



PLANNING COMMITTEE

Tuesday 1 August 2017 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

1 Apologies for absence

2 Minutes

(Pages 3 - 7)

3 Urgent Business

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

4 Declarations of Interest

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

5 Schedule of items to be determined by Committee

**6 16/01965/FUL Midsummer Cottage Thornton Lane High Marishes Malton North
Yorkshire**

(Pages 8 - 10)

7 17/00676/MFUL Linton Wold Farm Wold Road West Lutton Malton YO17 8DG
(Pages 11 - 30)

- 8 **17/00518/HOUSE The Old House Main Street Ampleforth North Yorkshire YO62 4DA** (Pages 31 - 37)
- 9 **17/00522/FUL Manor Farm Lang Hill Birdsall Malton North Yorkshire YO17 9NS** (Pages 38 - 46)
- 10 **17/00586/OUT Land Adj 42 Vine Street Norton Malton North Yorkshire** (Pages 47 - 58)
- 11 **17/00720/FUL Rillington Village Hall 2-8 Scarborough Road Rillington Malton YO17 8LH** (Pages 59 - 65)
- 12 **Enforcement report - Land Off Welham Road Norton Malton North Yorkshire - Reference 17/00001/UD** (Pages 66 - 71)
- 13 **List of Applications determined under delegated Powers.** (Pages 72 - 75)
- 14 **Update on appeal decisions** (Pages 76 - 78)

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 4 July 2017

Present

Councillors Joy Andrews (Substitute), Val Arnold, Burr MBE, Farnell, Goodrick, Hope, Jainu-Deen (Substitute), Maud, Elizabeth Shields and Windress (Chairman)

Substitutes: Councillor Val Arnold

In Attendance

Samantha Burnett, Gary Housden and Ellis Mortimer

Minutes

212 **Apologies for absence**

Apologies were received from Councillor Cleary.

213 **Minutes of previous meeting held on 7 June 2017**

Decision		
That the minutes of the Planning Committee held on 7 June 2017 be approved and signed as a correct record.		
[For 8	Against 0	Abstain 2]

214 **Urgent Business**

There was no urgent business.

215 **Declarations of Interest**

Councillor	Item
V Arnold	14, 15
Burr	7

216 **Schedule of Items to be determined by Committee**

The Head of Planning submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

217 **16/01640/FUL - Hydramotion Ltd, 1A - 1B Seven Street, Malton**

16/01640/FUL - Erection of a two storey linking extension for office and storage use, replacement of metal cladding on Unit 1 and sections of Unit 3 with a composite panel on the roof and walls to include 10no. rooflights to Unit 1, replacement of existing windows and installation of additional windows to Unit 1

Decision		
DEFERRED - As recommended		
[For 10	Against 0	Abstain 0]

218 **17/00356/FUL - Masonic Hall, Bridge Street, Pickering**

17/00356/FUL - Erection of single storey extension to the north elevation (revised details to refusal 16/01414/FUL dated 15.11.2016)

Decision		
PERMISSION GRANTED - Subject to conditions as recommended		
[For 7	Against 2	Abstain 1]

In accordance with the Members Code of Conduct Councillor Burr declared that she owned property in the vicinity of the site and therefore did not take part in the debate and also abstained from the vote.

219 **17/00357/LBC - Masonic Hall, Bridge Street, Pickering**

17/00357/LBC - Erection of single storey extension to the north elevation to include removal of section of north wall of existing Hall

Decision		
PERMISSION GRANTED - Subject to conditions as recommended.		
[For 7	Against 1	Abstain 2]

In accordance with the Members Code of Conduct Councillor Burr declared that she owned property in the vicinity of the site and therefore did not take part in the debate and also abstained from the vote.

220 **17/00400/MFUL - Land Off Flatts Lane, Welburn, Kirkbymoorside**

17/00400/MFUL - Erection of 3 no. steel framed and clad agricultural buildings for the housing of livestock, with associated works including circulation space, hardstanding and landscaping.

Decision

PERMISSION GRANTED - Subject to conditions as recommended with an additional materials condition and amendment to the landscaping condition.

[For 10

Against 0

Abstain 0]

221 **17/00448/MREM - The Showfield, Pasture Lane, Malton**

17/00448/MREM - Variation of Plot Nos. 21-37 inc, Plot Nos. 99-131 inc, and Plot Nos. 151-166 inc (66 plots in total) together with minor amendments to layout, street scene and landscaping

Decision

PERMISSION GRANTED - Subject to conditions as recommended

[For 10

Against 0

Abstain 0]

222 **16/01965/FUL - Midsummer Cottage, Thornton Lane, High Marishes**

16/01965/FUL - Formation of 1no. vehicular access to dwelling and associated agricultural buildings

DECISION

DEFERRED - As recommended.

[For 10

Against 0

Abstain 0]

223 **17/00468/HOUSE - Hillside Cottage, Broughton Road, Malton**

17/00468/HOUSE - Erection of two storey rear extension following demolition of existing conservatory.

DECISION

PERMISSION GRANTED - Subject to conditions as recommended.

[For 8	Against 2	Abstain 0]
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224 **17/00470/HOUSE - 14 Littledale, Pickering**

17/00470/HOUSE - Erection of a single storey side/rear extension (revised details to approval 15/00795/HOUSE dated 18.11.2015)

DECISION

PERMISSION GRANTED - Subject to conditions as recommended.

[For 10	Against 0	Abstain 0]
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225 **14/00035/CU - Land Adj To Keldholme Motorcare, Keldholme**

DECISION

The Council Solicitor be authorised in consultation with the Head of Planning & Housing Services to issue an enforcement notice pursuant to Section 172 of the Town and Country Planning Act 1990 (as amended) requiring:

Cessation of use of the land for residential purposes;

Removal of the caravan

Removal of all domestic paraphernalia

Restoration of the land to its former condition, removal of the additional car parking area, removal of the gate and stopping up of unauthorised access onto A170

[For 10	Against 0	Abstain 0]
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In accordance with the Members Code of Conduct Councillor Val Arnold declared a personal non-pecuniary but not prejudicial interest.

226 **16/00045/UD - Mount House, Main Road, Nawton**

Decision

That no further enforcement action will be taken.

[For 6	Against 2	Abstain 2]
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In accordance with the Members Code of Conduct Councillor Val Arnold declared a personal non-pecuniary but not prejudicial interest.

227 Any other business that the Chairman decides is urgent.

There was no other business.

228 List of Applications determined under delegated Powers.

The Head of Planning submitted for information (previously circulated) a list which gave details of the applications determined by the Head of Planning in accordance with the scheme of delegated decisions.

Meeting closed at 7:55 pm

Agenda Item 6

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

Item Number: 6
Application No: 16/01965/FUL
Parish: Thornton-le-Dale Parish Council
Appn. Type: Full Application
Applicant: Mr Verity
Proposal: Formation of 1no. vehicular access to dwelling and associated agricultural buildings
Location: Midsummer Cottage Thornton Lane High Marishes Malton North Yorkshire

Registration Date: 14 December 2016 **8 Week Expiry Date:** 8 February 2017
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Public Rights Of Way	Recommend informative
Parish Council	Object
Highways North Yorkshire	Recommend conditions
Highways North Yorkshire	Recommends conditions
Parish Council	No views received to date

Neighbour responses: Bridget Eldridge,
Overall Expiry Date: 26 June 2017

This application was deferred at the meeting on 4th July 2017 following receipt of advice from NYCC Highways officers that monitoring of the speed of vehicles travelling in a north bound direction should be undertaken to establish actual vehicle speeds over a period of a week.

Agreement has been reached between the applicant and NYCC officers in respect of the carrying out of the speed survey . It is anticipated that this will be carried out for the required period of time and the results made available for further analysis prior to the next Planning Committee meeting scheduled for 1st August 2017.

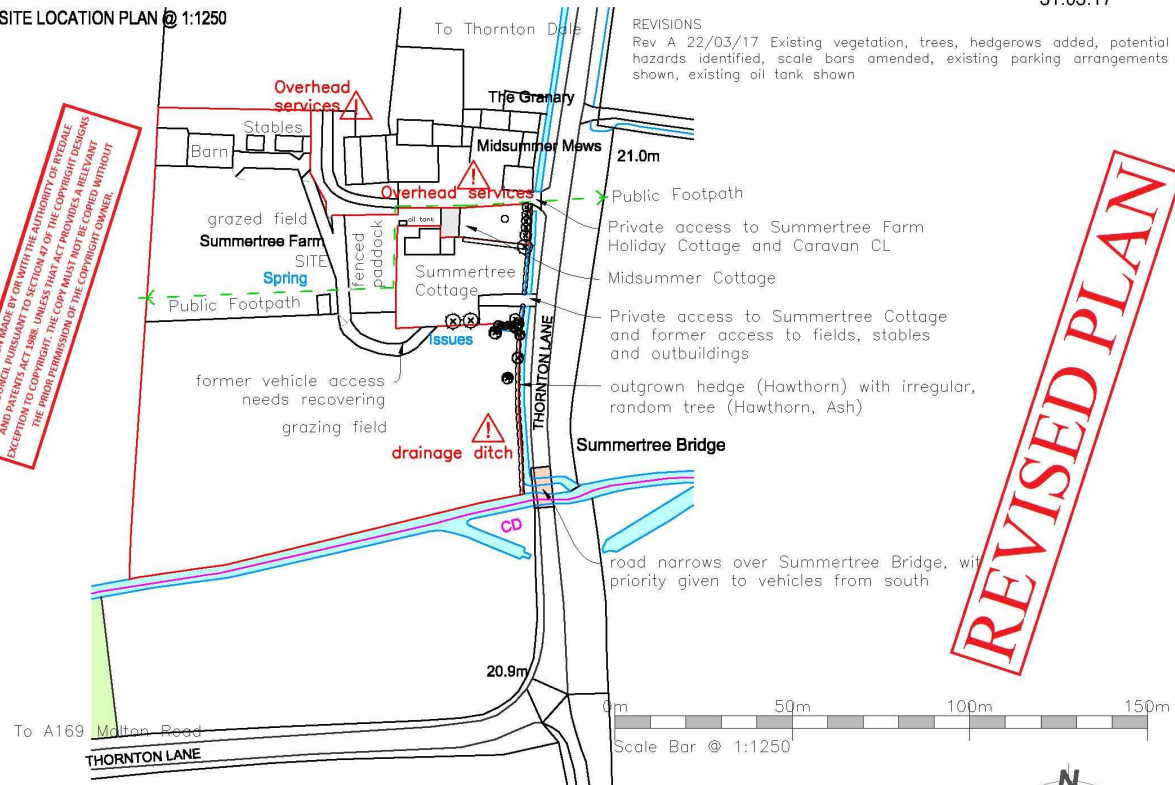
It is likely that the analysis will conclude after the deadline egos the main agenda papers. It is likely therefore that Members will therefore be updated either on the Late Pages or at the meeting.

Members are requested to refer to the Officer report to the 4th July 2017 meeting for background information.

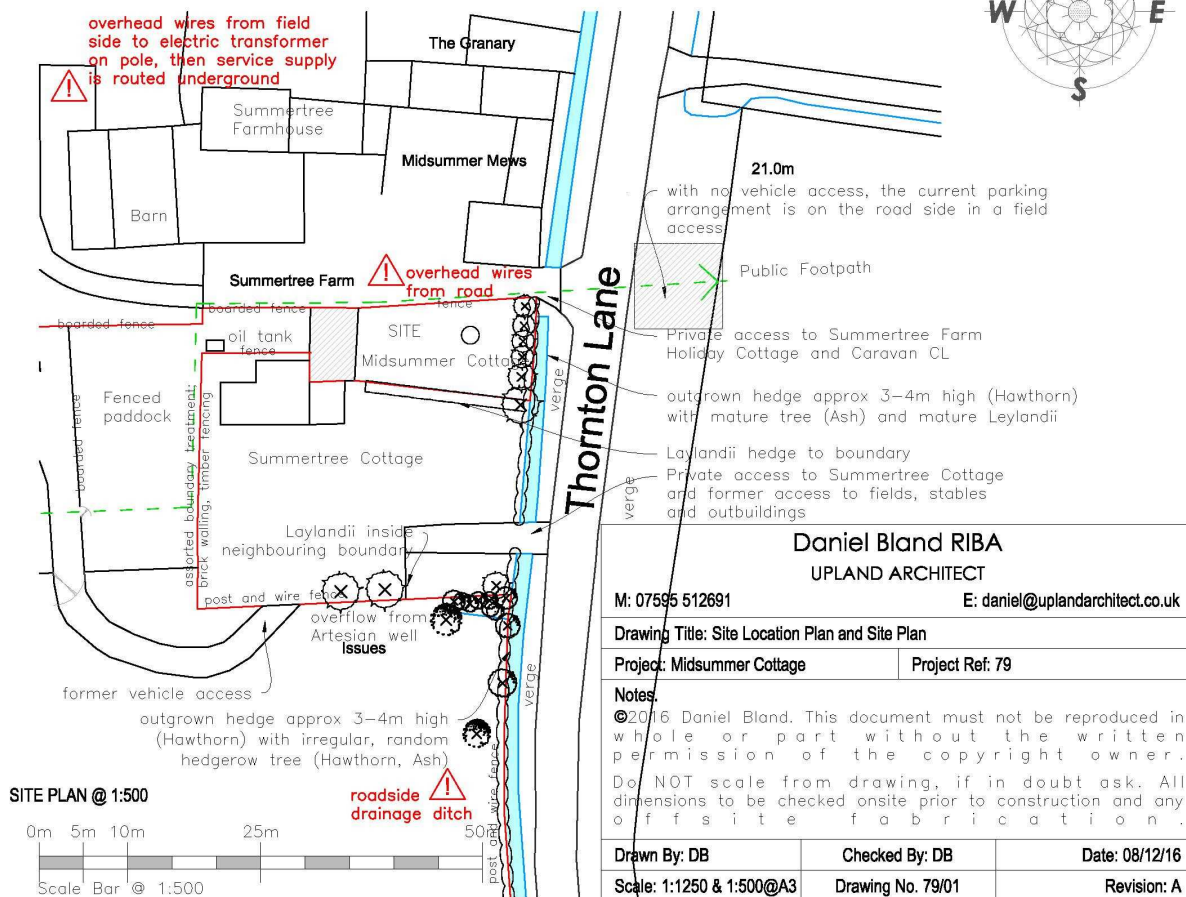
RECOMMENDATION: The final Officer recommendation remains to be reported in the light of the analysis of the outstanding speed survey information.

REVISED
31.03.17

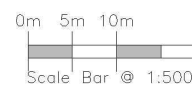
SITE LOCATION PLAN @ 1:1250



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SITE PLAN @ 1:500



Daniel Bland RIBA
UPLAND ARCHITECT

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Drawing Title: Site Location Plan and Site Plan

Project: Midsummer Cottage

Project Ref: 79

Notes:

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Checked By: DB

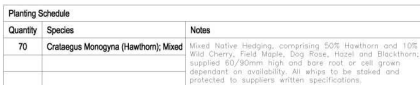
Date: 08/12/16

Scale: 1:1250 & 1:500@A3

Drawing No. 79/01

Revision: A

PROPOSED SITE PLAN @ 1:500



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Use Address: Mukherjee Consultancy, Thakur Lane, High Naraina, Thakurdas Datta, Malviya, North West Delhi, 1107 60.

Local Authority: Swatara District Council

Site Location: The site is located near Summer Cottage and associated land and estates.

Relief: Formed part of Surteesfarm Farm Planning History.

CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015

All design and construction stages shall be carried in compliance with:
Construction (Design and Management) Regulations 2015, Part 8, Design
and Construction of Work by Self-Constructing Principals Designed for the
non-purposes (Planning stage only).

