



## PLANNING COMMITTEE

Wednesday 31 August 2016 at 6.00 pm

Council Chamber, Ryedale House, Malton

### Agenda

22 Late Observations

(Pages 2 - 35)

# Agenda Item 22

RYEDALE  
DISTRICT  
COUNCIL



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

Ref: Agendas/Planning/2016/2017

26 August 2016

Dear Councillor

## **Meeting of the Planning Committee - 31 August 2016**

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

**Members will note from the main agenda papers that conditions are to follow in respect of Items 8 and 10. The details of these are still under discussion with the Agent and will therefore, be reported at the meeting.**

**Please note that the late report included for Item 6 is a full updated officer report. This supersedes the one included in the main agenda papers.**

Yours sincerely



Mrs Karen Hood  
Managing Development Team Leader

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**RYEDALE DISTRICT COUNCIL  
PLANNING COMMITTEE**

**SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE**

**PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING**

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**Item Number:** 6  
**Application No:** 16/00346/MOUTE  
**Parish:** Pickering Town Council  
**Appn. Type:** Major Outline Environmental Statement  
**Applicant:** Sylatech (Micro Metalsmiths Ltd)(Mr Mark Chappell)  
**Proposal:** Hybrid Planning Application comprising 1) application for full planning permission for a 5,127 sq m purpose built production unit (B2 Use) on the eastern area of land to the South of Thornton Road Industrial Estate with associated infrastructure comprising construction of access road from Thornton Road Industrial Estate, car parking, servicing, drainage works and landscaping 2) application for outline planning permission for the erection of 5,900 m<sup>2</sup> of Business Units (B1 Use) and 5,990 sq m of Industrial Units (B2 Use) on land to South of Thornton Road Industrial Estate (western portion of the site) - site area 6.60 ha  
**Location:** Land North Of Outgang Lane Pickering North Yorkshire

**Registration Date:** 21 July 2016  
**8/13 Wk Expiry Date:** 10 November 2016  
**Overall Expiry Date:** 22 August 2016  
**Case Officer:** Alan Hunter **Ext:** Ext 276

**CONSULTATIONS:**

<b>Parish Council</b>	Support
<b>Highways North Yorkshire</b>	No views received to date
<b>Land Use Planning</b>	Conditions to be attached in permission given
<b>Forward Planning &amp; Conservation</b>	No views received to date
<b>Health And Safety Executive</b>	HSE does not advise, on safety grounds, against the granting of planning permission in this case
<b>Environmental Health Officer</b>	Recommend conditions
<b>Archaeology Section</b>	No objection
<b>Lead Local Flood Authority</b>	No objection - comments made and conditions recommended
<b>Countryside Officer</b>	Recommend condition
<b>Sustainable Places Team (Yorkshire Area)</b>	Conditions recommended
<b>Tree &amp; Landscape Officer</b>	Recommend condition
<b>Economic Development</b>	Support
<b>Natural England</b>	Comments made and policies to be implemented
<b>Lead Local Flood Authority</b>	Additional information does policies to be implemented
<b>Vale Of Pickering Internal Drainage Boards</b>	No objection in principle, but further details have been requested from agent

**Neighbour responses:** Darren Hugill, Jones Partnership, S M Autocare Ltd,

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**PLANNING COMMITTEE**

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**SITE:**

The application site comprises 6.6 hectares of land within the open countryside to the south of Thornton Road Industrial Estate, Pickering. The site is currently grassland and used for grazing. The eastern boundary comprises mature tree planting with open countryside beyond. Existing industrial/business units adjoin the northern boundary with some landscaping between them and the application site. To the west is a gas processing plant and associated operations, with Outgang Road beyond that to the west. The uses on Thornton Road Industrial estate contain a mixture of mainly offices, light and general industry and storage uses. The uses on Outgang Road contain a mixture of small business and industrial units alongside a few residential properties. A former railway line ran along the southern boundary with open countryside further to the south. The majority of the site is within Flood Zone 1. However a small area is within Flood Zone 3 on the south eastern side. There is a pond on the north eastern side of the site together with a pond to the south east beyond the application site. Together with other ponds to the west, these ponds form a network of ponds, known to contain a significant population of Great Crested Newts.

The access to the site is from a turning head between two existing industrial units to the south east of Thornton Road Industrial Estate. The proposal seeks to use the existing access from Thornton Road onto the A170.

**PROPOSAL:**

This is a hybrid planning application comprising:

1. Application for full planning permission for a 5,127sq m purpose built production unit (Use Class B2) for Sylatech (Micro Metalsmiths) on the eastern portion of the application site. This part of the application also seeks planning permission for associated infrastructure including a new access from Thornton Road, car parking areas, servicing areas, drainage works, habitat creation, and landscaping (Phase 1).

The proposed building approximately measures 35m in width at its largest by 163m in length and is 14.8m to its highest point, although the majority of the building is approximately 10m in height. The building is rectangular shaped, approximately two thirds of the building are to be used for manufacturing/industrial processes and a third for offices and ancillary accommodation. It is proposed to clad the industrial/business parts of the building in Kingspan trapezoidal insulated wall panel sheeting and the office/ancillary areas in Kingspan Benchmark facade system, with external rainscreen of natural timber horizontal boarding to weather to a natural silver colour. The proposed elevations feature a hidden parapet roof on the southern elevation. The parapet roof on the western and southern sides disguises the mono pitch roof.

The raised height of the building is to accommodate internal equipment for the manufacturing process. The southern pitched part of the raised roof features an array of solar panels.

Two accesses to the building from the internal road area proposed; one to the north of the building for deliveries; and one to the south for cars and smaller vehicles, with parking for 128 spaces.

The Full element also proposes a new pond in the north-eastern corner, with associated landscaping and habitat creation, along with planting and a wildlife corridor along the northern boundary. A balancing pond for surface water drainage is proposed in the south-eastern corner of the site. A green buffer zone is also proposed along the eastern boundary.

2. An application for Outline planning permission for the erection of 5,900 m<sup>2</sup> of Business Units (Use Class B1) and 5,990 sq m Industrial Units (Use Class B2) on the western portion of the application site (Phase 2). The Outline part has all matters reserved.

The indicative proposal for Phase 2 shows an internal road running in a westerly direction and features 3 industrial buildings along the northern boundary, including the first floor access, these measure; 1,550m<sup>2</sup>; 1800m<sup>2</sup> (split into 2 units); and 1,800m<sup>2</sup>. A further industrial building is located adjacent to the western boundary having a floorspace of 840m<sup>2</sup>. To the south of the internal road are 3 no buildings (Use Class B1) measuring 1,750m<sup>2</sup>; 750m<sup>2</sup>; and 750m<sup>2</sup>. To the rear of these units are 206 car parking spaces with 3 further buildings designated for Use Class B1 adjacent to the southern boundary.

This proposal is Schedule 2 Environmental Impact Assessment 'EIA' Development by virtue of the impact of the proposals upon a known population of protected species (Great Crested Newts. There is therefore an Environmental Statement (ES) accompanying this application. The ES can be viewed online along with the following documents can be viewed online:

- Planning and Sustainability Statement
- Design and Access Statement
- Site Investigation Report (Contamination)
- Archaeology and Heritage Statement
- Flood Risk Assessment
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Tree Constraints Plan
- Tree Protection Plan
- Arboriculture Survey
- Landscape and Visual Assessment
- Landscape Proposals
- Extended Phase 1 Habitat Survey
- Great Crested Newt Survey
- Drainage Proposal
- Air Quality Assessment
- Noise Assessment

## **HISTORY:**

2015: Positive Screening Opinion issued in relation to proposed industrial development site area approximately 6.6 hectares.

1989: Planning permission approved for the siting of a prefabricated building with link to existing workshop

1980: Planning permission granted for the siting of a portakabin for use by supervising staff at former gas processing plant.

1978: Planning permission refused for the change of use of buildings last used for gas processing into premises for the supply and repair of farm machinery at former gas processing plant.

1977: Planning permission granted to use former office block as a design and assembly workshop.

1976: Planning permission refused for the change of use of part of former natural gas processing site and existing boiler house building for storage and maintenance of oil rigs and service depot for spare parts for oil rigs.

