

PLANNING COMMITTEE

Tuesday 14 February 2017 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

15 Late Observations

(Pages 2 - 7)

Agenda Item 15

RYEDALE
DISTRICT
COUNCIL



Please Contact: Mrs Karen Hood
Extension 386
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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

10 February 2017

Dear Councillor

Meeting of the Planning Committee - 14 February 2017

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

From: Steve Jenneson
Sent: Wednesday, February 8, 2017 2:55 PM
To: 'Melissa Madge' ; 'Stuart Benson'
Subject: RE: Settrington

Hi Melissa,

I refer to our discussion this morning concerning the actual ridge height increase compared with the objectors perception.

Here goes;

Ground FFL

- Dwgs 619/20A & 21D are the original "as approved" – FFL is 37.31
- Dwgs 619/20D & 21 K are those currently submitted – FFL is 37.71
- Increase of 400mm

Timber frame height

- Dwgs 619/20A & Section AA extract are the original "as approved" – Timber frame overall height is 6815mm
- Dwgs 619/20D & Section AA are those currently submitted – Timber frame height is 6926mm
- STH-3434 001 Rev A – timber frame manufacturers drawing – Timber frame height is shown as 6926mm on the section at bottom right of the sheet
- Increase of 111mm

Combined ridge height level increase relative to OS Datum

- 511mm

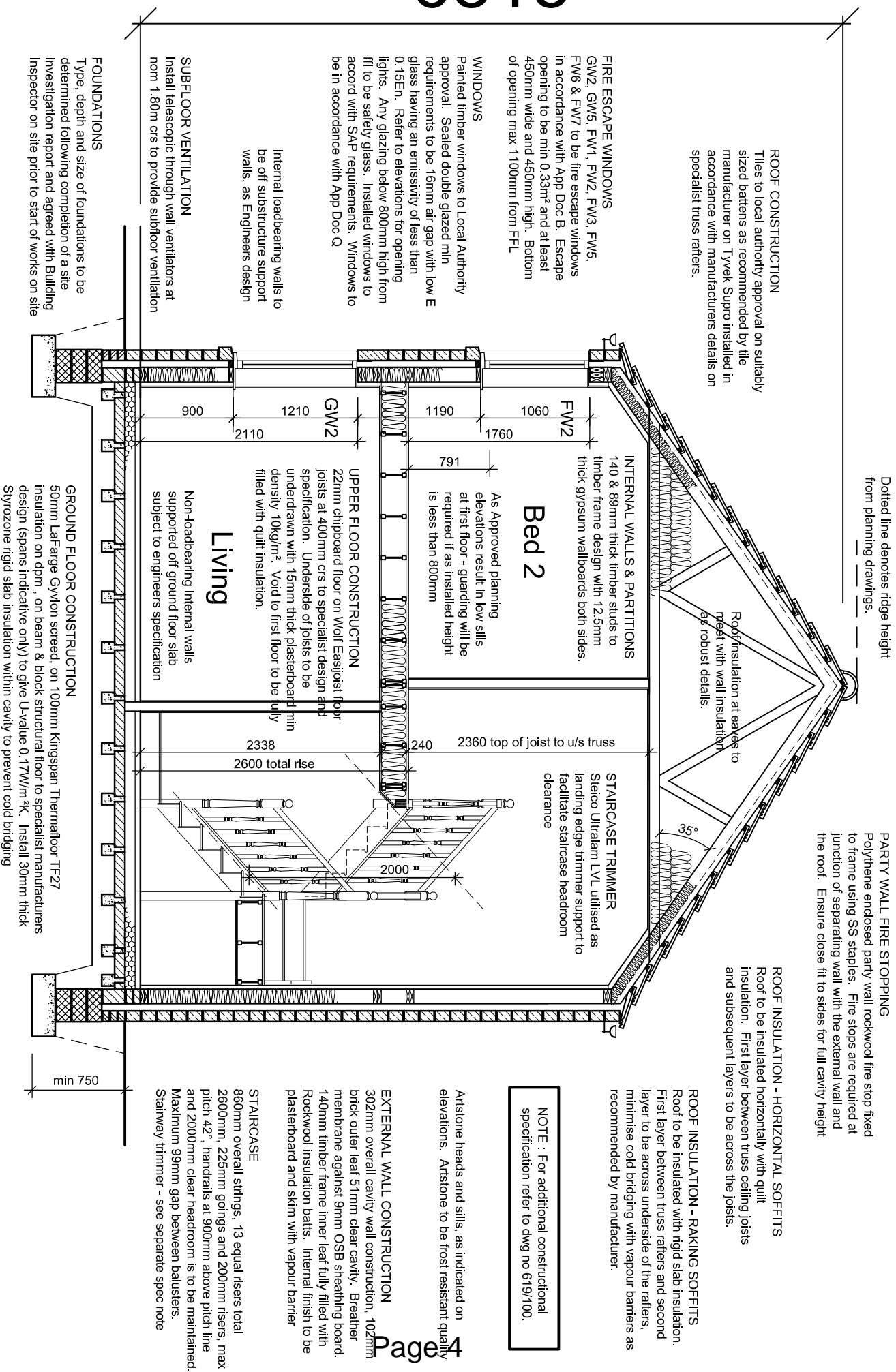
In addition, I've back tracked on the emails concerning the revised FFL and 37.71 is correct.

