



PLANNING COMMITTEE

Tuesday 19 January 2016 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

18 Late Observations

(Pages 2 - 13)

Agenda Item 18

RYEDALE
DISTRICT
COUNCIL



Please Contact: Mrs Karen Hood
Extension 386
Email: karen.hood@ryedale.gov.uk

All Members of the Planning Committee
Council Solicitor
Head of Planning & Housing
Managing Development Team Leader

Ref: Agendas/Planning/2015/2016

15 January 2016

Dear Councillor

Meeting of the Planning Committee - 19 January 2016

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

Mr R Hopkinson
High Wold Barn
East Lutton
Malton
YO17 8TG
8th January 2016

Ref: Application No 14/00625/Ful

Dear Sir,

I am disappointed to hear that you have received an objection to our planning application. To date I have not received any formal complaints about anti social behaviour from any of the neighbours or nearby properties in Wood Street.

I am managing the property to a very high standard and have been working with Serena Williams from the council very closely to ensure we are adhering to all the guidelines

The people who have raised the complaint do live adjacent to Bright Steels social club which often has events finishing in the early hours of the morning. There may have been some confusion of where the noise has been coming from.

Some of the tenants at the property do work shifts and therefore they do arrive back at the property at different times of the day. This however is them going about their daily business and not anti social behaviour .

In order to monitor and manage the property closely the following measures have been put in place.

1. Cameras have been installed around the outside of the property and these can be monitored 24 hours a day.
2. A manager is now in place at the property
3. I attend the property every day to check on it and ensure everything is in order

Yours faithfully

Robert Hopkinson

APPLICATION No: 15/01117/FUL

PROPOSAL: Extension of approved uses to include hire of building for corporate meetings and training courses in addition to existing use as educational resource centre with bunking facility

LOCATION: Howsham Mill, Howsham Hall Road, Howsham, Malton

UPDATED CONDITIONS

01 The extended use of Howsham Mill to include the hire of the building for corporate meetings and training courses shall be discontinued at or before January 18th 2017. Thereafter the permitted use of the building shall revert to "use as an educational resource centre with bunking facility" unless an extension of the period has first been approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the impact of the additional uses on the character of the area, and the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policies SP12, SP13, SP14 and SP20 of Ryedale Plan - Local Plan Strategy.

02 The corporate meeting and training courses shall be restricted to 2 events per month Monday to Friday only, and Howsham Mill shall not be open during the events for any other purposes.

Reason: To ensure that the additional uses do not have an adverse impact on the character of the area, and the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policies SP12, SP13, SP14 and SP20 of Ryedale Plan - Local Plan Strategy.

03 The corporate meetings and training courses shall not operate outside the hours of 8am - 6pm.

Reason: To ensure that the additional uses do not have an adverse impact on the character of the area, and the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policies SP12, SP13, SP14 and SP20 of Ryedale Plan - Local Plan Strategy.

04 No amplified music shall be played outside the building.

Reason: In the interests of maintaining the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

05 Prior to the extension to the uses being first brought into use, the applicant shall submit for approval by the Local Planning Authority a biodiversity management plan in accordance with the ecological appraisal and survey. Thereafter the development shall be carried out in accordance with the approved plan.

Reason: To ensure that the development hereby approved results in the preservation and enhancement of the biodiversity of the area, and to satisfy the requirements of Policy SP14 of the Ryedale Plan - Local Plan Strategy.

06 The applicant shall maintain a register of all corporate meetings and training courses. The register shall include a list of all people attending such events together with a list of all vehicle registrations. Such details shall be made available to the Local Planning Authority on request.

Reason: To ensure that the development does not result in an excessive number of cars, which would impact on highway safety, and the character of the Howardian Hills Area of Outstanding Natural Beauty and to satisfy the requirements of Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 07 Each corporate meeting or training course shall be limited to a maximum of 35 people, in a maximum of 19 vehicles.

Reason: To ensure that the development does not result in an excessive number of cars, which would impact on highway safety, and the character of the Howardian Hills Area of Outstanding Natural Beauty and to satisfy the requirements of Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 08 There shall be no additional external lighting unless details have first been submitted to, and approved in writing by the Local Planning Authority in conjunction with an experienced bat ecologist.