1976: Planning permission granted for the permanent use of land for the control of natural gas.

1976: Planning permission granted for the change of use of disused offices into design and assembly workshop.

## **POLICY:**

### National Policy

National Planning Policy Framework 2012 (NPPF)

National Planning Policy Guidance 2014 (NPPG)

### Local Plan Strategy

Policy SP1 – General Location of Development and Settlement Hierarchy

Policy SP6 – Delivery and Distribution of Employment Land and Premises

Policy SP9 – The Land-Based and Rural Economy

Policy SP10 – Physical Infrastructure

Policy SP12 - Heritage

Policy SP13 - Landscapes

Policy SP14 - Biodiversity

Policy SP15 – Green Infrastructure Networks

Policy SP16 - Design

Policy SP17 – Managing Air Quality, Land and Water Resources

Policy SP18 – Renewable and Low Carbon Energy

Policy SP19 – Presumption in favour of sustainable development

Policy SP20 – Generic Development Management Issues

Policy SP22 – Planning Obligations, Developer Contributions and Community Infrastructure Levy

## **APPRAISAL:**

The main considerations in relation to this application are:

- The principle of the proposed development;
- The economic benefits associated with the proposal;
- The layout, design, scale and appearance of the proposed Sylatech building (Full element);
- Whether the outline proposals for B1 and B2 uses can be satisfactorily accommodated on the site;
- The potential for noise and disturbance to surrounding properties, including air quality, and the impacts of the proposals upon the amenities of nearby occupiers;
- The impact upon protected species (Great Crested Newts);
- Whether the proposed development will have a significant impact upon the Vale of Pickering landscape character area;
- Foul and surface water drainage;
- Flood risk;
- Highway safety- including access, parking, and turning and the impact of the proposal upon the local highway network;
- Archaeology;
- Developer contributions;

- The impact upon trees and landscaping of the site;
- Ground contamination.

Members will appreciate that this Major application has the potential for significant economic benefits, however not all consultation responses have been received at the time of writing this report. A further update Report will be presented to Members on the Late Pages to deal with outstanding issues.

### **The principle of industrial/business development on this site**

This application has been advertised as a 'Departure' as the land in question has not been allocated for industrial or business development. It is currently classed as open countryside within the Local Plan Strategy.

National Planning Policy Framework (NPPF) contains strong general support for new economic development. Para. 18 of NPPF states:

*'The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.'*

and Para. 19 of NPPF states:

*'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.'*

*Therefore significant weight should be placed on the need to support economic growth through the planning system.'*

There is therefore considered to be a requirement for Members to attached significant weight to this proposed relocation of an existing business and the expansion of this existing industrial estate.

As the site has not been allocated for this intended purpose it is also important to consider para. 14 of NPPF, which states:

*'At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.'*

*For **plan-making** this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*

For **decision-taking** this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

— *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

— *specific policies in this Framework indicate development should be restricted'*

Members should therefore be advised that in accordance with Para. 14 above the Development Plan can be considered 'silent' in part as it currently does not contain a Development Plan Document relating to Allocations for Business or Industrial Development. An assessment of this proposal is therefore required as to whether there is any significant or demonstrable harm as a result of the proposal or any conflict with any policies within NPPF.

In terms of the Local Plan Strategy (LPS), Policy SP6 of the LPS identifies Pickering as requiring approximately 5.55ha to 6.75ha of industrial land over the Plan Period (15 years). At the present time the Council does not have an Allocations Development Plan Document. For comparison purposes, this site is 6.6 hectares.

The Council has issued a consultation on Preferred Sites for allocation in 2015. This site (Site 650) forms part of a wider submission to the Council for proposed industrial/business allocation. In regard to this site, the Sites Document 2015 indicates that a reduced area (without the eastern limb) of Site 650 akin to the application site in question is a Preferred Option for allocation for industrial/business purposes in principle. The Consultation on Sites Document in relation to this site states:

***'Site 650 – Land south of Enterprise Way and East of Outgang Lane (16.3 ha)***

*Site 650, Land south of Enterprise Way and East of Outgang Lane, is a significantly larger site of 16.3ha. It includes land which is directly to the south of the established Thornton Road Industrial Estate. This is a successful business/industrial area of the town. It is currently in the ownership of Northern Gas Networks. A significant component of the site would represent a practical extension to the industrial estate, also within land which has less sensitive landscape features. The site is a larger than the Local Plan Strategy sought to identify. But there will be a need to factor in the nature of the site, the end-user's needs, and its viability to be redeveloped. Preliminary investigations concerning the access to the site and increased capacity of existing junctions is indicating that there are no concerns. There are some constraints, particularly concerning the mitigation to protect known Great Crested Newt populations and significant levels of contamination. Officers will use the consultation period to work with the Environment Agency, Natural England and the landowner to investigate the detailed mitigation required in response to the issues identified.*

*There is also an "eastern limb" to the submission. The eastern limb of the site has significant flooding constraints, and the landscape sensitivity also increases. This eastern limb also abuts the North York Moors National Park boundary. It is considered that the constraints of this part of the site can simply be avoided through deletion of the eastern limb from the site's 30 extent. This would also align the site's size closer to amount of employment land identified for Pickering by the Local Plan Strategy.*

*The site represents a very significant opportunity to bring new employment land to Pickering to allow the relocation and expansion of existing businesses in the District and to provide land to meet latent needs within various sectors of industry and business.'*



There was no other sites considered to be suitable for industrial/business allocation in Pickering. The site being a Preferred Option for allocation is material to the consideration of this application.

In view of the national policy background and that the site is a preferred option for industrial/business allocation in Pickering. It is considered that the principle of this proposal is acceptable subject to there being no conflict with NPPF policies or any other significant or demonstrable harm being identified.

### **The economic benefits associated with the proposal**

Micro Metalsmiths (now Sylatech) was created in 1964 and was primarily involved in the design and manufacture of aerospace /aeronautic microwave components and assemblies, including components for battlefield radar, missile guidance, security and telecoms purposes. It is understood to be one of only two companies globally that uses similar technologies to produce fine wall castings, the other being in Massachusetts USA. Its turnover is stated within the submission to be £7.5m, but with a prospect of increasing to £14m if the new premises and business plans are realised. The current operations are understood to have outgrown the current building at Kirkbymoorside with investment of approximately £8m to redevelop its current site for its future requirements. Currently the company has 135 employees, and with the proposed expansion this could increase by an additional 35 employees.

The Outline element of the application is aimed at complimentary and associated industries and technologies, with the intention of a creating a commercial 'hub' on the proposed site.

The company wishes to retain its presence in Ryedale, and in doing so retaining existing jobs and creating new jobs too. The proposal provides important direct and indirect economic benefits to the local area. Employment is a significant factor in ensuring sustainable development in the District.

The Council's Regeneration Manager has also supported the application, and stated:

*'An application has been made, via the LEP, for Local Growth Fund money to support the project which has the potential, over the next ten years, to:*

- *create in-excess of 300 full-time equivalent direct jobs and approx. 500 indirect jobs;*
- *safeguard 120 existing jobs*
- *provide 5.7ha of new serviced employment land*
- *accommodate 17,000m<sup>2</sup> of new business floorspace*
- *attract investment of circa £14m into the District'*

Policy SP19 of the LPS and NPPF have a strong presumption in favour of sustainable development. Members are advised to attach significant weight to the associated economic benefits when considering this application.

### **The layout, design, scale and appearance of the proposed Sylatech building (Full element)**

The site where the proposed building is to be located is approximately 3m lower than existing units on Thornton Road Industrial estate that adjoin the northern boundary. There is some concern at the scale of the building, being 14.8m at its highest point, which is considerable. The reduction in ground levels from the northern side will assist in reducing the impact of the height of the proposed building.

The design and materials used on the building is considered to represent its functions. The materials also help to break up the bulk of the western elevation. The exact materials to be used within the building will need to be specified by planning condition if permission is granted.

The landscaping, boundary details and ground surfacing materials are considered to be important to ensure a satisfactory external appearance.

**Whether the outline proposals for B1 and B2 uses can be satisfactorily accommodated on the site**

The Outline element has all matters reserved and features an indicative plan how the proposed development could be arranged on the site. The indicative plan demonstrates how the quantum of Use Class B1 (5,900m<sup>2</sup>) and Use Class B2 (5,990m<sup>2</sup>) of floor space can be accommodated on the site.