All Parties shall familiarize themselves with their duties under the CDM regulations. No reference should be made to the pre-construction information and risk register.

Information and Risk Register

Existing works and Safety Information - no existing face
Detailed drawings and safety information will be provided as required with way
leave.

Plot 60A, (13.5 miles) Telephone 07523 35811

There is no vehicle access to the site at present. Vehicle access for the construction phase may only be possible via Surteesfarm Farm Planning History.



- [illegible]

[illegible]

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UPLAND ARCHITECT
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Drawing Title: Proposed Access	
Project: Midsummer Cottages	Project Ref: 30

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Scale: 1-500/100@A1	Drawing No. 79/02	Revision: A

Item Number: 7
Application No: 17/00676/MFUL
Parish: Wintringham Parish Council
Appn. Type: Full Application Major
Applicant: Lee & Co (Mr Nigel Lee)
Proposal: Erection of 2no. linked pig finishing buildings, with 2no. associated feed bins and hardstanding for parking/turning
Location: Linton Wold Farm Wold Road West Lutton Malton YO17 8DG

Registration Date:
8/13 Wk Expiry Date: 1 September 2017
Overall Expiry Date: 6 August 2017
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Countryside Officer	
Sustainable Places Team (Yorkshire Area)	Recommend conditions
Environmental Health Officer	No views received
Parish Council	No views received
Highways North Yorkshire	No objection
Lead Local Flood Authority	No views received

Neighbour responses: Andrew Harrison,

SITE:

The site lies within open countryside, located in the Parish of Wintringham. It is located to the south of Wintringham and is accessed from an unclassified road linking Settrington and the C356 (Weaverthorpe - Duggleby road), at a point to the west of West Lutton. The site is also within the Yorkshire Wolds Area of High Landscape Value, approximately 180m north of the main farmstead (Linton Wold Farm). The site also lies within a depression on the elevated parts of the Yorkshire Wolds.

Linton Wold Farm is an existing agricultural enterprise, which operates an arable business extending to 610 acres.

PROPOSAL:

Planning permission is sought for the erection of 2 no. livestock buildings linked by a central passage to accommodate up to 1984 pigs. The buildings, the subject of this application, will be located on the northern side of the farmstead. Each building will approximately measure 15.8m in width by 52.4m in length and be 3.3m to the eaves height and 5.5m to the ridge. There will be a covered passage between the buildings measuring 1.8m in width and 2 no. feed bins. It is proposed to construct the buildings of blockwork and olive green sheeting under a natural grey sheeted roof.

As the total number of the pigs on the site does not exceed 3000, this application falls beneath the threshold of "Schedule 1 Development" in accordance with the Environmental Impact Regulations 2017. The proposal has been formally 'screened' and the Local Planning Authority has confirmed that the application does not comprise 'EIA development'.

HISTORY:

Other than householder development at the farmhouse, the planning history for the site includes the following:

2013: Planning permission granted for the re-location and alteration of an existing agricultural building for use as a grain store following demolition of an adjacent agricultural building.

1980: Planning permission granted for the conversion of the existing farmhouse into 2 dwellings.

1974: Planning permission granted for the erection of a grain store.

POLICY:

National Policy

NPPF 2012

NPPG 2014

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

Policy SP12 - Heritage

Policy SP13 - Landscapes

Policy SP 16- Design

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:-

- i) Siting, scale, design and external appearance of the building;
- ii) Impact upon the special scenic quality of the Area of High Landscape Value;
- iii) Highway safety;
- iv) Impact upon the amenity of the adjoining neighbours; and
- v) Archaeology.

Siting, scale, design and external appearance of the building

Policies SP9 and SP20 of the Ryedale Plan – Local Plan Strategy aim to ensure that new agricultural buildings have limited impact upon the character and appearance of the open countryside.

In this case, the buildings the subject of this application are located to the north of the farmstead by approximately 180m. The proposed building is to be serviced by a track from the farmstead. The site is surrounded by higher land on all sides, and it will be sunken within the natural depression of the surrounding landform. As a result its impact upon the wider area is very limited. Furthermore, the buildings are relatively low at 5.5m at their highest point. Whilst a closer grouping of buildings within the open countryside is usually preferred, in this case the landscape impact is such that its location is not objectionable in landscape terms.

The buildings are of a simple pitched roof design which is typical of other livestock agricultural buildings of this nature, elsewhere in the District. Although it is considered preferable for a darker roof material than natural grey, such as dark green or anthracite grey. A condition is recommended accordingly.

Impact upon the special scenic quality of the Area of High Landscape Value

Policy SP13 of the Local Plan Strategy seeks to protect the special scenic qualities of the Yorkshire Wolds Area of High Landscape Value. The impact of the proposed development will be limited, and the proposal is not considered to be visually intrusive. The proposal is considered to comply with the requirements of Policy SP13 of the Local Plan Strategy.

Highway safety

The application site is served by an existing access. The local Highway Authority has no objection to increased traffic movements associated with the proposed development.

Residential Amenity Impacts

In terms of impact upon the amenity of the adjoining neighbours, the nearest property is Rayslack Farm approximately 1.2km to the west. Given the separation distances there is considered to be no adverse impact upon the residential amenity associated with nearby properties, by virtue of noise, odour or dust. A letter has been received objecting to the location of the proposed development representing the views of the occupiers of Rayslack Farm. The concerns raised relate to diseases being transferred to pigs at Rayslack Farm through the air. The distance is 1.2km. This is not considered to be planning issue, but a management issue of the respective units and a matter for DEFRA. Agricultural Permitted Development rights already allow livestock buildings to be erected without such considerations, and 400m is used for amenity reasons. Moreover, the keeping of pigs on agricultural land can take place without the need for any planning permission. It is considered that this issue is not a material planning consideration. The Environmental Health Officer has been consulted and a copy of the objection letter has been discussed with them and there is no objection to the proposal. In view of the above, the objection raised is not considered to be sustainable and the proposal is not considered to give rise to unacceptable amenity impacts.

Impact on archaeology

The application site is located in an area of archaeological interest. Within the surrounding area there is the potential for significant remains to be located, including a possible Medieval Monastic Grange and Square Barrow Cemetery from the Iron Age period. A condition is recommended to ensure records are made of any deposits during ground disturbance works.

Other issues

The Environment Agency has recommended a condition to protect groundwater, as the site is located on a Principal aquifer within Zone 3 of a Source Protection Area for public water supply. The Environment Agency also recommends a series of informatives.

Conclusion

In view of the above, it is not considered that the development has any adverse impact on the Area of High Landscape Value. The building is considered to be acceptable in terms of its siting, design, scale and external appearance and is not prejudicial to the amenity of nearby residents or highway safety. The application is considered to accord with policy and accordingly, the recommendation is that this application be approved.

Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

RECOMMENDATION:**Approval**

- 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 Notwithstanding the submitted details and 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 the materials to be used on the exterior of the building the subject of this permission 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: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy

- 3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Site location plan
- 7219.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4 The development hereby permitted may not commence until such time as a risk assessment has been provided and a scheme to install the underground tanks has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with paragraph 109 of the National Planning Policy Framework and Position Statement D2 'Underground storage (and associated pipework)' of the Environment Agency's Approach to Groundwater Protection.

- 5 Prior to the commencement of the development hereby approved precise details of the existing ground levels and proposed finished floor levels measured in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance and to protect the character and appearance of the surrounding landscape and to satisfy Policy SP13 and Policy SP20 of the Local Plan Strategy.

6. A) No demolition/ development shall 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 of 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.

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

C) 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: Legislative or Policy Justification:

This condition is imposed in accordance with Section 12 of the NPPF (paragraph 141) as the site is of archaeological significance.

INFORMATIVE(S)

1 The applicant/developer is advised to ensure the flammability of all relevant materials meet the relevant fire standards, requirements and legislation.

2 Underground storage (and associated pipework)
The Environment Agency will normally object to new and increased underground* storage of hazardous substances in SPZ1.

The Environment Agency will agree to such storage in principal and secondary aquifers outside SPZ1 only if there is evidence of overriding reasons why the:

- activity cannot take place within unproductive strata
- storage must be underground (for example public safety), in which case it is expected that the risks are appropriately mitigated

Where such storage already exists the Environment Agency will work with operators to assess and if necessary mitigate the risks, including an aim to change to above ground storage.

The Environment Agency will normally object to any redevelopment scheme involving retention of underground storage of hazardous substances in SPZ1 unless it can be demonstrated that risks to groundwater can be adequately mitigated

3 Direct inputs into groundwater:

The Environment Agency must take all necessary measures to:

- prevent the input of any hazardous substance to groundwater
- limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater

The Environment Agency will only agree to the direct input of non-hazardous pollutants into groundwater if all of the following apply:

- it will not result in pollution of groundwater
- there are clear and overriding reasons why the discharge cannot reasonably be made indirectly

- there is adequate evidence to show that the increased pollution risk from direct inputs will be mitigated

4 Safeguard zones:

The Environment Agency advise that where appropriate the Environment Agency will work in partnership with abstractors to establish safeguard zones. Safeguard zones are established around abstractions used for human consumption that are at a high risk of deteriorating raw groundwater quality. Both existing and new measures to control diffuse pollution will be targeted within safeguard zones.

5 The applicant/developer is advised to contact DEFRA to ensure compliance with all relevant animal welfare requirements.

VALID
02.06.17

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CLIENT

Lee & Co.
Linton Wold Farm
Kirby Grindalythe
Malton
YO17 8DQ

JOB TITLE

Proposed Pig Unit

DWG. TITLE

Location Plan A3

SCALE
1:2500

DRN
SH

DWG. NUMBER

IP/NL/01

DATE
June 17

REV
-

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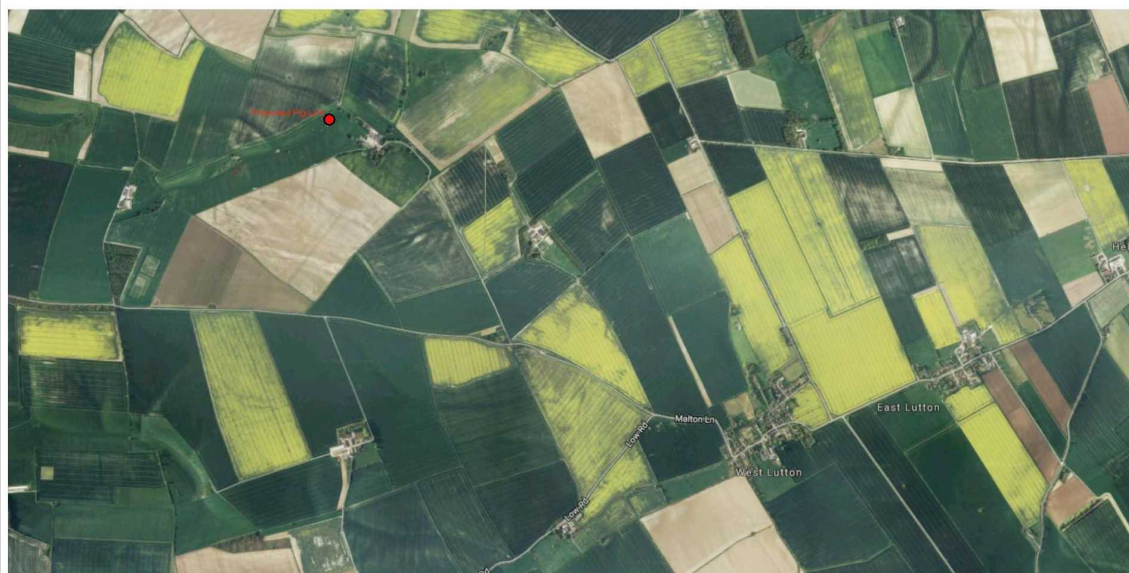
JOB TITLE
Proposed Pig Unit

DWG. TITLE
Large Scale Location Plan A3

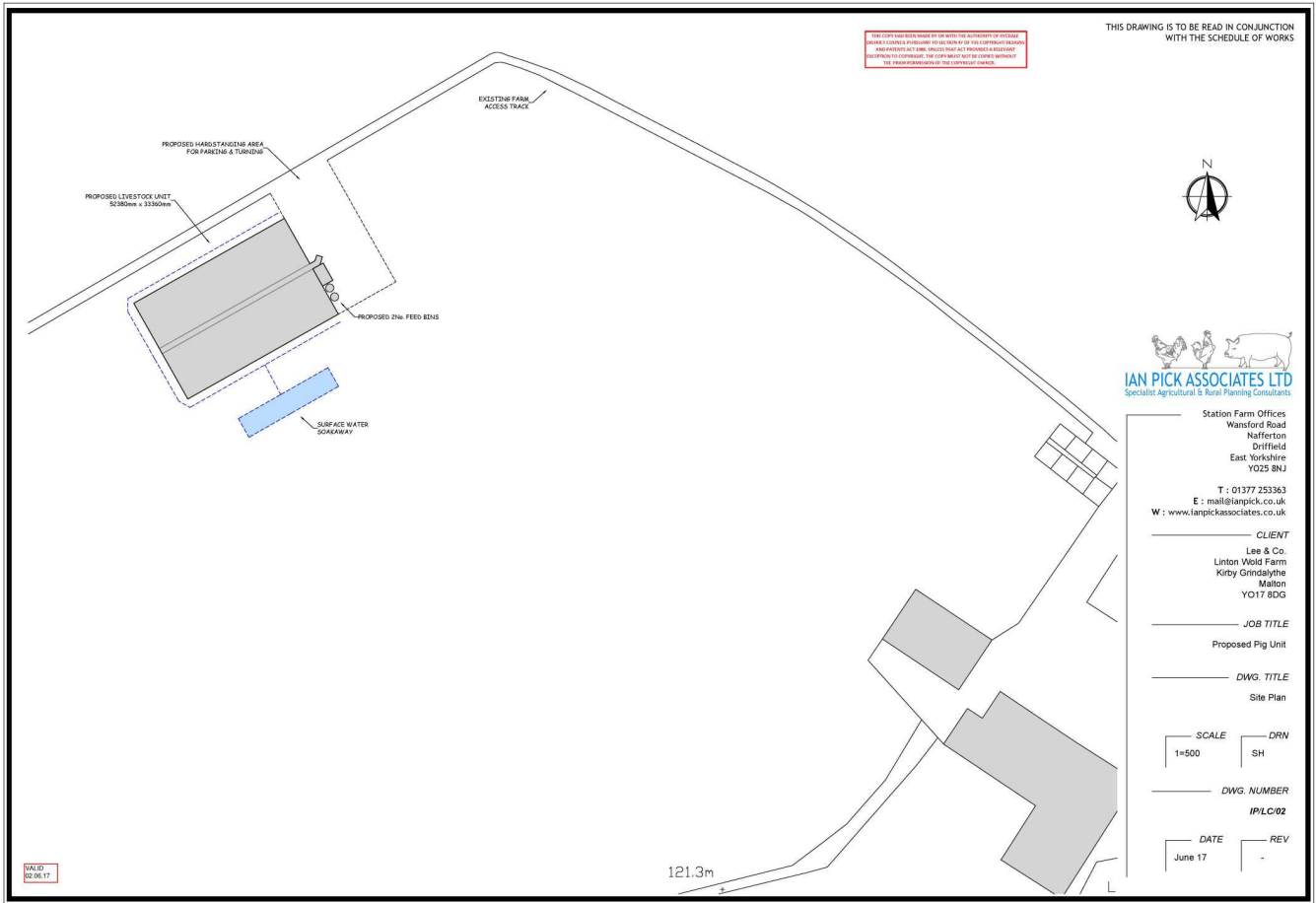
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June 17
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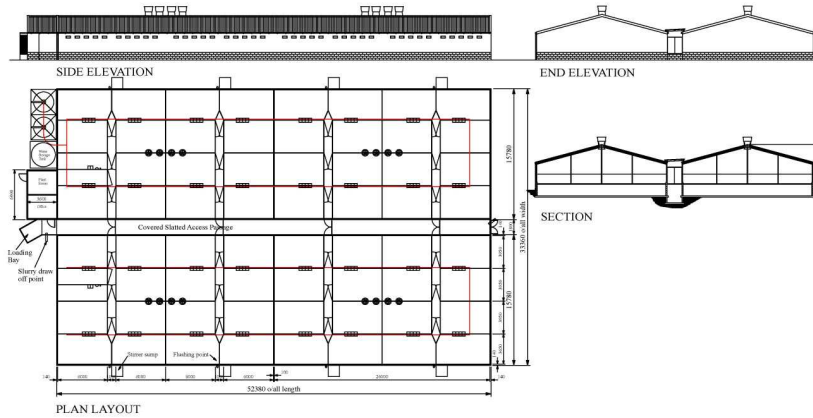


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JOB TITLE
Proposed Pig Unit
DWG. TITLE
Elevations A1

SCALE
1:200
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DESIGN, ACCESS AND PLANNING STATEMENT

**PROPOSED LIVESTOCK BUILDING AT
LINTON WOLD FARM, KIRBY GRINDALYTHE, MALTON, YO17 8DG**

APPLICANT: Lee & Co.

