



PLANNING COMMITTEE

Tuesday 26 September 2017 at 6.00 pm
Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Urgent Business**
- 3 **Minutes** (Pages 2 - 7)
- 4 **Declarations of interest**
- 5 **Schedule of Items to be determined by the Committee** (Page 8)
- 6 **17/00567/FUL - Land off Moorfields Lane Wombledon** (Pages 9 - 72)
- 7 **Any other business that the Chairman decides is urgent.**
- 8 **List of Applications determined under delegated Powers.** (Pages 73 - 81)
- 9 **Update on Appeal Decisions** (Pages 82 - 86)

Agenda Item 3

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Wednesday 30 August 2017

Present

Councillors Joy Andrews, Burr MBE, Cleary (Vice-Chairman), Farnell (Chairman), Goodrick, Hope, Jainu-Deen, Elizabeth Shields, Wainwright (Substitute) and Windress

Substitutes: Councillor CR Wainwright

In Attendance

Gary Housden, Ellis Mortimer and Anthony Winship

Minutes

51 Apologies for absence

Apologies were received from Councillor Maud.

52 Minutes

DECISION

That the minutes of the Planning Committee held on 01 August 2017 be approved and signed as a correct record.

[For 7

Against 0

Abstain 3]

53 Urgent Business

There was no urgent business.

54 Declarations of Interest

Councillor	Item
Farnell	5, 12
J Andrews	9
Mrs Shields	5, 7, 9
Burr	15
Goodrick	5, 9, 15
Cleary	9, 10
Jain-Deen	5
Windress	5, 9, 12
Hope	5, 9

55 **Report of TPO working party**

Decision		
To confirm Tree Preservation Order No: 346/2017		
[For 8	Against 2	Abstain 0]

In accordance with the Members Code of Conduct Councillors Farnell, Mrs Shields, Goodrick, Jainu-Deen, Windress and Hope declared a personal non-pecuniary but not prejudicial interest.

56 **Schedule of items to be determined by the Committee**

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

57 **17/00586/OUT - Land Adj 42 Vine Street Norton Malton**

17/00586/OUT - Residential development of 3no terraced dwellings with vehicular access and alterations to domestic curtilages of existing terrace of 4 dwellings (site area 0.1ha)

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

In accordance with the Members Code of Conduct Councillor Mrs Shields declared a personal non-pecuniary but not prejudicial interest

58 **17/00459/HOUSE - Cragside Crambeck Welburn Malton YO60 7EL**

17/00459/HOUSE - Erection of detached single storey garage

Decision		
PERMISSION GRANTED - Subject to conditions as recommended and two additional highways conditions		
[For 10	Against 0	Abstain 0]

59 **17/00567/FUL - Land Off Moorfields Lane Wombledon**

17/00567/FUL - Erection of 6no. three bedroom holiday lodges and 3no. two bedroom holiday lodges with associated driveway, parking, landscaping and formation of vehicular access

Decision		
SITE VISIT - 12 September 2017		
[For 10	Against 0	Abstain 0]

In accordance with the Members Code of Conduct Councillors J Andrews, Mrs Shields, Goodrick, Cleary, Windress and Hope declared a personal non-pecuniary but not prejudicial interest.

60 **17/00689/73A - Low Meadow Church Lane Welburn Malton YO60 7EG**

17/00689/73A - Variation of Condition 05 of approval 16/00053/HOUSE dated 21.03.2016 to replace Drawing No 15-1118-4 with Drawing No 15-118-4a

Decision		
PERMISSION GRANTED - Subject to conditions as recommended		
[For 8	Against 2	Abstain 0]

In accordance with the Members Code of Conduct Councillor Cleary declared a personal non-pecuniary but not prejudicial interest.

61 **17/00703/HOUSE - Box Tree Cottage Church End Sheriff Hutton YO60 6SY**

17/00703/HOUSE - Erection of a two storey extension to rear elevation

Decision		
PERMISSION GRANTED - Subject to conditions as recommended		
[For 10	Against 0	Abstain0]

62 **17/00719/FUL - Land Adjacent 8 Valley View Ampleforth**

17/00719/FUL - Erection of a detached three-bedroom dwelling following demolition of existing attached outbuilding and detached garage

Decision		
PERMISSION GRANTED - Subject to conditions as recommended.		
[For 10	Against 0	Abstain 0]

In accordance with the Members Code of Conduct Councillors Farnell and Windress declared a personal non-pecuniary but not prejudicial interest.

63 **17/00739/HOUSE - 18 The Mount Malton YO17 7ND**

17/00739/HOUSE - Erection of single storey side extension to replace existing lean-to extension, removal of 2no. chimney stacks, replacement of all windows with timber double glazed sash windows with enlargement of and addition of a window to the east elevation and alteration of an existing window to form French doors.

Decision		
PERMISSION GRANTED - Subject to conditions as recommended.		
[For 10	Against 0	Abstain 0]

64 **17/00752/HOUSE - Montreal Grange Coulton Lane Coulton Helmsley YO62 4NQ**

17/00752/HOUSE - Erection of single storey extension to south elevation of 'east wing' and raising of roof height to include installation of rooflights to south elevation roofslope and dormer windows and rooflights to north elevation roofslope, together with installation of timber framed glazing to east gable.

Decision		
PERMISSION GRANTED - Subject to conditions as recommended		
[For 10	Against 0	Abstain 0]

65 **Minerals and Waste Joint Plan. Changes to publication draft**

Decision

This council supports the proposed changes to the publication draft of the Minerals and Waste Joint Plan at paragraph 5.1 30 (Proposed Change number 68) and to Appendix 2 (Proposed Change number 113) as outlined in paragraphs 6.4 and 6.5 of the report to the Planning Committee.

[For 10

Against 0

Abstain 0]

In accordance with the Members Code of Conduct Councillors Burr and Goodrick declared a personal non-pecuniary but not prejudicial interest.

66 **Enforcement report - Land at Pasture Lane Hovingham North Yorkshire**

Decision

1. To delegate to the Head of Planning the authority to take direct planning enforcement action under section 178 of the Town and Country Planning Act 1990 (as amended) and all relevant regulations and to make arrangements for the laying of a wearing course to secure compliance with the requirements which are set out in the Enforcement Notice dated 18 August 2016 and that a legal charge be placed on the property to recover the Council's expenses.

2. To authorise legal action for the recovery of expenses and overheads incurred in taking direct action to secure compliance with the requirements which are set out in the Enforcement Notice dated 18 August 2016 from the land owner and any other liable person.

[For 10

Against 0

Abstain 0]

67 **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.

68 **Update on Appeal Decisions**

Members were advised of the following appeal decisions:

Appeal ref: APP/Y2736/W/17/3172848 - Site Adjacent to The Paddocks,
Weaverthorpe

Appeal ref: APP/Y2736/W/17/3171618 - Land East of Swinton Road Swinton

Appeal ref: APP/Y2736/W/17/3173569 - West View Underbrow Scagglethorpe

69 **Any other business**

There was no other business

Meeting closed at 8:10pm

Agenda Item 5

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 26/09/17

6

Application No: 17/00567/FUL

Application Site: Land Off Moorfields Lane Wombledon Kirkbymoorside

Proposal: Erection of 6no. three bedroom holiday lodges and 3no. two bedroom holiday lodges with associated driveway, parking, landscaping and formation of vehicular access

**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: 17/00567/FUL
Parish: Wombledon Parish Council
Appn. Type: Full Application
Applicant: Herbert Pension Fund
Proposal: Erection of 6no. three bedroom holiday lodges and 3no. two bedroom holiday lodges with associated driveway, parking, landscaping and formation of vehicular access
Location: Land Off Moorfields Lane Wombledon Kirkbymoorside

Registration Date: 22 May 2017 **8/13 Week Expiry Date:** 17 July 2017
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

Caravan (Housing)	No objection in principle
Countryside Officer	No views received
Yorkshire Water Land Use Planning	No views received
Parish Council	No views received
Highways North Yorkshire	Recommend conditions

Neighbour responses: Mrs Rowena Robinson, Mr & Mrs RS Ham, Mr James Willoughby, Mr Don Crabtree, Mrs Tracey Wheldon, Miss Anna Foster, Mr Jack Woodhead, Mr & Mrs Mercer, Mr & Mrs David & Brenda Willoughby, Mr Charlie Woodhead, Mr Tom Vertigans, Mr And Mrs W Foster, Mr Josh Weaver, Mr Adam Willoughby, Mr & Mrs RS Ham,

Overall Expiry Date: 24 September 2017

This planning application was deferred from the last Planning Committee meeting in order for Members to undertake a Site Inspection. Members are asked to refer to the Officer report previously circulated for a detailed appraisal of the proposal.

Since the earlier report was prepared, there has been one further letter of objection, the issues raised in that letter have already been considered in the earlier report. The agent has also submitted a Plan showing the projected shading by the landscaping in 20 years time in relation to the nearest property, this plan is appended to this report.

In addition, the agent has submitted a letter and attached plan following the Site Inspection to explain why the applicant does not wish to amend the application and utilise the existing field access arrangements, these documents are also appended to this report.

In accordance with the earlier Officer appraisal this application is 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 The proposed planting of new trees, hedges and shrubs on drawing No. W.WG.1.5 rev A, and accompanying specification, shall be implemented within the first available planting season (March-November) following completion of the development. In the event of any plant material dying or become seriously diseased or damaged within a 5 year period of planting, it shall be replaced with similar species to a specification that shall be first agreed in writing with the Local Planning Authority unless the Local Planning authority give written consent to any variation.

4 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 90 metres measured along both channel lines of the major road Moorfields Lane from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and in the interests of road safety.

5 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

(i) The details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

a. Provision of 2 no. vehicular passing places, one on Moorfields Lane approximately halfway between the site access and junction with Common Lane and one on Common Lane approximately halfway between the pumping station and bend in the road where the 30mph local speed limit signs are placed. Each passing place to be constructed to provide an overall carriageway width of 5.5 metres, for a minimum distance of 10 metres, plus 1:3 end tapers, and constructed in accordance with the Specification of the highway authority and as shown on Drawing Number dev 4959/2/spec.

(ii) Not Used

(iii) A programme for the completion of the proposed works has been submitted.

Reason:- In accordance with Policy SP20 and to ensure that the details are satisfactory in the

interests of the safety and convenience of highway users.

- 6 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition (2) above.

Provision of passing places as described in the condition

Reason:- In accordance with Policy SP20 and in the interests of the safety and convenience of highway users.

- 7 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on W-WG-1.5 - Rev. A for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 8 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

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

- 9 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason:- In accordance with Policy SP20 and to establish measures to encourage more sustainable non-car modes of transport

- 10 The accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 11 The accommodation hereby permitted shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days in any one calendar year.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 12 The owners/operators of the accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:

- the main address(es) of all the occupiers of the accommodation hereby permitted
- the start date of every one of the letting/occupation of all the occupiers of the accommodation hereby permitted
- supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 13 Details of external lighting to be agreed

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

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

- 15 Background Papers:

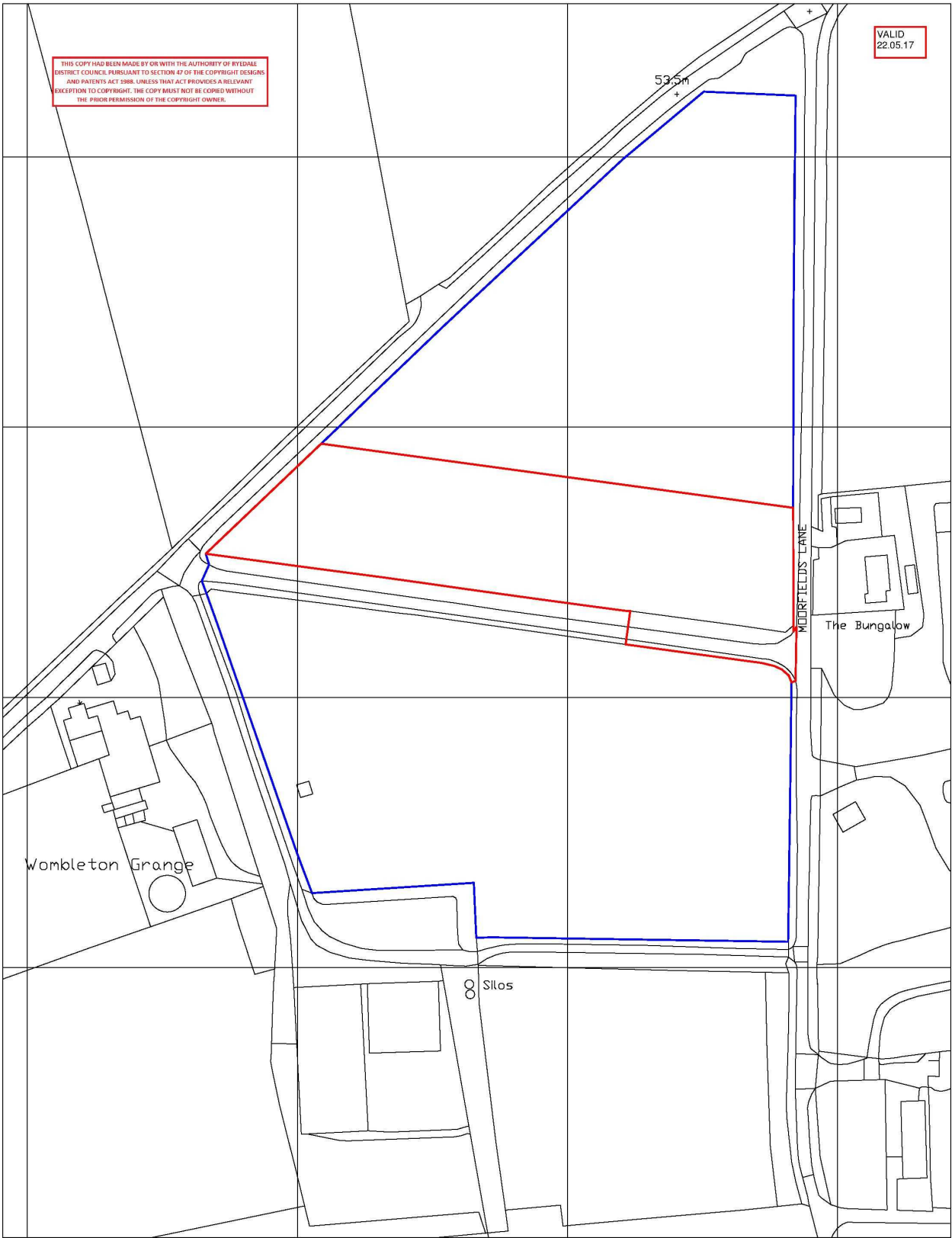
Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