Three buildings housing B2 uses are proposed to be located adjoining the northern boundary and a further building containing Use Class B2 is located adjoining the western boundary. The B1 'light industrial' uses are within the middle of the site and adjoining the southern boundary. The indicative units are relatively large and it is the intention to attract businesses that compliment and which are associated with Sylatech.

Landscaping is proposed on the frontages of the proposed buildings, and where possible car parking is located to the rear of buildings, so as not to create a 'car dominated' environment.

Regarding the proposed materials, it is necessary to ensure the appearance of a high quality business park. This can partly be achieved by conditioning the external appearance of buildings, landscaping, ground surfacing materials and boundary details.

**Archaeology and Heritage**

The applicant submitted an Archaeology and Heritage Assessment. There are no heritage assets within a 500m radius of the site. The nearest heritage assets to the application are:

- Town End Farm House - Grade 2 listed building on Thornton Road 700m to the north west of the site.
- Medieval earthworks - Scheduled Ancient Monument -1.7km to the east at Thornton le Dale
- Pickering Castle - Scheduled Ancient Monument - 2km to the north west

There are the following non-designated heritage assets:

- A 'ladder settlement' thought to be of at least regional significance approximately 1km to the north west of the site.
- Cropmark linear ditches thought to be of local significance approximately 450m to the south of the site.

The Assessment concludes that the proposal will not adversely affect the setting of these heritage assets, and Officers concur with that view.

The Assessment states that the site was previously occupied by a gas processing plant, as a result the site is highly likely that this previous use would have had a detrimental impact upon any archaeology. The County Archaeologist has been consulted and has raised no objection to the proposed development.

### **Developer contributions**

The proposed development is not CIL chargeable.

### **The impact of the proposed development upon the amenities of nearby properties, including the potential for noise and disturbance and air quality**

In regard to residential amenity Policy SP20 of the Local Plan Strategy states:

'New development will not have a material adverse impact on the amenity of present or future occupants, 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

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance.

All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/ potential risks posed by contamination in accordance with recognised national and international standards and guidance'

### **Potential noise**

A Noise Assessment has been submitted for the proposed Sylatech building and the Outline element.

The nearest sensitive receptors to the proposals are:

- Numerous dwellings 570m to the north west of the Full element of the application site and 375m north west of the closest indicative building on the Outline proposal;
- Single residential property 410m to the west of the Full element of the application site and 200m to the west of the Outline element of the indicative Outline element of the proposal.
- Single residential property 350m north west of the Full element of the application and 300m north of the closest unit on the Outline application.

Regarding the Full element of the proposed development, the Noise Assessment has included monitoring of Mirco-Metalsmiths current operations at Kirkbymoorside. The results of the Assessment have been modelled in relation to the current application. The results indicate the noise level at the nearest sensitive receptors will be no higher than 25dB based on a worst case scenario, which is lower than the background noise levels at night of between 28-36dB.

In terms of the speculative Outline proposal, the Noise Assessment concludes that the noise levels could be as high as 107dB in relation to the closest sensitive receptor (220m away and still have what is regarded as a 'low Impact'. This is considered to be a speculative approach and the individual circumstances are not known, such as whether the activities are indoor or outdoor, the level of insulation and type of glazing, any particular attenuation either in-situ or proposed.

It is considered that a detailed Noise condition is required for the outline element to assess the impact of the particular units.

Environmental Health Officer's visited the applicant's existing premises at Kirkbymoorside to appreciate the current operations. In response to the submitted Noise Assessment the Environmental Health Officer has stated that they have no objection to the proposal subject to:

*'A time limiting condition on deliveries to the new foundry (between 11pm and 7am).*

*A pre-condition requiring details of equipment and noise attenuation measures to be submitted and agreed in writing by the local planning authority, prior to commencement and installation.*

*In relation to the other proposed B2 uses, a condition requiring a Noise Impact Report to be submitted and agreed in writing by the local planning authority, prior to commencement and installation, would cover such items as deliveries and fixed equipment and allow for consideration of noise during deliveries and the design and specification of equipment at the reserved matters stage.'*

In view of the above response from Environmental Health, there is considered to be no objection in terms of potential amenity impacts subject to appropriately worded conditions.

### **Air Quality**

An Air Quality Assessment has been submitted and considered by the Environmental Health Officer, who has stated:

*'The assessment concludes that during the operational phase exhaust emissions are predicted to be negligible at all sensitive receptors within the vicinity of the site. The overall potential significance of the development of potential impacts was determined to be low in accordance with guidance from Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance 'Land -Use Planning and Development Control: Planning for Air Quality' guidance.*

*In relation to the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. These were assessed in accordance with the LAQM methodology. Assuming good practice dust control measures are implemented the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities was predicated to be negligible. In order to ensure adequate mitigation measures are undertaken during the construction phase it is recommended that a Construction Environmental Management Plan be required prior to the development proceeding. The plan should in addition to controlling dust also address mitigation of noise and transport related to the site during the construction phase.'*

In view of this a condition is recommended to address air quality during the construction phase.

In summary, the location of the site, because of its close proximity to the existing industrial estate and the above assessments, is considered that the development can be undertaken in a manner that does not have a material adverse effect upon the amenity of nearby occupiers. It is not necessary to restrict 24/7 operations on this site, and it is noted that there are no such restrictions on other parts of Thornton Road Industrial Estate.

### **Flood Risk**

The proposed area for development is within Flood Zone 1. A very small area in the south eastern corner is within Flood Zone 2. However this area forms the boundary and comprises existing planting. The requirements regarding the application of the sequential test are therefore considered to be met.

The site is not shown to be at Risk of Surface water flooding on the Environment Agency Surface Water flood maps.

A Flood Risk Assessment has been submitted with the application. That confirms that the site is at a low risk of flooding from all sources, except fluvial flooding. The risk of fluvial flooding relates to the south eastern corner of the site and reflects it's Flood Zone 2 classification. In response the application proposes that the floor levels of the buildings on the site are raised above the area in question.

**Ecology and Biodiversity**

There are a network of ponds in the immediate area, and 8 of these ponds have been surveyed and assessed, with one pond to the west being a designated Site of Importance for Nature Conservation (SINC). There has been a Phase 1 Extended Habitat Survey and a Great Crested Newt Survey and Mitigation Report. During the on-site surveys up to 177 GCN's were identified which constitutes a large population. The mitigation confirms that a European Protected Species Mitigation Licence (EPSML) is required. Although, the report actually confirms that the development in question does not result in the loss of any breeding ponds and the site is tightly grazed and classed as sub-optimal GCN foraging habitat. The interconnectivity of the network of ponds is considered important, along with the protection and creation of high value habitat linkages. The proposal includes the creation of a new pond and habitat corridor along the northern boundary with an underpass to maintain links to other ponds and the creation of a new pond and additional planting in the north eastern corner of the site. Additional planting and habitat creation is also proposed along the eastern and parts of the southern boundary. In addition, the submitted reports have also assessed other ecological impacts, protected species, foraging and nesting birds.

This application is 'EIA Development' due to its likely impact upon protected species, namely Great Crested Newts (GCN's). An Environmental Statement (ES) has been submitted which primarily focuses upon protected species both during construction and whilst the proposed development is operational. The cumulative effects of other relevant development in the area has also been taken into account. The ES also dismisses other possible alternative sites for the proposed development. As stated in regard to the principle of the development, there are considered to be no other suitable sites proposed for industrial/business development of this scale within the immediate Pickering area. The ES confirms that during construction and whilst the development is operational mitigation is required in terms of protected species and ecology. Without this mitigation, the ES considers there is likely to be permanent and significant adverse effects on protected species and ecology.

The following significant effects and proposed mitigation has been detailed within the ES:

Significant Effect	Proposed Mitigation
Pollution to Outgang Road Pond and grassland SINC	Adherence to standard PPG procedures. Drainage, flood attenuation and storage infrastructure designed to provide adequate protection from any likely pollution events
Hedgerow Habitat loss	Mature trees and hedgerows which are to be retained will be protected in accordance with 'BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations'. Enhancements: The planting scheme will enhance hedgerows and will include native species of local provenance. Together with the incorporation of existing hedgerows.