Reason: To ensure that the development hereby approved does not result in light pollution which would impact on the character of the Area of Outstanding Natural Beauty or on biodiversity.

- 09 A management plan shall be provided for the use of the composting toilets to ensure that their use does not impact on the SSSI or SAC. Details of which shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the management plan shall be implemented for all events at Howsham Mill.

Reason: To ensure that their use does not harm existing biodiversity and to satisfy the requirements of the National Planning Policy Framework.

- 10 Notwithstanding the submitted details, all uses at Howsham Mill shall be carried out in accordance with a travel plan, which shall first be submitted to, and approved in writing by the Local Planning Authority, in conjunction with the Highway Authority. The plan shall detail the specific arrangement, for the different uses hereby approved.

Reason: To ensure that the development does not result in an excessive number of cars, which would impact on highway safety, and the character of the Howardian Hills Area of Outstanding Natural Beauty and to satisfy the requirements of Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 11 The car parking shall be managed to ensure that cars using the car park do not obstruct the public right of way.

Reason: To ensure that the development hereby approved does not obstruct the public right of way, and to satisfy the requirements of Policy SP10 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 12 Unless otherwise agreed in writing by the Local Planning Authority the deliveries for all corporate meetings and training courses shall be carried out in accordance with the submitted details.

Reason: There is no vehicular access to the site, and to ensure that delivery vehicles do not obstruct the public right of way or obstruct vehicles and to satisfy the requirements of Policy SP20 and the National Planning Policy Framework.

- 13 The extended use of Howsham Mill for corporate meeting and training courses shall only continue as long as the car park remains available for use.

Reason: To ensure that the development does not result in an excessive number of cars, which would impact on highway safety, and the character of the Howardian Hills Area of Outstanding Natural Beauty and to satisfy the requirements of Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

14. After the expiry of one year from the date of this decision, the application site shall not be used for any purpose other than as an educational resource centre and temporary overnight sleeping accommodation, the sleeping accommodation shall only be let to the same person, groups of persons or families for period(s) not exceeding a total of 10 days in any one calendar year. The accommodation shall not be used as the main residence of any occupant.

Reason:- It is not considered that the site is suitable for permanent residential accommodation due to its location in the open countryside, and because of the lack of any access or parking facilities. In addition, to comply with the principles of Policies SP1, SP2 and SP20 of the Ryedale Plan - Local Plan Strategy.

15. Notwithstanding the details shown on the plans approved under application 05/01222/FUL, the works approved under application 05/01222/FUL shall be restricted to the mill building and temporary access and shall not include any works to any watercourse or the mill pond, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of protecting the SSSI and the C-SAC and to comply with the principles of Policies SP14 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

16. The development shall be carried out in accordance with a flood evacuation plan. This shall direct people to land outside the 1 in 100 year floodplain. Details of which shall first be submitted to and agreed in writing by the Local Planning Authority. The evacuation plan shall be updated bi-annually.

Reason:- To provide safe use of the site and reduce reliance on emergency services and to satisfy the requirements of the National Planning Policy Framework.

17. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bund compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason:- To prevent pollution of the water environment and to satisfy the requirements of Policy SP17 of the Ryedale Plan - Local Plan Strategy.

18. Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

INFORMATIVE(S)

- 01 Corporate meeting and training courses are defined as events booked by a single organisation.
- 02 The applicant is advised that this decision notice should be read in conjunction with Agreement made under Section 106 of the Town and Country Planning Act 1990 approved under application 05/01222/FUL

Nunnington Hall - recent planning application for Gardener's Store
Planning ref. 15/01250/FUL

Following the Parish Council's recent response to the planning application for a new Gardeners Store at Nunnington Hall, the National Trust would like to reassure the Parish Council that we understand and appreciate the concerns that have been raised. We have reviewed these and hope that the following response gives reassurance that that these issues have been considered and addressed.

1. The proposed building would be constructed in a flood plain. The area in question flooded in the years 2000 and 2005. Furthermore we would question the application's claim that the risk of flooding is one year in a thousand.