INFORMATIVE(S)

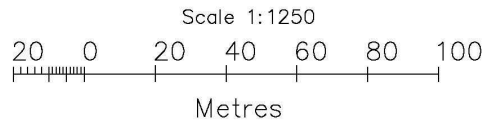
- 1 An explanation of terms used above is available from the Highway Authority.
- 2 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and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

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VALID
22.05.17



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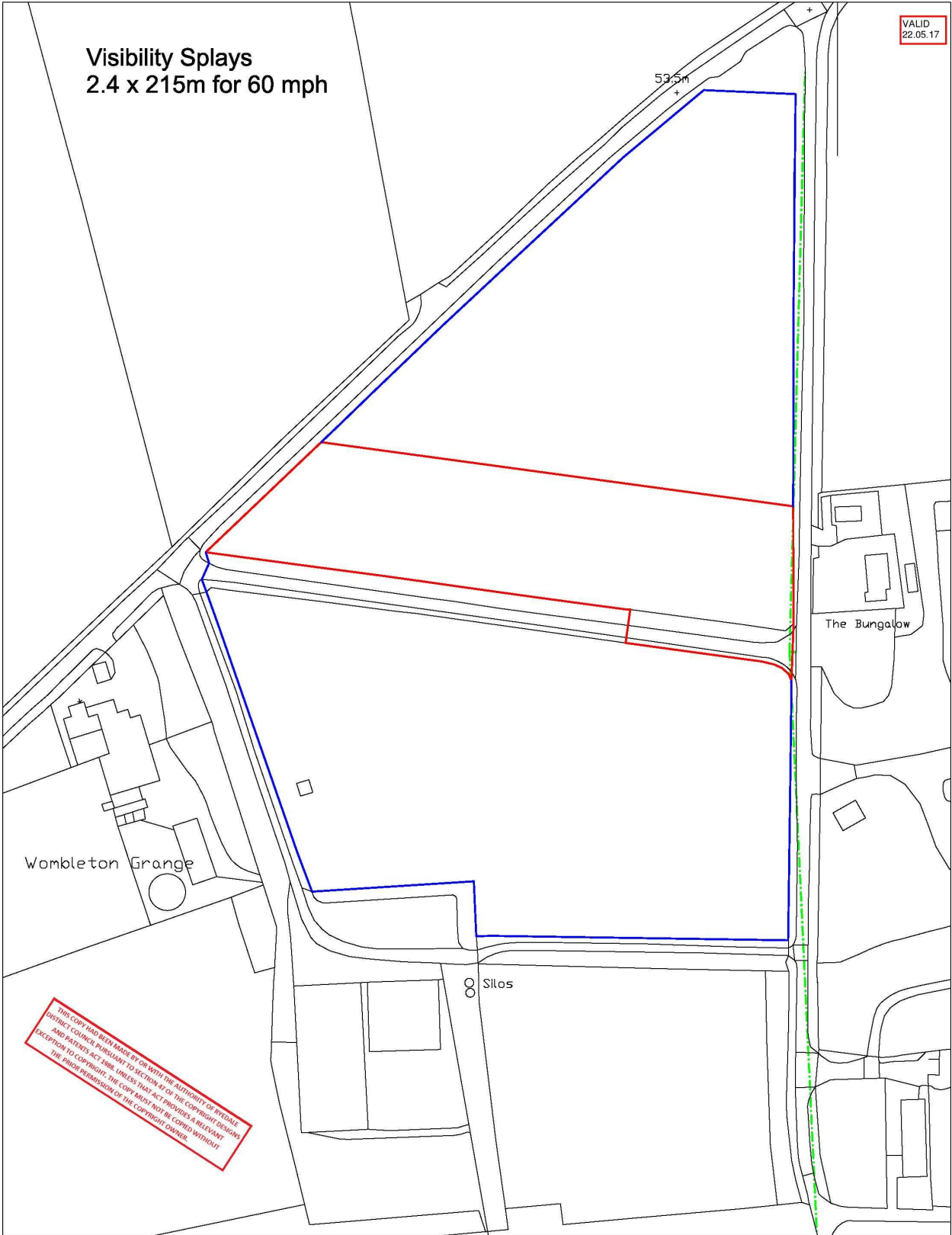


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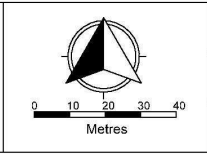
Visibility Splays 2.4 x 215m for 60 mph

59.5m



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Notes:
Visibility Splays 2.4m x 215m
both directions



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
The Airfield, Wombleton, YO62 7RY

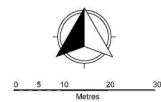
Date: 5.4.17 Scale: 1:1250 @ A3 Drawing ref. W - WG - 1.0

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- Notes:
- Original tree planting
 - Existing expanded tree and hedgerow planting to supplement original tree planting
 - Proposed tree planting
 - Proposed native hedge



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
The Airfield, Wombleton, YO62 7RY

Date: 19.5.17 Scale: 1:500 @ A2 Drawing ref. W - WG - 1.1 - Rev A

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Landscaping

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Proposed trees:
New tree planting of native species of local provenance will include a mixture of evergreen and deciduous trees and shrubs. The planting mix will include ferns, seeds and pollen-rich species to provide wildlife habitat and an important source of food.

A mixture of extra heavy standard and heavy standard trees and feathered whips will be planted, at spacings to suit the age and safety of use. The shrub under layer and mixed hedge will be planted at three number per meter square.

- pinus sylvestris Scots Pine
- betula pendula Silver Birch
- salix caprea Willow
- prunus avium Wild Cherry
- fraxinus excelsior Ash
- taxus aquilina Holly
- chamaemorus mollis Hawthorn
- corvus avellana Hazel
- prunus spinosa Blackthorn
- rosa canina Dog rose
- sambucus nigra Common Elder

New Screen planting:
Mixed species hedges of at least five different varieties as detailed below will be used throughout the site and these will also divide individual plots providing important infrastructure for the site and wildlife habitat as well as providing further screening of lodges:-

- crataegus monogyna Hawthorn
- prunus spinosa Blackthorn
- taxus aquilina Holly
- corvus avellana Hazel
- rosa canina Dog rose
- sambucus nigra Common Elder

The driveway to the lodges will be made of a porous surface using kerbside stone or concrete or similar approved. This will allow free drainage and help maintain the existing natural water table levels for the benefit of existing and newly planted trees. It will also minimise the visual impact of hard surfacing.

Parking bays will be sown with grass on Geotextile or similar approved on a consolidated base and will allow the occupants maximum flexibility to utilise the areas for their own needs.

Footpaths in the immediate area of the lodges will be constructed of natural sandstone paving flags.

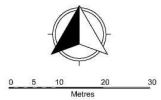
Existing intensive tree belt comprising of silver birch / white beam / sycamore and poplar trees (minimum of 6 metres wide). Former planting has occurred on site corners.

Screened brick store

Lighting:

External lighting will be in the form of low level bollard type lights located at the entrance of the guest drive. Low voltage lighting will also be attached to external faces of tree lodges.

- Notes:
-  Original tree planting
 -  Existing expanded tree and hedgerow planting to supplement original tree planting
 -  Proposed tree planting
 -  Proposed native hedge



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
The Airfield, Wombleton, YO62 7RY

Date: 19.5.17

Scale: 1:500 @ A2

Drawing ref. W - WG - 1.5 - Rev A

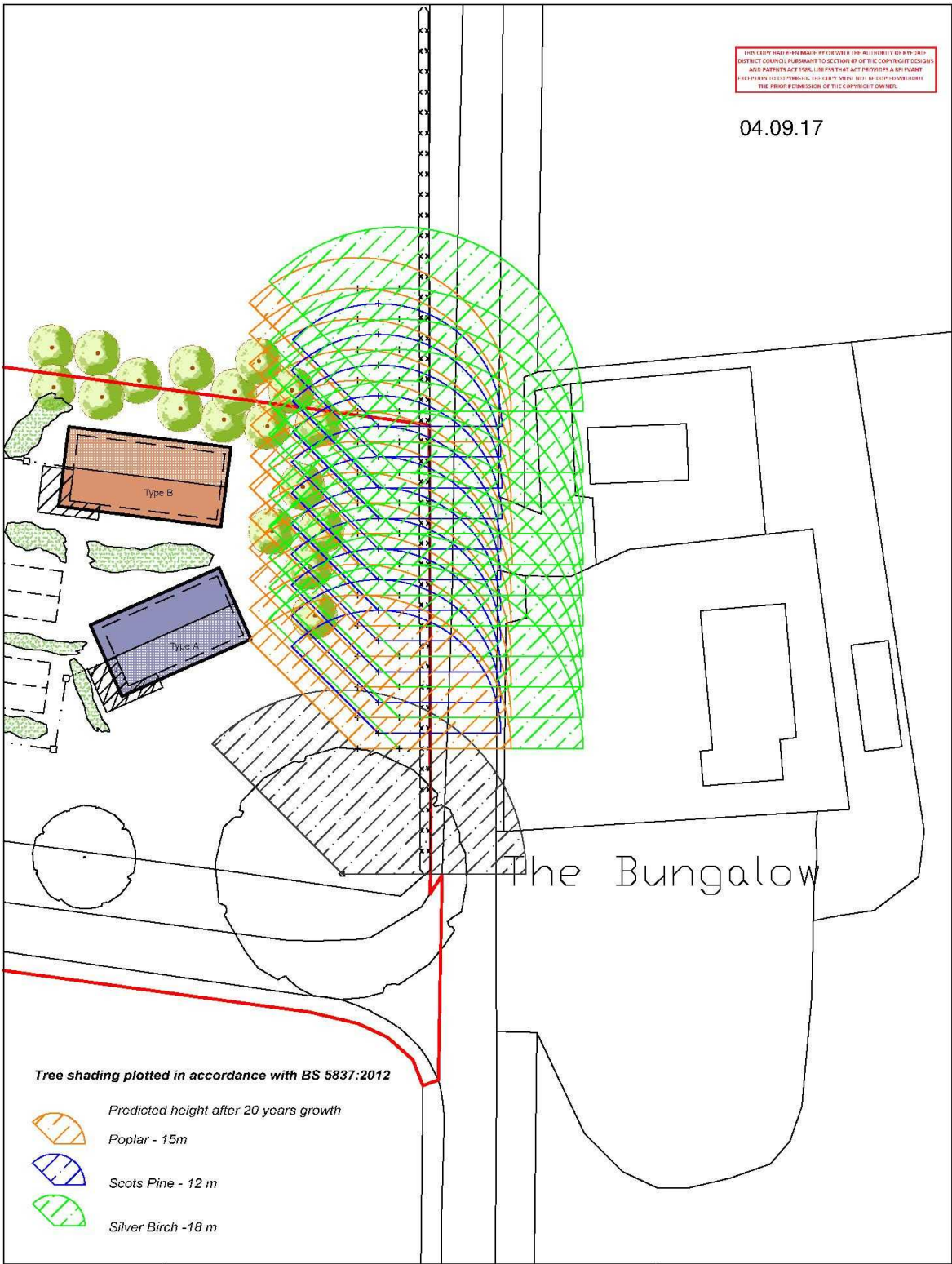
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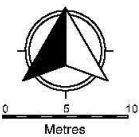
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04.09.17



Tree shading plotted in accordance with BS 5837:2012

-  Predicted height after 20 years growth
-  Poplar - 15m
-  Scots Pine - 12 m
-  Silver Birch -18 m



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
The Airfield, Wombleton, YO62 7RY

Date: 2.9.17

Scale: 1:500 @ A4

Drawing ref W - WG - 1.6

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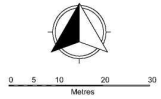
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Date Valid 14/09/2017



- Notes:
-  Original tree planting
 -  Existing expanded tree and hedgerow planting to supplement original tree planting
 -  Proposed tree planting
 -  Proposed native hedge



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
The Airfield, Wombleton, YO62 7RY

Date: 14.9.17

Scale: 1:500 @ A2

Drawing ref. W - WG - 1.1 - Rev B

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Type B: 3 bed single storey



Ground Floor

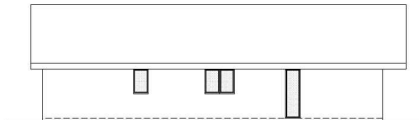


Roof Plan

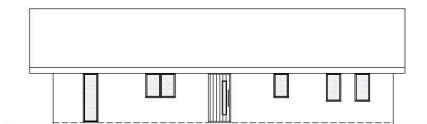
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Front Elevation



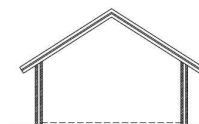
Side Elevation



Side Elevation



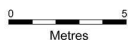
Rear Elevation



Section

Notes:

Wall: Cedar weatherboarding
 Roof: Light weight roofing material e.g. Metrotile or Britmet - Grey coloured
 Doors / Windows: Grey Aluminium



Client: Herbert Pension Scheme

Title: Holiday Lodges - Land north-east of Wombleton Grange
 The Airfield, Wombleton, YO62 7RY