GCN - direct harm, habitat loss and habitat fragmentation	<p>A GCN licence from Natural England will be required prior to the commencement of the development</p> <p>An appropriate GCN licensing approach will be agreed in consultation with the LPA Ecologist and Natural England, as appropriate.</p> <p>An EMP will be produced and will include measures to manage and enhance areas of the site for GCN.</p>
Disturbance to bats	<p>Lighting Scheme to be sympathetically designed so as not to illuminate mature trees, hedgerows and ponds.</p> <p>Enhancement: ten bat boxes are to be installed to create new roosting habitats.</p>
Habitat disturbance to breeding birds	<p>If works are to commence during the breeding bird season (March to September), a suitably qualified ecologist/ornithologist will check each phase of the works areas for nesting birds, prior to works taking place.</p> <p>Suitable nesting habitat for a wide range of species will be available in mature vegetation in the south of the site near to the ponds - this area will remain undisturbed during the construction phase.</p> <p>Enhancement: twenty bird boxes will be installed to create new nesting habitat on site.</p>
GCN direct harm	<p>The GCN mitigation licence put in place at the Construction Phase will include provisions to adequately protect GCN from harm by traffic movements. The licence will also contain commitments for monitoring and managing the agreed mitigation works</p>
Bats - lighting disturbance	<p>A wildlife sensitive lighting scheme will be devised for areas close to sensitive habitats. The EMP will details manage specific areas of the site for bats.</p>

The Council's Countryside Management Officer has considered all the information submitted and stated:

*The ecological surveys for this development have indicated that for the most part the development site comprises habitat of low ecological value. The majority of this site consists of improved and species poor semi improved grassland. The grassland being intensively managed is poor habitat for amphibians however the overriding importance of the surrounding hedgerows and shelterbelts to the local great crested newt population is also noted, particularly the northern wildlife corridor of trees and shrubs providing terrestrial habitat for over wintering, commuting and foraging for newts breeding in the nearby ponds to East and West.*

*The grassland was found to provide habitat for wading birds during parts of the year. A small area scrub and trees are to be lost some of which provides lining habitat between 3 newts breeding ponds*

*Generally I have no major objection to the proposed development provided a European protected species incense is obtained as recommended by the survey reports. However I have some additional requirements to ensure the long term maintenance and protection of the newt population.*

*A requirement to provide a safe means for newts to travel across the proposed access road that, perhaps by underground tunnel.*

*Include in the mitigation strategy the restoration of the existing newt breeding ponds off site.*

*A condition requiring the production of an Ecological creation and restoration scheme based on that proposed in the survey reports could be attached to any permission granted.'*

It is noted that there is a proposal within the submitted information for a transit area under the proposed access road. The remaining points raised by the Countryside Management Officer can be addressed by planning condition. The mitigation described within the ES and within the submitted application will need to be carefully conditioned, together with appropriate management in perpetuity.

Subject to the mitigation detailed within the ES and the Great Crested Newt Survey and Mitigation Plan, the proposal is not considered to have a significant adverse effect upon ecology and protected species.

### **Whether the proposed development will have a significant impact upon the Vale of Pickering landscape character area**

The proposed Sylatech building at 14.8m in height will have some impact upon the landscape and there will be views of this building from outside the site. The Outline proposals are difficult to assess, however the indicative drawing annotates these to be 2 storey buildings which provides a context to assess such development, with 2 storey industrial buildings typically being no higher than 8-9m.

The application site is located within the Vale of Pickering Landscape character area, and the North York Moors National Park boundary is located near to the eastern boundary of the application site.

Policy SP13 of the Local Plan Strategy states:

*'The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'*

The submitted Landscape and Visual Assessment has considered the proposed development from the following viewpoints:

- Industrial Estate off Thornton Road - 0.16 hectares from the site.
- Gas Processing Plant - 0.19 hectares from the site
- Outgang Lane - 0.38 hectares from the site
- Westfield and Broadmires Lane - 1.1 hectares from the site
- Roxby Hill - 1.96 hectares from the site
- Cedar Barn and A170 - 0.72 hectares from the site
- Ruffa Lane and Pluntrain Dale Lane - 0.88 hectares
- A169 - 1.18 hectares from the site
- Upper Carr Lane - 1.47 hectares from the site

The Assessment concludes that the impact from the surrounding viewpoints are all low - negligible with the exception of the impact from the Gas Processing Plant which is classed as Medium to High. However the Gas Processing Plant as a receptor is considered to be low and it is an existing industrial site. It is accepted that development of this scale will have some impact upon the character of the landscape character area. However, there is existing industrial development to the north and largely to the west, with extensive planting on both the eastern and southern boundaries.

In view of the economic benefits associated with the scheme and the assessment above it is not considered that the proposed development will be contrary to Policy SP 13 of the Local Plan Strategy. A condition regarding external lighting and regarding existing and proposed planting is considered important in order to limit the wider impact of the proposed development.

### **Foul and surface water drainage**

The proposal is to convey foul water from the site to the existing mains. Yorkshire Water considers a feasibility condition necessary to ensure that the existing pumping station has sufficient capacity to accept additional flows. This has been discussed in detail with the agent who considers that even with an upgrade to the existing pumping station the scheme remains viable and the cost has been taken into account already. It is therefore considered that foul water can be adequately discharged into the mains, and any upgrade required can be delivered.

A sustainable drainage system is proposed in regard to surface water drainage. Surface water is proposed to be collected on site and discharged into Outgang Drain to the west of the application site at a restricted rate (9.6l/s). Surface water from areas such as car parks is proposed to pass through interceptors. A Drainage Basin is proposed in the south east of the application site that can store surface water in times of heavy rainfall to ensure that the discharge rate is not exceeded. The Environment Agency has no objection. The Lead Local Flood Authority originally requested additional information to ensure that the calculations take account of climate change. Upon receipt of this additional information no objections have been raised by the Lead Local Flood Authority subject to a condition. The condition relates to the future maintenance arrangements for the sustainable drainage system as it will not be adopted by Yorkshire Water.

It is considered preferable for the proposed drainage basin to hold a minimum level of water in order to ensure it can appear as a pond all year round. This would mean altering the inlet point and outlet point. This is considered to be an important feature that could enhance the development. This request has unfortunately been rejected by the agent and applicant. It is therefore considered important that this area is landscaped appropriately.

The Internal Drainage Board (IDB) who manage Outgang Drain has stated that the drain is at capacity, but it can accept the surface water drainage from the site at an agreed restricted rate (9.6l/s). However, this is subject to a commuted sum in respect of major improvements. The application site has been extended to the west to facilitate the proposed drainage outfall position. The Internal Drainage Board considers that the commuted payment should be delivered by S106 Agreement for the sum of £56,800. The IDB has stated that the contribution is required to undertake the following:

- the renewal of a road culvert underneath Carr Lane near to Black Bull Public House
- piping in a vulnerable section of roadside ditch adjacent to Carr Lane
- a new culvert along the main ditch line to provide access between fields
- widening and deepening of the channel up to the point where the piped section of ditch discharges at the south end of Outgang Lane

### **Highway safety - including access, parking, and turning and the impact of the proposal upon the local highway network**

A Transport Assessment and Travel Plan has been submitted. The views of the Highway Authority are awaited.



