are not sufficient for the numbers of cattle and sheep expected to be on site. Using the ABC Book as a guide we would suggest that the buildings would only provide sufficient accommodation for approximately 200 cattle.*

Officers have been advised from an independent surveyor (please see appendix) that, on the basis of the livestock numbers provided, that the site accommodates an approximate shortfall of 800sqm of building. This information raises concerns that the proposed farmstead is not providing sufficient accommodation for the requirements of the farm. The submitted site layout plan identifies that there is limited space within the proposed site for an additional building. An additional building, if required, would raise further considerations in terms of the operation and scale of the development as a whole. In particular, concerns exist to whether the proposed layout of the site would provide sufficient space to accommodate an additional building. This could severely impact on the landscaping and screening strategy of the proposal.

To conclude, the scale of the farm enterprise is such that could generate the need for additional farm buildings. However, given the potential sites under the ownership of the applicant, officers raise significant concerns to whether it is essential for a new farmstead to be created. It has not been successfully demonstrated to the Local Planning Authority that the creation of the new farmstead is necessary. Further, concerns have been identified in terms of whether the proposed development is sufficient to accommodate the needs of the farm, which may result in future expansion of the farm. Officers also have concerns whether the proposed location of the farmstead is the most suitable in landscape terms. Therefore, it is the view of officers that the development results in unjustified intrusion in the open countryside that results in harm to the Howardian Hills AONB which is provided highest level of protection in terms of landscape and scenic beauty. The full impact of the development on the AONB is considered later in this report.

ii) The principle of the proposed agricultural workers dwelling

The essential need to live on site is normally only required where it involves animals that require 24 hour care.

The Planning and Justification Appraisal provides information on the care of suckler cows and breeding ewes and the monitoring required during the calving and lambing periods. It is also advised that deliveries and the collection of livestock can occur out of hours and that someone needs to be on site at short notice to help unload.

The independent appraisal considers the functional need for the dwelling:

*4.4.6 It is accepted that the cattle enterprise that will be run from the site creates some functional need for a worker to be readily available at most times. During the period of calving, which we understand is throughout the year, the cows will need very close monitoring as assistance may be needed with births and to ensure the welfare of the newly born calves. The need for a*

*worker to be readily available to oversee the cattle will be lower in the summer months when it would be expected that most of them will be out at grass.*

*4.4.7 The majority of the labour activities involved with the cattle and sheep enterprises are routine in nature, however, as detailed above taking into account all of the above points it is considered that there is an essential need for a worker to be readily available at most times in respect of the cattle and sheep farming operations.*

*4.4.8 We provide at Appendix 01 our own labour calculation based on the data provided in the Agriculture Budgeting and Costing Book (78th Edition). As the dwelling is justified on the basis of the cattle and sheep enterprises we do not include the arable operation or the pigs, which are not to be kept at the new farmstead. Our labour calculation suggests a need for 2 full time workers in connection with the direct management of the cattle and sheep enterprises.*

In its conclusion, the appraisal states:

*5.3 We have considered whether there is an **essential need for a worker to live at or near the livestock**. Based upon the livestock numbers submitted with the application we are of the view that there would be an essential need for a worker to be readily available at most times to support the cattle and sheep farming operations.*

The key information of the above statement is highlighted in bold. Officers have concerns that the applicant currently resides in Gilling East (it is advised that the proposed development is required for the applicant's son, who also resides in Gilling East) which at its closest is located only 250m to the application site. It has not been demonstrated to the satisfaction of officers why the applicant is not able to manage the needs of the farm from the village. It is clear that the applicant has been operating the site at Ampleforth successfully for some years without the need for a dwelling to be located on the site. These factors do raise questions to whether the need for the dwelling on site is essential or whether it is the desires of the applicant.

In relation to the need to live on site to provide security, case law has shown that this is not normally enough in itself to satisfy an essential need to live on site.

In accordance with the requirements of PPS7, the level of accommodation provided for an agricultural worker should be commensurate with the established need of the farm. One reason for this is to ensure that the development is sustainable in terms of whether or not the agricultural business can sustain the cost of the dwelling. In respect to this matter the appraisal states:

*4.4.10 We also have concerns regarding the size of the proposed dwelling and the need for the additional outbuildings and garages. The dwelling appears excessive in size in relation to the essential need. We have also not seen any justification in terms of need for the domestic outbuildings. We are not aware of any set guidelines for assessing whether a dwelling is commensurate with the essential need. We find that the BCIS calculation relating to build costs is a useful guide on how much the house will cost and therefore an indication of the size and whether the agricultural business can sustain this cost.*

*4.4.11 We provide at Appendix 02 a basic BCIS calculation based upon basic build quality and not including the garage or outbuildings. This suggests that the proposed dwelling would cost in the region of £500,000 to construct. We would suggest that this is excessive for what is essentially a stockman's house, even taking into consideration family needs. We have not had sight of any accounts for the business so cannot comment upon whether this is a figure that could be sustained by the livestock enterprises.*



The application proposes a significant 4 bed farmhouse together with a detached outbuildings (details of which can be found earlier within this report). Given the functional requirement of the farm, it would be expected that the development would require a dwelling more in keeping with a modest stockman's dwelling rather than a large farmhouse. In addition, the application has provided no justification in terms of the need for the domestic outbuildings and garages. Therefore, it is the view of Officers is that the scale of the proposed dwelling and the additional outbuildings and garages is excessive. The size of the dwelling is not considered to be commensurate to the essential need of the farm. This raises concerns to the overall sustainability of the dwelling.

To conclude, given the proximity of the new farmstead to the applicant (or son) current place of residence, and the excessive scale of the domestic accommodation sought, it is the view of officers that the application has not demonstrated the need for the proposed agricultural workers dwelling on site and it is considered to be contrary to the requirements of Para.14 and 55 of the NPPF and Policy SP2, SP19 and SP21 of the Ryedale Local Plan Strategy.