Date: 19.5.17

Scale: 1:100 @ A2

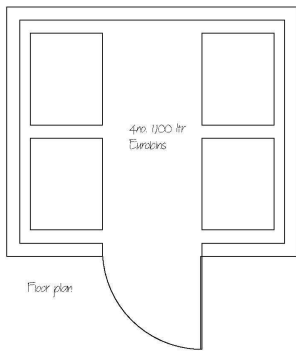
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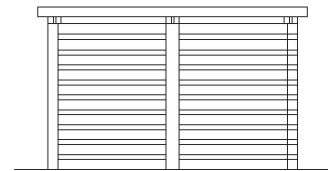
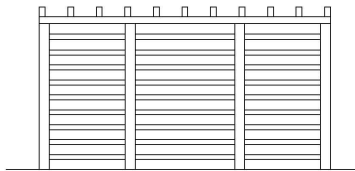
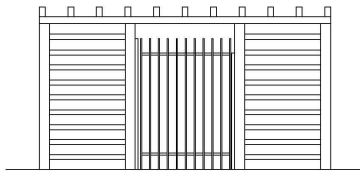
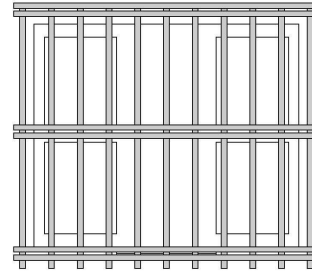
3 Spaldwick Road
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 PE28 0TL

Tel: 01480 860862

Covered Wheelie Bin Store



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Notes:
Walls: Slatted timber cladding
Roof: Timber joists



Client: Herbert Pension Scheme
Title: Holiday Lodges - Land north-east of Wombledon Grange
The Airfield, Wombledon, YO62 7RY
Date: 5.4.17 Scale: 1:50 @ A3 Drawing ref: W - WG - 1.4

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Design, Access & Planning Statement

Planning Application for
the erection of 9 holiday
lodges, associated
parking facilities and
vehicular access

Land north-east of
Wombleton Grange
The Airfield
Wombleton
YO62 7RY

on behalf of the
Herbert Pension Scheme

Peter Webster BA (Hons) MRTPI
Webster Associates
3 Spaldwick Road
Stow Longa
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1.0 Introduction

- 1.1 This Statement is submitted on behalf of the Herbert Pension Scheme, owners of the land in support of the planning application for the erection of 9 holiday lodges, associated parking facilities and vehicular access on the land.
- 1.2 The statement explores the site's development potential through the following topics to provide guidance principles on which to design the scheme:
 - Site context and analysis
 - Planning policy considerations
 - Constraints and Opportunities
 - The design solution
 - Sustainability issues

SITE CONTEXT AND ANALYSIS

2.0 The vision

- 2.1 The vision is to develop a small, yet high quality development of private holiday lodges to provide an ideal 'retreat' for those wishing to get away for a short or longer holiday break, in peaceful and attractive surroundings. The development will also provide for those seeking a greater degree of seclusion than that offered by other traditional caravan park developments and for those more interested in the attractions of the National Park and the nearby market towns and villages.
- 2.2 The development will also enhance the existing attractive rural setting, utilising existing and extensive new tree planting, to create a scenic and appealing woodland backdrop to the proposed development.
- 2.3 Research has confirmed that there is a growing trend for short breaks in rural locations as people seek to 'get away

from it all' for a few days. The proposed development will offer a sustainable and attractive rural holiday destination, whilst offering an opportunity to enable tourists from the UK and overseas to get closer to nature and contribute to the local economy.

3.0 The site and surroundings

- 3.1 The site is located 1.2km south of Wombelton village, 1.9km north-east of Harome village and is accessed by a private road leading from Moorfields Lane, which runs through to Common Lane the link road between the two villages. The larger settlements of Kirbymoorside, Helmsley and Pickering are 5.6km, 6.1km and 17km respectively from the site. The site is very near to the southern edge of the North York Moors National Park.



OS Map Extract showing Location of site

- 3.2 The application site lies immediately north-west of Wombelton Caravan Park, a long established holiday park.

Other residential properties are scattered in the locality, including Wombleton Grange farm and farmhouse to the southwest and The Bungalow to the east, along Moorfields Lane.

4.0 The application site

- 4.1 The application site is relatively flat and well screened from Common Lane (to the west) and Moorfields Lane (to the east) by mature trees and hedging, and has recently had an additional intensive tree belt planted around its entire periphery, comprising of silver birch / white beam / Scots pine and poplar trees, which will further screen the site. The new tree belt is 6 - 10 metres wide and is in addition to the existing hedge; denser planting has also occurred at the corners of the site.
- 4.2 The proposed area for development extends to circa 0.98ha, including the private access road.
- 4.3 The site was formerly part of the extensive WWII Royal Air Force Station Wombleton.



Aerial photograph with application site outlined in red
(Courtesy of Bing Maps)

5.0 The Proposal

- 5.1 Planning permission is sought for the use of the land for the siting of 9 luxury and environmentally friendly holiday lodges, based on a contemporary design and constructed from environmentally friendly materials.

Lodges:

- 5.2 Located in a loose circular cluster, each holiday lodge will be made available to rent or purchase, all of which will be restricted to holiday occupancy only - through the use of planning conditions. It is also proposed to encourage leasehold owners to rent their cabins out to other holidaymakers through a site rental scheme. The proposed timber clad lodges will be of the permanent structure type as opposed to those based on a caravan chassis.

Soft Landscaping:

- 5.3 One of the key aims of this development is to create a wooded environment for the enjoyment of visitors, neighbours and passersby and generally, to enhance the quality of the site within the local landscape. Therefore, the whole site including the existing and the recently established new boundary screening will be further enhanced with the addition of new soft landscaping works, plus new tree & shrub planting so as to mitigate any visual impact and maximise the natural attractiveness of the site. It is proposed to plant multiple new native trees (and it is estimated that these will be 4-5m tall when planted out, then 8-10m after 10 years and 12-15m after 30 years). On the basis that there are other wooded areas in the immediate vicinity, the act of encouraging new tree planting is not considered to be out of character with the local landscape.

Access:

- 5.4 The site is to be accessed using the existing private road entrance off Moorfields Lane. This currently provides access

to the site via a tarmac section of road and will continue to be used. A new internal site road constructed of permeable gravel will lead from the access road to individual lodges and their respective car parking spaces. Grass or natural stone paving access paths will be created from parking areas to the lodges.

Lighting:

- 5.5 External lighting will be in the form of low level bollard type lights located at the entrance of the gravel drive. Low voltage lighting will also be attached to external faces of the lodges. This ensures that the site retains a rural feel and minimises light pollution to neighbouring properties and the night sky. Restricting the amount of lighting also has benefits to the local wildlife that may otherwise be confused by new light sources.

Other Aspects:

- 5.6 Being a new development, there will also be opportunities for providing state of the art / best practice construction / site features including but not limited to the following:

- Disabled facilities (including ease of access to the lodges, parking spaces, path-finding & internal cabin accommodation layouts);
- Should the existing foul water sewer that runs along Common Lane not be accessible for any reason following further investigation, a mini packaged sewage treatment plant system will be installed on the site to provide for foul water drainage.
- Sustainable drainage schemes including the use of new water features to store excess surface water, such as rainwater tanks fitted to individual lodges to store and potentially reuse initial rainwater run-off;

• Sustainable construction methods (i.e. use of environmentally sustainable and/or recycled materials)

- On-site recycling.

6.0 Economic benefits

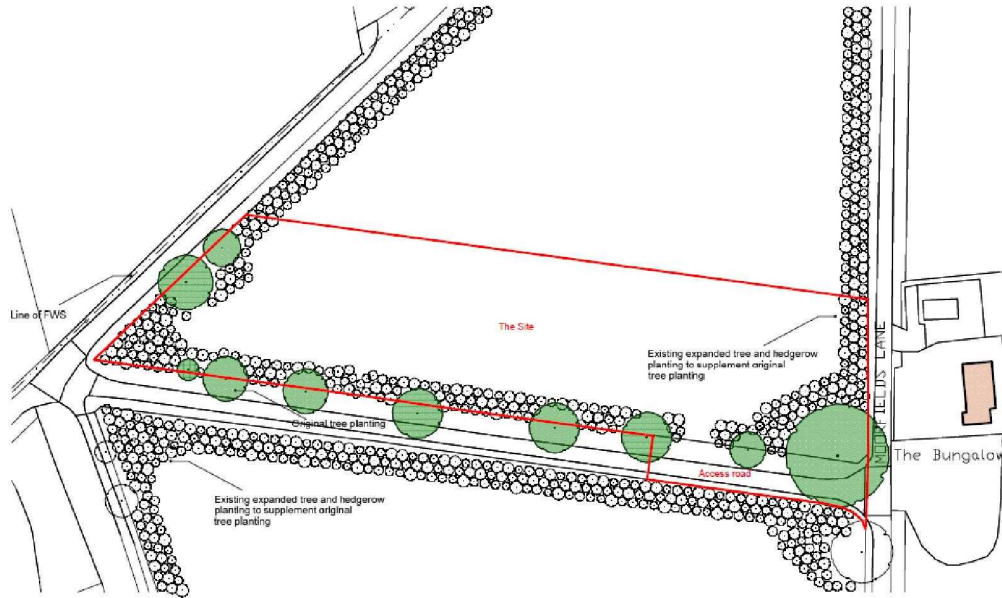
- 6.1 The development will generate additional visitor trips to the area, thereby injecting much needed business into the local economy. This is typically as a result of both direct spending on local goods and services by holiday makers and also through the provision of goods and services by the owners of accommodation in implementing and maintaining their property. This in turn may lead to the creation of jobs both directly and indirectly.

- 6.2 Jobs will be directly created during the construction phase with local labour being required for all types of trades associated with a construction project, from ground workers, through to builders, carpenters, roofers, plasterers and landscaping contractors, etc. Likewise, employees spending in local shops and with service providers enable another indirect stream of expenditure into the local economy.

7.0 Social benefits

- 7.1 A specialist development of holiday lodges will help to divert second home buyers from purchasing existing local housing stock, thereby easing housing pressures for local residents.

8.0 Site Analysis



9.0 Involvement

- 9.1 Given the small-scale nature of the proposal no initial discussions have been held regarding this proposal. Should it be necessary the applicant is willing to enter into discussions / consultation with interested third parties

10.0 Evaluation

- 10.1 Constraints and Opportunities - following the assessment of the site and its surroundings, as detailed above, a number of constraints and opportunities associated with the proposed development on the site have been identified. These are below:

Constraints

- Impact of development on the countryside
- Impact of development on nearby residential properties

Opportunities

- The responsible management of the countryside
- Creation of local jobs
- Provision of specialist tourism accommodation will divert second home buyers from purchasing existing local housing stock.
- Enhancements to existing landscape infrastructure
- Sustainability benefits of highly insulated cabins, sustainable drainage systems and potential for solar energy

11.0 Design Principles

- 11.1 The primary objective is to construct a development of holiday lodges, commensurate with the size of the site and its physical constraints, which will respect the character of the immediate surrounding area and wider countryside.

USE & AMOUNT

- 11.2 The proposed development seeks to create a small cluster of architecturally designed holiday lodges that provide accommodation for tourists and holiday makers visiting the area.
- 11.3 The intention is to construct 9 eco-friendly lodges with a mix of two and three bedroom units. These lodges can be purchased or rented by people looking to spend time in this rural setting.
- 11.4 All the units are for holiday purposes only. They shall not be occupied as a person's sole or main place of residence.
- 11.5 Occupancy levels will vary, depending on the number of holiday makers staying in each lodge and the number of units in use at any given time, but a theoretical maximum is in the order of 46 persons.

LAYOUT

- 11.6 The proposed siting of each of the holiday lodges is shown on the accompanying site layout plan. The units are located in a loose circular cluster north of the private access road, with extensive landscaping proposed between each lodge. A dense band of new tree and hedge planting will be located along the site's northern boundary, which will further enhance the screening of the site.
- 11.7 The layout is considered to make best use of the site, whilst at the same time respecting the physical constraints imposed on the site.

- 11.8 The separation distances between individual holiday lodges varies from 10 – 14 metres.

SCALE

- 11.9 The proposed lodges will be single storey only. Floor plans, elevations and sections of the proposed units are shown on the accompanying drawings. The 2 bedroom units will have a footprint of 12.3m x 6.3m and have a ridge height of 4.9m, whilst the 3 bedroom units have a footprint of 14.5m x 6.5m and have a ridge height of 5.0m. The overall height of the buildings has been kept as low as practically possible in order to keep any visual impact to a minimum.

APPEARANCE

- 11.10 The eco-lodges will resemble a traditional log cabin.
- 11.11 The new development has been designed to blend with the landscape and its setting. The walls will be clad with a natural timber finish (cedar) and the roofs covered with light weight roofing material e.g. Metrotile or Britmet. Windows will be double glazed aluminium (grey in colour) and doors will be timber framed with triple glazed panels. The choice of materials has been based on the need for both durability and sustainability.

LANDSCAPING

- 11.12 The landscaping of the site is vital to its success as a holiday destination. Changes to the existing physical landscape will be kept to a minimum.
- 11.13 As a rural retreat designed to provide a sense of peace and tranquillity, a strong planting scheme is to be incorporated. A mixture of tall trees to provide privacy and dense low level vegetation to soften the acoustic and visual context will be planted early on in the development. Planting comprising of native species will be established around each of the lodge units to screen each one from the neighbouring lodges.

Individual parking areas will be screened with hedging. Where required, hedging will also be established between the access track and other key areas.

- 11.14 The access track and parking areas will be constructed from locally sourced crushed limestone with a finish of fine granules and chippings. Grass margins will be maintained to the edges of the access track, as well as around the periphery of the site.

- 11.15 Landscaping details for the site are shown on the accompanying landscaping plan.

ACCESS

- 11.16 As described in preceding sections, the existing entrance to the site from the Moorfields Lane will be used for the vehicle and pedestrian access in and out of the site. No improvements to the junction are considered necessary. Visibility splays of 4.5m x 215m are achievable in both directions commensurate with a speed limit of 60 mph. The width of the tarmac private road varies between 4.5m – 5.5m.