## Landscaping

An Arboricultural Survey, Tree Constraints Plan and Landscaping proposals have been submitted. The Council's Tree and Landscape Officer has considered these and stated the following:

*The site is bounded on three sides (north east and south by mature native tree belts). These trees are not within the red line of the application but it is understood that there is an intension to purchase surrounding land on receipt of planning permission. The submitted tree survey breaks these plantations down into groups of trees as follows:*

*T1 & T2 Standing in the south eastern corner of the site (20m) Estimated remaining contribution 20+ years*

*Category B.*

*Group 1 - Along the western section of the southern boundary consisting of Willow (20m) and hawthorn described as a dense plantation of tall drawn trees with hawthorn under-storey. a small cluster of these trees at the western end of the group have been subject to bark stripping by horses.*

*Generally B category in accordance with BS 5837. Estimated remaining contribution 20+ years*

*Group 2 - A small group lying centrally along the southern boundary of the site. Predominately ash with an under-storey of hawthorn (8-10m)*

*Generally category B. Estimated remaining contribution 40+ years.*

*Group 3 - immediately to the east of Group 2 above and consisting of Hornbeam, ash and field maple, principally mature trees.(9-10m)*

*Generally category B, Estimated remaining contribution 40+ years.*

*Group 4 - east of group 3 and extending to the south eastern corner of the site. Wholly sycamore (10m)*

*general Category C/U. Estimated remaining contribution 10+ years*

*Group 5 - running along a large portion of the eastern boundary. Alder and hawthorn (10m) category Category B. Estimated remaining contribution 20-40 years*

*Group 6 Along the eastern boundary towards the north eastern corner. Principally hawthorn (5m) Forms a dense screen.*

*Category B. Estimated remaining contribution 20-40 years*

*Group 7 Along the whole of the northern boundary, Plum, blackthorn and ash (10-12m)*

*Category B. Estimated remaining contribution 20-40 years*

*Group 8 Remnants of former hedge which have grown up into small trees (4m).*

*Category C. Estimated remaining contribution 20-40 years*

*Implication for trees: Under the submitted layout a small section of Group 7 would have to be removed to accommodate the construction of the access road from the existing industrial estate to the north otherwise provided that the measures stated in the submitted arboricultural method statement are conformed with all other trees are unaffected by the development.*

*Future management of the boundary trees:*

*Groups 2 and 3 are predominantly ash therefore the prevalence of a disease known as ash die-back in the UK may have a serious affect on these groups in the future. Overall the groups tend to be made up of one or two species only and all of similar age, therefore their future management should aim to increase diversity of species but avoid planting any more ash for the foreseeable future.*

*Proposed new planting within the site:*

*The proposal currently put forward appear to be indicative only therefore a full and comprehensive landscaping scheme should be conditional of any approval of the development.'*

The application site has since been amended and now includes the existing and established planting on the eastern boundary. Further planting is proposed on the eastern side, along the northern boundary and in the south eastern corner. There is also planting proposed throughout the site to soften the impact of the proposed development. In view of the Tree and Landscape Officers view there are no objections raised in this respect, but detailed planting conditions are considered necessary to ensure a satisfactory landscape scheme is implemented.

## Ground contamination

It is acknowledged that the site is already contaminated from its previous use as a Natural Gas Processing Plant. The agent does not consider this level of contamination to be insurmountable. A Ground Condition Survey that was previously been undertaken has been submitted with this application. The Council's Environmental Health Officer has considered this in detail and considers that more invasive surveys are required of the site. The Environmental Health Officer stated:

'A site investigation report by Komex in 2003 was submitted with the application, however I am aware of an environmental impact assessment scoping report (undertaken by White Young Green) on behalf of Ryedale District Council relating to the site, which included a review of the Komex report. The conclusions in this report recommended the following:

- *To reduce any risk to development workers from any potential contamination, appropriate Personal Protective Equipment (PPE) should be a prerequisite. This would include asbestos specific PPE such as facemasks with P3 filters and disposable suits, and dust masks for lime handling works*
- *Intrusive investigation works incorporating geotechnical testing within the footprint of the proposed buildings will be required to identify parameters required for foundation design. The scope of the works will need to include in-situ testing (e.g standard penetration tests), geotechnical laboratory testing to confirm soil descriptions and enable detailed geotechnical assessment and water soluble sulphate testing to allow assessment of the grounds concrete aggressivity*
- *Additional contamination testing should also be undertaken, especially from the west side of the site, prior to development to identify further potential contamination at the site. It is recommended that the scope of the work includes:*
  - *Screening for the presence of asbestos from the site*
  - *PCB analysis of sample obtained within the vicinity of the former generator and transformer (Plot 2d)*
  - *Speciated hydrocarbon analysis from areas of historic hydrocarbon use and from areas of hydrocarbon encounter (plots 2b, 2c, 2d, 2e)*
  - *additional trial pitting within the region of the 'contaminated' and 'uncontaminated' pits and areas of sparse sampling locations (especially where no development is to be undertaken)*
  - *Sampling of groundwater and analysis using detection limits below the indicative screening values and ground gas monitoring*
- *The presence of asbestos in soils could potentially have a significant impact on the costs of any soil disposal activities. A revised and updated risk assessment can then be performed*
- *At this stage it is anticipated that some remediation works may be required. These could include:*
  - *Localised removal of isolated areas of elevated contaminants, e.g arsenic, hydrocarbons or cyanide*
  - *A cover layer of 'clean' soil in landscaped areas; and, or*
  - *Limited land gas protection measures to some buildings*
  - *Measures to protect buildings and services that may also be required include:*
    - *Elevation of concrete class in order to prevent sulphate attack and, or*
    - *The use of upgraded water services to prevent hydrocarbon attack*

*The need for any such remedial measures can be confirmed following further site investigation and subsequent risk analysis.'*

Four detailed pre-commencement conditions are recommended to address the above issues. Subject to these conditions it is considered that potential contamination can be adequately addressed.

### Other issues

The Town Council supports the proposal, and notes the proposal will help create employment locally. The Town Council consider the new manufacturing building would complement structures on the adjoining industrial estate, with suitable landscaping screen, and enhance local wildlife.

There has also been 1 letter of objection received from SM Auto- Care Ltd relating to the traffic generated, and existing problems with on-street parking and turning, and questions whether there is a need for this additional development when there are empty units on the estate. The proposed development features parking and turning areas for the individual units. At the time of writing this section of the report no views have been received from the local Highway Authority. In response to the need for the proposed development, the Local Plan Strategy has identified 5.55 - 6.75 hectares of land as being required at Pickering for industrial/business purposes.

There have also been two letters of support received from the Jones Partnership and Ryetools.

There is a gas pipe that crosses part of the site in south western corner. The Health & Safety Executive (HSE) has been consulted and does not advise against granting planning permission. The HSE suggested that contact be made with the pipe operator. In this case, it is North Gas Networks, the owner of the site, who have already had notice of the proposal served upon them. The plan proposed features a 25m no-build zone.

Natural England has responded with general comments only and has not raised any objections to the proposed development.

### Conclusion

In view of the above assessment, and subject to the view of the Highways Authority, the proposal is not considered to be in direct conflict with any policies within NPPF and no significant or demonstrable harm that cannot be acceptably mitigated has been identified.

**RECOMMENDATION: Approval subject to no objections raised by the highway authority and the completion of a S106 Agreement in relation surface water discharge with the IDB**

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**From:** Vale of Pickering IDB [<mailto:admin@valeofpickeringidbs.org.uk>]  
**Sent:** 25 August 2016 16:54  
**To:** Alan Hunter  
**Subject:** Sylatech - Industrial Development at Pickering

Dear Alan,

Further to our telephone conversation earlier today regarding the Surface Water Development Contribution (SWDC) of the above site, this is based on the impermeable area of the development. I realise this is an outline application that covers approximately 8 hectares. The SWDC rate applicable as a contribution is £71,000 per impermeable hectare. This is based on 100% run-off or un-attenuated discharge. However, if the rate of run off is attenuated to a greenfield level or up to 25 litres/second/hectare then the SWDC rate would be cut to 20% of the above figure.

In view of the above, we have calculated the amount due based on 4 hectares i.e. 50% of the development area and at a 20% rate this would amount to £56,800.

As this water would be an addition to Outgang Drain, there are a number of essential improvements that would be required prior to the main development starting. These include:

- the renewal of a road culvert underneath Carr Lane near to Black Bull Public House
- piping in a vulnerable section of roadside ditch adjacent to Carr Lane
- a new culvert along the main ditch line to provide access between fields
- widening and deepening of the channel up to the point where the piped section of ditch discharges at the south end of Outgang Lane.

The Board would be pleased if this could be included as a S.106 Agreement should planning consent be granted. Please be aware that if the development area is increased at full planning stage then additional SWDC payments will be necessary.