### iii) The impact upon the special qualities of the Howardian Hills Area of Outstanding Natural Beauty

Section 85(1) of The Countryside and Rights of Way Act (2000) states that Local Authorities should have:

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

The NPPF reflects the requirements of the Country and Rights of Way Act (2000) by stating:

*115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*

The Howardian Hills Area of Outstanding Natural Beauty Management Plan 2014 – 2019 outlines the special qualities of the Howardian Hills Area of Outstanding Natural Beauty. These include:

- *An unusual landform*
- *A richly varied landscape*
- *A landscape of high visual quality*
- *A remarkable heritage*
- *An important wildlife resource*

Furthermore, the Howardian Hills Area of Outstanding Natural Management Plan refers to AONB's being places that are increasingly seen as calm and tranquil, without features such as traffic noise, minerals workings, excessive lighting and aircraft noise.

As identified by the AONB Management Plan, the application site is located within the Vale of Pickering landscape character area. The Landscape Management for this character area is to *"Strengthen the landscape by restoration of hedges, hedgerow trees and copses while retaining the contrast with more heavily wooded slopes to the north and south."*

Members will note that this site is highly visible from a number of public viewpoints in the area. The most significant viewpoint is that from Cawton Road, however there are various other viewpoints from within the village of Gilling East itself, including Station Road and Church Lane, and the B1363 road located in between Gilling East and Oswaldkirk. Wider views of the landscape character can be

seen from the B1257 located inbetween Oswaldkirk and Stonegrave. A panoramic photograph of the site and landscape taken from the B1363 to the north of the site can be found in the appendix. Further photographs of the site and the surrounding area will be provided to Members at the Committee Meeting.

The proposed four bedroom farmhouse will be positioned adjacent to Cawton Road on the western side of the site. It is a double fronted traditional design, with a further two storey cross wing extension to the rear. It will measure 9m to the highest ridge point and 6m to the highest eave point. The proposed detached garage with additional storage at first floor level will be positioned to the north east of the farmhouse and will measure 6.2m to the highest ridge point and 4m to the highest eave point. These buildings will be constructed of random coursed limestone under either clay pantiles or slate.

The proposed cattle building will be positioned 14.5m to the north of the existing shed. It will have a total floor area of 706.8 square metres and measure 7m to the eaves and 9.6m to the ridge. The proposed building to store machinery and feed will be positioned 23m to the east of the cattle shed. This will also have a total floor area of 706.8 square metres and measure 7m to the eaves and 9.6m to the ridge.

The 'Howardian Hills Area of Outstanding Natural Beauty Design Guidance for New Agricultural Buildings and Infrastructure (November 2013)' provides general design guidance on the siting of new farm buildings. Amongst other things, it is stated that "*subject to operational requirements, the impact of a new structure can be reduced by located it in close proximity to existing buildings with an existing group. Rarely will it be acceptable to build an isolated free-standing structure in the open countryside.*"

The view of officers is that the scale of this large development is one that would be at contrast with the open vale landscape of the surrounding area. The proposed layout provides an open site which is dominated by large farm buildings and a large dwelling. At approximately 75m – 80m to the nearest agricultural building, the position of the farmhouse itself is a significant distance from the farm buildings. This adds to the open dispersed nature of the proposal and further impacts on the character of the AONB.

A key justification for the siting of this proposal relates to the visual linkage the site has to the nearby Gilling East. It is accepted by Officers that there is an element of visual linkage to the nearby village. However by virtue of the separation distance between the site and the development limits of the village, any visual linkage is considered to be relatively minimal. When viewed in the wider landscape context, the site will be seen largely in isolation from any nearby development limit.

In order to mitigate the impact of the development, the application is proposing screening in the form of areas of woodland. This raises concerns for two reasons. Firstly, the trees would only screen the development for parts of the year. Secondly, the Landscape Management guidelines for the Landscape Character Zone of the AONB, as laid out in the AONB Management Plan, encourage the restoration of a hedged landscape with hedgerow trees and copses of broadleaved trees. The planting of areas of woodland to screen the development would not be compatible with the landscape character type.

It is the view of officers that layout, scale and design of the development is one that does not protect the scenic and natural beauty of the Howardian Hills AONB or respect the context provided by its surroundings. Therefore, the design is considered to be contrary to the requirements of Policy SP13 and SP16 of the Ryedale Local Plan Strategy.

As identified by the AONB Management Plan, a special quality of the AONB landscape is that of tranquillity. This landscape character is protected by Policy SP13 of the Ryedale Local Plan Strategy which seeks to ensure that '*the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*' is safeguarded.

The application site is situated on a single track country road which provides access between Gilling East and Cawton. There is currently very little development between the two settlements which ensures low levels of vehicular activity and artificial lighting. This enhances the nocturnal character and tranquillity of the area.

This development if permitted would result in a significant increase the levels of traffic using Cawton Road and the local road network, including those highways through the villages of Gilling East and Cawton. These comings and goings from the site would materially change of character of the area from that of a quiet agricultural site into a large developed farmstead. It is also submitted that any lighting required for the farmyard together with the lighting associated to the farmhouse will significantly impact on the nocturnal character of the AONB. In light of this it is considered that the development does not conserve or preserve the tranquillity and nocturnal character of the AONB.

To conclude, the impact of the development on the Howardian Hills AONB does not conserve or enhance the special qualities of the AONB therefore is contrary to the requirements of Policy SP13 of the Ryedale Local Plan Strategy, Section 11 of the NPPF and The Countryside and Rights of Way Act (2000). The AONB Manager has raised significant concerns to the development and his comments are attached in full to this report.

#### iv) Residential Amenity

In considering residential amenity, the requirements of Policy SP20 of the Ryedale Local Plan Strategy is relevant. This states that *“New development will not have a material adverse impact o the amenity of present or future occupiers, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.”*

The application site is located approximately 250m from the nearest residential dwellings. These separation distances are considered to be such that the farmstead itself would not result in harm to nearby residential properties. Nevertheless, Officers do have concerns regarding the potential impact the proposed development will have on the amenities of the residents in the nearby village of Gilling East and its surroundings as a result of additional noise and general disturbance through vehicular movements associated with the proposed development. For this reason, the proposal is considered to be contrary to the requirements of SP20 of the Ryedale Local Plan Strategy.

#### v) Highway Considerations

Whilst the Highway Authority have raised concerns to the development, no objections have been raised to the proposal, subject to conditions.

Members will note that nearby residents have raised concerns to the impact of the associated traffic on Cawton Road. Photographic evidence has been provided which shows the impact of existing farm traffic on the highway verge located along Cawton Road (see appendix). Residents have objections that the width of the road is not sufficient to accommodate this development, and if approved further deterioration of the highway verge will occur.