- 11.17 The existing private road will be extended through the application site as appropriate. It will be constructed as detailed above to create a firm yet permeable route suitable for vehicles. The proposed holiday lodges will be accessible by vehicle, with parking provided in accordance with the relevant standards.

- 11.18 The route from the entrance through the site to the furthest extent has been design to allow emergency vehicles to reach all the key areas and buildings.

- 11.19 The proposed scheme will comply with Approved Document M (Access to and the Use of Buildings) of The Building Regulations 2000 as amended.

12.0 Planning Policy Considerations

12.1 The development plan for the area comprises of the policies of the Ryedale Plan Local Plan Strategy 2013. Additionally, the National Planning Policy Framework (NPPF) is an important material consideration in the determination of any applications.

Each of the relevant planning policies is considered below with a brief commentary on how the proposed schemes would comply with each.

12.2 *Policies of the Ryedale Plan Local Plan Strategy 2013:*

Policy SP8 Tourism
Requirements
The following types of tourist accommodation will be supported in the following locations: The wider open countryside: New touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality
Commentary
Holiday lodges fall within this definition and are therefore acceptable outside of defined settlement boundaries. The proposal is located near to an existing tourist attraction, Wombleton Caravan Park, and will help to provide needed tourist accommodation in the area. The development will provide both direct and indirect economic benefits to the wider area, as a result of spending on local goods and services by holiday makers and through the creation of employment opportunities during the construction phases, and also through the ongoing provision of services to the occupiers. The scheme is not considered to cause any significant detrimental harm to natural or community interests.

SP13 Landscapes
Requirements
Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities
Commentary
Care has been taken in the design, layout and landscaping proposals to avoid any significant impacts. The design of the single storey, timber clad lodges, screened by existing and proposed landscaping will not detract from the character of the area. Direct access to the site from Moorfields Lane already exists. Local services and infrastructure are readily available.

SP16 Design
Requirements
Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which: <ul style="list-style-type: none"> • 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
Commentary
Based on the accompanying site layout, it is considered that the proposed development will not have any significant adverse impact on its surroundings. The holiday lodges are of a scale and design that relates well to a rural setting. Existing and proposed landscaping and tree belts will screen the site from public places. Separation distances between the proposed lodges and existing nearby dwellings, together with the single storey design of the lodges, is sufficient so not to cause demonstrable overlooking, overshadowing, or noise related issues. As such the residential amenity of neighbouring properties is preserved. The site relates well to the local highway and public transport networks, which are found in Wombleton Village.

SP20 Generic Development Management Issues
Requirements
Character: New development will respect the character and context of the immediate locality.
Design: The design of new development will follow the principles established in Policy SP16.
Access, Parking and Servicing: Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists
Commentary
It is considered that due to the detailed site layout, together with the existing and proposed extensive landscaping that the proposal respects the character of this open countryside location. The design, scale and appearance of the single storey, timber lodges will enable them to blend with the landscape and the immediate setting. Safe access and parking for the proposed 9 lodges is attainable, without undue detriment to other road users.

SP21 Occupancy Restrictions
Requirements
Time-Limited Occupation: New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions:
<ul style="list-style-type: none"> The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and It shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 31 days; and The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request
Commentary
The applicant is agreeable to such a condition being imposed.

12.3 *The National Planning Policy Framework (NPPF) is also a material consideration in planning decisions.*

Paragraph 14
Requirements
Indicates that development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted.
Commentary

Paragraph 17
Requirements
Overarching role of the planning system sets out 12 principles of planning including sustainable economic development, high quality design, and making fullest use of public transport, cycling and walking.
Commentary
The relevant principles have been taken into account in the preparation of this scheme.

Paragraph 19
Requirements
Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth.
Commentary
The proposed development is considered to be sustainable in terms of location and transport options, design and ability to enhance biodiversity, economic benefits to local economy and wider community benefits arising from the scheme.

Paragraph 28
Requirements
Section 3 (paragraph 28) of the NPPF states that 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 sustainable rural tourism and leisure developments that benefit businesses in rural areas and communities provided that they respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
Commentary

Paragraph 56
Requirements
Sets out the importance of good design and underlines how good design is indivisible from good planning and sustainable development.
Commentary
The design of the single storey holiday lodges and use of appropriate materials is consistent with the site's rural location and as such will not detract from the character of the area.

Paragraph 186 & 187
Requirements
In paragraphs 186 & 187 the Government encourages LPAs to be positive in decision taking to foster the delivery of sustainable development. They should seek to approve such applications where possible and look for solutions rather than problems. LPAs should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
Commentary

13.0 Flood Risk Assessment

- 13.1 The site is located in Flood Zone 1 and as it is less than 1ha in size as such no Flood Risk Statement will be submitted as part of the planning application, since the site is not considered to be at risk from fluvial flooding.



14.0 Foul Sewage & Utilities

- 14.1 A mains water supply currently runs through the site and can be extended into the application site during the construction phase to provide water to each of the holiday lodges.
- 14.2 Foul water will discharge into the existing sewer that runs along Common Lane. Following further investigation should this existing foul water sewer not be accessible for any reason a mini packaged sewage treatment plant system will be installed on the site to provide for foul water drainage.

- 14.3 Surface water will drain into soakaways. A water butt(s) will be provided to each holiday lodge to aid water conservation and reduce water consumption.
- 14.4 The overhead electricity transformer located on the southern section of the site will be used to supply the lodges.
- 14.5 All proposed drainage and utilities will be designed and installed to meet the latest Buildings Regulations.

15.0 Conclusion

- 15.1 In addition to the benefits discussed above, it is considered that this planning application for the siting of 9 holiday lodges is acceptable for the following reasons:

(1) The Promotion of Tourism

The provision of good quality tourist accommodation is a desirable objective and will foster and encourage tourism in this part of North Yorkshire.

(2) Assisting Local Businesses

A holiday scheme in this locality will inject much needed business into the local economy and bring additional trade to the shops and other businesses in and around local and wider area. This will be as a result of both direct spending on local goods and services by holiday makers, but also through the provision of goods and services by the owners of accommodation maintaining the properties; notwithstanding the expenditure incurred during the construction phase. All of which in turn may lead to the creation of jobs both directly and indirectly.

(3) Limited Visual Impact

The proposed holiday lodges are to be single storey in height and clad in timber. The development will be screened by both the existing and proposed peripheral tree planting to provide privacy and dense low level vegetation to soften the individual units. It is considered that the small scale nature of the proposal coupled with the screening proposed will not result in any detriment to the character of the local landscape or adjoining properties.

- 15.2 This planning application, together with the accompanying supporting documentation, sets out a comprehensive approach to the development of this site. An opportunity has been taken to provide a scheme which responds well to the site circumstances and suitably enhances the character and appearance of the surrounding area.
- 15.3 The development represents a design-led bespoke project, which deals sensitively in terms of its response to the constraints of the site. The approval of this application would accord with the policies of the development plan and with national planning policies.
- 15.4 Given all of the above it is considered that the proposed development will have no demonstrable harm to the amenity of any neighbouring occupiers or the wider surrounding area.

16.0 Conditions

- 16.1 Should this application be considered acceptable, then the applicant would be happy to discuss the wording of any planning conditions that the Local Planning authority may consider necessary, prior to the issuing of the decision notice or the consideration of the application at Planning Committee.
- 16.2 Notwithstanding the above, we feel that the following conditions are particularly relevant and should be imposed to control occupancy of these holiday homes.
1. the lodges shall be occupied for holiday purposes only;
 2. the lodges shall not be occupied as a person's sole, or main place of residence;
 3. no stay must exceed 31 days; and
 4. the operators of the lodges shall maintain an up-to date register of the names of all visiting occupiers of individual lodges on the site with their main home address and shall make this information available at all reasonable time to the local planning authority.
- 16.3 It is requested that no planning restrictions are placed on the length of the operating season.

Peter Webster BA (Hons) MRTPI

April 2017

WEBSTER ASSOCIATES

TOWN PLANNERS, DEVELOPMENT CONSULTANTS, LAND AGENTS

P.M. Webster BA (Hons) M.R.T.P.I. B.J. Webster

TREE / HEDGE PLANTING SPECIFICATION

Erection of 9 holiday lodges, associated parking facilities and vehicular access Land northeast of Wombleton Grange, The Airfield, Wombleton, YO62 7RY

The landscaping proposals are as defined on Drawing ref. W - WG - 1.5

Proposed trees:

New tree planting of native species of local provenance will include a mixture of evergreen and deciduous trees and shrubs; the planting mix will include berry, seed and pollen-rich species to provide wildlife habitat and an important source of food.

A mixture of extra heavy standard and heavy standard trees and feathered whips will be planted, at spacings to suit the size and variety of tree.

Tree plant schedule to include:

pinus sylvestris Scots Pine
betula pendula Silver Birch
sorbus aucuparia Rowan
prunus avium Wild Cherry
fraxinus excelsior Ash
ilex aquifolium Holly
crataegus monogyna Hawthorn
corylus avellana Hazel
prunus spinosa Blackthorn
rosa canina Dog rose
sambucus nigra Common Elder

New Hedge / Screen planting:

Mixed species hedges of at least five different varieties as detailed below will be used throughout the site and these will also divide individual plots providing important infrastructure for the site and wildlife habitat as well as providing further screening of lodges:-

40%	Hawthorn	Crataegus monogyna
20%	Blackthorn	Prunus spinosa
5%	Field Maple	Acer campestre
5%	Buckthorn	Rhamnus catharticus
5%	Gelder Rose	Viburnum opulus
5%	Dog Rose	Rosa canina
5%	Spindle	Euonymus europaeus
5%	Wild Privet	Ligustrum vulgare
5%	Hazel	Corylus avellana
5%	Dogwood	Cornus sanguinea

All plants used will be good quality bare-root stock (generally 2 year transplants or roottrainers), native to Britain. All plants will be protected by a 0.6 m green mesh shelter and stake, as appropriate to cope with rabbit damage.

Planting to be at 0.5m gaps between double staggered rows.

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SPECIFICATION FOR SOFT LANDSCAPE

1.0 PRELIMINARIES

1.1 All materials and workmanship must comply with the relevant British Standards and recognised Codes of Practice for the landscape industry.

1.2 The contractor will be deemed to have visited the site and to have carried out any investigations necessary on all conditions affecting the work, as no claim on the grounds of lack of knowledge will be entertained.

1.3 Before commencing the works the contractor will inform the Landscape Architect of his timetable of operations, and shall continue to contact them to inform of variations.

1.4 The contractor will be held responsible for any damage to trees, shrubs or hedges caused by his negligence. In the case of minor superficial damage, the contractor shall arrange for any necessary surgery to be carried out by an approved tree surgeon. Should damage to any tree, shrub or hedge result in its death or serious disfigurement it shall be removed and replaced as the Landscape Architect may direct, to give the same density of cover as previously. All costs at contractors own expense.

1.5 The contractor shall protect all pipes, ducts, sewers, service mains etc, and make good at his own expense any damage caused by carrying out the works. Notwithstanding information which the Landscape Architect may make available to the contractor regarding the position of the existing services, it shall be the responsibility of the contractor to satisfy himself as to their accurate location and condition.

1.6 The contractor must take adequate precautions to ensure protection of streams and waterways from pollution caused by carrying out the works.

1.7 The contractor shall take all necessary measure to protect the work handed over on completion.

2.0 SPECIFICATION

2.1 GENERAL CLAUSES

2.1.1 All plants supplied by the contractor shall be obtained from a reputable nursery. Before stock is purchased the Landscape Architect reserves the right to inspect the nursery or to approve samples. All material supplied will be similar in size and quality to the approved samples and in accordance with the relevant parts of BS 3936.

2.1.2. The contractor is to ensure that all plant material is to be handled in accordance with the Plant Handling Code, from collection at the nursery to planting on site.

2.1.3. All areas to be grassed or planted will be roughly graded and topsoiled by the main contractor, with a minimum depth of soil of 600mm-1000mm to trees, 600mm for shrubs and 450mm for grass. Topsoil shall be supplied and handled in accordance with BS 3882.

2.1.4 The main contractor will also carry out ripping of subsoil to relieve compaction and allow free drainage. The existing ground levels within an area up to 3m beyond the branch spread of existing trees shall not be varied. The landscape contractor is to satisfy himself that the soil levels and quality are adequate before work commences.

2.1.5 Attention must be paid to watering, particularly to containerised material before, during and after planting and to grassed areas, notwithstanding any restrictions by the Statutory Authorities on the use of water for plants which may prevail at the time.

2.2 GRASSED AREAS

2.2.1 All topsoil areas including undisturbed ground to be grassed shall be cleared of weeds and rubbish then rotavated to a depth of 100mm, cross harrowed with a chain harrow to produce a fine tilth and consolidated lightly with a Cambridge roller and all stones removed from the surface. Do not carry out ploughing, ripping or tipping of soil within the branch spread of existing trees and hedges.

2.2.2 Unless otherwise stated, finished levels of grassed areas shall be 50mm above adjoining paving or

kerb levels, 150mm below the damp proof course of adjoining buildings and married in with previous soil levels adjoining existing trees and shrubs. Levels shall be arranged to give gentle falls for drainage and any hollows developing after completion of cultivation shall be made good. The finished surface shall have a smooth and even fall.

2.2.3 The contractor shall supply and spread a pre-germination fertiliser (for turfed areas only) at the manufacturers recommended rate and method. The Landscape Contractor reserves the right to inspect and approve cultivations before turfing is carried out, and the contractor is to supply a certificate of analysis if required.

2.2.4 If necessary, an approved herbicide shall be applied to the topsoiled areas in accordance with the manufacturer's instructions.

2.2.5 The contractor shall supply turf in accordance with BS 3969.

2.2.6 Turves from the stack should be wheeled to turf layers on planks laid closely side by side. Adequate planks should be provided to support workmen and barrows and provide access. Turves should be laid on the prepared soil bed and firmed into position in consecutive rows with broken joints closely butted and to the correct levels. The turves should be laid off planks working over previously laid turf. Where necessary the turves should be lightly and evenly firmed with wooden beaters. A dressing of fine sandy soil should be applied and brushed into the joints. Any inequalities in finished levels due to variations in turf thickness or uneven consolidation of soil should be adjusted by raking and packing fine soil under the turf. A roller should not be used. Turf edges and margins should be laid with whole turves. The Landscape Architect reserves the right to suspend turfing operations when weather conditions are considered unsuitable. If shrinkage occurs, fine sandy topsoil shall be brushed in the joints and well watered.