Kind regards

Phil Fisher

**P W Fisher**  
**Surveyor/Engineer to the Board**

**Vale of Pickering Internal Drainage Board**  
15 Market Place  
Malton  
North Yorkshire  
YO17 7LP

Tel: 01653 697820  
[admin@valeofpickeringidbs.org.uk](mailto:admin@valeofpickeringidbs.org.uk)

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**From:** Don Davies  
**Sent:** 23 August 2016 14:42  
**To:** Alan Hunter  
**Subject:** RE: reminder - habitat regs - Micrometalsmiths

Alan

The duty of a local planning authority under reg. 9(5) of the Conservation of Habitats and species regulations 2010 is *“to have regard to the requirements of the directives so far as they may be affected by the exercise of those functions.”*

*(2) As such, there is no need for a planning committee to carry out its own shadow assessment as to whether there would be a breach of Article 12(1) of the Directive, or whether derogation from that Article would be permitted and a licence granted.*

*(3) Instead, planning permission should ordinarily be granted save only in cases where the planning committee conclude that the proposed development would both (a) be likely to offend article 12(1) and (b) be unlikely to be licensed pursuant to the derogation powers.*

Following the survey and appraisal work undertaken by the applicant for the EIA, which includes extensive ecological surveys of the development site and nearby great crested newt breeding ponds, it is possible to state that there is no likelihood of the scheme being refused a license from Natural England. The scheme will meet the three derogation tests, provided the mitigation and enhancements included in the ecological plan are instigated on site.

Don

**Application No:** 16/00435/FUL

**Proposal:** Erection of 2no. four bedroom detached dwellings with detached double garages together with formation of vehicular access

**Location:** Land Rear Of Park View Finkle Street Sheriff Hutton

### **SUGGESTED CONDITIONS**

- 1 The development hereby permitted shall be begun on or before .  
  
Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved plan(s):  
  
Drawing Number 15:15:03 P02 Site Plan  
Drawing Number 15: 14:07 P01 Double Garage plan and Elevations  
Drawing Number 15: 15:09 P01 Street Scene  
Drawing Number 15: 14:04 P01 Ground Floor Plan  
Drawing Number 15: 15: 05 P01 First Floor Plan  
Drawing Number 15:15:06 P01 Elevations  
Drawing Number 15: 15:01 Location Plan  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of all materials to be used on the exterior of the building the subject of this permission, including the roof materials shall be submitted to and approved in writing by the Local Planning Authority.  
  
(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)  
  
Reason: In the interests of good design and in compliance with Policies SP12, SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.
  
- 4 Prior to the commencement of the development hereby approved, precise details of any external lighting including the location type and the affixation method shall be submitted to and approved in writing by the Local Planning Authority and there after any lighting shall be carried out in accordance with the approved scheme.  
  
Reason: In the interests of good design and in compliance with Policy SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.
  
- 5 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details of all external joinery including garage doors, doors and windows, including means of opening, depth of reveal and external finish (1:10 scale) shall be submitted to and approved in writing by the Local Planning Authority.

## ITEM NO. 12

Reason: In the interests of good design and in compliance with Policy SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

- 6 Before the commencement of development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details of the proposed boundary treatment, including a schedule of materials and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority. This should be carried out for the whole of the site as indicated by the red line plan on drawing reference 15:15:01. The details so approved shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing with the Local Planning Authority and maintained as such thereafter.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

- 7 The boundary hedges/trees surrounding the application site shall be protected by the erection of 1.8m high weld mesh fencing set a minimum 1.0m of the edge of each hedge, supported on scaffolding posts driven into firm ground and extending along the whole of the boundary of the site.

Reason: to ensure that the hedges/trees along the boundaries which serve to screen the development and to preserve residential amenity are not damaged as a consequence of development, and in compliance with Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Before the development hereby permitted is commenced, details of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary scheme shall be carried out in its entirety prior to the first occupation of the 2 No. dwelling houses or such longer period as may be agreed in writing with the Local Planning Authority.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

- 9 During the construction of the development hereby approved traffic movement to and from the site should be kept to a minimum. No deliveries will be made outside of the hours of;

8 am to 6 pm Monday to Friday  
8 am to 1 pm Saturdays

There will be no deliveries on Sundays, Public Holidays and Bank Holidays.

Reason: In the interest of preserving the neighbouring properties residential amenity

- 10 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

c. The existing access shall be improved by widening and upgrading of construction specification in accordance with approved drawing number 15:15:03 Rev. P02 and standard detail No. DC/E9A

## ITEM NO. 12

g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with details that shall be submitted and agreed with the Local Planning Authority in consultation with the Local Highway Authority in advance of the commencement of the development and maintained thereafter to prevent such discharges.

h. The final surfacing of any private access within 10 metres of the public highways shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason:- In accordance with Policy SP20 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 11 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 10 metres into the site from the carriageway on the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number DC/E9A and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason:- In accordance with Policy SP20 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 12 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing 15:15:03 Ref P02. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

- 13 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason:- In accordance with Policy SP20 and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

- 14 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.



## ITEM NO. 12

These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

15 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

b. on-site materials storage area capable of accommodating all materials required for the operation of the site.

c. The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

16 No development approved by this permission shall be commenced until the Local Planning Authority in consultation with the Internal Drainage Board has approved a scheme for the provision of surface water drainage works, Any such scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered;

- Discharge from 'greenfield sites' taken as 1.4lt/sec/ha (1.1yr storm)
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge of the site in a 1:100 yr event
- A 20 % allowance for climate change should be included in all calculations
- A range of durations should be used to establish the worst case scenario
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

17 All ecological protection and enhancements measures and works shall be carried out in accordance with the details contained in Section 7 of the Extended Phase 1 Survey for Finkle Street, Sheriff Hutton (Wold Ecology 2015).

Reason: in conformity with the aims of SP 14 of the Ryedale Plan - Local Plan Strategy and the NPPF

18 Condition (A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy as the site is of archaeological interest.

18 Condition (A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy as the site is of archaeological interest.

19 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy as the site is of archaeological interest.

20 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy as the site is of archaeological interest.

- 21 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 22 No development shall commence on site until further details of finished ground floor levels in relation to a measurable datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels details.

Reason: To ensure that the appearance of the area is not prejudiced and to satisfy Policy SP16 and SP20 of the Ryedale Local Plan.

- 23 Prior to the commencement of the development hereby approved, details of the ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of good design and in compliance with Policies SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

**From:** Sarah Lacey  
**Sent:** 25 August 2016 08:56  
**To:** Ailish Lilley  
**Cc:** Alan Hunter; Brian Dunn; Steve Richmond  
**Subject:** Noise monitoring at Wintringham Common Farm

Dear Mrs Lilley,

Thank you for your email yesterday. The noise referred to in Simon Lacey's email took place on 21<sup>st</sup> August during the morning for about 2 to 2.5 hours. It was loud and invasive like the barking has been previously during the last few years. It prevented us sitting in our garden on Sunday morning, and could be heard inside the house. In the past and before we made any complaint, we have tried in person and by post to contact the proprietor but to no avail. As you know, we made a formal complaint previously on 3rd March.

Thank you for explaining the Statutory nuisance process to us. We note that is the recourse open if we need to resort to it.

We have noted the measures you refer to that are contained in the potential planning conditions. As you know, our gravest concerns are the use of the barn building, the paddocks this side, and the proposed new kennels facing this way. We have asked if they could please be turned around to face inwards towards the yard, and definitely not outwards towards our property.

We are unable to attend the planning committee meeting next week as we are away. As we have written numerous letters expressing our views on this application, we remain confident that those views will be taken into account by the Planning Officer when preparing the report.

Regards,

Sarah Lacey

Sarah Lacey and Associates  
Knapton Lodge, Malton.  
North Yorks, YO176RL. UK

**NORTH YORKSHIRE COUNTY COUNCIL  
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **16/00900/HOUSE**

**Proposed Development:** Erection of two storey extension to rear elevation, single storey extension to side elevation and detached two storey garage/workshop to include ancillary accommodation above together with installation of electric entrance gates following demolition of existing extension and outbuildings.