#### vi) Tree and Landscaping

The Council’s Tree and Landscape Officer has made comments on the application recommending conditions.

#### vii) Ecology

With regards to ecology, the Council’s Countryside Officer has raised concerns that, in line with Policy SP14 of the Ryedale Local Plan Strategy, there needs to be provision to provide a net gain for biodiversity within this application. Further information is awaited from the applicant in respect to this matter.

### Conclusion

To conclude, Officers have significant concerns with respect to the size, scale and design of the new farmstead and dwellinghouse and the levels of activity that would be generated by the proposal. Concerns also exist to whether the need for the dwelling is essential on site given the close proximity of Gilling East. Further, it is the view of Officers that the development would result in harm to the landscape character and special qualities of the Howardian Hills AONB. The application is therefore recommended for refusal.

### **Recommendation – REFUSAL, subject to no further issues raised in consultation period**

1. The proposed development, providing for the erection of a four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store is substantial and by reason of its design, scale, layout, appearance and prominent position fails to respect the character of the area and results in significant harm to the visual amenity of the open countryside which is detrimental to the Howardian Hills AONB. The proposal is considered therefore to be contrary to the requirements of Policies SP13, SP16, SP19 and SP20 of the Ryedale Local Plan Strategy; Section 11 of the NPPF; and Section 85(1) of The Countryside and Rights of Way Act (2000). Furthermore, Para 115 of NPPF explains that ‘great weight’ should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.
2. The proposed development by virtue of the levels of activity associated with the proposed farmstead and lighting required for the operations of the farm will not preserve the ambience of the area, including nocturnal character, level and type of activity and tranquillity, of the Howardian Hills AONB. The proposal will therefore be contrary to the requirements of Policy SP13 of the Ryedale Local Plan Strategy, Section 11 of the NPPF and Section 85(1) The Countryside and Rights of Way Act (2000).
3. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed farmstead is necessary and that this is the only and most appropriate site for the proposed farmstead. The proposed farmstead therefore represents an unjustified visual intrusion into the open countryside which is detrimental to the Howardian Hills AONB. The proposal is considered therefore to be contrary to the requirements of Policies SP13, SP16, SP19 and SP20 of the Ryedale Local Plan Strategy; Section 11 of the NPPF; and Section 85(1) The Countryside and Rights of Way Act (2000).
4. By virtue of the proximity of the village of Gilling East, the applicant’s place of residence, the application has not demonstrated to the satisfaction of the Local Planning Authority the essential need for a dwelling to be located on the application site given that the village is located 250m from the application site. Therefore, the proposed development has not been justified and is contrary to the requirements of Para. 55 of the NPPF and Policies SP2 and SP21 of the Ryedale Local Plan Strategy.
5. The application has not demonstrated to the satisfaction of the Local Planning Authority that the scale of the proposed dwelling and associated outbuildings are commensurate to the functional need of the new farmstead or that of an agricultural workers dwelling. Therefore, the proposed development has not been justified and is considered to be a form of unsustainable development in this location. The proposal is therefore contrary to the requirements of Para. 55 of the NPPF and Policies SP2 and SP21 of the Ryedale Local Plan Strategy.
6. The proposed development will result in a material adverse impact on the amenities of the residents in the nearby village of Gilling East as a result of additional noise and general disturbance generated by the additional vehicular movements associated with the proposed

development. The proposal is therefore contrary to the provisions of Policy SP20 of the Ryedale Local Plan Strategy.

# Carter Jonas

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### PLANNING APPLICATION 14/00734/MFUL

**COMMENTARY ON APPLICATION: ESTABLISHMENT OF A FARMSTEAD TO INCLUDE ERECTION OF A FOUR BEDROOM AGRICULTURAL WORKERS DWELLING WITH DETACHED DOUBLE GARAGE/STORE WITH ROOM ABOVE, ERECTION OF CATTLE SHED AND MACHINERY/FEED STORE AND EXCAVATION OF AN ATTENUATION BASIN/POND, FORMATION OF STONED AREA FOR EXTERNAL FEED STORAGE AND VEHICULAR ACCESS AND LANDSCAPING WITH USE OF THE EXISTING GENERAL PURPOSE AGRICULTURAL BUILDING TO INCLUDE FOR LIVESTOCK HOUSING**

**OS FIELD NO 1811  
CAWTON ROAD  
GILLING EAST  
HELMSLEY**

On behalf of Ryedale District Council

September 2014

## 1.0 INTRODUCTION

- 1.1 This report has been prepared at the request of Ryedale District Council to provide advice in relation to a planning application submitted by Smiths Gore on behalf of Mr I Mosley. We have been specifically asked to consider whether the principle of the proposed farmstead as a whole is necessary and whether the proposed farmhouse is essential as part of this proposal.
- 1.2 The application is for the establishment of a farmstead to include erection of a four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store and excavation of an attenuation basin/pond, formation of stoned area for external feed storage and vehicular access and landscaping with use of the existing general purpose agricultural building to include for livestock housing.
- 1.3 This report is a desk based study based solely on the information submitted as part of the planning application (LPA Ref: 14/00734/MFUL).
- 1.4 A site visit has not been undertaken and we have not discussed the proposals with the applicant or their agent.
- 1.5 This report is based upon guidance provided in the National Planning Policy Framework and the Ryedale Development Plan. It summarises the proposal and whether, in our view, the requirements of planning policy can be satisfied.
- 1.6 This report has been prepared jointly by Kate Broadbank MA MRTPI, Senior Planner of Carter Jonas' Harrogate Office and David Davenport MRICS FAAV Surveyor also of Carter Jonas' York office.