JUNE 2017

Report Prepared By:

Ian Pick BSc (Hons) MRICS
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Introduction

This report has been commissioned by Lee & Co. at Linton Wold Farm, Kirby, Grindalythe, Malton, YO17 8DG.

Section 42 of the Planning and Compulsory Purchase Act 2004 requires a Design and Access Statement to be submitted with the majority of planning applications. The purpose of this report is to satisfy the requirements of Section 42 of the aforementioned Act.

This report has been prepared to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

This report has been prepared by Ian Pick. Ian Pick is a specialist Agricultural and rural planning consultant. He holds a Bachelor of Science with Honours Degree in Rural Enterprise and Land Management and is a Professional Member of Royal Institution of Chartered Surveyors, being qualified in the Rural Practice Division of the Institution.

Ian Pick has 19 years experience in rural planning whilst employed by MAFF, ADAS, Acorus and most recently Ian Pick Associates Limited.

Background Information

The applicants, Lee & Co. operate an arable farming enterprise at Linton Wold Farm, Kirby Grindalythe, Malton, YO17 8DG. The business extends to 610 acres of arable cropping.

The arable sector is currently suffering from depressed commodity prices and the applicants have an essential requirement to diversify to create an additional income stream for the business.

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The chosen diversification is the development of a pig finishing unit.

The Proposed Development

This application seeks full planning consent for the erection of 2 No linked pig finishing building, extending to 52.38x 33.36m with an eaves height of 3.32m and a ridge height of 5.37m. The proposed pig finishing building will accommodate 1984 pig places for pigs reared from 40kg through to 110kg.

Amount

This application is for the erection of 2 No. linked pig finishing building. The proposed building will accommodate 1984 pigs from 40kg liveweight through to finished weight of 100kg.

Use

The proposed building will be used as pig finishing accommodation on a fully slatted slurry based system.

Slurry storage is self contained within the building underneath the slats, providing 6 months storage capacity for slurry. The slurry storage will be emptied twice per annum in Spring and Autumn and the slurry disposed of through spreading onto arable land as a fertiliser. The applicants farm waste management plan is enclosed with this application.

The proposed building will include an automated auger feeding system and non-drip nipple drinkers. Ventilation is based on high velocity ridge mounted fans and side inlet vents.

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High velocity ridge mounted ventilation fans are deemed Best Available Technology for odour dispersal.

Layout

The proposed building has been located immediately to the North of the existing farmstead at Linton Wold Farm. The location is remote from neighbours and settlements.

The closest dwelling which is unconnected with the farm is Rayslack Farm, which is located 1180m to the west of the development.

The proposed development can be seen in greater detail on the attached site plan (IP/LC/02). The development includes the proposed building, together with associated feed bins and a hard-standing for parking and turning of vehicles.

Access to the site will be gained from the existing farm entrance, Wold Road, and existing internal farm tracks.

Scale

The proposed building has a floor area of 1768.6 square metres. The building measures 52.38m x 33.36m with an eaves height of 3.32m and a ridge height of 5.37m, together with an attached office room of 6m x 3.6m and 2 No. feed bins. A hard-standing is proposed at the western side of the building to allow for access and turning.

The proposed unit will house 1984 finishing pig places.

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Landscaping

The proposed development has been sited directly to the North West of the existing buildings at Linton Wold Farm. Due to the farms isolated location, views from public vantage points are not possible.

The proposed building is of an agricultural design and appearance and as such is appropriate to its rural location. It is considered the overall development will have a negligible impact on the character of the surrounding land scape.

Appearance

The proposed building is made up of timber frame construction with the external cladding being blockwork with GRP flexstone sheeting in green above. The roof covering is fibre cement sheeting in natural grey.

Access

Access to the site is via the existing farm entrance at Linton Wold Farm and the existing internal access tracks.

The proposed development is of a low traffic generating use. The proposed traffic movements are summarised in the table below:

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	Wagons Per Batch
	Proposed
Pigs In (16.5m articulated lorry)	5
Pigs Out (16.5m articulated lorry)	9
Total	14
Total Per Annum (4 batches per annum)	56
Average Per Week	1.1

The proposed traffic generation associated with the development is of a very small scale. The overall traffic extends to an average of less than 1.1 vehicles per week. This increase is not deemed to be significant and the local highway network can easily deal with this modest increase.

Furthermore, the applicants existing arable operations result in approximately 72 artic lorries being exported off site per annum, predominantly exporting cereal crops. As part of this scheme the applicants are proposing to mill and mix their own feed on site, using their own produce, and as such reducing the amount exported produce by 48 artic lorries.

The proposed livestock unit would also provide the applicant's arable enterprise with a sustainable source of fertiliser, which would be retained on site and spread on land within the applicant's ownership. The farming business currently imports fertiliser from external sources, therefore, should this proposal be approved this would further reduce the existing traffic implications associated with the agricultural enterprise.

Policy

National Planning Policy

National Planning Policy is contained within the National Planning Policy Framework which was introduced on 27th March 2012. The NPPF provides support for economic growth and development of agricultural businesses in paragraph 28.

“ 3. Supporting a prosperous rural economy

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;”

The National Planning Policy Framework provides strong support for the principal of agricultural development within paragraph 28. The proposal represents the sustainable growth and expansion of an existing agricultural business and as such is supported by the National Planning Policy Framework.

Flood Risk and Surface Water Management

The changes to the NPPF in March 2015 require a flood risk assessment be provided for all development which exceeds 1000 sq m of floor space.

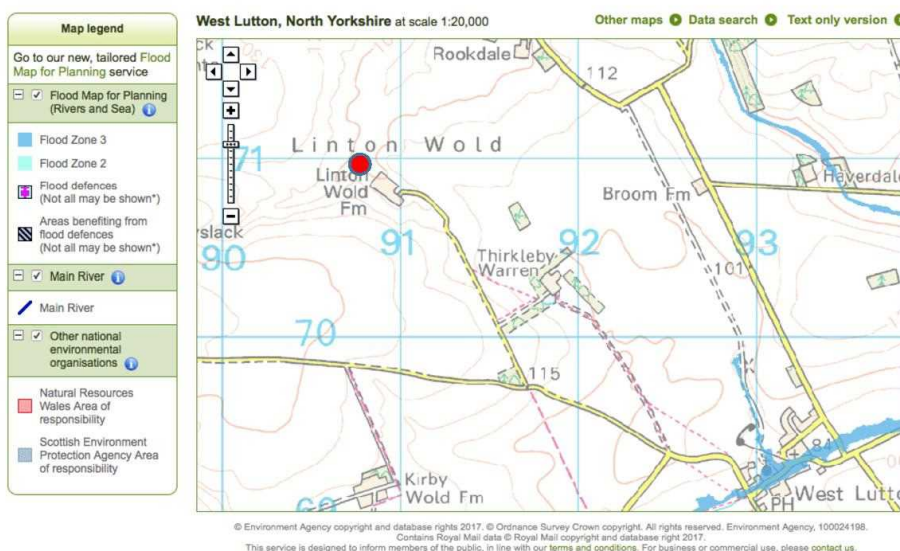
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Paragraph 31 of the National Planning Policy Framework Planning Practice Guidance states that site specific flood risk assessment should always be proportionate to the degree of flood risk and make optimum use of information already available, including information in a strategic flood risk assessment for the area and the interactive flood risk maps available and the Environment Agency's website.

Flood Risk

A review of the risk of flooding on the site has shown the site to be in Flood Zone 1. The Environment Agency Flood Map is shown below. The application site is shown in red.



"The location you have selected is in an area that has a very low chance of flooding from rivers or the sea.



What does 'very low' mean?

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Very low means that each year, this area has a chance of flooding of less than 1 in 1000 (0.1%).

The Environment Agency's Flood Map for Land Use Planning confirms that the site is located within Zone 1.

* Flood Zone 1 - land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%)”

Flood Risk Conclusion

The site is confirmed by the Environment Agency as being located within Flood Zone 1 and therefore has an annual risk of flooding of less than 1 in 1000. The main flood risk issues associated with this site are the management of surface water to ensure that the proposed development does not contribute to flooding beyond the site boundaries.

Surface Water Management

Paragraph 51 of the NPPF Planning Practice Guidance advocates the use of sustainable drainage systems for new developments in order to reduce the cause impacts of flooding.

This application is for an agricultural development and creates impermeable surfaces which will in turn create surface water runoff.

The application site is underlain by chalk. The site is free draining and as such the proposal will utilise soakaways for the disposal of surface water. Infiltration test have been prepared and attached to this application.

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Ian Pick

June 2017

Item Number: 8
Application No: 17/00518/HOUSE
Parish: Ampleforth Parish Council
Appn. Type: Householder Application
Applicant: Mr J Borrett
Proposal: Erection of a single storey extension to the front (east) elevation facing the driveway
Location: The Old House Main Street Ampleforth North Yorkshire YO62 4DA

Registration Date: 4 May 2017
8/13 Wk Expiry Date: 29 June 2017
Overall Expiry Date: 9 June 2017
Case Officer: Joshua Murphy **Ext:** 329

CONSULTATIONS:

Parish Council

Building Conservation Officer Some concern regarding Cumulative Impact

Neighbour responses: Mr David Garner,

SITE:

The Old House is located within the Ampleforth Conservation Area and within the Area of Outstanding Natural Beauty. It faces 1 Foxglove Cottage, which is a Grade II listed building. The Old House is located on the eastern end of Main Street on the south side of the road with its gable end to the road. It is a long, relatively narrow stone and pantile building set below the level of the road, running down the length of the plot down the hill. It is believed that Old House was formerly 3 cottages, and the architecture of the building would support this.

PROPOSAL:

Erection of a single storey extension to the front (east) elevation facing the driveway. The proposal is to be measured at 2.15m in width by 5.25m in length. It will have a ridge height of 1.8m raising by 0.2m at the lowest point.

HISTORY:

There is no relevant planning history

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)
Policy SP12 Heritage Policy
SP16 Design
Policy SP13 Landscapes
Policy SP20 Generic Development Management Issues

National Planning Policy Framework (2012)
Chapter 7. Requiring good design
Chapter 12. Conservation and enhancing the historic environment

APPRAISAL:

The main considerations in relation to the application are:

- i) Form and Character
- ii) Neighbouring Impact
- iii) Impact on AONB and Conservation Area

i) Form and Character

The proposal is for the erection of a single storey extension to the front elevation of the dwelling. The proposal measures 2.15m in width by 5.25m in length. It is a lean to form with a high point of 3.6m and an eaves level of 2.5 metres. The external materials will include random Sandstone walling and a clay pantiled roof. The windows will be reused from the existing dwelling.

An objection from the occupier of 1 Foxglove Cottage states that the proposal would "represent over development of an restricted site" However, it is considered that the extension is relatively small in scale and relates well to the host dwelling. The dwelling has also been converted into one dwelling from three for a long period of time. It is therefore considered that the proposal is subservient in scale and that it would not create the loss of a substantial amount of amenity area. In the view of officers objections to the proposal on the grounds of overdevelopment are not sustainable.

It is considered that the proposal is in compliance with Policy SP16 (Design) of the Ryedale Local Plan Strategy.

ii) Neighbouring Impact

The proposal site does not face any immediate neighbours and would not be clearly visible from most public vantage points. The extension is set back from the road (in excess of 18 metres). The proposal also does not create any additional openings, it only replaces the those existing. As such the development is considered to not create a material adverse impact upon neighbouring amenity, and it therefore complies with Policy SP20 of the Ryedale Plan - Local Plan Strategy in this respect.

iii) Impact on AONB and Conservation Area

The proposal is located both in the Area of Outstanding Natural Beauty and the designated Conservation Area. The neighbouring objection suggests that the proposal would detract from the character of the dwelling therefore would be an inappropriate addition to the Conservation Area. The Councils Building Conservation Officer has considered the submitted scheme and raises no objections in terms of its impact on the setting of the adjacent listed building or on the designated conservation area - the character of which is considered to be preserved.

There is not considered to be any adverse impact on the wider AONB landscape . Due to its location and small scale the character of the Conservation Area is preserved and the duty under Section 72 of The Planning (Listed Building and Conservation Areas) Act 1990 is satisfied.

In the light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP12, SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework.

The proposal is therefore recommended for approval.

RECOMMENDATION:

Approval

- 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 Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance.

- 3 Before the development hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning Authority a one metre square free standing panel of brickwork of the type of brick to be used in the construction of the building. The brickwork panel so constructed shall be retained only until the development has been completed.