**Location:** Fairfax House Mill Lane Ampleforth YO62 4EJ

**Applicant:** Mendham & Perez

**CH Ref:** N/A

**Case Officer:** Stephen Boyne

**Area Ref:** 3/6/264

**Tel:** 01609 780 780

**County Road No:** C174

**E-mail:** Area4.KirbyMisperton@northyorks.gov.uk

**To:** Ryedale District Council  
Ryedale House  
Old Malton Road  
MALTON  
North Yorkshire  
YO17 9HH

**Date:** 25 August 2016

**FAO:** Charlotte Cornforth

**Copies to:**

**Re. Revised plans as notified by letter from Ryedale DC dated 5 July 2016, and subsequent correspondence.**

Agreement has been reached with the applicant regarding the fencing position along the application site frontage. Some sections of new fencing to be set back to ensure visibility from the existing access is not obstructed at a point 2.4 metres back from the carriageway edge measured from the centre-line of the access. The remaining sections of fencing that lie close to the bank of the beck to remain as installed. It has also been agreed to delay the resurfacing of the existing access until construction works (and allied delivery traffic etc.), has been completed.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

<b>Signed:</b>  <p style="text-align: center;"><b>Stephen Boyne</b></p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	<b>Issued by:</b> Kirby Misperton Highway Office Beansheaf Industrial Park Tofts Road Kirby Misperton YO17 6BG  <b>e-mail:</b> Area4.KirbyMisperton@northyorks.gov.uk
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**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**16/00900/HOUSE**

1. HC-07 Private Access/Verge Crossings: Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, the property shall not be occupied in advance of the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

- c. The existing access verge crossing shall be improved by upgrading of construction specification in accordance with attached NYCC Standard Detail E6.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

HI-07 INFORMATIVE

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

REASON

In accordance with policy # and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

2. HC-17 GARAGE CONVERSION TO HABITABLE ROOM

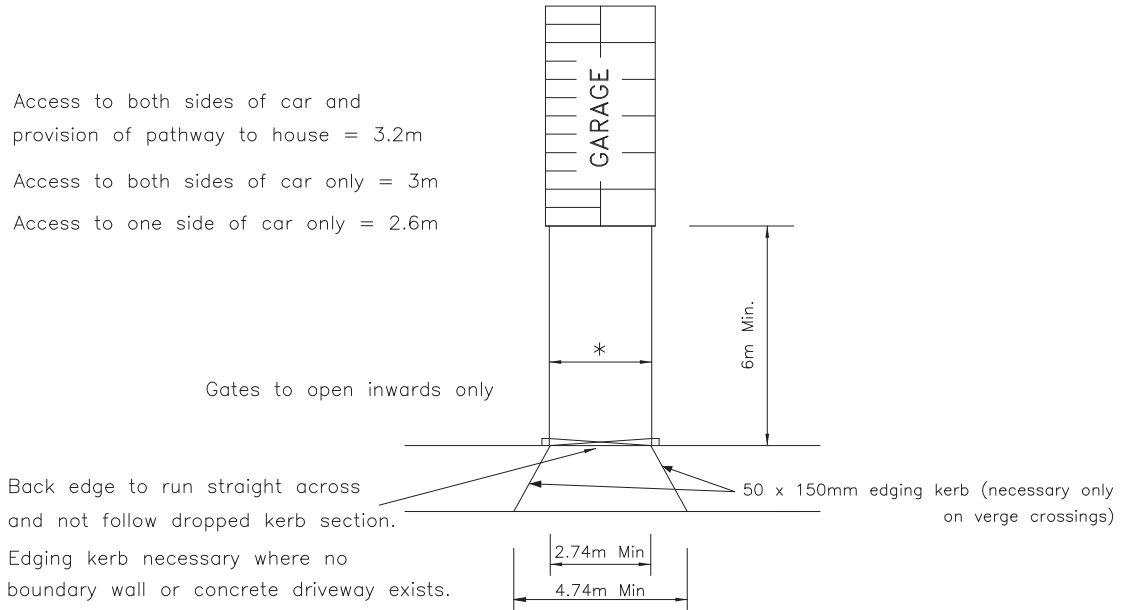
Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

REASON

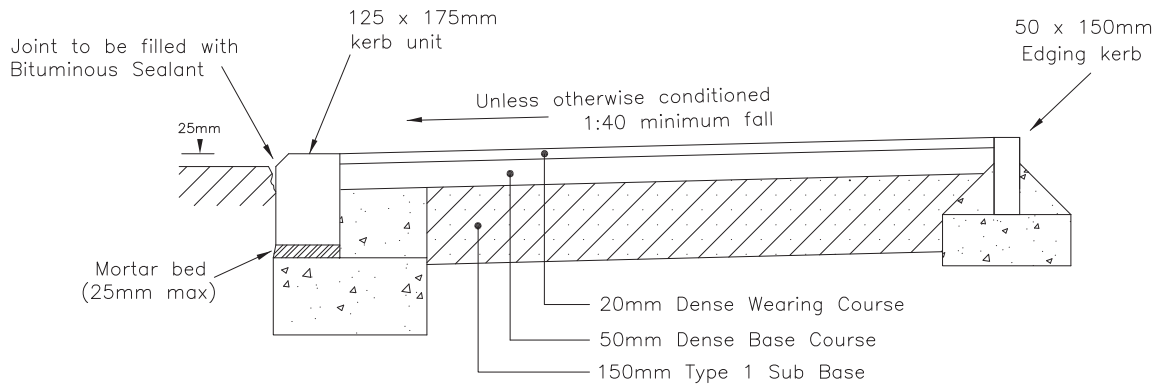
In accordance with policy # and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

## Plan View

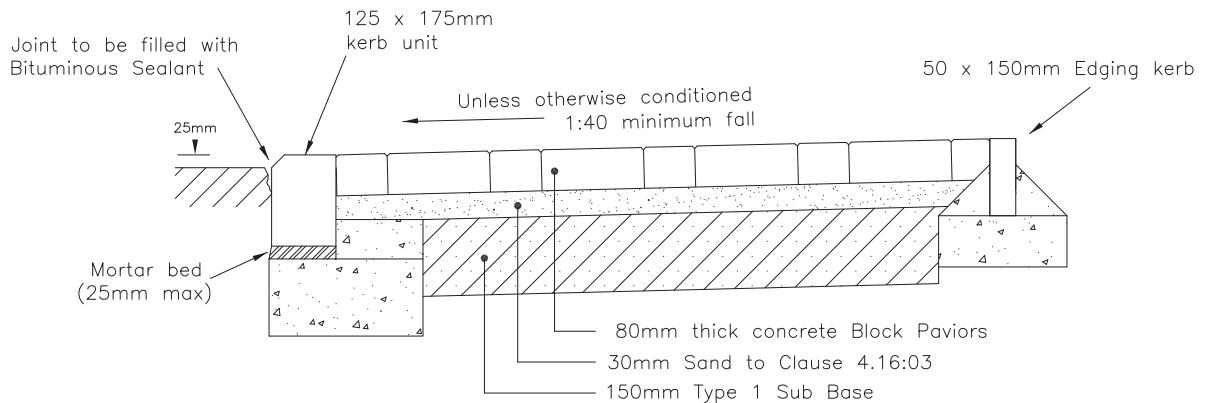
- \* Access to both sides of car and provision of pathway to house = 3.2m
- Access to both sides of car only = 3m
- Access to one side of car only = 2.6m



## Section Through Macadam Crossing



## Section Through Block Paved Crossing



Do Not Scale

North Yorkshire County Council Department of Environmental Services	FOOTWAY CROSSING DETAIL	DATE	DRAWING NO.	Rev.
		5/2/97	E6	

## Mel Warters

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**Subject:** FW: Fairfax House, Ampleforth - 16/00900/HOUSE  
**Attachments:** S15-186-09A Boundary Fence - As Proposed - A1.pdf

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**From:** Matthew Coleman  
**Sent:** 26 August 2016 08:59  
**To:** Charlotte Cornforth  
**Cc:** paul; Sara Perez  
**Subject:** Fairfax House, Ampleforth - 16/00900/HOUSE

Hi Charlotte,

Please find attached updated Site Plan indicating the re-positioned fence line as agreed at the property yesterday between our client and the Highways Officer.  
The post and rail fence is to be moved back from the carriageway to a distance of 2.8m in the vicinity of the junction with the highway, this tapers to 1m as it moves away from the junction.  
We have also amended the notation regarding the fence height, it is generally 1.1m high but varies between 1.1m and 1.2m from ground level due to the terrain.