We are aware of the flood risk in the proposed development area and have accordingly proposed a building design that is 'allowed to flood' without unduly damaging the building infrastructure or presenting risk to personnel. The proposed development location is in a Flood Zone 2 (between 1 in 100 and 1 in 1000 year probability of flooding). We recognise that the floods in 2000 and 2005 indicate the possibility of a higher flood probability and that there is a Flood Zone 3 to the north of the site however the proposed location is offered a degree of shelter by the nearby flood bank and surrounding woodland reducing the potential impact from high flow in times of flood. When the proposed area has previously flooded our experience has been a widespread but relatively shallow level of water with limited flow.

With these conditions in mind the building has been designed to allow such flood waters to occur without significantly damaging the structure, its services or its contents. The building and its materials can be easily cleaned, dry out and returned to operating condition after a flood recedes. The buildings floors will be solid finish (no carpet) and wipe clean, the timber frame and insulation panels are designed to accept water contact. Internal services (electrical and communications) are to be raised off the ground to window sill level to protect them and shelving will be fitted to store consumables above anticipated flood levels. Drainage of foul water is via a sealed pressurised pump system that feeds back to the main sewerage drains on site. This building is also very much an operational/storage space for the Gardeners and as such does not include extensive internal furnishings or equipment that would be damaged by flooding.

The footprint of the building is small and is not anticipated to substantially affect natural drainage of the flood plain area and as a structure that will allow flood water to enter it this will not impact the flood plains ability to store water. The National Trust is very aware of the risk of flooding and after the floods in 2000 we commissioned a report on potential flood risk at the Hall and acted on recommendations to improve flow in the main river channel to the south of the flood defence. The proposed development and associated services have been located and designed accordingly (see the later note on revised designs for bridge service crossing) so as not to increase obstructions to the main river channel.

2. Reject the idea of pumping sewerage over the river as there is a high risk of impact from floating debris when the river is in flood with associated pollution risk.

We have recently revised the design for the services crossing the bridge as we also felt that service pipes being hung under the bridge would be at risk of damage and could also catch flood debris increasing loading on the bridge and increasing obstructions to flood waters. We still propose to take the sewerage pipe over the bridge, but now in ducts run through the bridge's main vertical structural stays. These are within the main bridge side protection and above the walkway providing substantial protection from any flood debris. It should be noted that the foul water drain is only for one toilet and three sinks that will have very intermittent use from a small team. This intermittent and low level of effluent presents a very low level of pollution risk.

3. Petrol and oil vehicles stored in this location within a flood plain, are pollution risks in times of high river levels.

While the Gardeners Store does allow for storage of a number of items of small motorised garden equipment (some powered hand tools, a mower, a ride on mower and a small tractor), we believe this provides little additional risk of pollution. While the ride on lawn mower and small tractor that will be kept in the Gardeners Store will be there on a more regular basis than cars in the neighbouring car park, we already have a system of flood monitoring in place at Nunnington Hall which enables the Garden team to move vehicles when a flood is likely. The small tractor is actually used to pull our flood response trailer so is extremely unlikely to be in the new store at any time of flooding. Any smaller equipment left in the store during a flood will be secure and unable to float away and any spare fuels and oils will be contained in sealed units and secure stores. Small consumables and tools will be located on shelves above expected flood water levels.

4. Object to the scale of the building and the colour of the roof which we consider should be green not grey.

We have been through an extensive process of designing a building that meets the needs of the Garden team whilst keeping it as small as practicably possible. The store has been designed to a size to specifically house the site's two mowers and small tractor, a secure store for all the existing tools and a minimally sized mess room to house the core garden team for briefings and meetings. We worked closely with the National Trusts local curator and an experienced conservation architect to ensure a building that is well hidden from sight and sympathetically designed to sit within the wooded landscape with minimal visual impact. The building materials have also been selected to weather down in time to further reduce aesthetic impact on the area. This has resulted in the low building profile, timber clad finish, timber windows and green roller door. We are happy to change the colour of the roof to a dark green.