2.2.7 Banks exceeding 30 degree slope; lay turves diagonally or horizontally and secure with pointed softwood pegs, 25mm square and 200mm long. Remove pegs when turf is established.

2.2.8 The specified grass seed shall be applied in accordance with the manufacturer's instructions and when weather and soil conditions are suitable.

2.2.9 All necessary watering is to be carried out with oscillating sprays or sprinklers to avoid washing soil from joints.

2.2.10 The contractor is to carry out the first cut of turfed and grassed areas, not allowing for any future maintenance which may be agreed.

2.2.11 The contractor shall make good, at his own expense, all areas of grass which fail to establish, other than where failure is due to vandalism, and for making good depressions and sinkages which appear in the first twelve months.

2.3 PLANTING GENERALLY

2.3.1 Planting areas shall be pegged out in accordance with the planting plans, using figured dimensions if given, or otherwise scaled dimensions.

2.3.2 Where the shrub beds are weedy, the beds will be hand weeded and rubbish removed.

2.3.3 On newly topsoiled areas or undisturbed ground, beds shall be dug by hand or cultivated by machine to a depth of 300mm. Break down all lumps, fork and rake, collect and remove from site all weeds and debris to a cambered surface 50mm below surrounding levels. Well rotted farmyard manure or other approved organic material shall be spread at a rate of 1m³ per 20m² and thoroughly incorporated.

2.3.4 Any additional topsoil required for making up levels and backfilling shall be free from weeds, roots and stones over 50mm diameter, and shall conform to BS 3882.

2.3.5 Planting shall be carried out in the correct season and weather conditions as BS 4428, 8.2. The Landscape Architect reserves the right to suspend planting when the ground is frozen or waterlogged.

2.3.6 If specified the contractor shall supply and erect a 1.2m high cleft chestnut pale fence to BS 1722 part 4, to all exposed edges of shrub planting as indicated on the planting plans.

2.4 TREES

2.4.1 Tree stakes shall be set out on site according to the plan and approved by the agent to avoid damage to drainage and service runs. The Landscape Architect also reserves the right to adjust the exact position of the trees.

2.4.2 Tree pits shall be 600mm x 600mm square and 600mm deep for feathered or half-standard trees, and 1000mm x 1000mm square and 1000mm deep larger trees. The bottom of the pits shall be broken up to 150mm deep and backfilled with 50% Fisons Tree Planting Compost and 50% site topsoil. Planting shall be in accordance with BS 4428, 7.6 and 7.7.

2.4.3 Stakes shall be straight, pointed softwood stakes, 75mm diameter maximum.

- i) Feathered trees up to 1.5m shall be unstaked.
- ii) Feathered and ½ standard trees up to 1.8m high, shall have one stake 600mm below ground level and 300mm above ground.
- iii) Standard trees, girth 8-10cm, height 2.75-3m, shall have one stake 600mm below ground level and 300mm above ground.
- iv) Selected standard trees, girth 10-12cm, height 3-3.5m, shall have one stake 600mm below ground level and 102m above ground level.
- v) Heavy standard and Extra Heavy Standard trees shall have two stakes, 1.8m above ground level and 600mm below ground.

2.4.4 Toms rubber tree ties or other approved ties shall be fixed, 50mm down from the top of the stake, two ties to heavy standard trees, and one tie to others.

2.4.5 The contractor shall apply 100mg of Enmag around the base of each tree, immediately after planting.

2.4.6 Where trees are planted in grass they are to have an area of 500mm diameter around the base free of grass and weeds, and mulched as the shrub bed specification.

2.5 SHRUBS

2.5.1 Shrubs shall be set out in accordance with the planting drawing at uniform densities, and planted as detailed in BS 4428, 8.5.1.

2.5.2 Climbing plants shall be planted in pits 600x600x450mm deep and backfilled with topsoil. Self-clinging climbers should have the supporting cane removed. Climbers requiring support should have the cane retained or have shoots fanned out and tie to supports or wires with soft rot proof twine.

2.5.3 Herbaceous plants shall be set out in accordance with the planting plan, and planted with a hand trowel, carefully fuming the roots.

2.5.4 The contractor is to apply 25gm of Enmag around the base of each plant immediately after planting.

2.5.5 Shrub beds are to be covered with a minimum of 75mm mulch immediately after fertilising. Soil to be covered must be moist and if not, should be thoroughly saturated with water before mulching. The bark must have been stacked for an appropriate period to allow toxic tanins to break down. The mulch must not contain wood strips or peelings and must be of a uniform colour. A sample must be submitted for the approval of the Landscape Architect if requested, prior to delivery on site.

2.6 BULBS

2.6.1 Bulbs shall be thrown on the ground in loose drifts to ensure natural spacing and carefully planted where they fall with a hand trowel or bulb planter to a depth of at least twice their height and in accordance with BS 4428, 8.5.4.

3.0 AFTERCARE

3.1 The following schedule of maintenance operations shall be carried out during the establishment period:

- Weed control - 6 visits per growing season using hand and/or chemical weeding to keep weed free at all times.
- Check and re-firm plants each visit
- Selective pruning - 1 visit per year
- Hard cutting back - 1 visit per year
- Trimming- continuous.
- Check and adjust tree stakes and ties- 3 visits per year.
- Watering as necessary and where practicable.
- Selective treatment of any pests and diseases as necessary and appropriate.
- Reinstatement of all losses at the end of the first growing season.
- Apply 50mm depth of bark mulch to all tree pits, shrub beds and hedge trenches at end of first growing season.

3.2 Plant Replacements and Hand Over to Long Term Maintenance

3.3 Prior to the end of the Defects Liability Period all plant losses will be reinstated using stock of equal quality to that originally specified. Thereafter there will be an annual inspection of planting and beating up where required for a further 4 years.

3.4 At the end of the establishment maintenance period and prior to hand over to the factor who will be charged with on-going maintenance, all defects which have been made good and all soft and hard landscape areas will be in a neat and tidy condition. Trees, hedges and shrub beds will be free of all weeds and litter. Staked trees will have been inspected and ties adjusted as appropriate and any minor damage to branches neatly pruned. Grass areas will be neatly mown and edged and will have good even grass cover free from annual and perennial weeds.

ADDITIONAL SPECIFICATION FOR THE PLANTING OF HEAVY STANDARD AND EXTRA HEAVY STANDARD TREES

Plant handling, storage and transport

Lifting, packaging and transporting shall be to CPSE (Committee for Plant Supply and Establishment) 'Handling and establishing landscape plants' (obtainable from the Horticultural Trades Association) Part I, Part II, and part III, paragraphs 1.3.3 to 1.3.6., 3.0 & 4.0. with the following additional conditions.

- (i) Trees shall only be lifted from nursery lines between mid-October to mid-March.
- (ii) Trees shall be lifted in such a manner as to avoid damage to the roots, stem and shoot system.
- (vi) Standard material from 2.25 - 2.75 m. in height shall be protected and labelled, encased and labelled as in (iv).
- (vii) Standard material in excess of 2.65 m shall be individually packed and protected, encased and labelled as in (iv).

Planting pits

The preparation of planting pits is to be carried out only during periods of suitable weather. All trees and shrubs are to be planted in pits, the sizes of which are specified below.

	Diameter (mm)	Depth (mm)
Standard	600 x 600	600
Extra Heavy Standard	1000 x 1000	750

Tree pit sizes should be increased where necessary to ensure pits are at least 300mm wider and 75mm deeper than the tree root system when fully spread. Fork over the bottom of tree pits to a depth of 225mm and leave slightly domed to assist drainage. Roughen any smooth sides to pits. Topsoil excavated from planting pits is to be mixed with compost and used for backfilling. Any subsoil excavated is to be removed from site to an approved landfill site.

- (a) Standard and selected standard tree pits:

Excavate pit 1 m. x 1 m. x 0.66 m. deep below lowest adjacent site levels. Break up the soil forming the base of the pit to a depth of 150 mm. Refill pit with topsoil mixed with 80 litres of tree planting compost

to be provided by the Contractor, and lightly firm by treading. Sufficient topsoil/compost mixture shall be returned to the pit to raise the surface level to a minimum of 75 mm. and a maximum of 150 mm. above adjacent surface levels.

(b) Extra Heavy Standard tree pits

Over the area of each planting pit, remove all turf to one side for re-use. Excavate pit 1 m. x 1 m. x 1 m. deep below lowest adjacent site levels. Break up the soil forming the base of the pit to a depth of 150 mm. Refill pit with topsoil mixed with 100 litres of tree planting compost to be provided by the Contractor, and lightly firm by treading. Sufficient topsoil/compost mixture shall be returned to the pit to raise the surface level to a minimum of 75 mm. and a maximum of 150 mm. above adjacent surface levels.

Staking trees:

Standard trees shall be supplied with one tree stake. The overall length of the stake shall be sufficient to ensure that they are firm when driven into the soil and that the top of the stake extends above ground level to approximately one third of the tree's height. Stakes are to be hammered into the ground before the tree is positioned in the pit. Stakes shall be whole sections of softwood timber 50 mm. to 75 mm. top diameter, peeled and pressure treated in accordance with BS 4072. Ties shall be of a type approved by the Employer. One tree tie shall be positioned approximately 50 mm. from the top of the stake to hold the tree, ensuring that tree and stake do not touch in any place.

Heavy standard trees shall be provided with two tree stakes. The overall length of the stakes shall be sufficient to ensure that they are firm when driven into the soil and that the top of the stake extends above ground level to approximately one third of the tree's height. Stakes are to be hammered into the ground before the tree is positioned in the pit. Each stake shall be whole sections of softwood timber of 75 mm top diameter, peeled and pressure treated in accordance with BS 4072. A 100mm x 30mm section cross spar shall be fixed to the posts with galvanised nails. Ties shall be of a type approved by the Employer. One tree tie shall be a rubber strap overlapped and fixed to the timber cross spar by galvanised clout nails. A rubber collar shall ensure that tree and stake do not touch in any place.

**Whitcher Wildlife Ltd.
Ecological Consultants.**



COMMON LANE, WOMBLETON.

OS REF: SE 66584 82833.

EXTENDED PHASE I HABITAT SURVEY.

Ref No:- 170237.

Date:- 24th February 2017.

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1. INTRODUCTION.

1.1. There are proposed plans to develop two fields to the east of Common Lane at Wombleton north of York and to put a number of log cabins in each field.

1.2. Whitcher Wildlife Ltd has been commissioned to carry out an Extended Phase I Habitat Survey of the site to establish whether there are any issues that may affect the proposed works.

1.3. The site survey was carried out on 23rd February 2017 and this report outlines the findings of that survey and makes appropriate recommendations.

1.4. Appendices I to IV of this report provide additional information on specific species and are designed to assist the reader in understanding the contents of this report.

2. SURVEY METHODOLOGY.

2.1. Prior to visiting the site the survey area was cross referenced to maps and aerial photographs to give a general idea of the habitats and potential issues within the area and to identify potential access and walking routes.

2.2. The survey area was walked where access was agreed and public rights of way were used where no access was agreed. All habitats within and immediately around the survey area were documented and the dominant species within that habitat listed in line with the JNCC Handbook for Phase 1 Habitat surveys.

2.3. The survey area and immediate surrounding area was thoroughly searched for evidence of badger (*Meles meles*) activity by looking for the following signs in line with Harris S, Cresswell P and Jefferies D (1989). *Surveying Badgers*. Mammal Society:-

- * Badger setts.
- * Badger latrines or dung pits.
- * Badger snuffle holes and evidence of foraging.
- * Badger paths.
- * Badger prints in areas of soft mud.
- * Badger hairs caught on fencing.

2.4. The survey area was searched for watercourses and where found all watercourses within the survey area and for approximately 50m in each direction were thoroughly searched for evidence of water vole (*Arvicola amphibius*) activity by looking for the following signs, in line with Rob Strachan, Tom Moorhouse and Meryll Gelling (2011). *Water Vole Handbook: Third Edition*:-

- * Water vole burrows.
- * Water vole faeces and latrines.
- * Water vole feeding stations.
- * Water vole runs.
- * Water vole prints in areas of soft mud.
- * Water vole lawns.
- * Predator field signs.

2.5. The survey area was searched for watercourses and where found all watercourses within the survey area and for approximately 50m in each direction were thoroughly searched for evidence of otter (*Lutra lutra*) activity by looking for the following signs in line with the P Chanin (2003). *Monitoring the Otter and Conserving Natura 2000 Rivers: Monitoring Series No10 Guidelines:-*

- * Otter prints in soft mud.
- * Otter spraints.
- * Otter Holts.

2.6. The survey area was searched for watercourses and waterbodies. Where found, and where safe to enter the water, all were thoroughly searched for the presence of crayfish, for approximately 50m in each direction of the site, by searching under rocks and logs. Where stated, crayfish traps were also deployed into the watercourse. All survey work was carried out in accordance with the *Conserving Natural 2000 Rivers Monitoring Series No 1, Protocol for Monitoring the White Clawed Crayfish*.

2.7. The survey area was searched for mature trees and derelict buildings and where found these were checked for potential bat roosting sites in line with Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition)* by looking for the following signs:-

- * Holes, cracks or crevices.
- * Bat Droppings.

2.8. The land immediately adjacent to the survey area was assessed for bat roosting potential and bat foraging potential. Connective routes and flight lines were also assessed whilst on site and using maps of the area.

2.9. The area within 500m of the survey site was cross referenced to maps to highlight all ponds close to the site. Where possible, all ponds identified were accessed using agreed access or public rights of way to assess the potential for great crested newts (*Triturus cristatus*) to be present.

2.10. The survey area was assessed for the potential for reptiles and suitable reptile habitats. Where applicable the area was also searched for the presence of reptiles.