If you have any queries please do not hesitate to contact us.

Regards,

Matthew Coleman  
for and on behalf of  
Setsquare (Harrogate) Limited

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Setsquare (Harrogate) Limited  
Windsor House  
Cornwall Road  
Harrogate  
HG1 2PW

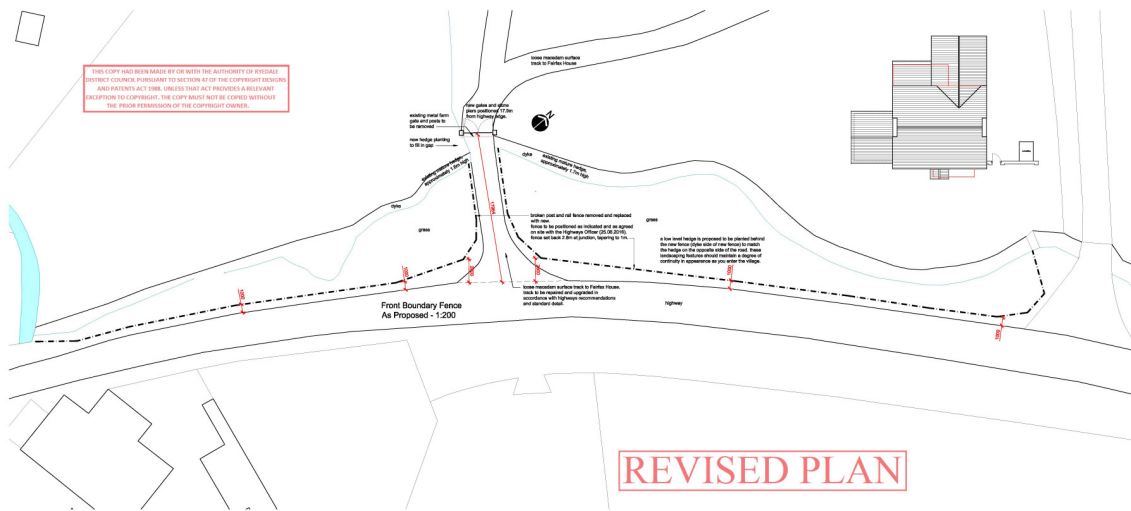
T: 01423 561568  
M: 07501 254234  
W: [www.setsquare.org.uk](http://www.setsquare.org.uk)

Company No: 4774086 (England & Wales)

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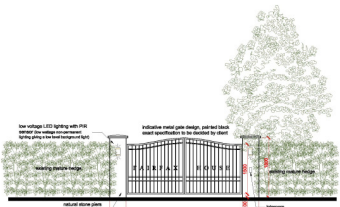
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REVISED PLAN

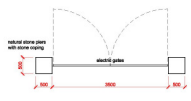
1	2	3	4	5	6	7	8	9	10

Boundary Fence As Proposed - 1:50

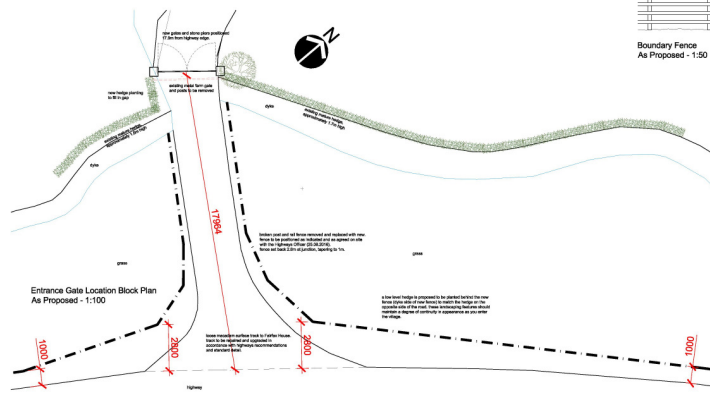
DATE: 26.08.2016



Elevation - Entrance Gate and Piers As Proposed - 1:50



Plan - Entrance Gate and Piers As Proposed - 1:50



Entrance Gate Location Block Plan As Proposed - 1:100

<p><b>BETRIALARE (HARROGATE) LTD</b></p> <p>WINDSOR HOUSE DUNNALL ROAD HARROGATE HG1 2PW TEL: 0143 561568</p>	
<p><b>SE 10 HARROGATE.</b></p> <p>ARCHITECTURAL &amp; DEVELOPMENT CONSULTANTS</p>	
<p>Mr P Mordant &amp; Miss S Perez</p> <p>100 Furze House Airedale YO8 4EJ</p>	
<p>Front Boundary Fence &amp; Entrance Gates As Proposed</p>	
<p>Scale: 1:100 &amp; 1:50 as above</p> <p>Date: 26/08/16</p> <p>Drawn: [Signature]</p> <p>Checked: [Signature]</p>	<p>Sheet: [Blank]</p> <p>Total: [Blank]</p>

Development Management  
Ryedale District council  
Ryedale House  
Old Malton Road  
Malton  
YO17 7HH

26<sup>th</sup> August 2016

Dear Sir or Madam

**Alterations and Extension to Fairfax House, Ampleforth, YO62 4EJ**  
**Planning Reference: 16/00900/HOUSE**

Since acquiring the property in November 2015, my wife and I have conducted a great deal of research into the history of the original building and its previous owners. The property is a late Victorian farmhouse, built around 1880. Its grounds were originally used as a commercial brickyard (during the Victorian era); clay was once quarried from the land and the depression that this activity created has since become a large pond which is a haven for wildlife (ducks, geese etc.). For the past fifty years, the house and its grounds were used as a commercial poultry farm.

Of late, the property has lost much of its former charm as a direct consequence of its commercial use. Throughout the 1980's a number of substantial concrete slabs were laid within the grounds (for wooden poultry sheds) and a number of barns were built to accommodate up to 2000 commercial poultry as well as some pigs. Asbestos, concrete blocks, metal, glass and chip wood were some of the materials used to economically create these buildings but without taking into consideration the original character of the property or the history of the village.

The house itself has already been extended many times during the past 50 years:

- A bay window and a porch were added to the front of the house, unfortunately using a different type of brick to the rest of the property, making both these features rather unsightly.
- A lean-to wooden extension was built at the rear of the property and used as a sales office.
- A wooden lean-to extension was built at the side of the house to accommodate poultry.

As a result of these and other developments, the house has lost much of its Victorian charm. The grounds too have been seriously neglected for a number of years and have become overgrown.

In addition, due to the commercial use of heavy goods vehicles entering the site, the access road to the property has been severely damaged over recent years.

Through this planning application, our aim is to sympathetically restore the property and to return it to its former Victorian splendour. We intend to create an ecologically friendly family home using modern technology (i.e. a Ground Source Heat Pump), whilst retaining and enhancing its original farmhouse character.

Mr Paul Mendham and Dr Sara Perez-Palacios  
5 Halifax Court  
York  
YO30 5ZE

For the grounds, we have commissioned the services of Rosie Allesstone, a garden designer from Ampleforth village, who will help us to create a beautiful cottage style garden at the front and Southern aspect of the property using native plant species. We are aiming to transform much of the open areas to West (where the derelict barns are currently situated) into a wild flower meadow which will further enhance the biodiversity of the area by improving the habitat for local wildlife. My wife and I are both avid wildlife enthusiasts (my wife is an avian vet).

We are proposing to reinstate the vehicular access road to the property in accordance with Highways specifications and have already met with them on site to discuss how best to achieve this.

Finally, we intend to move the current access gate further away from the highway to reduce its visual impact from the road. The current gate is located approximately 15 metres away from the highway. The proposed new gates will be 17.9 metres away from the highway and the pillars will be built in stone to match neighbouring properties. The pillars will be partially screened by newly planted hedging and the low voltage access lighting will be on a PIR sensor so that wildlife will not be disturbed. These courtesy lights will be for the benefit of pedestrians and for the safety of vehicles accessing the house.

We would like to offer our sincere assurances to Committee members that we are extremely passionate about the beauty and the history of the local area and that we fully intend to preserve and enhance our very small part of it.

Yours Sincerely

Mr Paul Mendham and Dr Sara Perez-Palacios