The Garden team have operated from inappropriate facilities for many years, delivering the excellent gardens at Nunnington in spite of the facilities, not as a result of them. The need for an appropriate facility to accommodate the team and volunteers (who currently only have an outside break area and shared storage locations distributed across the site) has been an aspiration of the site for many years. The poor standard of the existing facilities is something that comes up

repeatedly as a negative aspect in the staff and volunteer satisfaction surveys and an area that we are extremely keen to improve. The opportunity to install a renewable biomass system at the Hall has made additional funds available that have acted as a catalyst to install the much needed new Gardeners facility.

5. Object to development on the North side of the River Rye. If development is allowed on the North bank it will conflict with the North Bank's long standing and essential role as flood plain and create a dangerous precedent.

We appreciate the Parish Council's concerns of development spreading in the area and are extremely keen to protect the natural beauty and character of Nunnington and its surroundings. Development in this location has been a significant topic of consultation in the National Trust itself for exactly this reason; however it was felt that due to the Store being designed with a small footprint, a low profile, a suitable finish, and being a basic, functional and uninhabited building supporting the existing site, the proposed location is acceptable to meet this need. We have specifically chosen a location that is well hidden from sight and sympathetically designed the building to sit within the wooded landscape with minimal visual impact. We believe that the very specific requirements of this development as a basic facility supporting Nunnington Hall, its low visual impact and an absence of other suitable locations will not set a precedent for wider development.

6. Nunnington Hall Gardens have not expanded and as a result we question the need for such a large store particularly when that building is such a great distance from the garden.

As identified in the response to question 4 the gardening facilities at Nunnington have long been less than ideal. The Garden team have operated from inappropriate facilities delivering the excellent gardens at Nunnington in spite of the facilities, not as a result of them. The need for a better facility to accommodate the team and volunteers (who currently only have an outside break area and shared storage locations distributed across the site) has been a long standing aspiration and will improve the ability of the team to maintain this important local attraction. The poor standard of the existing facilities comes up repeatedly as a negative aspect in the staff and volunteer satisfaction surveys and an area that we are extremely keen to improve. The opportunity to install a renewable biomass system at the Hall has made additional funds available that have acted as a catalyst to install the much needed new Gardeners Store. While the building is located away from the main gardens, the team believes that this provides a workable facility without significantly impacting the sites character and setting.

7. Disappointed that the building doesn't use the Halls proposed new biomass boiler and relies on mains electricity.

The cost of running a biomass heating connection across the river to the site would have been prohibitive for the very small heat demand at the Gardeners Store. Heating requirement at the new building is anticipated to be minimal and intermittent with much of the building only receiving occasional heat when in use. While long heating connections are viable on large biomass systems this can only be economically achieved where there is a high heat demand. An extensive amount of



heat main (pipe) material would be required at significant capital cost but only a small amount of renewable energy would be provided to the location. There would also be significant heat loss from the long heat main making the overall biomass system much less efficient.

8. Urge the National Trust to consider more appropriate locations.

We have looked extensively at other locations both on and off National Trust land on which to develop the Gardeners Store. Aware that there were limited opportunities to use existing National Trust land external landowners were approached in 2014/15. After exploring many options we unfortunately found that there was nowhere suitable that nearby landowners were willing to lease or sell to us. Our conservation and curatorial consultants were then engaged to assess the remaining National Trust owned land and, after considerable discussion, identified the proposed location as being acceptable and having the least impact on Nunnington Hall's setting and historic significance.

Pearsons & Ward

SOLICITORS

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Your Ref:
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Direct Dial: Robert Tulloch 01653 602871
Date: 11 January 2016

Dear Jenny

1 CHAPEL STREET NAWTON

You have asked me to write to confirm the position regarding rights of way affecting 1 Chapel Street vis-à-vis your planning application in with Ryedale District Council under application number 15/01420/FUL. I enclose copy plan from an Assent dated 18th March 2003. The rights of way are shown coloured yellow/blue on the plan. I have seen the plan of the development attached to your application to Ryedale District Council and this land is to the west of the rights of way and therefore the application does not affect them.

Yours sincerely

Robert Tulloch
PEARSONS & WARD

Enc.

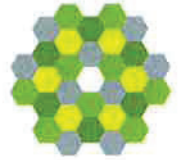


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