## 2.0 THE PROPOSAL

- 2.1 From the information submitted as part of the planning application we understand that the application site is located approximately 0.6km to the east of Gilling East, which is located to the south west of Ampleforth. The site is accessed directly from Cawton Road, which runs west out of the village. It is located outside any development limits and within the Howardian Hills Area of Outstanding Natural Beauty.
- 2.2 We understand that the business farms over 1,450 acres of land. Approximately 600 acres are owned by the applicant, to the south and east of Gilling. The remaining 850 acres are rented on a Farm Business Tenancy from Ampleforth College and located around the College. We understand that the applicant operates a large animal feed and pig finishing business. The Planning and Agricultural Statement advises that the farm finishes approximately 2000 pigs per year in buildings close to Gilling. In addition, the enterprise has a large number of pigs retained on a Bed and Breakfast basis on other farms across Yorkshire.
- 2.3 We understand that the farming business to which this application relates is, according to the Planning Justification and Agricultural Appraisal (the "Appraisal"), a mixed farm with 130 suckler cows and 450 breeding ewes. A further 500 store lambs and 50 store cattle are bought onto the farm for fattening each year. The herd calves all year round, with peaks in Spring and Autumn. The calves are kept on the farm until 20 months of age. All lambs born are finished on the farm.

- 2.4 At the present time the calving and lambing takes place in rented buildings close to Ampleforth. The applicant advises that these buildings are nearing the end of their lifespan and that there is no future landlord investment expected. We are also advised that there is no residential accommodation near to the buildings and that access is poor and restricted. The Farm Business Tenancy has only 7 years remaining. The applicant cannot justify investing in new buildings on the land due the uncertainty surrounding the FBT. It is hoped this will be renewed however the applicant advises that this is not certain. We are advised that this is the second ten year agreement and that there were no problems when the last tenancy was reviewed.
- 2.5 The proposal therefore applies for the creation of a new farmstead on land owned by Mr Mosley close to Gilling East. There is an existing modern general purpose building on the site. This was granted prior approval through an agricultural notification for a general purpose agricultural building in June 2012 (09/01275/AGNOT). A further agricultural notification was granted in February 2013 to increase the floor area of the building from 363sqm to 462sqm (13/00088/AGNOT). The building has been used for livestock however does not have permission for this. This current application therefore also applies for the use of this building for livestock purposes. A smaller traditional building also exists on the site adjacent to the road.
- 2.6 We are advised that the new farmstead will be for Mr Ian Mosey's son, John Mosey and his family, who currently live in a semi-detached house in the village.
- 2.7 Our assessment considers the agricultural merits of the application. We do not comment upon the particular planning issues of siting (other than in relation to the farm and its business), landscape, impact etc as these are matters for the Local Planning Authority to assess.

### **3.0 PLANNING POLICY CONTEXT**

- 3.1 The National Planning Policy Framework (NPPF) was formally published by the Department for Communities and Local Government in March 2012 and replaces all the previous Planning Policy Statements, including Planning Policy Statement 7 (Sustainable Development in Rural Areas) in which a basis for the assessment of proposals for agricultural dwellings was set out.
- 3.2 Section 3 of the NPPF relates to supporting a prosperous rural economy and paragraph 28 states; *"Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development"*. It then suggests that to promote a strong and rural economy, local and neighbourhood plans should; *"support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development and diversification of agricultural and other land based rural business"*.
- 3.3 Paragraph 55 of the NPPF relates to sustainable development in rural areas and states; *"local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*
- *The essential need for a rural worker to live permanently at or near their places of work in the countryside; or*



- *Where such development would represent the optimal use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *The exceptional quality of innovative nature of the dwelling”.*

3.4 The development plan for Ryedale consists of the Ryedale Local Plan Strategy and the saved policies of the Ryedale Local Plan (adopted 2002). The Ryedale Local Plan Strategy sets out the broad principles for development in the District. Of note to this application are:

Policy SP1 – General location of development and settlement hierarchy  
Policy SP9 – The land-based and rural economy  
Policy SP13 – Landscapes  
Policy SP19 – Presumption in favour of sustainable development  
Policy SP21 – Occupancy restrictions

- 3.5 Policy SP1 advises that in the open countryside development will be restricted to that which, *inter alia* is necessary to support a sustainable, vibrant and healthy rural economy and communities. Policy SP9 provides support for a number of types of development including new buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes. Policy SP21 (c) advises that proposals for new residential development in the open countryside to support land-based activity will be required to demonstrate an essential need for the dwelling that cannot be met elsewhere.
- 3.5 Neither national nor local planning policy now prescribes any methodology or criteria against which the essential need for a rural worker to live permanently at or near their place of work in the countryside should be assessed. However, the practical criteria formally set out in Annex A of the now cancelled PPS7, are well-established and well understood measures for the Local Planning Authority to assess the application against the 'essential' criteria in the NPPF.

#### 4.0 ASSESSMENT

We have been instructed by Ryedale District Council to provide advice on whether there is a need for the farmstead as a whole to relocate and also whether there is an essential need for the proposed dwelling.

- 4.1 The applicant is an established farmer with an established and successful business comprising various enterprises. As the new farmstead is to be based on the suckler herd and sheep enterprises we have concentrated our consideration on these aspects of the business. In any event we have no detailed information regarding the bed and breakfast pigs and it is understood that the cropping enterprises are also based at another location.
- 4.2 A new farm building has recently been constructed on the site. We have no reason to dispute that the applicant has the intention or ability to develop the enterprise concerned. The enterprise exists and we have no reason before us to conclude that this would not continue should the business relocate. We would, however, advise the Local Planning Authority to consider, should planning permission be granted, the imposition of conditions preventing occupation of the dwelling until the livestock buildings are constructed and stocked should this be deemed necessary to ensure that the business does relocate as planned.