Reason:- To ensure a satisfactory external appearance.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Plans - Drawing No: JB201704-02

Site Location Plan - Stamp Dated 4/05/17

Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties

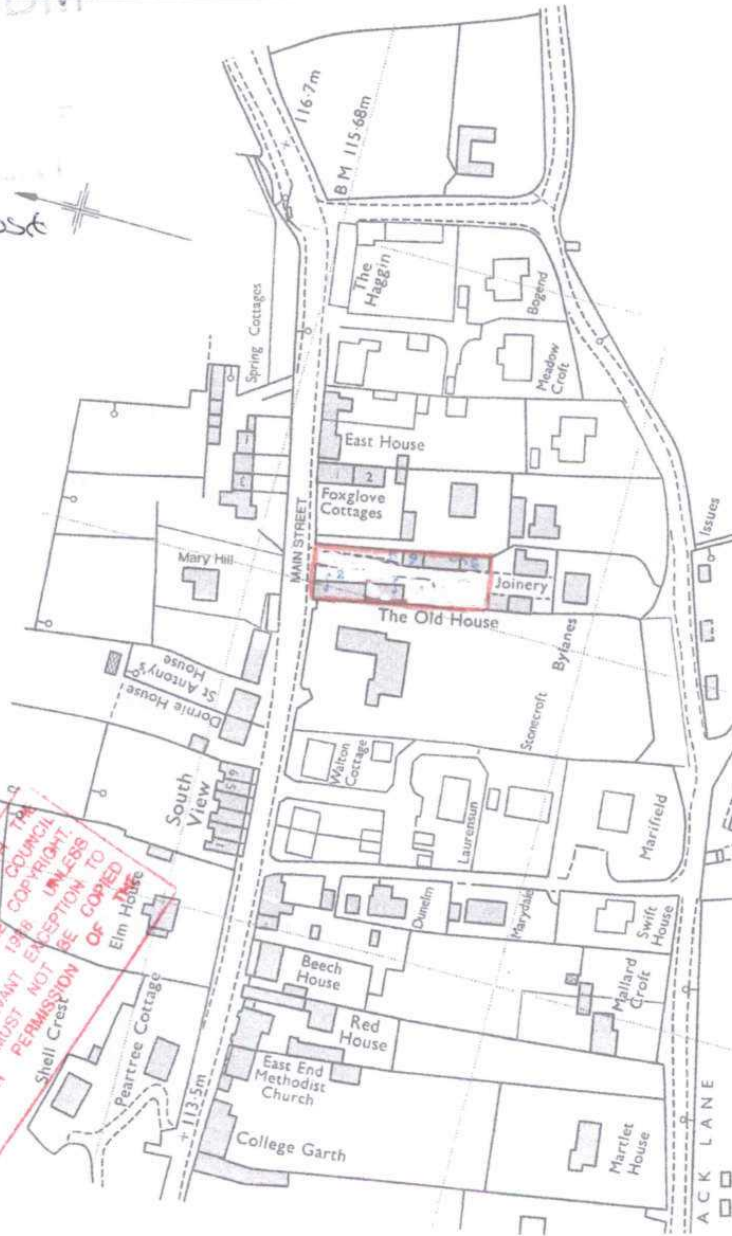
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ORDNANCE SURVEY PLAN REFERENCE	SE 5878	SECTION D	Scale 1/1250 Enlarged from 1/2500
COUNTY	NORTH YORKSHIRE	DISTRICT	RYEDALE
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RYEDALE DM

- 4 MAY 2017

DEVELOP

17/00518/1 house



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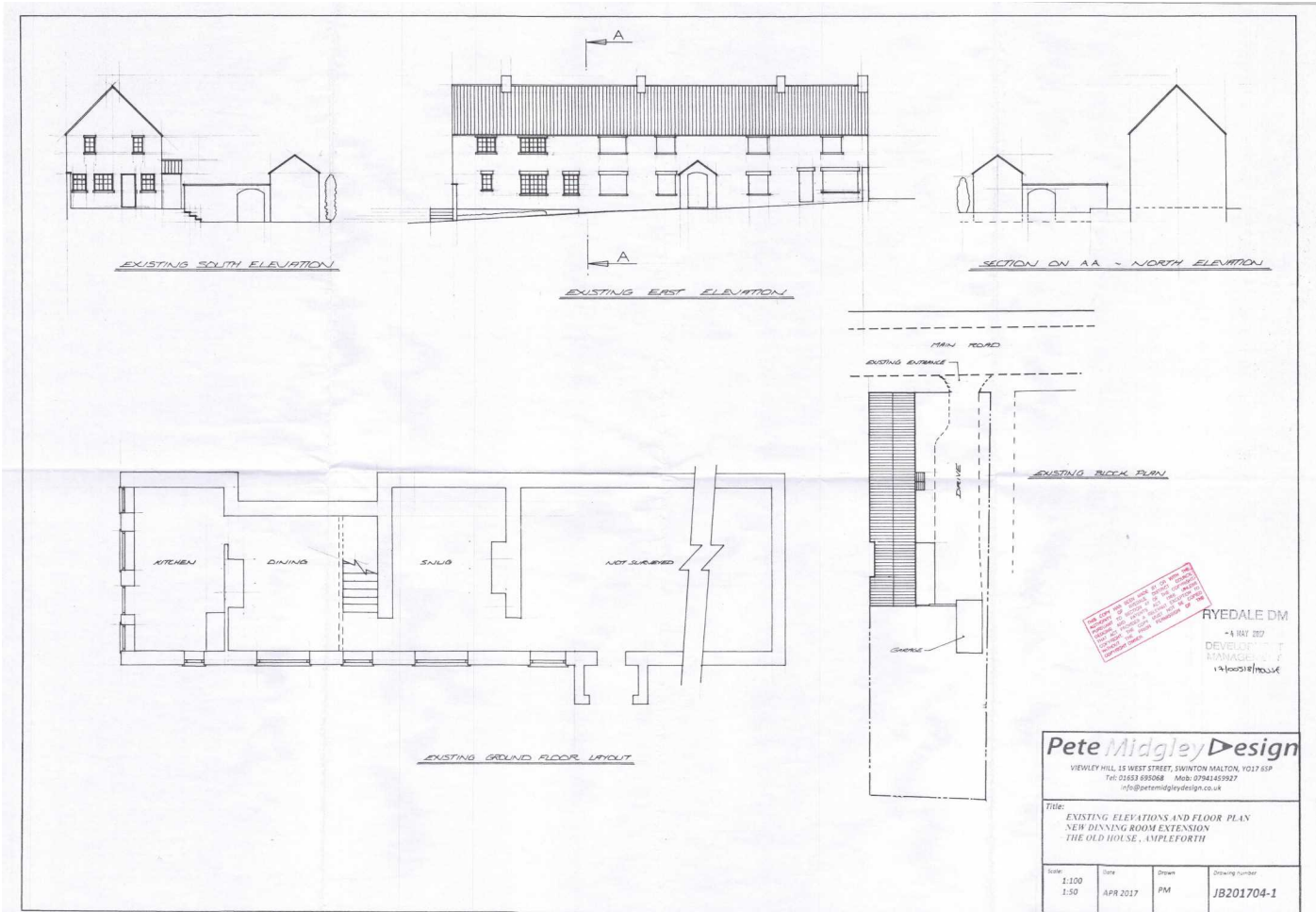
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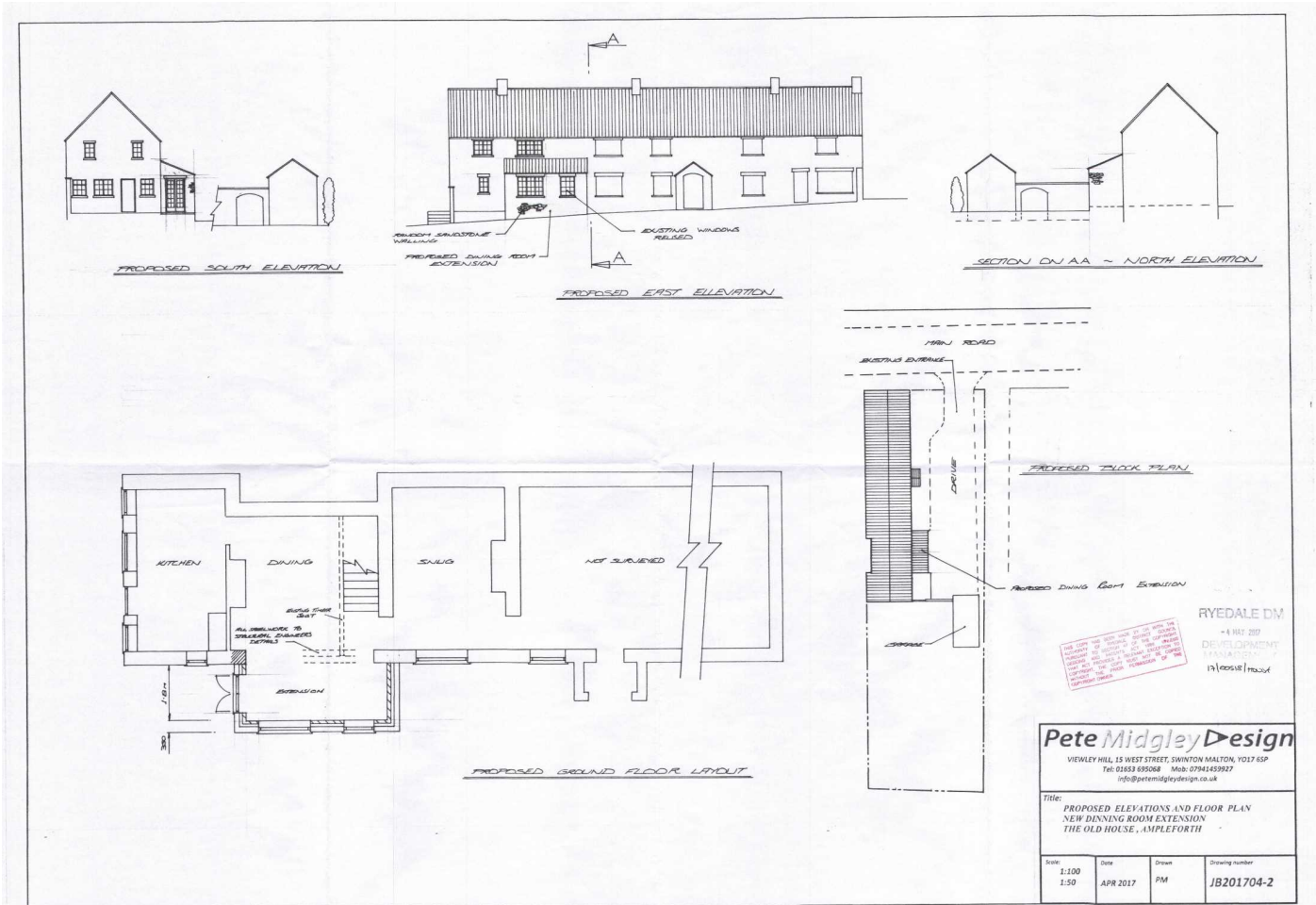
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17/00518/HOUSE

PeteMidgleyDesign

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Swinton • Malton
North Yorkshire • YO17 6SP
Tel: 01653 695068 • Mob: 07941 459927
Email: admin@petemidgleydesign.co.uk

- 4 MAY 2017

DEVELOPMENT
MANAGEMENT

Mr J Borrett,
The Old House,
Ampleforth,
York

Design and Access

Site- The Old House, Ampleforth

The Old House is a 5 bedroom detached house, stone built under a pantile roof. The property having vehicular access from the main street.

The proposal will include;

All materials to be used is to be in keeping with the existing including random sandstone walling with clay pantiles to the roof. Doors and windows to the extension will be white UPVC.

The proposed extension is 5.25m wide at the front x 2.15m deep with a maximum roof height of 3.85m.

The extension will create dining room space.

The existing access will remain unaltered.

The proposed development is both sympathetic and in character with the existing building and in terms of scale and design. an appropriate proposal.

www.petemidgleydesign.co.uk

Agenda Item 9

Item Number: 9
Application No: 17/00522/FUL
Parish: Birdsall Parish Council
Appn. Type: Full Application
Applicant: Mr James Illingworth
Proposal: Erection of an agricultural building for storage and the housing of livestock
Location: Manor Farm Lang Hill Birdsall Malton North Yorkshire YO17 9NS

Registration Date: 17 May 2017
8/13 Wk Expiry Date: 12 July 2017
Overall Expiry Date: 15 June 2017
Case Officer: Joshua Murphy **Ext:** 329

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	No objection
Countryside Officer	No views received to date
Environmental Health Officer	No views received to date

Neighbour responses: Mr S N Fairbank,

SITE:

Manor Farm is an established agricultural farmstead located in Birdshall. The proposal site is sited within an Area of High Landscape Value and adjacent to an Ancient Woodland.

PROPOSAL:

Erection of an agricultural building for storage and the housing of livestock The building is approximately 54 meters in length and 9.1metres in width and is proposed to be used in part for storage and part for the housing of livestock. It has an eaves height of 5.3m and apex height of 7.3m.

HISTORY:

There is no relevant planning history,.

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)
Policy SP9 The Land Based and Rural Economy
Policy SP12 Landscapes
Policy SP16 Design
Policy SP19 Presumption in Favour of Sustainable Development
Policy SP20 Generic Development Management Issues

National Planning Policy Framework (2012)

Chapter 3. Supporting a prosperous rural economy
Chapter 7. Requiring good design

APPRAISAL:

The main considerations in relation to the application are

- i) Principle of development
- ii) Form and Character
- iii) Neighbouring Impact
- iv) Landscape impact)

i) Principle of development

The NPPF supports rural development which enables/supports growth in rural areas. This would include supporting the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy states that; Ryedale's land-based economy will be sustained and diversified with support for new buildings that are necessary to support land-based activity and a working countryside, including for farming. The application proposes to erect an agricultural storage building which will also be used to house livestock.

The siting of the building is at the rear of the existing buildings, on a small parcel of land, which cattle currently graze on. The Local Planning Authority has a requirement to ensure any new development is sustainable. The farm is approximately 540 acres and there are approximately 135 beef cows and followers. The proposal will not create an increase in livestock. It is intended for modernisation and improvement of the existing enterprise. It is also confirmed that all the existing farm buildings are all connected and used for the farming business.

It is considered that inline with the policies set out in the NPPF and Local Plan Strategy, that the proposal helps to support the established agricultural business. As such the principle of the proposed development is therefore considered to be acceptable on its planning merits.

ii) Form and Character

The building is to be used for storage and for the housing of livestock. The proposal will measure, 54m in length by 9.1m in width, with a eaves height of 5.3m and a ridge height of 7.3m. The external materials will be concrete panels with Yorkshire Boarding, with a grey metal profiled sheeted roof. Half of the building will be closed, to protect the livestock and the other half will be open sided for storage purposes.

The building is located to the rear of existing buildings and is well screened from public vantage points. It is considered therefore that the traditional and typical design of the building is in compliance with Policy SP16 (Design) Of the Ryedale Local Plan Strategy.

iii) Neighbouring Impact

Concerns have been raised by the Birdshall Parish Council in relation to the potential impact in neighbours. The response reads as such,

"The proposed site is very near to a residential property which was formerly a farmhouse but not now used as a farmhouse. It will overlook the garden and will be very visible from the upper floor of the house. The access will be very dangerous, especially for children, as it is very close to the front gate. The Building will encourage more flies, smell and noise, and will be very close to a very nice woodland walk."

With regard to the access, North Yorkshire Highway Authority were notified of the concern. The following response was made, "My understanding of the submitted plans is that the access will be taken from the existing western access, as it is the only access red-lined up to the public highway. This would seem to be the 'alternative' access recommended by the Parish Council in its representation letter dated 9 June 2017.

Consequently, there are no local highway authority objections to the proposed development.

The potential issue concerning increased impact on the neighbouring occupiers in terms of more "flies, smell and noise" around the site has also been discussed with the Council's Environmental Health Specialists. They do not consider that there is likely to be an increased impact due to the siting of the building, as the livestock section of the building is furthest away from any neighbouring occupiers.

The area already has established agricultural buildings and it is not considered that the additional building will create any significant impact. The nearest dwellings to the proposal site are located 95m away. Manor House has been divided into 2no dwellings. Manor House is also surrounded on the north boundary by the applicants fields, which are also used for agriculture.

There have been no individual responses to the application by the neighbouring occupiers to the proposal. In conclusion the development is deemed to not create a material adverse impact upon neighbouring amenity and it is considered to comply with Policy SP20 if the Ryedale Plan - Local Plan Strategy.

iv) Landscape impact

The site is located with an Area of High Landscape Value and special regard is required to be given to any development within this local designated area. Policy SP13 of the Ryedale Local Plan states that these areas helps to reinforce landscape quality and local character. It is considered that the nature of the development is modest in keeping within the area and is located well within the established buildings of the existing site.

There is considered to be no wider landscape impact away from the proposal and subject to control over the materials, no objection is raised, in respect of Policy SP13.