2.11. Where appropriate, the habitat within and surrounding the survey area was searched for species such as hazel, oak, honeysuckle, bramble and other species which may provide potential habitat for hazel dormice (*Muscardinus avellanarius*). Field signs such as feeding remains and nests were also searched for where possible,

in line with P Bright, P Morris and T Mitchell-Jones *The Dormouse Conservation Handbook 2nd Edition*.

2.12. Where appropriate, the area within and surrounding the survey area was assessed for its potential to house habitat for red squirrels. Field signs of red squirrels were searched for at least every 50m, looking for any dreys, feeding signs or sightings of red squirrels.

2.13. All surveys were carried out in line with the Chartered Institute of Ecological and Environmental Management (CIEEM) survey standards and advice.

2.14. This survey was carried out by Jenny Whitcher Roebuck MCIEEM. Since 2001 Jenny has had experience in a professional capacity as a Wildlife Consultant carrying out Ecology Surveys and Phase 1 Habitat surveys. Jenny holds Natural England Survey Licences in respect of bats, great crested newts, crayfish and barn owls, NRW and SNH Survey Licences in respect of bats and great crested newts. She has also successfully completed a number of courses run by the Chartered Institute of Ecology and Environmental Management (CIEEM), the Bat Conservation Trust (BCT) and the Field Studies Council (FSC) in the relative protected species, plant species and in carrying out Phase 1 Habitat Surveys. As a full member of CIEEM she is committed to continuous professional development, a continual process of learning and career development, a condition of CIEEM membership.

3. SURVEY RESULTS.

3.1. Data Search Results.

3.1.1. A desktop data search was requested from North and East Yorkshire Ecological Data Centre for records of protected species and designated sites within 2km of the survey area.

3.1.2. There are two record of barn owls from 2014 and 2015, both records are at Wombleton at the property to the east of the survey area. There is no information on this record, whether the owls were seen flying or are nesting on the property.

3.1.3. There are records of otter over 2km to the southwest of the site from 1997 and records of otters over 2km to the north from 2002.

3.1.4. There are two records of pipistrelle bats, one record from 2003 located 2km to the southwest of the site and one from between 1979 and 1989 with no specific location for the record.

3.1.5. There is one record of badgers from 2000 located 2km to the north of the site.

3.1.6. There are no records of protected species specific to the survey area.

3.1.7. There are no records of designated sites within or surrounding the survey area. The nearest site is the River Riccal Local Wildlife Site located 1.85km to the south of the survey area.

3.1.8. The full data search results are available on request.

3.2. The Surveyed Area.

3.2.1. The survey area is two fields on the east of Common Lane in Wombleton. Both fields have been grazing fields but there are no longer animals grazing these fields.



3.3. Description of Habitats.

3.3.1. Appendix V of this report contains annotated maps marked up with the varying habitats that are cross referenced to target notes in Appendix VI of this report. The habitats on and adjacent to the site are:-

- Improved grassland
- Woodland Plantation Mixed
- Hedgerow, Defunct, Species Poor
- Hedge and trees, Species Poor
- Standing Water
- Bare Ground
- Building
- Fence
- Other

3.3.2. Improved grassland

3.3.2.1. The main area of the site is two large fields separated by a concrete road and field boundaries. Both fields were grazing fields and have the same species of short vegetation growing. The fields are very wet due to recent heavy rainfall.

3.3.2.2. The main species present are perennial rye grass (*Lolium perenne*), Yorkshire fog (*Holcus lanatus*) and crested dogs tail (*Cynosurus cristatus*) with an abundance of creeping buttercup (*Ranunculus Repens*). Other species present are dock (*Rumex acetosella*), thistle (*Cirsium sp(p)*), clover (*Trifolium repens*), ribwort plantain (*Plantago lanceolata*), greater plantain (*Plantago major*) and hairy bittercress (*Cardamine hirsuta*).

3.3.2.3. Both fields have recently had a margin of young trees planted around the edges leaving one gap in each field for access.

3.3.2.4. Across the western side of the southern field, extending from north to south, there is a what appears to be a rubble filled drainage channel which has been in place for some time as there is soil and herbs growing in this channel.

3.3.2.5. Photograph looking north across the northern field, taken from the muddy field entrance.



3.3.2.6. Photograph looking east across the southern field.



3.3.3. Woodland Plantation Mixed

3.3.3.1. There is a wide margin of young trees that has been recently planted around the edges of each of the fields. These are mixed deciduous and coniferous trees, including silver birch (*Betula pendula*), white beam (*Sorbus aria*), hybrid poplar (*Polar 'Tricobelle'*) and oak (*Quercus sp(p)*). The conifers planted appear to be a spruce species but the trees are very young and newly planted and identification was difficult.

3.3.3.2. The two photographs below shows this margin of trees.



3.3.4. Hedgerow, Defunct, Species Poor

3.3.4.1. There are hedgerows around most of the boundaries of both fields. These hedgerows are defunct as on their own they are no stock proof. Hedgerows around the eastern boundary of the northern field and around the northern boundary of the southern field are included in this habitat. These hedgerows are dominated by hawthorn (*Crataegus monogyna*) with sapling ash (*Fraxinus excelsior*), occasional sapling oak (*Quercus sp(p)*) and some ivy (*Hedera helix*) present. There is little understory below these hedgerows.

3.3.4.2. Photograph showing the eastern boundary of the northern field.



3.3.4.3. Photograph showing the northern boundary of the southern field.



3.3.5. Hedge and trees, Species Poor

3.3.5.1. Hedgerows around the western and southern boundaries of the northern field and around the southern and eastern side boundaries of the southern field are included in this habitat. These hedgerows are dominated by hawthorn (*Crataegus monogyna*) with sapling ash (*Fraxinus excelsior*), occasional sapling oak (*Quercus sp(p)*) and some ivy present. There are semi-mature and mature trees with these hedgerows, mainly oak (*Quercus sp(p)*) and ash (*Fraxinus excelsior*).

3.3.5.2. Photograph showing the southern boundary of the northern field on the left of the photograph.



3.3.5.3. Photograph showing the eastern boundary of the southern field.



3.3.6. Standing Water

3.3.6.1. There is ditch along the western half of the southern boundary of the northern field (T2 on the annotated map) which has recently been cleaned out with no vegetation on the banks. At the time of this survey the ditch was full of water due to recent heavy rainfall.

3.3.6.2. Photograph looking east along this ditch.



3.3.7. Bare Ground

3.3.7.1. The entrances to both fields from the road in the center of the site are both bare ground as access in and out of the field has churned up the ground leaving bare earth.

3.3.7.2. There is also bare ground around the edges of each field where works have been carried out to plant the margin of young trees.

3.3.7.3. The verges along each side of the road in the center of the site are bare earth with no vegetation growing.

3.3.7.4. The photographs below show the entrance to the northern field (left) and bare ground where the margin of trees has been planted (right).



3.3.8. Building

3.3.8.1. There is one building present on the site and this is located on within the southern field at the western side (T6 on the annotated map). This is a single storey building constructed with single skin brick walls, rendered externally, with a sloping corrugated cement sheet roof. The windows and doorways are all covered with boards. There are some cracks in the walls of the building, mainly above doors. These cracks go through to the interior of the building as it is only single skin brick. There are some holes in the corrugated roof sheets.

3.3.8.2. The photographs below show the exterior and the interior of the building.



3.3.9. Fence

All boundaries of both fields have a stock proof fence either within or adjacent to a hedgerow or standing alone. These are mainly post and mesh with some areas of wooden post and rail.

3.3.10. Other

There is a concrete road which divide the northern and southern fields with a double gate at each end of the road. The photograph below looks east along this road.



3.4. Description of Fauna.

3.4.1. No badger setts or badger field signs were identified within the survey area.

3.4.2. A short section of ditch, 100m long, which has recently been cleaned out or created along the southern edge of the northern field has no vegetation and is unsuitable habitat for water voles, otters or white clawed crayfish. Therefore, there is no habitat for these species within the survey area. No other watercourses were identified within the survey area.

3.4.3. One pond was identified within 500m of the survey area on an Ordnance Survey Map of the area. This pond is located 150m to the north of the site in the large well-tended gardens of a private house. No access was available to this pond but google images show it to be a large ornamental pond. There are no other ponds within 500m of the site or of this pond making this an isolated pond. Therefore, this pond is

assessed as unsuitable habitat for great crested newts. The terrestrial habitat around the pond is poor as it is large well-tended gardens. The surrounding land is also poor value terrestrial habitat as it is large open grazing fields.

3.4.4. The building on the site has no bat roost potential as the construction of the building is unsuitable.

3.4.5. There are a number of mature trees within hedgerows along the field boundaries, some with ivy cover. Some of these trees are of a size and age that may provide features suitable for roosting bats, although no suitable features could be seen from the ground. These trees are assessed as having low potential for roosting bats.

3.4.6. The survey area provides moderate potential for foraging bats due to the hedgerow boundaries around the fields. There is also little connectivity to surrounding habitats as there are limited trees and hedgerow boundaries around adjacent fields. A thorough assessment of bat activity could not be made during a daytime survey of the site.

3.4.7. The vegetation within the field boundaries provides opportunities for nesting birds during the nesting season, which extends from March to September each year. However, no active nests were identified during this survey.

3.4.8. There are two records of barn owls at the property adjacent to the site. The site provides some foraging habitat for barn owls but the surrounding area is large areas of suitable foraging habitat for barn owls.

3.4.9. The site provides little potential habitat for reptiles as the main area is large grazing fields with no refugia. There may be some refugia along the hedgerow around these fields with other hedgerows adjacent to the site providing the same potential. No reptiles were identified during this survey.

3.4.10. No suitable dormouse habitat was identified during this survey.

3.4.11. No red squirrels or red squirrel field signs were identified during this survey and there is no suitable habitat within the survey area.

3.4.12. No invasive species of plant listed under Schedule 9 of The Wildlife and Countryside Act 1981 were identified within the survey area.

4. EVALUATION OF FINDINGS.

4.1. The main habitat on the site is two grazing fields which are of low ecological value. This is unlikely to increase in value in the peak season. The field boundaries are hedgerows and some mature trees which are of high ecological values. A wide margin of young trees has been planted around the edges of each field which, when established, will be of high ecological value. The areas of high ecological value on the site will remain unaffected by the proposed works as the works will be in the grassland only.

4.2. There are no designated sites within the survey area. Therefore, there will be no impact on designated sites.

4.3. No badger setts or badger field signs were identified within the survey area. Therefore, there will be no impact on badgers during the proposed works.

4.4. The small section of ditch on the site provides no suitable habitat for water voles, otters and white clawed crayfish. No other watercourses were identified within the survey area. Therefore, there will be no impact on water voles, otters or crayfish during the proposed works.

4.5. One pond was identified within 500m of the survey area on an Ordnance Survey Map of the area. This pond is a large ornamental pond in a large well-tended garden and the pond is isolated from other ponds. Therefore, the pond is assessed as unsuitable habitat for great crested newts and there will be no impact on the species during the proposed works.

4.6. The building on the site has no bat roost potential as the construction of the building is unsuitable. Works to this building will have no impact on roosting bats.

4.7. There are a number of mature trees within hedgerows along the field boundaries, some with ivy cover. Some of these trees are of a size and age that may provide features suitable for roosting bats. However, the proposed works will have no impact on these trees and no impact on any bats roosting in the trees as long as any lighting scheme on the site is not pointed at the trees and hedgerows.

4.8. The survey area provides some foraging potential for bats. The proposed works will have no impact on the field boundary hedgerows and trees. The newly planted

trees will also enhance the foraging and commuting routes along these boundaries. The proposed works will not fragment any foraging habitat and will therefore have no impact on foraging or commuting bats as long as any lighting scheme on the site is not pointed at the trees and hedgerows.

4.9. The vegetation within the field boundaries provides opportunities for nesting birds during the nesting season, which extends from March to September, inclusive, each year. Vegetation clearance within the nesting bird season will have an impact on any birds nesting within the work site.

4.10. There are two records of barn owls at the property adjacent to the site. The site provides some foraging habitat for barn owls but the surrounding area is large areas of suitable foraging habitat for barn owls so the loss of this small area of foraging habitat will have no impact on barn owls.

4.11. The site provides little potential habitat for reptiles as the main area is large grazing fields with no refugia. There may be some refugia along the hedgerow around these fields with other hedgerows adjacent to the site providing the same potential but these will remain unaffected. Therefore, the works will have no impact on any reptiles within the area.

4.12. No suitable dormouse habitat was identified during this survey. Therefore, there will be no impact on dormice during the proposed works.

4.13. No red squirrels or red squirrel field signs were identified during this survey and there is no suitable habitat within the survey area. Therefore, there will be no impact on red squirrels during the proposed works.

4.14. No invasive species of plant listed under Schedule 9 of The Wildlife and Countryside Act 1981 were identified within the survey area. Therefore, there will be no impact on the proposed works.

5. RECOMMENDATIONS.

5.1. No works are to be carried out to any of the mature trees within the field boundaries. However, if works change and there will be any impact on the mature trees further bat surveys must be carried out before the trees are affected to determine whether bats are roosting in the trees. These can be either an aerial inspection survey of a bat activity survey.

5.2. No works are to be carried out that will affect the hedgerow boundaries and mature trees. However, if works change and there will be an impact on this vegetation this should be carried out outside the nesting bird season, which extends from March to September each year.

5.3. It is recommended that any lighting scheme on the site is designed as down lighting and it must be designed so that light does not shine on the trees and hedgerow boundaries around the fields.

5.4. If this cannot be achieved a further assessment must be made on the impact of lighting on the hedgerows and mature trees will have on roosting, foraging and commuting bats.

5.5. If any works that will affect the boundaries are to be carried out during the nesting bird season a thorough nesting bird survey must be carried out by a suitably experienced person immediately prior to works commencing. If any active nests are found during this survey they must be left undisturbed until the young have fledged. This could put a considerable delay on proposed works.