### **4.3 The Farmstead**

- 4.3.1 The justification put forward for the new farmstead is that the land and buildings at Ampleforth College are rented on a Farm Business Tenancy, which has 7 years left to run. The applicant would prefer to have their suckler cow and sheep enterprises located on land that he owns so that the business is secure for the future. He advises that the buildings at Ampleforth require maintenance and there is no indication from the College that this will be forthcoming. We have not queried with the College whether the FBT would be likely to be renewed or whether the buildings would be improved however it is unlikely that this information would be forthcoming. We can therefore understand the wish to have the cattle and sheep housed on land owned.
- 4.3.2 The applicant owns land to the east and south of Gilling East. The Design and Access Statement submitted with the application identifies four sites within the ownership of the applicant that have been considered as locations for the new farmstead. Site A, the application site, has been deemed to be the best location for various reasons. We have not visited the sites so cannot comment upon the relative merits of each and whether the chosen location is the most suitable in terms of landscape and impact on the Area of Outstanding Natural Beauty.
- 4.3.3 The FBT states that Ian Mosey lives at Village Farm, Gilling. The agent advises that this is not a farm but comprises house, offices and garage within landscaped gardens. The agent advises that there are no suitable buildings on site or adjacent for livestock and that the surrounding land rises steeply with no opportunity for the construction of new farm buildings to accommodate the livestock. We have not visited the site so cannot confirm that this is the position.
- 4.3.4 It also appears from the land ownership plan that Blackdale Farm, Coulton Lane is also owned. The agent has confirmed that this farm is owned by Ian Mosey's company and is the feed production site with mill, grain drier and potato store. The agent advises that it is not possible to house livestock on the same site due to potential contamination issues and that there is no extra room to develop a farmstead. We are not aware of any restrictions on a feed mill and livestock enterprise being located on the same unit, for example, the DEFRA code of practice for the control of salmonella during the production of feed, whilst has measures to ensure that there is no cross contamination, includes no restrictions of having livestock based at the same site. We have not visited the site and therefore cannot comment upon whether there is any additional space for the proposed farmstead.
- 4.3.5 Based upon the information we have been provided with it would appear that there are no other suitable sites within the ownership of the applicant for the livestock to be relocated to. However, we have not visited these sites so would advise the Local Planning Authority to do so prior to a decision being made.

### **4.4 Is there an essential need for the proposed dwelling?**

- 4.4.1 The test in the NPPF for dwellings in the countryside is that there needs to be an essential need for a worker to live permanently at or near their place of work.
- 4.4.2 The Appraisal and Design and Access Statement, as well as other supporting evidence submitted by the applicant to support the application, explain why the applicant considers it necessary for a full-time worker to reside at the site.

- 4.4.3 The Appraisal advises that the proposed dwelling is essential for the care of the livestock day and night for out of hours care and for security purposes. The house would be located approximately 50 metres to the west of the agricultural buildings with associated garage and outbuildings.
- 4.4.4 The Appraisal provides information on the care of the suckler cows and breeding ewes and the monitoring required during the calving and lambing periods. It is also advised that deliveries and the collection of livestock can occur out of hours and that someone needs to be on site at short notice to help unload.
- 4.4.5 We are of the view that with regards to the lambing, whilst there is a need for care during this period, this is a two month period of the year and cannot be afforded much weight alone in establishing whether there is an essential need for the farmhouse.
- 4.4.6 It is accepted that the cattle enterprise that will be run from the site creates some functional need for a worker to be readily available at most times. During the period of calving, which we understand is throughout the year, the cows will need very close monitoring as assistance may be needed with births and to ensure the welfare of the newly born calves. The need for a worker to be readily available to oversee the cattle will be lower in the summer months when it would be expected that most of them will be out at grass.
- 4.4.7 The majority of the labour activities involved with the cattle and sheep enterprises are routine in nature, however, as detailed above taking into account all of the above points it is considered that there is an essential need for a worker to be readily available at most times in respect of the cattle and sheep farming operations.
- 4.4.8 We provide at Appendix 01 our own labour calculation based on the data provided in the Agriculture Budgeting and Costing Book (78<sup>th</sup> Edition). As the dwelling is justified on the basis of the cattle and sheep enterprises we do not include the arable operation or the pigs, which are not to be kept at the new farmstead. Our labour calculation suggests a need for 2 full time workers in connection with the direct management of the cattle and sheep enterprises.
- 4.4.9 However, we do have concerns that the size of the livestock buildings proposed are not sufficient for the numbers of cattle and sheep expected to be on site. Using the ABC Book as a guide we would suggest that the buildings would only provide sufficient accommodation for approximately 200 cattle.
- 4.4.10 We also have concerns regarding the size of the proposed dwelling and the need for the additional outbuildings and garages. The dwelling appears excessive in size in relation to the essential need. We have also not seen any justification in terms of need for the domestic outbuildings. We are not aware of any set guidelines for assessing whether a dwelling is commensurate with the essential need. We find that the BCIS calculation relating to build costs is a useful guide on how much the house will cost and therefore an indication of the size and whether the agricultural business can sustain this cost.
- 4.4.11 We provide at Appendix 02 a basic BCIS calculation based upon basic build quality and not including the garage or outbuildings. This suggests that the proposed dwelling would cost in the region of £500,000 to construct. We would suggest that this is excessive for what is essentially a stockman's house, even taking into consideration family needs. We have not had sight of any accounts for the business so cannot comment upon whether this is a figure that could be sustained by the livestock enterprises.

- 4.4.12 The size and impact of the buildings are for the Local Planning Authority to assess however we consider them excessive in relation to the stated agricultural need.

## **5.0 CONCLUSION**

- 5.1 We have made our assessments based upon the information submitted with the application and additional information provided during the course of determination of the application. We have considered this information in detail. Based upon this it would appear that there are no other suitable sites within the ownership of the applicant for the livestock to be relocated to. However, we have not visited these sites so would advise the Local Planning Authority to do so prior to a decision being made.
- 5.2 However, we do have concerns that the proposed farm buildings are not sufficient in size to cater for the numbers of livestock proposed.
- 5.3 We have considered whether there is an essential need for a worker to live at or near the livestock. Based upon the livestock numbers submitted with the application we are of the view that there would be an essential need for a worker to be readily available at most times to support the cattle and sheep farming operations.
- 5.4 With regards to the proposed dwelling we have concerns that this is excessive in size commensurate to the essential need.
- 5.5 We have not considered other planning matters such as the impact of the proposal upon the landscape and the AONB, design or access. These are matters for the Local Planning Authority to consider.

**CARTER JONAS LLP**  
**September 2014**

## APPENDIX 01

## ESTIMATE OF FULL TIME LABOUR REQUIREMENT

OS FIELD NO 1811, CAWTON ROAD, GILLING EAST, HELMSLEY

*Figures calculated by reference to the Agricultural Budgeting & Costing Handbook, 78<sup>th</sup> Edition (May 2014)*

Livestock	Hours/Head/Year	Head	Total Hours
Suckler Cattle	11	130	1,430
Store Cattle	8	240	1,920
Lowland Sheep	3.5	450	1,575
<b>Total Hours for Enterprises</b>			<b>4,925</b>

Note: Labour Requirements based on direct labour requirements and disregard field work, etc.