RECOMMENDATION: Approval

- 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 Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Plans - Drawing No: PL50 01
Block Plans - Drawing No: PL20 02
Site Layout Plan - Drawing No: PL20 01
Site Location Plan - Drawing No: EX20 01

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013

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No.	Date	Drawn (DWG)	Description
01	27.04.17	AL	1:1250
02	27.04.17	AL	1:1250
03	27.04.17	AL	1:1250

STONE + ASSOCIATES
ARCHITECTS AND DESIGNERS
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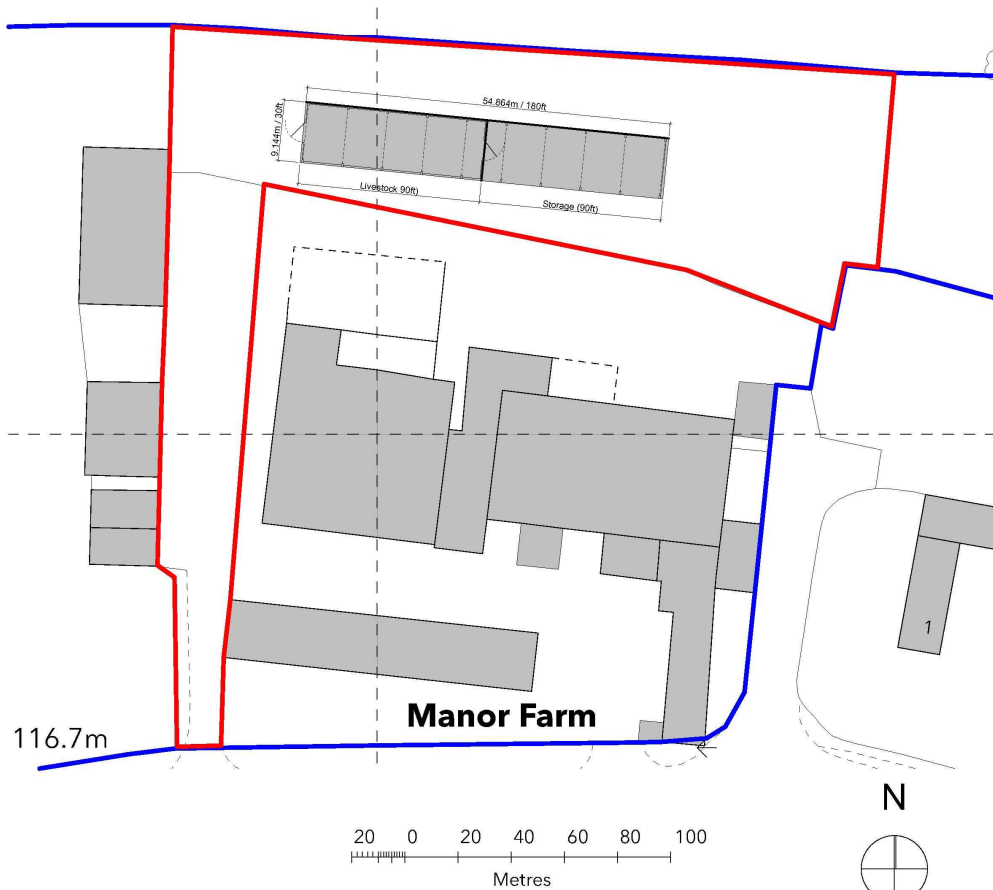
NEW FARM BUILDINGS
Address: Manor Farm, Bickall, Milton, North Yorkshire, YO17 9NS

Client: Mr. J. Ilingworth

Drawing: Existing Site Plan

Scale	Drawn By	Date	Drawn By	Drawn By
1:1250	27.04.17	AL	AL	AL
4441	EX20	01	AL	A3

VALID
17.05.17



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No.	Date	Drawn / Checked	Description
01	27.04.17	AL	Initial Design & Plan (S. Stone + Associates Ltd) - General
02	17.05.17	AL	Revised Design & Plan (S. Stone + Associates Ltd) - General

		STONE + ASSOCIATES
		ARCHITECTS AND DESIGNERS
		The Studio, 70 Saville Street, Milton, North Yorkshire, YO17 1LL
		Tel: 01533 698100
		www.stoneassociates.co.uk

Job:	NEW FARM BUILDINGS
Address:	Manor Farm, Bilsall, Milton, North Yorkshire, YO17 9AS
Client:	Mr. J. Illingworth
Drawing:	Proposed Site Plan

Scale:	1:500	Drawn By:	AL	Checked:	
Drawn:	27.04.17	Drawn By:	AL	Checked:	
Drawn:	17.05.17	Drawn By:	AL	Checked:	



OBJECT

JM

12/06 SB.

Mrs. Margaret Warren
22 Settrington
Malton
North Yorkshire
YO17 8NP
Telephone : 01944 768423

RYEDALE DISTRICT COUNCIL

12/06/17

9th June 2017.

DELIVERED BY HAND

Ms. Karen Hood,
Senior Customer Services Officer (Place)
Ryedale District Council,
Ryedale House,
Malton,
YO17 7HH.

Dear Ms. Hood,

Application No. 17/00522FUL
Mr. James Illingworth - Erection of Agricultural Building
Manor Farm, Birdsall

Thank you for your letter of 22nd May 2017 enclosing plans relating to the above. The Birdsall Parish Council had a site meeting at Manor Farm, Birdsall last night to discuss the whole thing and wish to object on the following grounds:

"The proposed site is very near to a residential property which was formerly a farmhouse but not used as a farmhouse now. It will overlook the garden and will be very visible from the upper floor of the house. The access will be very dangerous, especially for children, as it is very close to the front gate. The building will encourage more flies, smell, and noise, and will be very close to a very nice woodland walk."

They looked at an alternative site on the West side of the existing farm buildings and felt this was a much better site as it would have better drainage, and be nearer the farmhouse and farm worker's cottage. Access for all the farm vehicles, including the 40 ft. trailers for straw etc., would be much better as it would be directly from the road.

It was a unanimous vote. The Architect, who is a member of the Birdsall Parish Council, and the Chairperson, Lady Middleton, did not vote as they may have been deemed to have an interest.

Yours sincerely,

Clerk to Birdsall Parish Council

Item Number: 10
Application No: 17/00586/OUT
Parish: Norton Town Council
Appn. Type: Outline Application
Applicant: Joanne Suddaby-Smith
Proposal: Residential development of 3no terraced dwellings with vehicular access and alterations to domestic curtilages of existing terrace of 4 dwellings (site area 0.1ha)
Location: Land Adj 42 Vine Street Norton Malton North Yorkshire
Registration Date: 24 May 2017
8/13 Wk Expiry Date: 19 July 2017
Overall Expiry Date: 28 June 2017
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council	Recommend refusal
Highways North Yorkshire	Recommendations
Building Conservation Officer	No objection
Archaeology Section	Recommend conditions

Neighbour responses: Angela Gair

SITE:

The application site comprises vacant land and part of the gardens of No.'s 36-42 Vine Street Norton. The land is accessed from Vine Street and lies within the development limits of Norton. The site approximately measures 19m in width and 60m in depth.

A Grade 2 listed building is located to the eastern side; No. 3 Scarborough Road. The surrounding development is relatively high density residential environment. Vine Street is a cul-de-sac leading from Commercial Street with known accessibility issues relating the narrow width and lack of on-street turning.

PROPOSAL:

Outline planning permission is sought for the erection of 3 dwellings along with vehicular access and alterations to domestic curtilage of the existing terrace of 4 dwellings.

At this stage only access and layout are to be considered, with scale, external appearance and landscaping to be addressed at Reserved Matters Stage.

The proposed access is to the rear of No 36-42 Vine Street with a central parking area in the middle of the site for the 4 no existing dwellings and 3 no. proposed dwellings. Additional amenity space is also proposed for the existing dwellings. The proposed 3 no. terraced dwellings are to be located to the southern part of the site. They will have a footprint of 3.8 m in width and 10.8m in length (including the rear wing).

HISTORY:

Planning history for the site includes:

2016: Planning application withdrawn for the erection of 3no. terraced dwellings.

1991: Planning permission granted for the erection of the erection of 2 no. dwellings and off-street parking for 4 no. properties.

1991: Planning permission refused for the erection of 2 no. dwellings and off -street parking for 6 dwellings.

POLICY:

National Policy

NPPF 2012

NPPG 2014

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 – Delivery and Distribution of new housing

PolicySP3- Affordable Housing

Policy SP4 – Type size and mix of new housing

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP17 - Managing Air Quality, Land and Water Resources

Policy SP19- Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

APPRAISAL:

The main considerations in relation to this application are:-

- The principle of the proposed development
- Siting, scale, design and external appearance of the building;
- Highway safety;
- The impact of the proposal upon the setting of the nearby Grade 2 listed building;
- Whether the proposal has a satisfactory level of residential amenity space
- Impact upon the amenity of the adjoining neighbours; and
- Archaeology.

The principle of the proposed development

The application site is located within the development limits of Norton. Policy SP2 of the Local Plan Strategy supports new infill development providing it is within a 'continually built up frontage' The site is not in a typical street frontage, however it is surrounded on all sides by existing residential development.. Whilst the policy seeks to prevent backland land development, in this case the precedent has already been set, not least by the presence of a Grade 2 listed building to the eastern side. In view of the surrounding context of residential development and the presumption in favour of sustainable development residential development the erection of new housing on this parcel of land is considered to be acceptable in principle.

Siting, scale, design and external appearance of the building

Policy SP16 of the Local Plan Strategy states:

- 'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:
- Reinforce local distinctiveness
- Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated
- Protect amenity and promote well-being
- To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:
 - Topography and landform that shape the form and structure of settlements in the landscape
 - The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks. The medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale
 - The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings
 - The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further
 - VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement
 - Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures
 - The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail'

In this case, the proposed terrace of 3 dwellings are located behind the established terraced properties on Vine Street. However, the surrounding form of development also includes dwellings that do not have an orthodox street frontage relationship. The proposed dwellings are relatively small cottages, that will respect the scale and form of the existing cottages No. 36 -42 that are already historically positioned with a 'side-on' relationship to Vine Street. The surrounding development is a relatively high density urban environment, and the proposal is not considered to be at odds with that established character and form. It is considered that the layout provided could provide 3 dwellings that are of an appropriate design for the area.

In the circumstances the proposal is considered to comply with the requirements of Policy SP16 and Policy SP20 of the Local Plan Strategy.

Highway safety

The Highway Authority has requested revisions to the scheme. These are:

1. The proposed passing point for cars along the shared drive should include a 45-degree entry taper across the corner of the garden area for No. 42 Vine Street.
2. The communal reversing/turning area for the six proposed car parking spaces should be a minimum of 6 metres wide, and therefore needs slightly enlarging.

The agent has submitted these amendments and the Highway Authority are considering these. The implications of Fire Safety have also been discussed with the Highway Authority. They have gone on to state:

'On the current application the dwellings are a minimum of 48 metres away from the road edge. If there are no cars parked on the opposite side of Vine Street at the immediate approach to the access, a fire

service tender will be able to align itself and turn straight into the proposed shared driveway and park up close to the 6 car parking spaces/bin stores area. This would be about 21 metres away from the new dwellings, so still within the guidance distance. However, if parked cars are present, this manoeuvre could not be achieved. Given that the space required to do the turn would mean no parking outside at least 5 of the existing terraced properties, the likelihood is that vehicles are going to be in the way - even if double yellow lines were present (basically they would be ignored). Consequently, the application needs to be considered by the NY Fire and Rescue Service in the context of accessibility, and at the very least, an automatic fire suppression system (or similar) may need to be considered for the new dwellings.'

North Yorkshire Fire Rescue have been consulted, and it anticipated that their views will be available for circulation with the Late Pages or verbally at the meeting.

Impact upon the amenity of the adjoining neighbours

The properties immediately to the south (Athol Square) have no windows on their rear elevation and no amenity space beyond the blank 2-storey rear wall. There is a 2 storey projecting rear extension to the south western side. No. 1 Scarborough Road is located to the south eastern side. That property has a rear 2-storey level windows, however it faces No. 3 Scarborough Road and not the application site. No.3 Scarborough Road is located to the eastern side. The proposed dwellings have been sited to respect the position of No. 3 and its setting (it is Grade 2 listed). No. 3 has 2 ground floor windows on its side elevation facing the application site, which currently borrow light of the application site. However, permitted development rights would allow a 2m high fence be positioned on the boundary entirely covering these windows. The proposal respects the position of the windows and the terrace of 3 dwellings is set behind No .3 Scarborough Road. To the north is the side elevation of No. 42 Vine Street. With the long rear garden of No 34 Vine Street to the west. it is considered that the proposed dwellings can be accommodated on the site without having an adverse effect upon the amenity of the adjoining neighbours in terms of potential overlooking, loss of sun lighting or day lighting or by virtue of massing on the boundary. A condition to ensure suitable boundary treatment is considered to be necessary.

The proposed car parking arrangements will increase the potential for noise and disturbance for the existing and proposed dwellings. However, given the layout and the urban context this is not considered to constitute an unacceptable impact. Furthermore, there are public benefits associated with the scheme relating providing off-street parking and turning.

Whether the proposal will provide a satisfactory level of residential amenity

For the existing 4 dwellings, there will be a reduced rear yard areas, but this will be offset by additional amenity space in the middle of the site together with a parking space. The proposed dwellings will have a satisfactory level of amenity space, with a relatively large space to the front. To the rear the properties are approximately 5m from the building to the rear. The Reserved Matters application will be able to carefully consider the internal layout to ensure the proposed dwellings have a satisfactory level of residential amenity space.

Impact of the setting of No. 3 Scarborough Road

No. 3 Scarborough Road is a Grade 2 listed building. Policy SP12 of the Local Plan Strategy requires the an assessment of the proposal upon designated heritage assets. S66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 also places a duty on Local Planning Authority to consider the desirability of preserving the setting of listed buildings. The Buildings Conservation Officer has no objection to the proposal. The proposed location is behind the front elevation of No. 3 which itself is located discretely behind other established residential buildings. Its location and form is somewhat of an anomaly in this area. The proposed development is not considered to detract from the setting of the Listed Building given the surrounding character and form.

Impact on archaeology

The application site is located in an area of archaeological interest; the County archaeologist has no objection to the proposal.

Other issues

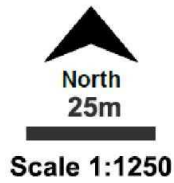
The Town Council has objected to the proposed scheme and consider it to be an over-development of the site. There has also been one letter of objection received from No. 3 Scarborough Road also raising whether the scheme is overdevelopment; that there will be an increase in noise and pollution (residential amenity impacts); rights of access to their property; access for emergency vehicles. For the reasons outlined above it is considered that the proposed form of development is acceptable and provides off-street parking and improved amenity spaces for 4 existing properties. It is not considered to be an over development of the site or to have unacceptable residential amenity impacts. The rights of access of the occupier of No. 3 are a civil issue between landowners and not a planning issue. The accessibility requirements in the event of a fire is currently being considered by NY Fire and Rescue, and it is anticipated that Members will be appraised at the meeting.

Conclusion

In view of the above, it is not considered that a final recommendation can be made on this application until the views of NY Fire and Rescue have been received.

RECOMMENDATION: **Made at the Meeting**

VALID
24.05.17



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proposed 3 new cottages with parking and landscaping adjoining 42 vine street norton malton scale 1:1250@A4 drawing no. 11.11-01

a useful part of the development to the residents of Vine Street would be a turning area that would be provided within the new development site to allow vehicles in Vine Street to turn around at the cul de sac end. As suggested by the highways department this will be constructed to NYCC standards and extend into the site by approximately 6m.

Vine Street would be a turning area that would be provided within the new development site to allow vehicles in Vine Street to turn around at the cul de sac end. As suggested by the highways department this will be constructed to NYCC standards and extend into the site by approximately 6m.