5.6. As there are barn owls in the surrounding area a barn owl nest box could be erected on one of the large trees on the site boundaries to provide additional nesting habitat for the owls.

5.7. As a precaution, it is recommended that all personnel are briefed on the potential presence of reptiles and in the unlikely event that any reptiles are found during the works they must be left to safely move away of their own accord. If large numbers of reptiles (5+) are found works must stop and Whitcher Wildlife Ltd contacted for further advice. Appendix IX of this report contains a toolbox talk to assist with this briefing.

Prepared by:	
Jenny Whitcher Roebuck MCIEEM.	Date: 24 th February 2017.

Checked by:	
Steven Whitcher, MCIEEM.	Date: 24 th February 2017.

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Appendix I. BAT INFORMATION.

It is necessary to understand a little about bats, their basic nature, ecology and legal protection in order to evaluate the findings of this report.

18 species of bat currently reside in Britain, 17 of which are known to breed here. They are extremely difficult to identify in the hand and even more so in flight.

All appear to be diminishing in numbers, probably due to shortage of food, caused by pesticides, as insects are their sole diet, and habitat change.

As their diet consists solely of insects, bats hibernate during the winter when their food source is at its most scarce. They will spend the winter in hollow trees, caves, mines and the roofs of buildings.

Certain species, particularly the pipistrelle (the commonest and most widespread British bat) can quickly adapt to manmade structures and will readily use these to roost and to rear their young.

Bats are protected under the Wildlife and Countryside Act 1981, Regulation 41 of The Conservation of Habitats and Species Regulations 2010, and the Countryside & Rights of Way Act 2000.

It is an offence to intentionally or recklessly kill, injure or capture or disturb bats or to damage, destroy or obstruct access to any place used by bats for shelter or protection.

A breeding or resting site of any bat is known as a bat roost. A bat roost is therefore any structure a bat uses for shelter or protection. Because bats tend to use the same roosts each year, legal opinion is that the roost site is protected whether or not the bats are present at that time.

Bat roosts can be identified by looking for:-

- Suitable holes, cracks and crevices.
- Bat droppings.
- Prey remains.
- By carrying out night observations using a bat detector.

Where development proposals are likely to affect a bat roost site, a licence is required from Natural England.

The person applying for that licence has to be suitably qualified and experienced in bat matters. That person is then responsible for ensuring that the measures contained in the licence are carried out.

Appendix II. NESTING BIRD INFORMATION.

It is necessary to understand a little about the legal protection offered to nesting birds in order to evaluate the findings of this report.

Part 1.-(1) Of the Wildlife and Countryside Act 1981 states that:-

If any person intentionally:-

- (a) kills, injures or takes any wild bird;
- (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- (c) takes or destroys an egg of any wild bird,

he shall be guilty of an offence.

Part 1.-(5) of the Act states that:-

If any person intentionally:-

- (a) disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on, or near a nest containing eggs or young; or
- (b) disturbs dependant young of such a bird,

he shall be guilty of an offence and liable to a special penalty.

The Countryside and Rights of Way Act 2000 amends the above by inserting after “intentionally” the words “or recklessly”.

The nesting season will vary according to the weather each year but generally commences in March, peaks during May and June and continues until September.

It is also worth remembering that some birds nest in trees, scrub and buildings but others are ground nesting.

The best way to avoid this issue is to plan for vegetation clearance to be carried out outside the bird-nesting season.

Appendix III.

REPTILES - GRASS SNAKE AND ADDER INFORMATION.

The grass snake (*Natrix natrix*) and the adder (*Vipera berus*) are the two most common snakes to be found in the UK. Adders are found all over Britain while the grass snake becomes rarer towards the north and are rarely found in Scotland.

The grass snake is usually around 120cm long, live in a variety of rough habitats and lay their eggs in warm rotting vegetation. The background colour is dark green and the body is marked with vertical black bars and spots that run along its sides. There is generally a dark collar marking.

The adder is the only native species that is venomous but this is rarely harmful to humans. Adult adders are generally up to 66cm long. Background colouration is a light shade of grey or brown with a black zigzag marking along the length of the back. As with all reptiles, colouration varies and becomes duller as sloughing (skin shedding) approaches.

Both snakes hibernate, spending the winter in burrows or under logs protected from the cold and predators. Maintaining the right body temperature is vital to reptiles' survival. In the morning, they find a warm basking site to heat up their bodies, then later they may move back into the shade because they do not sweat and have to be careful not to overheat. During hot summers, adders will try to move to damper, cooler sites.

Both snakes are protected under schedule 5 of the Wildlife and Countryside Act 1981. They received greater protection following reviews of the schedules published in 1988 and 1991. This means they are protected against intentional or recklessly killing and injuring and against sale or transporting for sale.

Appendix IV. REPTILES - LIZARD INFORMATION.

The common or viviparous lizard (*Lacerta vivipara*) is one of three species of lizard that occur in the UK. They have a dry scaly skin and are variable in colour ranging from brown or yellow-brown to almost green with varying patterns of spots or stripes. The typical length of an adult is 150mm, including the tail.

Common lizards hibernate over the winter, emerging from February onwards depending upon the weather. They begin to mate in April and May and the young are born in late July or August. The lizard gives birth to live young, hence the term viviparous, meaning live bearing.

The lizards draw their body warmth from the sun and consequently spend long periods basking in the sun. They are commonly seen on road and railway embankments and on walls where they sit for long periods soaking up the heat of the sun before going to find food.

They occupy a wide range of habitats including woodland, marshes, heathland, moors, sand dunes, hedgerows and bogs.

Common lizards hunt insects, spiders, snails and earthworms. They stun their prey by shaking it and then swallow it whole.

At night, and when startled, they will shelter beneath logs or stones or under other refuges that may be available.

Common lizards are protected under schedule 5 of the Wildlife and Countryside Act 1981 (they received greater protection following reviews of the schedules published in 1988 and 1991) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making it a European Protected Species.

Common lizards should not be confused with the somewhat larger sand lizard (*Lacerta agilis*). These are typically 190mm long and stockier than the common lizard. Their marking are distinctly different being considerably more colourful. Sand lizards are confined to moorland and coastal sand dunes where they lay their eggs in the warm sand. The range of the sand lizard in the UK is therefore very limited. Sand lizards are a European protected species.

The third species of lizard is the slow worm (*Anguis fragilis*), which is frequently mis-identified as a snake. The firm body of the slow worm is distinctly cylindrical in shape and the tiny smooth scales result in a very smooth, shiny appearance. Colouration is typically a uniform grey to brown although there is a wide variation from straw coloured to almost black and some animals have very fine stripes or a zig-zag along the centre of the back. The typical length of an adult is 400mm.

Slow worms can be found in a wide variety of habitats throughout Britain and is the most likely reptile to be found in urban and suburban environments.

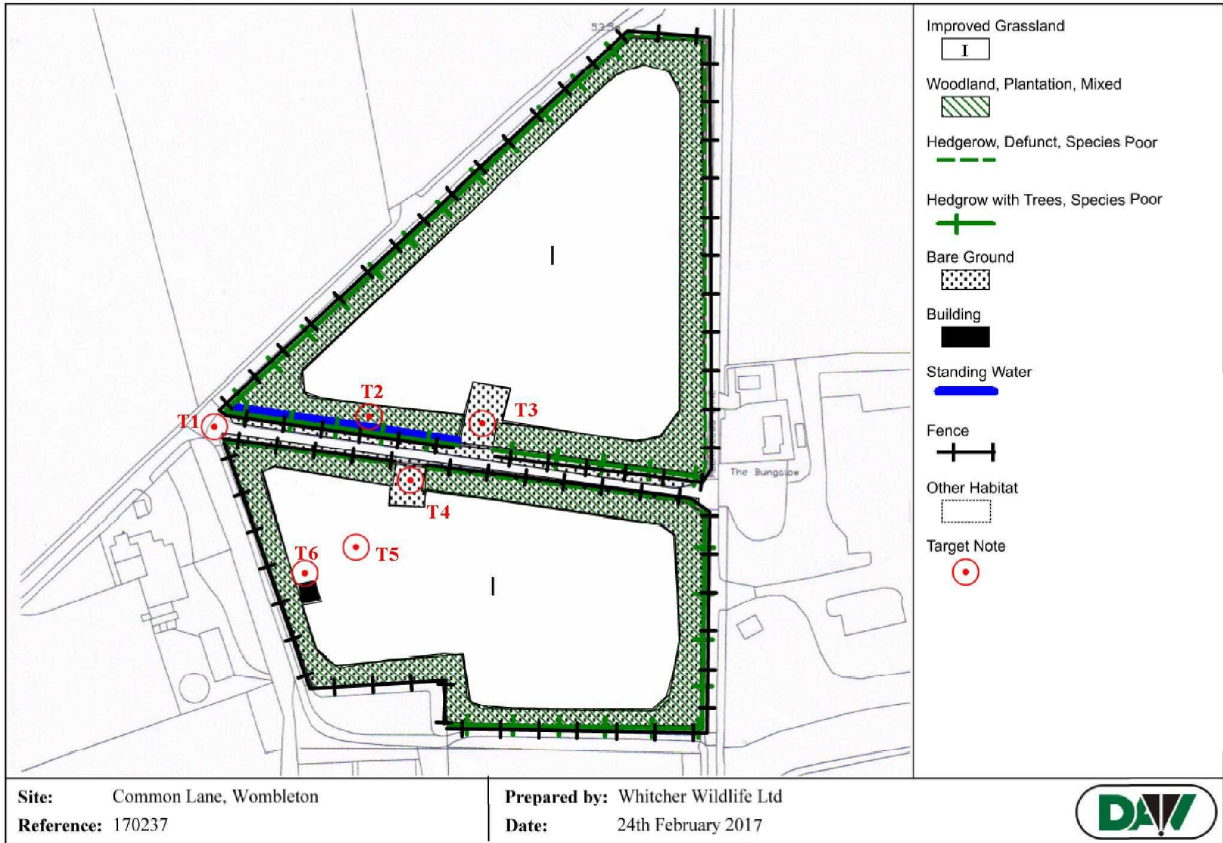
Slow worms hibernate over the winter, emerging from March onwards depending upon the weather. They begin to mate in April and May and six to twelve young are born in August or September.

Their favourite food is slugs but they will also eat insects and spiders.

Slow worms are hard to find. They will bask in the sun but they quickly and quietly move into cover when disturbed and do not generally attract attention as they retreat from a basking spot.

Slow worms are also protected under schedule 5 of the Wildlife and Countryside Act 1981. They received greater protection following reviews of the schedules published in 1988 and 1991. This means they are protected against intentional or recklessly killing and injuring and against sale or transporting for sale.

Appendix V. ANNOTATED MAP OF THE SURVEY AREA.



Appendix VI. TARGET NOTES.

T1 – is the gated concrete road which separates the two fields.

T2 – is the short section of ditch which contained standing water during this survey due to recent heavy rainfall.

T3 – is the muddy entrance to the northern field.

T4 – is the muddy entrance to the southern field.

T5 – is the drainage channel across the southern field.

T6 – is the small building within the southern field.

Appendix VII. SPECIES LISTS.

Improved grassland

Species.	DAFOR Assessment.
perennial rye grass (<i>Lolium perenne</i>)	D
Yorkshire fog (<i>Holcus lanatus</i>)	D
crested dogs tail (<i>Cynosurus cristatus</i>)	D
creeping buttercup (<i>Ranunculus Repens</i>)	A
dock (<i>Rumex acetosella</i>)	O
thistle (<i>Cirsium sp(p)</i>)	O
clover (<i>Trifolium repens</i>)	F
ribwort plantain (<i>Plantago lanceolata</i>)	F
greater plantain (<i>Plantago major</i>)	F
hairy bittercress (<i>Cardamine hirsuta</i>)	O

Woodland Plantation Mixed

Species.	DAFOR Assessment.
silver birch (<i>Betula pendula</i>)	A
hybrid poplar (<i>Polar 'Tricobelle'</i>)	D
oak (<i>Quercus sp(p)</i>)	F
white beam (<i>Sorbus aria</i>)	F

Hedgerow, Defunct, Species Poor

Species.	DAFOR Assessment.
hawthorn (<i>Crataegus monogyna</i>)	D
ash (<i>Fraxinus excelsior</i>)	A
oak (<i>Quercus sp(p)</i>)	F
ivy (<i>Hedera helix</i>)	F

Hedge and trees, Species Poor

Species.	DAFOR Assessment.
hawthorn (<i>Crataegus monogyna</i>)	D
ash (<i>Fraxinus excelsior</i>)	A
oak (<i>Quercus sp(p)</i>)	F
ivy (<i>Hedera helix</i>)	F

Appendix VIII. DEVELOPMENT PLAN.