*Full Time Labour Assessment:*

1 man @ 8 hrs/day x 275 days = 2200 hrs/annum = 2.2 workers  
1 man @ 10 hrs/day x 275 days = 2750 hrs/annum = 1.79 workers  
1 man @ 12 hrs/day x 275 days = 3300 hrs/annum = 1.49 workers

**APPENDIX 02**

**BCIS Calculation**

The current estimated re-build costs for a dwelling of the specified size, standard build quality and in the appropriate geographical region has been calculated using BCIS methodology. The BCIS cost estimate is based upon the proposed dwelling specification as per the drawing submitted with this planning application, fully fitted out ready for occupation. The basic calculation estimates the dwelling would cost in the region of **£565,000 not including the cost of the garage and outbuildings**. This calculation is, by definition, a guide and cannot be wholly accurate and has to be considered in the light of individual circumstances – as the methodology itself clearly states – and needs to be adapted in each specific circumstance.

BCIS methodology does not automatically factor in 'Demolition Costs' and 'Professional Fees' which are not considered wholly relevant in this instance. These elements amount to the following, based upon the identified dwelling size:

**BCIS Build Cost Estimates**

The site is clear - so no associated demolition costs - and we assume that this is a self build scheme with no overseeing architect as project manager or other extraneous costs. Therefore, the initial BCIS Construction Cost estimate of the proposed dwelling can legitimately be reduced by the following:

Demolitions (Including the removal of damaged structure to ground level, including carting away).

Architects and Surveyors Fees	@ £99.00 per m2	£33,264
(13.20% on total costs)		
Demolitions	@ £27.00 per m2	£9,072
(100% reduction due)		<b>£42,336.00</b>

Notwithstanding the above, it is not unusual for self-build projects of this nature to also factor in a reduction for on-site work undertaken by the intended occupant of the property. This can result in a proportionate reduction in labour cost for the work (as the BCIS estimate is based upon standard regional build costs generated by an employed third party – a builder) and materials purchase. We have no information regarding this element at this time.

The BCIS calculator incorporates costs for ground preparation work including grubbing up existing foundations, excavation and laying of new strip foundations, reinforced concrete ground slab, insulation, polythene dpm and facing brick courses to below dpc.

Equally, all internal fit out works are also incorporated at competitive tender rates.

**Matthew Mortonson**

---

**From:** Davenport, David [David.Davenport@carterjonas.co.uk]  
**Sent:** 18 September 2014 16:14  
**To:** Matthew Mortonson  
**Cc:** Broadbank, Kate  
**Subject:** RE: Planning Appraisal - Land East of Gilling East

Matthew

Kate has asked me to respond direct regarding your below query.

Based on the Agricultural Budgeting and Costing (78<sup>th</sup> Ed.) building requirements I calculate that the following space is required for the cattle and sheep enterprises.

Livestock	Building Requirements (sq. m / head)	Head	Sub-total Building Requirements (sq. m)
Suckler Cattle	5	130	650
Store Cattle	4.5	240	1,080
Lowland Sheep	2.4	450	1,080
<b>Total Building Requirements (sq. m)</b>			<b>2,810</b>

Based on my very rough scaling of the plans I calculate that the following space is available:

Proposed new cattle shed – 766 sq. m  
Existing shed – 553 sq. m  
Machinery Shed – 734 sq. m  
**Total Building Space Available – 2,053 sq. m**

The above shows a shortfall of circa 800 sq. m and in addition this assumes that all the buildings including machinery/feed store are used for livestock storage. I expect that the applicant will be able to explain the above, however, as the justification for the dwelling is based on the above we felt that it was appropriate for this to be raised with you.

If you require any further information please do not hesitate to contact me.

Kind regards

David

**David Davenport**  
Surveyor

For and on behalf of Carter Jonas LLP  
T: 01904 558251  
M: 07718391161  
W: [carterjonas.co.uk](http://carterjonas.co.uk)



Carter Jonas LLP  
82 Micklegate  
York YO1 6LF



Please consider the environment - do you really need to print this email?

**From:** Broadbank, Kate  
**Sent:** 18 September 2014 15:51  
**To:** Davenport, David  
**Cc:** Matthew Mortonson  
**Subject:** FW: Planning Appraisal - Land East of Gilling East

Hi David

Please see the query from Matthew below – please could you respond to him?

Thank you  
Kind regards  
Kate

**Kate Broadbank MRTPI**  
Senior Planner

For and on behalf of Carter Jonas LLP  
T: 01423 707825  
M: 07734 192359

Carter Jonas LLP  
Regent House  
13 - 15 Albert Street  
Harrogate HG1 1JX



Please consider the environment - do you really need to print this email?

**From:** Matthew Mortonson [<mailto:matthew.mortonson@ryedale.gov.uk>]  
**Sent:** 18 September 2014 15:10  
**To:** Broadbank, Kate  
**Subject:** RE: Planning Appraisal - Land East of Gilling East

Kate,

Could I ask a query please?

In para 4.4.9, it is indicated that the size of the livestock buildings are not sufficient for the numbers of cattle and sheep expected to be on site. It was suggested that the buildings would only provide sufficient accommodation for approximately 200 cattle.

Could you please clarify the reasons why the livestock buildings are not sufficient, and advise what livestock housing is needed? What do you estimate would be required to meet the needs?

Many Thanks.

Matthew

**From:** Broadbank, Kate [<mailto:Kate.Broadbank@carterjonas.co.uk>]  
**Sent:** 18 September 2014 09:49  
**To:** Matthew Mortonson  
**Subject:** Planning Appraisal - Land East of Gilling East

Matthew

Please find attached our report for the above site. Any queries please let me know.

I hope to have a look at the other one later today.