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To enhance the facilities of the existing cottages it is proposed that cottage No 42 will have an extended garden connected to its existing garden on the western boundary. This will increase their existing facilities. In addition further individual garden/amenity plots will be made available to the existing cottages Nos 36, 38 and 40 by providing gardens towards the south of No 42 with individual access to these gardens from the new access road.

the proposed development will also provide a single car park space for each of the new dwellings and individual parking spaces for each of the existing 4 dwellings. This will help with the parking problems in Vine Street.

proposed turning area and car park access road with car spaces for each of the new cottages and 3 of the existing cottages the fourth cottage has its own car park space

To enhance the amenity facilities for these three dwellings it is proposed to provide them with their own car parking space and garden towards the southern boundary.

passing point for cars on the access road if required

listed building at 3 scarborough road

dwelling no 1 d1
dwelling no 2 d2
dwelling no 3 d3
garden dwelling no 1
garden dwelling no 2
garden dwelling no 3
car space d1
car space d2
car space d3
car space 36
car space 38
car space 40
car space 42
car space 43
amenity 36
amenity 38
amenity 40
bin storage areas
garden 42
no. 36
no. 38
no. 40
no. 42
vine street
32 woodland green
the present scarborough road

proposed 3 new cottages with parking and landscaping adjoining 42 vine street norton mallon scale 1:200@A3 drawing no. 11.11-01

Design statement for proposed development at Vine Street Norton

Background information

I include below information regarding the conservation area and policies regarding the proposed development in the Malton and Norton area especially those considered with the Ryedale Plan – local plan strategy (LPS) as referred to in the pre app advice:

Malton and Norton

- *Housing Land Allocations in and adjacent to the built up area*
- *Conversion and redevelopment of Previously Developed Land and buildings within Development Limits*
- *Replacement dwellings*
- *Sub-division of existing dwellings*
- *Infill development (small open sites in an otherwise continually built up frontage)*
- *100% Rural Exception Sites outside of and on the edge of Development Limits in line with Policy SP3*
- *Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate.*

Conservation area and listed buildings

3 Scarborough Road is a listed building adjoining the proposed site with its gable end containing a small window looking onto the site:

3, Scarborough Road, Norton-on-Derwent

DESCRIPTION: 3, Scarborough Road

GRADE: II

DATE LISTED: 25 April 1986

ENGLISH HERITAGE BUILDING ID: 329718

OS GRID REFERENCE: SE7973671530

OS GRID COORDINATES: 479736, 471530

LATITUDE/LONGITUDE: 54.1334, -0.7812

LOCATION: Scarborough Road, Norton, North Yorkshire YO17 9EZ

LOCALITY: Norton-on-Derwent

LOCAL AUTHORITY: Ryedale District Council

COUNTY: North Yorkshire

COUNTRY: England

POSTCODE: YO17 9EZ

SE 7971 NORTON-ON-DERWENT SCARBOROUGH ROAD

(north-west side, off)

9/35 No 3

II

House. Mid - late C18 with C19 alteration and extension. Squared limestone with variegated brick dressings; pantile roof and brick stacks. Red brick extension in garden wall bond. 2-cell, direct-entry plan, with rear extension. 2-storey, 2-window front. Off-centre 4-panel door, with 16-pane sashes throughout. Segmental arches to all ground-floor openings and painted stone sills to all windows. End stacks.

Listing NGR: SE7973671530

This text is a legacy record and has not been updated since the building was originally listed. Details of the building may have changed in the intervening time. You should not rely on this listing as an accurate description of the building.

Source: English Heritage

This building will not be affected by the development as it is proposed to provide tree and shrub screening along this boundary which is on the east side of the proposed site.

There is a large wall on the eastern boundary which will protect 3 Scarborough Road from the development. Also after discussions with Ryedale Planning Department the proposed houses are some 6 metres away from the front of 3 Scarborough Road so there will be no overlooking onto this dwelling.

On the southern boundary the development of Athol Square which has access off Scarborough Road, has the rear of this development on the Southern boundary of the site, but there are no windows in this development that overlook the site. It is proposed that this end of the development will have private gardens for each of the new houses (dwellings 1, 2 and 3). Access to each of these gardens will be via the parking space provided for each dwelling 1, 2, and 3 from the new car park area which is approximately 25.0m from the rear wall of Athol Square.

On the western boundary it is intended to provide a timber fence of feather edged vertical boarding along with a narrow strip of hedging to soften this edge. The height of the fence will be 1.8 m.

These new dwellings will contribute to the supply of new homes across the District to enable the delivery of at least 3000 (net) new homes over the period 2012-2027 as noted in SP2 Delivery and Distribution of new housing. The site is adjacent to the existing built area and is an infill development on a small open site.

The proposed development has adhered to the guidance in SP16 by proposing cottages similar to the existing cottages on the site, and also by ensuring the scale, proportions and materials also reflect those of the adjoining cottages and original dwellings. The pattern of these structures is also reflective of existing structures. The new dwellings also follow the existing provision of accommodation and will add to it in a positive manner. The design of the new dwellings are therefore reflective of the good design within the area and will provide a sustainable development for this site, in line with SP16 Design Development proposals where new developments will be expected to create high quality durable places that are accessible, well integrated with their surroundings and sustainable.

Highways

As mentioned in the pre-application advice the view of NYCC highways department was sought and this is shown below:

Whilst I appreciate the existing cottages have no on-site parking, it will obviously help if any proposal removes a need to park on-street, as no doubt there is pressure on available spaces in the vicinity, given the existing housing mix.

I could support an arrangement that offers 1 car parking space per existing cottage, together with the initial part of the proposed shared access being available for all users of the street for turning. Whilst this would clearly not be suitable for all vehicles, it will be of some benefit, given the constraints available, as opposed to none whatsoever as currently exists now. In order for this to be achievable, some 'keep clear' advisory markings would be needed to either side, to ensure as much of the carriageway and shared access can be utilised. I would have thought the first 6 to 7 metres into the site would be needed for this shared purpose, which should be constructed to adoptable standards. Each car parking space should be a minimum 4.8 metres x 2.4 metres. It may assist the layout if each space was able to reverse out and turn, rather than introduce a communal turning area shown. A minimum of 6 metres would be needed for this, or alternatively each space should be made wider to compensate.

Their advice was that this could be a useful development to the residents of Vine Street in that a turning area could be provided within the new development site to allow vehicles in Vine Street to turn around at the cul de sac end. As suggested by the highways department this will be constructed to NYCC standards and extend into the site by approximately 6m.


In addition to this provision the proposed development will also provide a single car park space for each of the new dwellings and individual parking spaces for each of the existing 4 dwellings. This will help with the parking problems in Vine Street.

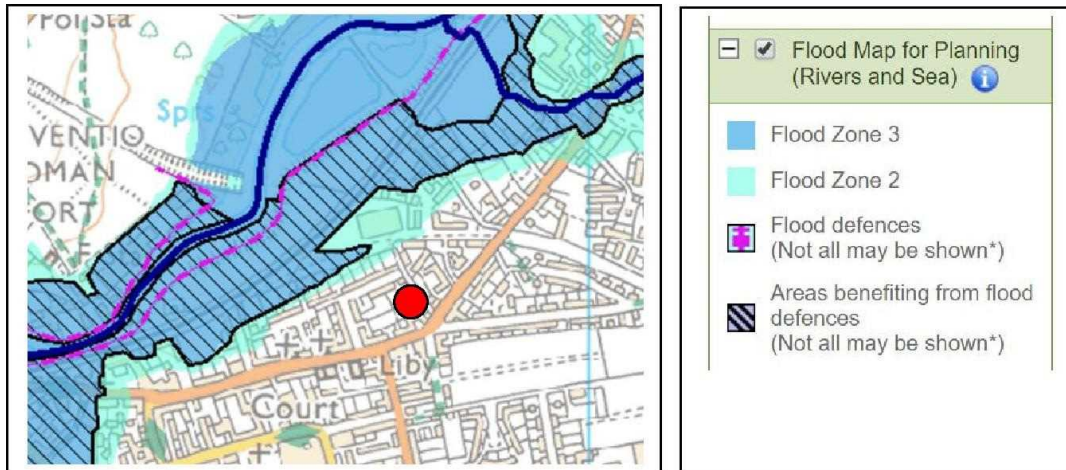
The car park area towards the southern boundary will have a strip in front of the car spaces to allow for turning.

The highway access from Vine Street will also allow for fire appliance access in case of emergency if required.

As recommended by the highways department and suggested by the planning department in the pre-application advice, the number of dwellings proposed is three.

Flood risk

As suggested in the pre-application advice that this site is adjacent to flood zone three and after inspecting the environment agency site their advice and flood map is attached for your assessment and shows that the site is outside the flood risk area 



Ecological

As suggested in the pre-application advice that although the site is within 250 m of the River Derwent SAC and SSSI it was not considered that development of this scale would need consultation with Natural England.

Layout and design

At the recommendation of the pre-application advice and subsequent discussions with Ryedale Planning Department the proposed development will have three cottages located at the southern end of the site.

It is proposed to ensure the typology of these cottages will follow those of the existing four cottages in both material finish – slate and brickwork – and to the same scale in that they will be small two storey cottage style with an extended out-building towards the west to be in keeping with the character of the area, which will have less impact on the neighbouring occupiers at Athol Square. It also reflects similar linear developments that are situated in Norton. This type of development is in line with the type of infill development that enhances the area and will add to the range of houses available in Norton. To enhance the amenity facilities for these three dwellings it is proposed to provide them with their own car parking space and garden extending to the proposed car parking area.

To further enhance the facilities of the existing cottages it is proposed that cottage No 42 will have an extended garden connected to its existing garden on the southern boundary to increase their existing amenity facilities. In addition further individual garden/amenity areas will be made available to the existing cottages Nos 36, 38 and 40 by providing gardens towards the south of No 42 with individual access to these gardens from the new access road and car park area.

In this development bin storage areas will be provided for existing and proposed houses in the new spaces adjoining the car park area.

NORTON-ON-DERWENT TOWN COUNCIL

Town Clerk: Mrs R.Tierney

Tel/Fax: 01653 695348
Council Chamber and Office
The Old Courthouse
84B Commercial Street
Norton-on-Derwent
Malton
North Yorkshire YO17 9ES



20 June 2017

Head of Planning Services,
Ryedale District Council,
Ryedale House,
Malton.
YO17 7HH

Dear Sir,

PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Monday, 19 June 2017 the Town Council made the following recommendation in respect of the application listed below:-

- 17/00586/FUL** Residential development of 3 no terraced dwellings with vehicular access and alterations to domestic curtilages of existing terrace of 4 dwellings (site area 0.1ha)
Land adj 42 Vine Street, Norton, Malton
For: Joanne Suddaby-Smith
RESOLVED Recommend Refusal on the grounds that this is considered to be an overdevelopment of the site, and that there are many access concerns especially with regard to emergency services if the need ever arose.
- 17/00598/HOUSE** Erection of a rear two storey extension to replace existing bathroom / conservatory extension
73 Mill Street, Norton, YO17 9JJ
For: Mr & Mrs C MacDonald
RESOLVED Recommend Approval.
- 17/00590/HOUSE** Erection of detached single garage to replace existing garage, conservatory to south elevation and porch to north elevation
1 Ryedale Close, Norton, YO17 9DQ
For: Mrs Sue Goodchild
RESOLVED Recommend Approval.
- 17/00575/FUL** Erection of a single storey assisted living bungalow with accommodation for the occupier and carer.
Land adjacent, 6 Lakeside Way, Norton
For: J Simpson
RESOLVED Recommend Approval subject to the application not being considered at risk of flooding.

E. Mail: norton.tc@btconnect.com

17/00639/HOUSE Erection of detached double garage to replace existing detached single garage with
repositioned highway access and erection of section of 1.3m high fence.
1 The Avenue, Norton, YO17 9EF
For: Mr W Smith
RESOLVED Recommend Approval.

Yours sincerely,

Ros Tierney
Town Clerk

E. Mail: norton.tc@btconnect.com

Item Number: 11
Application No: 17/00720/FUL
Parish: Rillington Parish Council
Appn. Type: Full Application
Applicant: Rillington Pre-School (Mrs Helen Atkinson)
Proposal: Erection of detached shed within existing walled area (retrospective application)
Location: Rillington Village Hall 2-8 Scarborough Road Rillington Malton North Yorkshire YO17 8LH

Registration Date: 14 June 2017
8/13 Wk Expiry Date: 9 August 2017
Overall Expiry Date: 18 July 2017
Case Officer: Joshua Murphy **Ext:** 329

CONSULTATIONS:

Parish Council No objection
Archaeology Section No objections
Neighbour responses: N Ravis, Mr & Mrs McGill,

SITE:

Rillington Village Hall is located to the south side of Scarborough Rd (A64) adjacent to the junction with High Street in the centre of the village. Rillington Pre School operates from the hall through the weekdays.

PROPOSAL:

Erection of detached shed within existing walled area (retrospective application) The shed is located at the back of the site and replaces two smaller timber sheds. The shed measures 4 metres by 3.5 metres and has eaves and apex heights of 2.1 and 3.16 metres respectively. It is used to store toys and equipment

HISTORY:

17/00032/UD - Erection of a metal clad outbuilding (Enforcement Enquiry)

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)
SP11 Community Facilities and Services
Policy SP16 Design
Policy SP19 Presumption in Favour of Sustainable Development
Policy SP20 Generic Development Management Issues
National Planning Policy Framework (2012)

Chapter 7. Requiring good design

APPRAISAL:

The main considerations in relation to the application are:

i) Form and Character

- ii) Principle of development
- iii) Neighbouring Impact
- iv) Other Matters

i) Form and Character

The proposed shed measures 3.5m in width by 4m in length, with a eaves height of 2.1m and a ridge height of 3.1m. The shed, including the roof is constructed from composite panels, which are in grey and anthracite finish.

Although the shed is the largest structure within the curtilage of the village hall, it is considered to be appropriate in terms of its scale to serve as a toy and equipment store. It is sited in the corner of the yard out of direct sight from public vantage points. It is considered that the proposal is in compliance with Policy SP16 (Design) of the Ryedale Local Plan Strategy.

ii) Principle of development

Community facilities are important elements that contribute to the valued quality of life in the District and which also help to support sustainable communities. In Ryedale the loss of such facilities can have a major impact on the vitality of local communities, once lost, these facilities can be difficult to replace. Projects which help to improve access to existing services and facilities or involve the creation of new facilities will be supported.

The application is retrospective, the proposed shed has already been erected on site.

The shed is to provide storage in relation to the Pre School which operates from the Village Hall Monday to Friday. The shed has replaced two older wooden sheds, which were replaced when the new gas tanks and pipes were installed.

It had been advised that for safety reasons, that the wooden sheds needed replacing and that they should be moved away from the gas tank. The new location and material of the shed is considered to be more appropriate in the circumstances. It is considered that in line with the policies set out in the NPPF and Local Plan Strategy, that the proposal is considered to support an essential community facility. As such the principle of the proposed development is considered to be acceptable on its planning merits.

iii) Neighbouring Impact

There has been an objection from the occupiers of the adjacent neighbouring property (The Old Schoolhouse, 10 Scarborough Rd).

The objection relates to the adverse impact upon the neighbouring amenity. Citing the following points:-

- The structure results in the loss of amenity due to dominance of the shed, caused by height, colour, proximity and size of the structure.
- The structure viewed from all aspects has a negative visual impact
- The structures closeness to the boundary causes a greater sense of enclosure

The full response can be viewed on the council's website

It is considered that the shed is acceptable in terms of the design and use of materials. The materials have been chosen for practicality and the finish is considered to be subtle. The location of the shed is sited at the far south east corner of the Village hall yard. Although the shed can be seen from the neighbouring garden, the shed is screened protected by a tall boundary wall and the ground level where the shed stands, is considerably lower than the neighbouring garden.

From most aspects of the neighbouring garden, the shed is also screened due to similar structures in the

garden, blocking the direct view. The location of the shed is similar to the siting of the previous 2no sheds , which have been removed.

Although larger in size, it is considered that the single, larger shed has limited additional impact on the neighbour. It is also of note that if such development were constructed within a residential property, the shed would be considered "Permitted Development".

Overall it is considered that the adverse impact upon the neighbouring amenity is minimal. As such the development is deemed to not create a material adverse impact upon neighbouring amenity, and it therefore complies with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

iv) Other Matters

There has also been concern raised in relation to the LPG tank located adjacent to the shed. The LPG tank is positioned 2.4 metres away from the shed with a fire wall in between and bollards surrounding the tank.