Kind regards

Steve

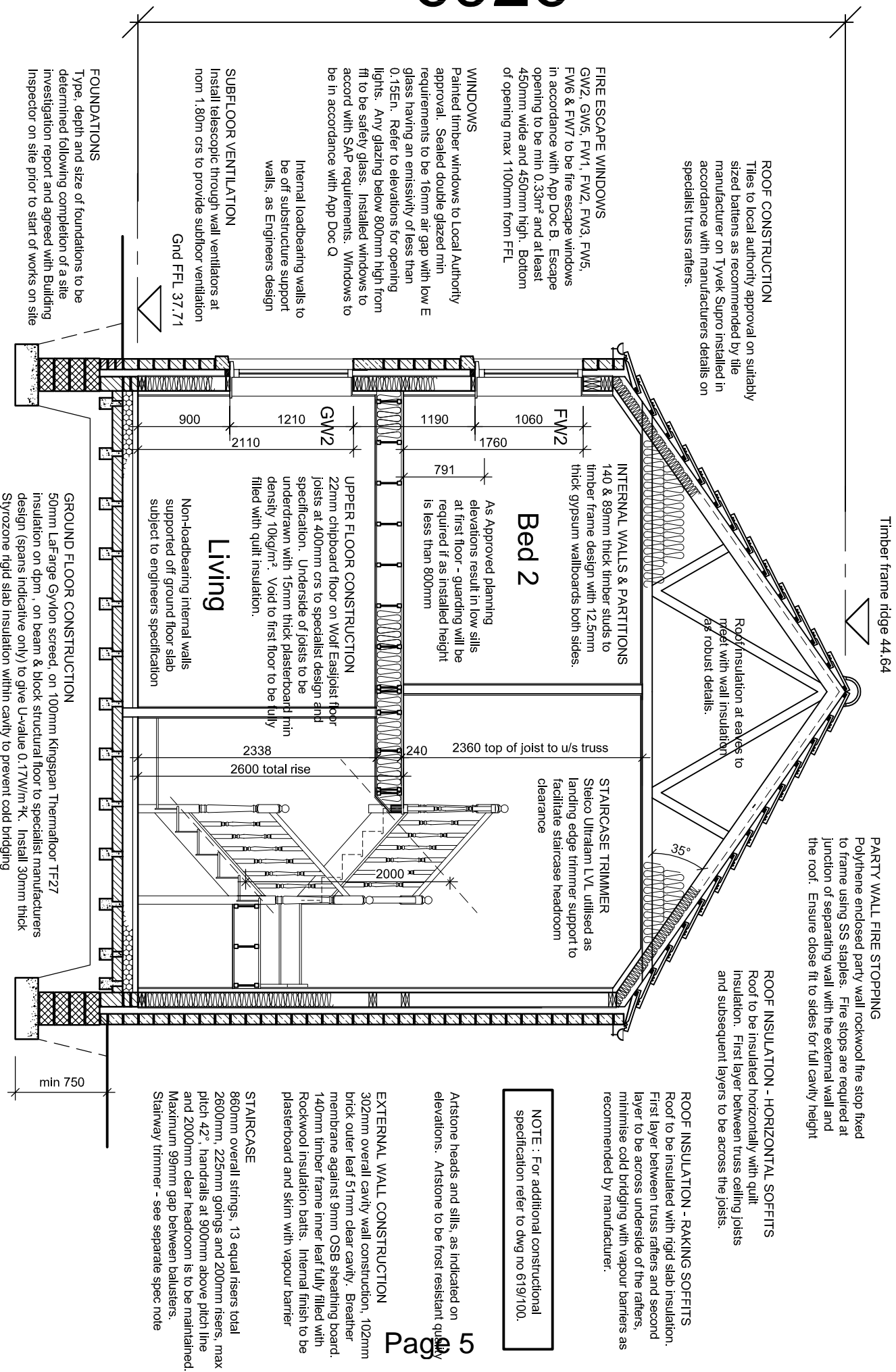
Steve Jenneson

Jenneson Associates Ltd



Section AA 1:50

U values and airtightness performance - see SAP calculations for definitive requirements