Kind regards  
Kate

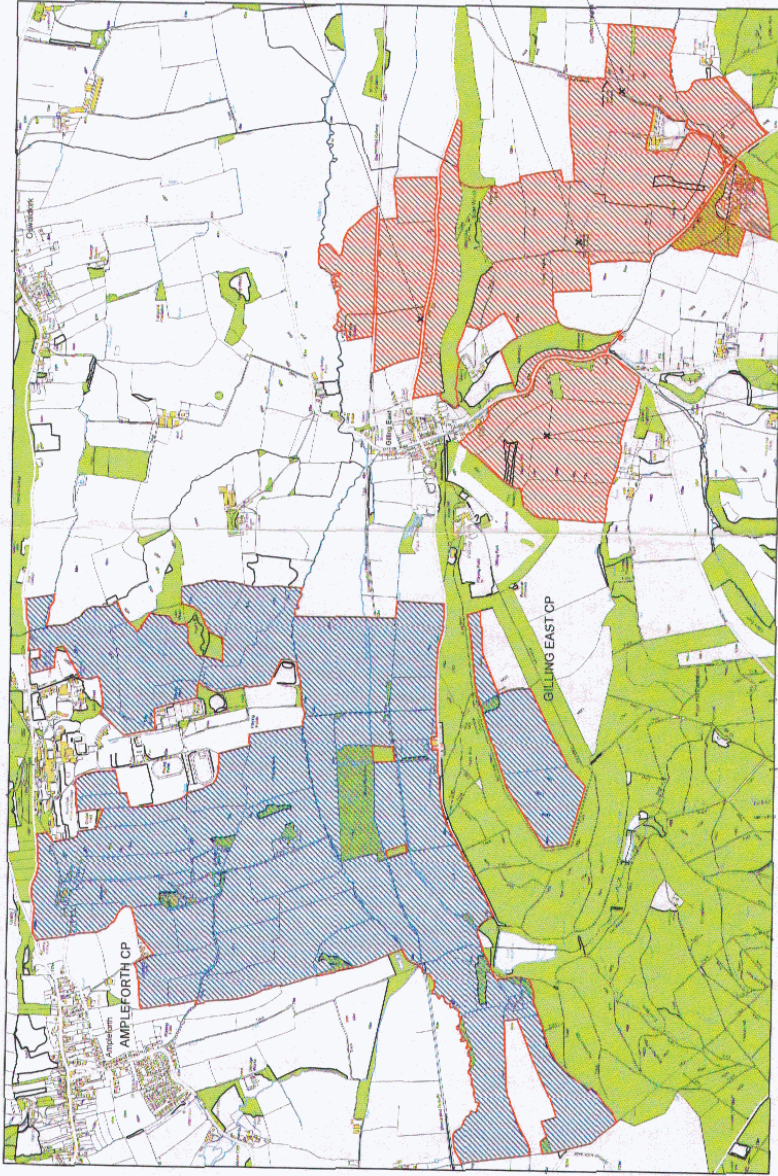
Kate Broadbank MRTPI





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 Agricultural Land Owned by Applicant  
 Agricultural Land Rented by Applicant

**Option Sites**  
 A - Preferred, as application.  
 B - Discouraged  
 C - Discouraged  
 D - Discouraged



RYEDALE 1460754 MPJ  
 - 8 JUL 2014  
 DEVELOPMENT MANAGEMENT

**SMITHSGORE**  
 smithsgore.co.uk

PROPOSED NEW FARM  
 CAYTON ROAD, GILLING EAST

CLIENT: MR JIM HOSKEY  
 DRAWING NO: LAND OWNERSHIP MAP - APPENDIX 2  
 SCALE: 1:10000 (SAL 10/11/07/08)  
 DATE: 10/11/07/08  
 CHECKED BY: PHH  
 DATE: MAR 14  
 DRAWN BY: PHH  
 DATE: MAR 14  
 PROJECT NO: 1460754 MPJ  
 PROJECT NAME: PROPOSED NEW FARM CAYTON ROAD, GILLING EAST



**Photographs - Appendix 1**  
Farmbuildings at Ampleforth



RYEDALE DM  
17/00 234/MBC  
-8 JUL 2014  
DM MANAGEMENT  
5



**Photographs - Appendix 1**  
Farmbuildings at Ampleforth



Cawton Road, Gilling East - 1041069 - 28 March 2014

**Photographs - Appendix 1**  
Farmbuildings at Ampleforth



Cawton Road, Gilling East - 1041069 - 28 March 2014







To see all the details that are visible on the screen, use the "Print" link next to the map.







**Application:** 14/00762/73A

**Proposal:** Variation of Condition 05 of approval 13/00420/FUL dated 07.06.2013 by submission of revised elevations plan "New copy 1st Aug 2014"

**Location:** Land At Malton Lane, Allerston, Pickering

**UPDATE**

Please note that photographs for this agenda item on pages 76-78 are incorrect. These belong to another item within the agenda pack.

Please see correct photograph of the building.



RYEDALE DC PHOTO.

RYEDALE DM

- 6 AUG 2014  
DEVELOPMENT  
MANAGEMENT

Please circulate  
photographs  
to all necessary  
parties.

Springwood Cottage

Allerston

PICKERING

North Yorkshire

YO18 7PG

Ryedale District Council

Ryedale House

MALTON

North Yorkshire

YO17 7HH

17<sup>th</sup> September 2014

RE : 13/00420/FUL

Application No: 14/00762/73A

Parish : Allerston Parish Council

FOR THE ATTENTION OF KAREN HOOD

MANAGING DEVELOPMENT TEAM LEADER

Copy to Mr Matthew Mortinson

Copy to committee who will be present on 23 September 2014

I am writing in response to Mr Mortinson's letter dated 15 September 2014 and the forthcoming meeting on 23 September 2014 6PM.

After receiving this letter and its recommendation for refusal I was very concerned as there were no objections from The Parish Council or any neighbour responses to our current application.

SITE:

Land at Malton Lane, Allerston.

- A minor amendments application was submitted on the 1<sup>st</sup> July 2014 in the hope that blocked walls would not cause a problem since the shed is tucked away behind a hedge in a corner. Unless you are purposely looking for it, it is unobtrusive to the eye while travelling on Malton Lane near Wilton, (photos to support this).
- We strongly disagree that it does not fit in with the surrounding farms and countryside. The farmers shed next door has blocked walls at New South Farm, and also further along the

lane at Lane End Farm they have concrete panels giving a similar appearance (photos to support this).

- We feel it grossly unfair to refuse the amendments to this building as a significant amount of care and attention and effort has been made to comply to the councils requirements.

The old shed that was previously there for 30 years had blocked walls and that was used as a piggery for my fathers farming business. It was in the middle of the field and very noticeable even glancing through the gate. However the old shed has been disposed of as requested by the council. It has been a very long expensive and time consuming job of removing it without causing damage to the environment. Asbestos skips had to be hired for the old roof sheets.