The siting of the tank corresponds with Health and Safety regulations and was installed by accredited calor gas representatives.

Rillington Parish Council have no objection to the proposal.

In the light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP11, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework.

The proposal is therefore recommended for approval.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be carried out in accordance with the following approved plan(s):
Proposed Plans - Stamped Dated 14/06/17
Site Location Plan - Stamp Dated 14/06/17

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

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

iAPPLY Reference : IAP00007438-001

Village Hall
Rillington

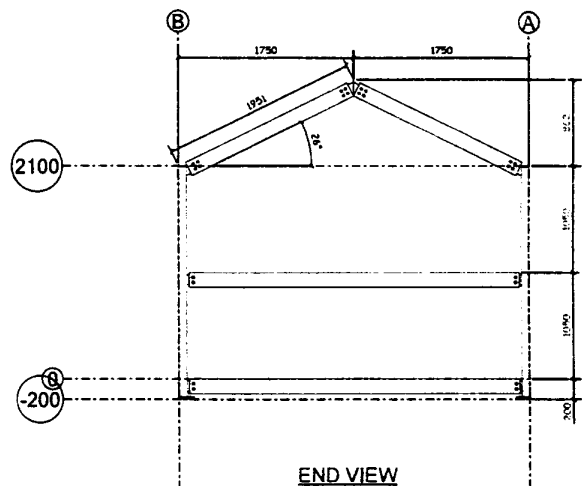
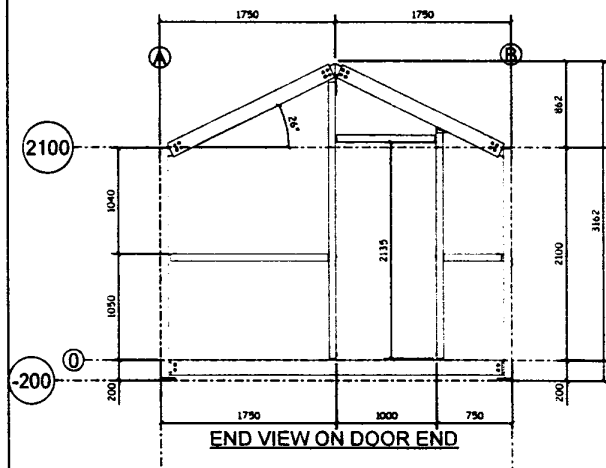
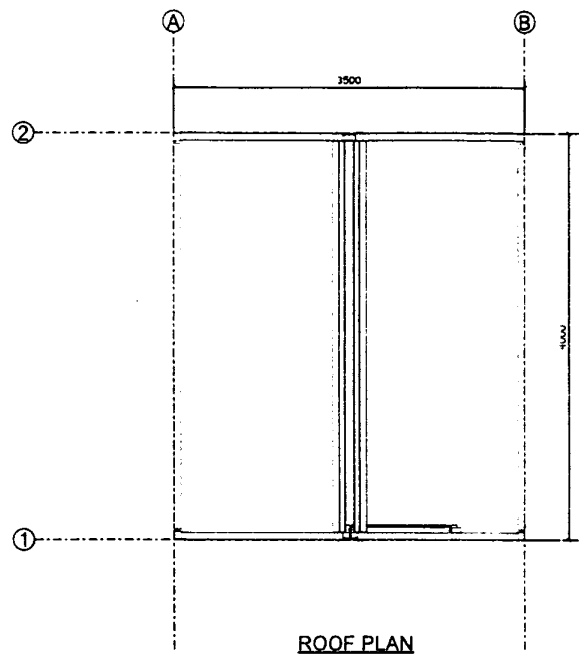
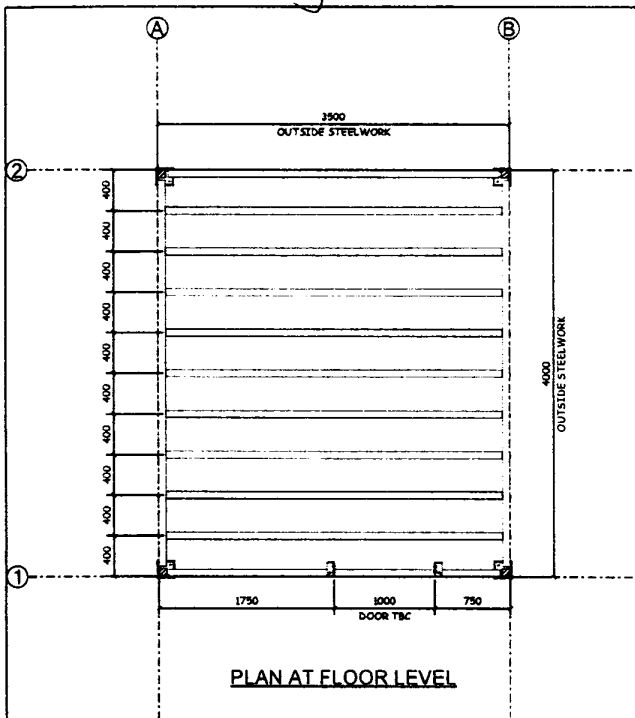


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Apply Reference - IAP 0000 7438 - 001
 Plan 1 of Rillington Pre-School Shed.

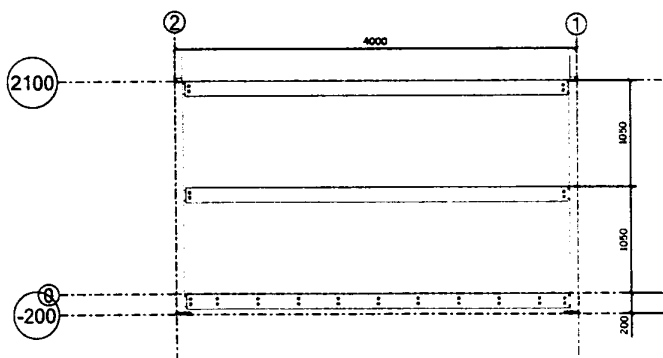
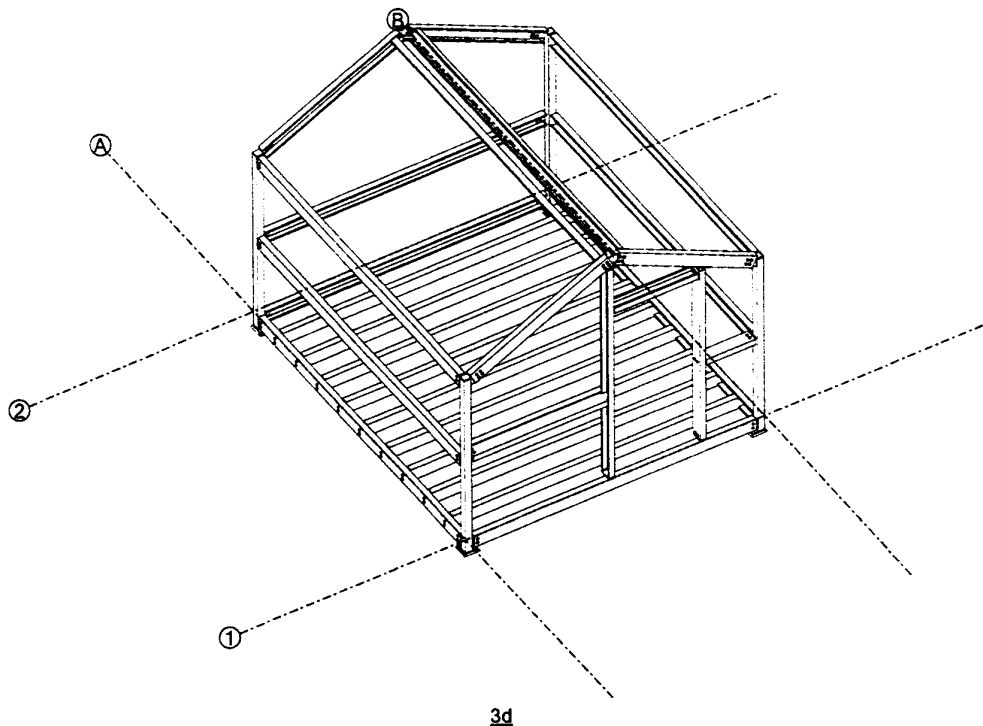


RYEDALE DM
 14 JUN 2017
 PROJECT MANAGER

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Plan 2 of Rillington Pre-school Shed



SIDE VIEWS

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DRAWING TITLE	STANDARD	
CONTRACT	DRG PROJ NAME	
MODELLED BY	DRG MODELLED	ISSUE DATE
CONTRACT NO	DRG PROJ No.	SCALE 1:30
DRAWING No	G (1)	REVISION No.



Ellis Mortimer

From: AandC Adnitt [aandcadnitt@outlook.com]
Sent: 11 July 2017 12:25
To: Development Management
Subject: Planning Application 17/00720/FUL

Planning Application: 17/00720/FUL

The application was discussed by Rillington Parish Council. I can confirm that no objections have been received.

Regards
Chris Adnitt
Clerk to Rillington Parish Council

Agenda Item 12

RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE – 1st August 2017

Report of the Head of Planning

Land Off Welham Road Norton Malton North Yorkshire - Reference 17/00001/UD

Purpose of the Report

To advise Members of an alleged breach of planning control and recommend an appropriate course of action.

1. SITE LOCATION

- 1.1 The site is agricultural land that occupies approximately 0.80 hectares of a larger field, to the west side of the Welham Road opposite Whitewall Quarry. The site lies approximately 250 meters outside of the development limit of Malton and Norton and is within the Wolds Area of High Landscape Quality.

2. ALLEGED BREACH OF PLANNING CONTROL

- 2.1 The breach of planning control:

- Without planning permission, the material change of use of the land from agricultural land to a domestic use with the siting of caravans for residential use.
- The erection of a wooden out building.

3. WHEN ALLEGED BREACH FIRST OCCURRED

- 3.1 January 2017.

4. HISTORY AND EVIDENCE OF BREACH

- 4.1 04/00765/AGNOT - Erection of agricultural building for storage to include animal feedstuffs Not granted as planning permission was required.
- 4.2 The Local Planning Authority was first made aware of this development in January 2017. At that time three caravans had been brought on to the site and they were being permanently occupied.
- 4.3 Ryedale District Council (RDC) Officers visited the site in March 2017 and confirmed to the occupiers that a material change of use had occurred and that planning permission was required. The occupiers stated that they wished to make an application to regularise the change of use. They were advised that it would be, without prejudice, unlikely that the Council would support any such application.
- 4.4 RDC officers confirmed this in a letter to the owners of the land on 24 April 2017 requesting that the use be ceased and that the caravans be removed. Notwithstanding this

advice the caravans and structures remain on the land and there has been no application submitted in an attempt to regularise the development.

5. APPRAISAL AND POLICY CONTEXT

- 5.1 There are three caravans on the site, however these are all occupied by one family including six children all under the age of 18. The family have been assessed by Council officers, the children are home schooled and there are no safe guarding issues. The occupiers describe themselves as 'New Age Travellers'. The caravans are located on an area of agricultural land. The boundary to Welham Road is well screened with a mixture of mature native hedgerows and trees. Occupying a position directly adjacent to the western boundary the site is well screened from Welham Road, however it is clearly visible from all other aspects. There are two other agricultural style buildings on site that appear to have been on site since at least 2007 and which are exempt from action.

- 5.2 The relevant planning policy considerations are:

National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Planning Policy For Traveller Sites, Communities and Local Government

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP4 - Type and Mix of New Housing

Policy SP5 - Sites for Gypsies and Travellers and Travelling Showpeople

Policy SP9 - The Land-Based and Rural Economy

Policy SP13 - Landscapes

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issue

- 5.3 Policies SP1 and SP2 of the Ryedale Plan - Local Plan Strategy states that new housing should normally be directed to the existing settlements within the district.
- 5.4 While it is considered that the principle of residential development and new buildings contrary to national and local planning policies would normally constitute inappropriate development within the open country side, National Planning Policy and Guidance and Policy SP5 (sites for Gypsies and Travellers and Travelling Show people) of the Ryedale Plan - Local Plan Strategy must also be considered.
- 5.5 Policy SP5 safeguards Ryedale's existing Gypsy and Traveller site at Tara Park near Malton. The Ryedale Gypsy and Traveller and Travelling Showpersons Accommodation Assessment 2016. Section 6 - Gypsy and Traveller pitch requirements at 6.18 states 'There is a total need over the next five years (2016/17 to 2020/21) for 15 pitches in Ryedale compared with a supply of 23 authorised pitches (including turnover). The result is an overall capacity of 8 pitches. This means there is sufficient supply from the existing Local Authority site to accommodate existing households and emerging households over the next 5 years'. On this basis it is concluded that very special circumstances do not arise from an unmet need to hold back from taking formal enforcement action.

- 5.6 Policy SP13 of the Ryedale Plan - Local Plan Strategy seeks to protect the distinctive elements of landscape character. It states that the quality and value of Ryedale's landscapes will be protected and enhanced by encouraging new development ... which reinforces the distinctive elements of the landscape character...including the Yorkshire Wolds. the Wolds is valued for its natural beauty and scenic quality and this area there are particular sensitivities given the topography, often resulting in long distance skyline views. The Wolds also has significant historic landscape value and its loss or degradation makes it particularly sensitive to change. The site sits on the fringe of the Yorkshire Wolds and the development of the site with the introduction of the caravans and associated paraphernalia has a significant adverse visual impact on the area of high landscape quality. the proposal is therefore considered to be contrary to Policy SP13 of the adopted development plan.
- 5.7 Policy SP16 of the Ryedale Plan - Local Plan Strategy requires proposed development to integrate well with their surroundings. It is Officers opinion that such a prominent alien feature in an otherwise open rural landscape fails to integrate with the site surroundings in addition the associated domestic paraphernalia adversely effects the rural character of the wider open countryside. The adverse impact on landscape character also contravenes Policy SP20 -character- which also requires new development to respect the character and context of the immediate locality.
- 5.8 The NPPF should be read in conjunction with the Government's planning policy for traveller sites. Local planning authorities taking decisions on traveller sites should also have regard to the policies in the NPPF so far as relevant.

6. HUMAN RIGHTS AND EQUALITIES

- The Human Rights Act 1998 means that it is now, subject to certain circumstances, directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions.
- When a planning decision is made there is further provision that the Authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest and therefore the Local Planning Authority's decision making will continue to take into account this balance.

The Human Rights Act is not referred to above because no exceptional circumstances have been raised which require a more careful and sensitive consideration of Human Rights issues.

- In making its decision the Council must also have regard to its public sector equality duty (PSED) under s.149 of the Equalities Act. The duty is to have due regard to the need (in discharging its functions) to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

- Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- The PSED must be considered as a relevant factor when considering its decision but does not impose a duty to achieve the outcomes in s.149. The level of consideration required (i.e. due regard) will vary with the decision including such factors as:
 - The importance of the decision and the severity of the impact on the Council's ability to meet its PSED
 - The likelihood of discriminatory effect or that it could eliminate existing discrimination.
 - The Council should give greater consideration to decisions that have a disproportionately adverse impact on a protected characteristic and this impact may be unintentional. In appropriate cases, this may involve an understanding of the practical impact on individuals so affected by the decision. Regard should be had to the effect of mitigation taken to reduce any adverse impact.
 - Further, the PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The Council is also entitled to take into account other relevant factors in respect of the decision, including financial resources and policy considerations. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups.
- This recommendation does not raise any equalities issues.