Section AA 1:50

APPLICATION NO: 14/00949/FUL

PROPOSAL: Erection of pre-fabricated building for use as camp kitchen to serve camp cafe (retrospective application)

LOCATION: Canadian Fields, Gale Lane, Nawton

UPDATE REPORT

INTRODUCTION

Members will be aware that NYCC Highways had previously expressed concern about the restaurant use without improved on site parking and localised improvements to Gale Lane.

In relation to the current use NYCC Highways would wish to see highway improvements to be carried out to Gale Lane if Members are minded to grant a further permission for the restaurant use or if they are minded to extend the compliance period for enforcement action. The highway improvements would be effectively the same as those recommended for application Ref 16/01839/MFUL and would need to be carried out on site in a short time period in order to assess their effectiveness. NYCC Highways are still of the opinion that a trial period is required in order to fully assess the impact of the use on the road network and its terms of highway safety impacts.

ASSESSMENT

The earlier reports attached to the main agenda papers set out the policy position and considerations in respect of both the planning application and associated enforcement matter.

Members had previously resolved to take enforcement action but with a 2 year compliance period in the hope that in the intervening period that the main glamping business would continue to expand and grow to a point where there was no longer a need to rely on 'external trade' in order to support the business. Following their decision on the enforcement matter Members then resolved to grant a temporary 2 year permission for the retention of the pre fabricated kitchen structure to tie in with the enforcement compliance period.

Progress on site has perhaps been slower than expected by officers - in 2014 there were 3 glamping units complete on site and presently there are 4 with a fifth under construction this year.

In addition to the highways issues raised above the matter of the principle of an A3 use in open countryside remains an outstanding consideration, together with the matter of the appearance of the prefabricated kitchen structure which is considered to be of a utilitarian appearance and which is not of the high quality design that is expected by officers in an area of high landscape value. The proposal therefore remains at odds with the normal requirements of Policies SP13, 16 and 20 of the adopted plan.

Other matters relating to amenity considerations as set out in the earlier enforcement report are capable of some local mitigation ie limitations on hours of use, limitation on hours of music (particularly amplified music) and limitation on specific uses i.e. no takeaway sales from the site.

In this instance it is regrettable that the previous resolutions of the Planning Committee have not been enacted insofar as the temporary planning permission was not issued and the enforcement notice was not served. Steps have already been put in place to ensure that there will be no recurrence of the circumstances that have led to this situation.

However it is considered that the thrust of the earlier decision in respect of both the enforcement notice and the associated planning decision was to give the overall business 'breathing space' to develop whilst at the same time taking steps through the grant of the planning permission to mitigate the local impacts of the uses on other local businesses, local residents and on the highway network.

On balance therefore enforcement action remains the recommended course of action (as before) but with a further compliance period from the date of this committee of two years together with the issue of a temporary planning for a two year period with planning conditions requiring localised highway improvements to be carried by 30.6 2017 and additional conditions relating to the retention of on site parking facilities and controls on hours of use, hours controls over use of amplified music and restrictions on takeaway sales.

RECOMMENDATION

Temporary planning permission be granted for a 2 year period and additional detailed conditions to include:

Unless otherwise approved in writing

- Two passing spaces on Gale Lane in the locations shown on Drawing No. 03 dated 23 January 2017 from Felicity Kaye shall be provided on site by 30 June 2017, or the temporary use hereby approved shall cease.
- The on-site parking facilities for customers and visitors shall be provided and retained for such use and for no other purpose.
- The A3 restaurant use/canteen marquee shall not operate outside the hours of 0700 - 2300.
- No amplified music of any kind shall be played on the premises outside the hours of 0700 - 2300.
- No A5 take-away use shall operate from the premises.

Enforcement action to secure the cessation of the unauthorised use restaurant use and removal of the prefabricated kitchen building from the land and that the compliance period be two years.