- The site has been cleared of 'paraphernalia' which included a Grey Ferguson tractor which was stored in the old railway carriage which the council wanted us to dispose of. The tractor is now in the new shed and will be shortly renovated when funds are available after the purchase of sheep.
- BLOCKED WALLS – There are 4 main reasons why we think blocked walls would be a practical solution.
- FIRSTLY – Protection from prevailing westerly winds and rain blowing in, hence to provide a good safe shed for the sheep during bad weather and lambing.
- SECONDLY – Security from rural vandalism and theft as the shed is in a field on it's own and paraphernalia such as the tractor and trailer needs to be stored securely.
- THIRDLY - Cut down noise for neighbours for activities that can be done in the shed alternatively to doing outside. As the owner of The Station House often mentions noise, because of the Railway Carriage Holiday Lets, due to them only being Single Skin thin.
- FOURTHLY – To prevent rats getting into the shed as we have had problems with them in the old open railway carriages.

We have been waiting for a reply from Mr Mortinson about our old railway carriages which have been in the field 50 years! I sent pictures to him about a nesting owl which comes to breed every year. An owlet fell out the nest and I took a photo to ask him if it was possible for the council to reconsider if we could keep only one carriage. However we have disposed of the one that did not have nesting owls and are still waiting to hear from him about the other one. (photo of owlet enclosed).

An idea which we would be willing to comply with is to put an owl nesting box up on the south side of the new building if the council feel it is still necessary to get rid of the old railway carriage.

In Mr Mortinsons most recent correspondence he does mention a building to the north of the approved agricultural building. This building is only the old railway carriage put there temporarily awaiting the council's decision about it's outcome.

Also the metal sheeting attached to the entrance gate of the site has been disposed of.

I do not consider the blocked walls contrary to the requirements of Policy SP16 and SP20 of the Ryedale Local Plan Strategy. (photos of neighbouring sheds enclosed).

Just to reiterate and clarify about the situation on the sheep. As stated in my letter 1<sup>st</sup> July 2014 to Mr Mortinson we will be purchasing sheep as soon as funds are available. The 12 sheep that were on the site last year belonged to my elderly uncle Mr Dick Watson who was a farmer in the village all his working life, and due to his ill health he has since sold the sheep at market. They were not suitable to breed from, that is why we did not buy them off him.

## SUMMARY

I have lived in the village for 50 years and it was my fathers field passed on in his will to my brother and I. I would like to leave it to my sons with the knowledge that the new shed is an improved useful agricultural building in the agricultural surrounding area that we live in here in RYEDALE.

My son who built the shed and site managed all work is only 21 and he is an enthusiastic, realistic, young farmer (a member of Snainton Young Farmers). He joins in with the farming rural community even though we only own a small 2 acre field. Both his granddads were farmers locally and he still has uncles and cousins farming within the Ryedale area.

Young farmers and young people should be encouraged to stay in the area and let village community thrive.

There are already several holiday lets in the village and with 3 railway carriages used as accommodation and the railway gatehouse being a holiday cottage within 400 yards of our field on Malton Lane. Is it possible that Ryedale Council could consider the future generations of families who have lived and farmed here for many years.

I am not opposed to holiday accommodation at all as it is all good for businesses and trade and employment in the area, but I do think the people of local communities and their needs should be utmost priority.

Yours sincerely

MRS J M STEAD

Ryedale District Council

Ryedale House

MALTON  
North Yorkshire  
YO17 7HH

Dear Mr Mortonson

CASE NO. 14/00029/UD

I write in response to your letter

RE: Field at Malton Lane, Allerston, Pickering, North Yorkshire

Most of the items within the shed were being used to finish off the building i.e. cement mixer, generator, ladder a few tools, sheep buckets. (There was no work bench). Wooden pallets will be used in the future to make sheep pens as it is cheaper. As for the weights and bench they were being stored temporarily for a friend.

The 12 sheep that were on site last year belonged to my elderly uncle and due to ill health he has since sold them at market.

Once all necessary work on the shed is finished and soil (from foundations of the building) levelled and spread on the field we intend to buy the sheep. However we have to wait until we have sufficient funds to purchase them as the shed has taken quite a lot of money to build.

I would ask you to reconsider about the one old train carriage that has stood in the field many years. It has at the moment a nesting owl. Only the other day we saw the owlet (supporting photo enclosed) it had fallen out of the nest so we had to place it back in. Each year they nest and breed. The train carriages are not permanent fixtures and can be moved so if preferred by yourselves we could move it possibly to the bottom side of the new shed.

We would be prepared to compromise and let only one carriage go, but keep the one that the owls nest in each year. (The grey Massey Ferguson would be stored in this which is a family heirloom from my father).

We have got the application forms to submit an application for a minor material amendment and will be sending them off to you shortly.

look forward to your response.

Yours sincerely

enny Stead

Springwood Cottage  
Allerston  
Pickering  
N. Yorkshire  
YO18 7PG.

1st July 2014.



View of new  
shed  
looking North,  
cleared  
open field



Blocked  
shed at  
New South  
Farm next  
door.  
10 metres  
away.



View of  
field from  
Malton Lane

Looking  
South West.



View of  
field on  
Malton Lane  
facing  
EAST.



View  
FACING  
West.  
Just past  
New South  
farm.





Agricultural  
Shed at  
Lane End  
Farm on  
Malton  
Lane,  
near  
WILTON.  
CONCRETE  
PANELS USED  
GIVING  
SIMILAR  
APPEARANCE.



Shed at  
Knapton  
near  
Crossing  
Fitting in  
with  
surroundings



View of  
Our New  
Shed in  
field.  
New South  
Farm's  
Sheds in  
view over  
hedge.



The owls  
next in  
here  
every year.



The owlet!



View of  
The Old  
blocked  
shed,  
Now  
fully  
disposed of.



View  
looking  
North  
with Old  
Shed in  
middle of  
Field.

**Case reference: 14/00007/UD**

**Location: Canadian Fields, Gale Lane, Nawton**

**UPDATE**

Members should note that in relation to paragraph 2.3 of the Enforcement Report for Canadian Fields, Nawton, the application for the kitchen unit has now been validated following the submission of a fee. Therefore, Officers recommend that this matter is deferred to a further meeting when the submitted planning application has further been considered.