7 WHY IS IT CONSIDERED EXPEDIENT TO SERVE A NOTICE?

- 7.1 The breach of planning control is contrary to the NPPF, CLG's Planning Policy for Traveller Sites (2015) and Policies SP1, SP13, SP16 and SP 20 of the adopted Ryedale Plan - Local Plan Strategy in that the caravans and shed constitute inappropriate development resulting in an unacceptable impact on the openness of the countryside within the Wolds Area of High landscape Value.

8 STEPS NECESSARY TO REMEDY THE BREACH

8.1 This report seeks authorisation to serve a formal enforcement notice to remedy the breach of planning control. In order to achieve compliance the necessary steps include:

1. Cease the use of the land for residential purposes.
2. Remove from the land the three caravans and the timber shed.
3. Restoration of the land to its former condition, through the removal of the additional car parking area and any domestic paraphernalia.

9 SUGGESTED PERIOD FOR COMPLIANCE

9.1 The suggested period for compliance is 6 (six) months in respect of an Enforcement Notice

Recommendation

The Council Solicitor be authorised in consultation with the Head of Planning to issue an enforcement notice pursuant to section 172 of the Town and Country Planning Act 1990 (as amended) requiring:

1. Cease the use of the land off Welham Road Norton Malton North Yorkshire at Croft Farm for residential purposes
2. Remove from the land the three caravans and the timber shed
3. Restoration of the land to its former condition, through the removal of the additional car parking area



Agenda Item 13

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

26th June 2017 - 21st July 2017

1.

Application No:	16/02038/FUL	Decision: Approval
Parish:	Malton Town Council	
Applicant:	The Old Lodge Hotel	
Location:	The Old Lodge Hotel 84 Old Maltongate Malton YO17 7EG	
Proposal:	Siting of a temporary events marquee to include self-contained kitchen and sanitary facilities	

2.

Application No:	17/00398/FUL	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	South Lund Properties	
Location:	Land East Of Outgang Road Outgang Lane Pickering North Yorkshire	
Proposal:	Erection of building forming 2no. units for B1/B8 Use together with formation of vehicular access, car parking and boundary fence/landscaping	

3.

Application No:	17/00451/FUL	Decision: Approval
Parish:	Stonegrave Parish Meeting	
Applicant:	Mr Martin Thompson	
Location:	Losky Farm Oswaldkirk Helmsley YO62 5YE	
Proposal:	Erection of an agricultural building for the housing of pigs following demolition of some existing agricultural buildings	

4.

Application No:	17/00476/FUL	Decision: Approval
Parish:	Sheriff Hutton Parish Council	
Applicant:	K & A Howells-Lee	
Location:	Gower Hall Barn Thornton Le Clay Malton YO60 7QD	
Proposal:	Change of use and extension of agricultural buildings to form a 4 bedroom dwelling and self contained 1 bedroom residential annexe	

5.

Application No:	17/00505/FUL	Decision: Approval
Parish:	Scampston Parish Council	
Applicant:	Mr Geoffrey Webster	
Location:	Guild House Farm Village Street East Knapton Malton North Yorkshire YO17 8HZ	
Proposal:	Formation of an area of concrete hardstanding within existing farmyard	

6.

Application No:	17/00547/FUL	Decision: Approval
Parish:	Staxton/Willerby Parish Council	
Applicant:	Willerby Wold Piggeries Ltd (Mr David Bradley)	
Location:	Willerby Wold Pig Farm Staxton Scarborough North Yorkshire YO12 4SN	
Proposal:	Erection of extension to existing farm office following partial demolition of stable block	

7.		
Application No:	17/00569/FUL	Decision: Approval
Parish:	Welburn (Malton) Parish Council	
Applicant:	Mr & Mrs Michael Cockerill	
Location:	Castle View West End Main Street Welburn Malton North Yorkshire YO60 7DX	
Proposal:	Change of use of existing holiday accommodation to form a permanent residential dwelling	
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8.		
Application No:	17/00573/HOUSE	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	Mr Philip Fisher	
Location:	Joiners 75 Outgang Road Pickering North Yorkshire YO18 7EL	
Proposal:	Erection of detached single garage	
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9.		
Application No:	17/00575/FUL	Decision: Approval
Parish:	Norton Town Council	
Applicant:	J Simpson	
Location:	Land Adjacent 6 Lakeside Way Norton Malton North Yorkshire	
Proposal:	Erection of a single storey assisted living bungalow with accommodation for the occupier and a carer	
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10.		
Application No:	17/00580/LBC	Decision: Approval
Parish:	Settrington Parish Council	
Applicant:	Mr Rodney Anness	
Location:	Beckside Cottage 24 Beckside Church Lane Settrington Malton North Yorkshire YO17 8NP	
Proposal:	Installation of replacement roof, window and door frames to existing conservatory	
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11.		
Application No:	17/00584/HOUSE	Decision: Approval
Parish:	Scrayingham Parish Council	
Applicant:	Mr Brian King	
Location:	River View Main Street Scrayingham Malton YO41 1JD	
Proposal:	Erection of conservatory to rear	
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12.		
Application No:	17/00592/FUL	Decision: Approval
Parish:	Allerston Parish Council	
Applicant:	W Stockdale & Sons (Mr Chris Stockdale)	
Location:	Carr House Farm Allerston Lane Allerston Pickering YO18 7PQ	
Proposal:	Erection of extension to agricultural storage building	
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13.		
Application No:	17/00595/HOUSE	Decision: Approval
Parish:	Ampleforth Parish Council	
Applicant:	Mr & Mrs McManus	
Location:	1 St Hildas Walk Ampleforth YO62 4DF	
Proposal:	Erection of single storey side extension to replace existing sun room to include extension of existing rear raised platform	
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- 14.**
Application No: 17/00596/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: PKW Properties Ltd (Mr A Pritchard)
Location: 18 Wheelgate Malton YO17 7HP
Proposal: Removal of temporary timber fence and erection of brick boundary wall
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- 15.**
Application No: 17/00597/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: PKW Properties Ltd (Mr A Pritchard)
Location: 18 Wheelgate Malton YO17 7HP
Proposal: Removal of temporary timber fence and erection of new brick boundary wall.
-
- 16.**
Application No: 17/00598/HOUSE **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr & Mrs C MacDonald
Location: 73 Mill Street Norton Malton North Yorkshire YO17 9JJ
Proposal: Erection of a rear two storey extension to replace existing bathroom/conservatory extension
-
- 17.**
Application No: 17/00605/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Keith Davies
Location: Grotto At York House Yorkersgate Malton North Yorkshire
Proposal: Application of decorative finish of shells and tufa stone fixed with lime mortar
-
- 18.**
Application No: 17/00634/HOUSE **Decision: Approval**
Parish: Flaxton Parish Council
Applicant: Mr & Mrs Aldersley
Location: Greenside Main Street Flaxton Malton YO60 7RJ
Proposal: Erection of a detached three bay open fronted garage with attached wood shed following removal of existing open sided garage and adjoining timber shed and erection of detached domestic building for storage, workshop and garaging with attached oil tank housing (revised details to approval 17/00208/HOUSE dated 13.04.2017)
-
- 19.**
Application No: 17/00637/FUL **Decision: Approval**
Parish: Nunnington Parish Council
Applicant: National Trust (Mrs Natasha Rowland)
Location: Nunnington Hall The Avenue Nunnington YO62 5UY
Proposal: Erection of timber visitor welcome building in car park
-
- 20.**
Application No: 17/00639/HOUSE **Decision: Approval**
Parish: Harton Parish Meeting
Applicant: Mr & Mrs Andrew And Julie Johnson
Location: Orchard Rose Main Street Harton Malton North Yorkshire YO60 7NP
Proposal: Demolition of existing attached garage and erection of side extension forming a garage and utility room with existing bedroom extended above including extension of existing rear corner

21.

Application No:	17/00640/73A	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	Ms Slinger	
Location:	Buckthorn Farm Haygate Lane Pickering North Yorkshire YO18 7JN	
Proposal:	Removal of Conditions 08, 09 and 10 of approval 03/00196/FUL dated 18.06.2003 to allow reinstatement of permitted development rights removed by these conditions	

22.

Application No:	17/00641/LBC	Decision: Approval
Parish:	Malton Town Council	
Applicant:	The Fat Chef Co. (Mr Francois Strydom)	
Location:	51 Wheelgate Malton YO17 7HT	
Proposal:	External alterations to include repainting of external walls and installation of painted fascia signage, applied vinyl window signage, projecting sign and 8no. downlights.	

23.

Application No:	17/00679/73	Decision: Refusal
Parish:	Broughton Parish Meeting	
Applicant:	Mr & Mrs M Blakeley	
Location:	Land Adj To Dhekelia Moor Lane Broughton Malton YO17 6QJ	
Proposal:	Removal of Condition 10 of approval 16/01870/FUL dated 15/02/2017 - (local needs occupancy condition)	

24.

Application No:	17/00699/ADV	Decision: Approval
Parish:	Malton Town Council	
Applicant:	The Fat Chef Co. (Mr Francois Strydom)	
Location:	51 Wheelgate Malton North Yorkshire YO17 7HT	
Proposal:	Installation of painted fascia signage, applied vinyl window signage, projecting sign - all non-illuminated - and 8no. downlights.	

Appeal Decision

Site visit made on 13 June 2017

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 July 2017

Appeal Ref: APP/Y2736/W/17/3167625

Blacksmiths Arms, Flaxton, York, YO60 7RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Claire Docwra against the decision of Ryedale District Council.
 - The application Ref 16/00963/73A, dated 25 May 2016, was refused by notice dated 21 July 2016.
 - The application sought planning permission for change of use, alteration and extension of holiday letting units to form a self-contained residential annex for use as staff accommodation without complying with a condition attached to planning permission Ref 05/00653/FUL, dated 1 August 2005.
 - The condition in dispute is no. 6 which states that: the residential annex hereby permitted shall only be used as an annex to the main property known as the Blacksmiths Arms, Flaxton, and the accommodation provided shall only be used by employees of the public house currently known as the Blacksmiths Arms, Flaxton. The property shall at no time be sold or let off separately from that public house.
 - The reason given for the condition is: the location of the building to the rear of the public house will not provide a satisfactory level of independent residential amenity, and the proposal would not meet the requirements of Policy H7 of the Ryedale Local Plan.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The appellant seeks the removal of the restrictions imposed by condition no. 6 in order that the residential annex, referred to by her as the 'cottage', can be occupied independently of the Blacksmiths Arms public house. I consider that the main issue in this case is whether condition no. 6 is necessary and reasonable having regard to the living conditions of future residents of the cottage.

Reasons

3. The Blacksmiths Arms is a broadly L-shaped building, the front section of which includes the bar areas with accommodation above. A narrower rear annex, which contains, amongst other things, the associated kitchen, is situated alongside the northwestern side boundary of the site and it adjoins self-contained residential accommodation to the northeast, which is referred to by the appellant as the 'cottage' and is the subject of condition no. 6 attached to planning permission Ref. 05/00653/FUL. To the northeast of the cottage

there is an extensive rear garden. The front section of the Blacksmiths Arms is separated from the southeastern side boundary of the site, which it shares with a neighbouring dwelling called Soy Lands, by the width of a vehicular accessway leading from the highway to an area of hardstanding in front of the rear annex and cottage. That area of hardstanding has been partially sub-divided by a timber fence line, which runs from the intersection between the rear annex and cottage part way towards the southeastern side boundary of the site, leaving sufficient gap for vehicles to reach the area of hardstanding in front of the cottage.

4. The proposed removal of condition no. 6 would remove the requirement that the cottage: is only used as an annex to the public house; is only used to accommodate employees; and, is not sold or let separately. Whilst I understand that the appellant owns the Blacksmiths Arms and lives in the cottage with her teenage son, there would then be nothing to prevent it from being occupied by residents who are not associated with the public house.
5. There is no dispute that the rear garden of the appeal property would provide adequate private amenity space for future residents of the cottage and in that regard the proposal would meet the requirements of Policy SP4 of the *Ryedale Plan-Local Plan Strategy, 2013* (LP).
6. However, a number of doorways lead from the public house directly out onto the area of hardstanding in front of its rear annex. The use of those doorways would allow noise from the bar areas to escape. Furthermore, I understand that this area of hardstanding has been used in the past as an outdoor area for customers. I consider it is foreseeable that this would also be likely in the future, not least due to the limited outdoor space at the front, between the building and the car parking spaces. This would add to the levels of noise arising from activity associated with the public house, close to the front of the cottage which contains the majority of its habitable room windows. In my judgement, noise arising, particularly late at night, from the use of that area in front of the rear annex as well as fugitive noise from the bar areas when doors are opened, which may well include sources such as amplified music, would be likely have a noticeable harmful effect on the living conditions of future residents of the cottage.
7. I conclude overall that the living conditions of future residents of the cottage who are independent of the Blacksmiths Arms would be relatively poor, with particular reference to noise and disturbance. Condition no. 6 is reasonable and necessary having regard to the living conditions of future residents of the cottage and removal of it would conflict with LP Policy SP20, which requires new development to avoid material adverse impacts on the amenity of future occupants, and *the National Planning Policy Framework* (Framework), which seeks to secure a good standard of amenity for future occupants of buildings.

Other matters

8. There is no dispute that it is commonplace to find country public houses alongside other properties. Whilst I understand that the Council's Environmental Health Officer has received complaints from residents living close to public houses in many village locations, I consider that under some circumstances such a relationship may not be problematic. For example, the residential properties to the northwest of the appeal site would be unlikely to be adversely affected by noise associated with the Blacksmiths Arms, as they

would be shielded by the appeal buildings. However, although the appellant has indicated that, in 1998, the Council granted planning permission for a dwelling alongside the beer garden of a public house in Sheriff Hutton, it appears to me that the circumstances were materially different to those in the case before me; not least as planning policy framework has changed and only a small number of the windows of that other dwelling are close to the beer garden. It is likely that the living conditions of residents of Soy Lands would be adversely affected by noise arising from the Blacksmiths Arms activity that I have referred to, as the relatively low boundary wall between the properties is unlikely to be particularly effective as a noise barrier. Nonetheless, in my view, that does not weigh significantly in favour of allowing a poor relationship between the public house and another independent dwelling, as would be likely to result from the appeal scheme.

9. Whilst I understand that a nomination proposal has been made by the Parish Council for the Blacksmiths Arms to be added to the Council's List of Community Assets, in the absence of any evidence concerning the determination of that matter, I give it no weight. However, it is clear from consultation responses to the planning application that the public house is valued by a significant number of the residents of Flaxton and I have had regard to the concern raised that the proposal may harm its viability. The appellant has been advised by a Hotel and Licensed Property Agents (HLPAs) that the separation of the cottage from the public house would not affect the viability of the business and would make the sale of the public house and its future more certain. As to the likely impact on viability, the view of HLPAs appears to me to be contrary to the site specific experience of the former owner of the Blacksmiths Arms. He indicated, in support of planning permission Ref. 05/00653/FUL, that in order to sustain the public house use, the cottage was needed to provide on-site accommodation for staff in this rural location. In the absence of any compelling evidence to show otherwise, I give greater weight to the direct experience of the former owner and I consider that the proposal may well adversely affect the future of the public house.
10. The appellant has indicated that the proposal would allow her to dispose of her interest in the Blacksmiths Arms while continuing to live, with her son, in the cottage. However, I understand that they have lived at another property in the village for a significant period of time in the past and I have not been provided with any evidence to show that other suitable accommodation in the locality is not available. Under the circumstances, I give little weight to this benefit cited by the appellant. The Highway Authority has not objected to the proposal with reference to parking or any impacts on the highway. Nonetheless, neither these, nor any other matters raised are sufficient to outweigh the considerations which have led to my conclusion on the main issue.

Conclusions

11. I conclude on balance that the removal of condition no. 6 would not amount to sustainable development under the terms of the Framework and it would conflict with the Development Plan taken as a whole. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins
INSPECTOR