Toolbox Talk : Reptiles

Whitcher Wildlife Ltd

Ecological Consultants



<p>Identification: Grass Snakes.</p> <p>The grass snake can be up to 120cm long. It is generally dark green in colour but may occasionally appear grey with vertical black bars and spots that run along its sides. There is usually a yellow marking around the neck.</p>		<p>Other Reptiles.</p> <p>In addition to the reptiles outlined on this document there are also two other reptile species in Great Britain, the smooth snakes and the sand lizard. These reptiles are a lot less common than the four species covered with the smooth snake being predominantly found on heathland in southern England and the sand lizard found throughout Great Britain in coastal dune areas.</p> <p>These species are also afforded a higher level of protection because they are European Protected Species.</p>
<p>Identification: Adders.</p> <p>The adder is the only native species that is venomous but it is rarely harmful to humans. Adult adders are generally up to 66cm long. Back ground colouration is a light shade of grey or brown with a back zig-zag marking along the length of the back. As with all reptiles, colouration varies and becomes duller as sloughing (skin shedding) approaches.</p>		<p>Habitat.</p> <p>Maintaining the right body temperature is vital to reptiles' survival. In the morning they find a warm basking site to heat up their bodies and then later they may move back into the shade so as not to overheat. Hence, reptiles require a habitat that provides a range of suitable refugia for shelter such as dense vegetation, rubble or log piles, or crevices and open areas for basking such as bare ground, rocks or railway ballast shoulders. During hot summers reptiles may be found in damper, cooler sites. Reptiles hibernate, spending the winter in burrows or under logs protected from the cold and predators.</p>
<p>Identification: Slow Worms.</p> <p>Slow worms grow to around 45cm in length. The males and females display a marked difference in colour when fully grown. In general the species displays colouring that varies from light brown, dark brown, grey, bronze or brick red with the females often displaying a dark vertebral stripe and both males and females displaying occasional markings on the flanks.</p>		
<p>Identification: Common Lizards.</p> <p>Common lizards grow to around 16cm. They are grey brown to dark brown, often with a darker streak that may run the entire length of the spine. A continuous dark band bordered by light yellow or white spots is often seen on either side of the body. The underside of the males is egg yolk yellow to orange spotted with black. Females are yellowish grey.</p>		<p>When disturbed in their natural habitat reptiles will usually move away quickly.</p> <p>Legislation.</p> <p>Reptiles are protected under Schedule 5 of the Wildlife and Countryside Act 1981. They received greater protection following reviews of the schedules published in 1988 and 1991. This means they are protected against intentional or recklessly killing and injuring and against sale or transporting for sale.</p>
<p>If reptiles are identified during works, stop all works and contact Whitcher Wildlife Ltd directly on 01226 753271 or at info@whitcher-wildlife.co.uk</p>		

WEBSTER ASSOCIATES

TOWN PLANNERS, DEVELOPMENT CONSULTANTS, LAND AGENTS

P.M. Webster BA (Hons) M.R.T.P.I. B.J. Webster

14th September 2017

Mr Alan Hunter
Development Management
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Re: Planning app. 17/00567/FUL

Dear Mr Hunter,

**Re: Erection of 9 holiday lodges, associated parking facilities and vehicular access
Land off Moorfields Lane, Wombledon, Kirbymoorside**

I refer to the Planning Committee site visit that was held on 12th September, during which Councillors suggested that the existing field entrance from the private road may be a better solution to access the site than that proposed in the planning application submission.

I have now prepared a revised site layout using the existing field entrance and enclose a copy of the drawing (ref. W-WG -1.1 - Rev B). Due to the additional turning head and associated increase in gravelled hard surface, neither myself nor my client consider this to be a better design solution than the original layout submitted as part of the planning application. Accordingly we would like the application to be determined on the basis of the original drawing ref. W-WG -1.1 - Rev A.

The applicant has stated that the existing field entrance will be planted with hedging and trees to match the existing boundary treatment, and that he is agreeable to this being conditioned as part of any planning approval.

I would be grateful if this information could be conveyed to Councillors before or during the next Planning Committee meeting. Please note that should Councillors still prefer the access to be through the existing field entrance, the applicant will go with their wishes.

The applicant would also like to make Councillors aware that the proposed access into the site is in excess of 50 metres in from the Moorfield Road entrance, something that was commented on during the site visit.

Yours sincerely

Peter Webster

3 Spaldwick Road, Stow Longa, Huntingdon, Cambs. PE28 0TL

Tel: 01480 860862 email: info@websterplanning.co.uk

VAT registration No. 638 5312 33

Agenda Item 8

RYEDALE DISTRICT COUNCIL

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

1.

Application No: 15/01025/OUT **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: CRG Insolvency And Financial Reco (Mr Charles Ranby-Gorwood)
Location: Land Adj to 12 Kirby Mills Road Kirkby Mills Kirkbymoorside YO62 6NP
Proposal: Erection of a dwelling (site area 0.0165 ha)

2.

Application No: 16/01858/HOUSE **Decision: Approval**
Parish: Terrington Parish Council
Applicant: Mr Trevor Watson
Location: The Pheasantry Main Street Terrington Malton YO60 6PU
Proposal: Replacement of existing ground floor rear window by a timber entrance door with side window

3.

Application No: 16/02043/FUL **Decision: Approval**
Parish: Luttons Parish Council
Applicant: Ms Lynne Porter
Location: Old Manor Farm Main Road Helperthorpe Malton YO17 8TQ
Proposal: Change of use and alterations to existing agricultural building and part of existing fold yard to form a one bedroom self-contained residential annexe and domestic curtilage

4.

Application No: 17/00023/HOUSE **Decision: Approval**
Parish: Westow Parish Council
Applicant: Mr Walter Bratley
Location: 4 Westfield Main Street Westow Malton YO60 7NG
Proposal: Erection of a front porch

5.

Application No: 17/00089/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Peter Mills
Location: Broates Farm Swainsea Lane Pickering North Yorkshire YO18 8PW
Proposal: Change of use and alterations to existing agricultural buildings to include the removal of central fold yard structure allowing the formation of 3no. one-bedroom holiday cottages and installation of biomass heating system

6.

Application No: 17/00090/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Peter Mills
Location: Broates Farm Swainsea Lane Pickering North Yorkshire YO18 8PW
Proposal: External and internal alterations to attached barns to form 3no. holiday cottages to include partial re-roofing following removal of central fold yard structure together with installation of timber framed doors and windows and additional walls

7.

Application No: 17/00498/FUL **Decision: Approval**
Parish: Gilling East Parish Council
Applicant: H E Hornsea & Son (Mr Howard Galtrey)
Location: Coney Hill Farm Gilling East YO62 4HY
Proposal: Change of use and alteration of first floor barn to a three bedroom apartment.

8.

Application No: 17/00570/FUL **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Co-op Estates (Mr Chris Beebe)
Location: 3 - 4 Market Place Helmsley York North Yorkshire YO62 5BH
Proposal: Erection of link extension and plant room to the rear, installation of rear external staircase to first floor, alterations to shop front to include repositioning of main entrance and internal alterations to include removal of internal walls and lowering of ground floor levels.

9.

Application No: 17/00571/LBC **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Co-op Estates (Mr Chris Beebe)
Location: 3 - 4 Market Place Helmsley York North Yorkshire YO62 5BH
Proposal: Erection of link extension and plant room to the rear, installation of rear external staircase to first floor, alterations to shop front to include repositioning of main entrance and internal alterations to include removal of internal walls and lowering of ground floor levels.

10.

Application No: 17/00670/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Yorkshire Housing
Location: 1-18 Town Farm Close Kirkbymoorside North Yorkshire YO62 6AU
Proposal: Replacement of all existing windows, front entrance doors and rear patio doors with PVCU windows and doors (revised details to approval 16/01590/FUL dated 11.11.2016)

11.

Application No: 17/00690/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr A Collier
Location: Police Station West Fields Kirkbymoorside North Yorkshire YO62 6AQ
Proposal: Change of use and alteration to form a 2 bedroom dwelling

12.

Application No: 17/00718/FUL **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr & Mrs Michael & Sara Ashby-Arnold
Location: 2 Parliament Street Norton Malton North Yorkshire YO17 9HG
Proposal: Change of use and alteration of first floor showroom to form 2no. one bedroom apartments

13.

Application No: 17/00721/FUL **Decision: Approval**

Parish: Cropton Parish Council
Applicant: Mr & Mrs Carter
Location: Chestnut Tree High Street Cropton Pickering YO18 8HH
Proposal: Change of use of former chapel to domestic garage, together with change of use of existing attached garage to form kitchen extension including raising the height of the roof by 400mm

14.
Application No: 17/00748/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr & Mrs P Scholefield
Location: 7 Middlecave Drive Malton North Yorkshire YO17 7BB
Proposal: Erection of a single storey rear extension to replace existing conservatory

15.
Application No: 17/00740/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Nadar Rajab
Location: 7 Park Street Pickering North Yorkshire YO18 7AJ
Proposal: Replacement of existing shop front to enable sub-division of the premises into two units with separate access to the first floor flat and installation of 4no. roof lights

16.
Application No: 17/00746/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr & Mrs Tracey Payne
Location: Gower Hall Farm Thornton Le Clay To Foston Road Thornton Le Clay Malton North Yorkshire YO60 7QD
Proposal: Erection of conservatory to rear elevation of residential annex

17.
Application No: 17/00759/FUL **Decision: Approval**
Parish: Bulmer Parish Council
Applicant: Mr Andrew Porter
Location: Swallows Farm Wandales Lane Bulmer North Yorkshire YO60 7BN
Proposal: Erection of a general purpose agricultural storage building

18.
Application No: 17/00751/FUL **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mrs Tracey Payne
Location: Gower Hall Farm Thornton Le Clay To Foston Road Thornton Le Clay Malton YO60 7QD
Proposal: Change of use of agricultural land to form a 50m x 30m manege (all weather riding area).

19.
Application No: 17/00754/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Debbie Smith & Geoff Coe
Location: 12 Crabtree Drive Malton North Yorkshire YO17 7FQ
Proposal: Erection of a single storey rear and side extension with link to existing detached double garage

20.

Application No: 17/00758/HOUSE **Decision: Approval**
Parish: Warthill Parish Council
Applicant: Mr M. Fowler
Location: Edge Of The Wood Northgate Lane Warthill YO19 5XR
Proposal: Erection of detached double garage following demolition of existing garage.

21.

Application No: 17/00762/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Cuppacoff Ltd
Location: 15 Market Place Pickering YO18 7AE
Proposal: Change of use of an area of public highway to form an outdoor seating area in connection with the existing coffee shop

22.

Application No: 17/00766/HOUSE **Decision: Approval**
Parish: Welburn (Kirkbymoorside) Parish Meeting
Applicant: Mr & Mrs Marshall
Location: Welburn House Back Lane Welburn Kirkbymoorside YO62 7HH
Proposal: Erection of a balustraded single storey rear garden room extension and surfacing with tarmac of existing gravelled driveway from the highway up to the existing gates

23.

Application No: 17/00768/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr D Ravis
Location: 4 Queens Way Kirkbymoorside North Yorkshire YO62 6EB
Proposal: Erection of a two storey side extension

24.

Application No: 17/00769/HOUSE **Decision: Approval**
Parish: Scrayingham Parish Council
Applicant: Caroline du Plessis
Location: Yggdrasil Main Street Scrayingham Malton YO41 1JD
Proposal: Erection of timber framed gazebo.

25.

Application No: 17/00776/LBC **Decision: Approval**
Parish: Thorpe Bassett Parish Meeting
Applicant: Mr Richard Legard
Location: Wold View House Thorpe Bassett Lane Thorpe Bassett Malton North Yorkshire YO17 8LU
Proposal: External and internal alterations to include formation of dormer window to rear roof slope of lower part of dwelling, formation of first floor internal opening to allow creation of en-suite/dressing room and installation of second floor stud walling to form an en-suite

26.

Application No: 17/00780/OUT **Decision: Approval**
Parish: Beadlam Parish Council
Applicant: Mrs Jean Kershaw
Location: Land Adj Kirklands Howdale Lane Beadlam York North Yorkshire YO62 7SS
Proposal: Erection of a detached lounge (site area 0.06ha).

27.

Application No: 17/00781/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Keith Davies
Location: Gannock House 20 Town Street Old Malton Malton North Yorkshire YO17 7HB
Proposal: Remove redundant external door and infill with handmade clamp bricks and lime mortar.

28.

Application No: 17/00786/ADV **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Keith Davies
Location: Talbot Yard Yorkersgate Malton North Yorkshire
Proposal: Alterations to existing entrance signage to allow an additional 2no. advertisements.

29.

Application No: 17/00788/HOUSE **Decision: Approval**
Parish: Flaxton Parish Council
Applicant: Mr Will Crowther
Location: Wayside Rice Lane Flaxton North Yorkshire YO60 7RN
Proposal: Erection of part two storey/part first floor extension to existing attached garage, single storey extension to side and rear elevations and extension of front entrance porch together with external alterations to include part re-render of existing elevations, replacement of concrete roof tiles with slate to match the extensions and replacement windows.

30.

Application No: 17/00846/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Keith Davies
Location: Talbot Yard Yorkersgate Malton North Yorkshire
Proposal: Alterations to existing entrance signage to allow an additional 2no. advertisements.

31.

Application No: 17/00790/HOUSE **Decision: Approval**
Parish: Broughton Parish Meeting
Applicant: Mr Colin Magson
Location: 14 Manor Park Broughton Malton North Yorkshire YO17 6QL
Proposal: Erection of single storey garden room extension to the rear and extension of existing detached garage.

32.

Application No: 17/00794/HOUSE **Decision: Approval**
Parish: Bulmer Parish Council
Applicant: Mr & Mrs K Hudson
Location: The Ridge Road From Bulmer Beck To Bulmer Bulmer North Yorkshire YO60 7BN
Proposal: Erection of single storey rear extension.

33.

Application No: 17/00911/TPO **Decision: Approval**
Parish: Oswaldkirk Parish Meeting
Applicant: Lord St Oswald

Location: East Newton Hall Farm Leysthorpe To Nunnington Oswaldkirk Helmsley North Yorkshire YO62 5YE
Proposal: Removal of stems overhanging house/buildings or if necessary remove to a point 1m above pollard union to T1 (Sycamore) within TPO No 43/1982

34.

Application No: 17/00795/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr Mark Higham
Location: 1 Ryegate Helmsley YO62 5AA
Proposal: Re-roofing of existing flat roof sections to the rear, to include installation of 3no. roof lanterns

35.

Application No: 17/00797/FUL **Decision: Refusal**
Parish: Ampleforth Parish Council
Applicant: Mr John Seeger
Location: Land East Of The Forge Mill Lane Ampleforth YO62 4EJ
Proposal: Change of use and alteration of greenhouse and surrounding land to form a three bedroom dwelling with a domestic curtilage (revised details to refusal 16/01875/FUL dated 17.03.2017)

36.

Application No: 17/00798/FUL **Decision: Approval**
Parish: Aislaby, Middleton & Wrelton Parish
Applicant: J M & A Stead
Location: The Sawmill Aislaby To Wrelton Cliff Road Wrelton Pickering North Yorkshire YO18 8PG
Proposal: Erection of an agricultural building for storage and the housing of livestock

37.

Application No: 17/00801/HOUSE **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr Wharton
Location: Torridon 8 Mossburn Drive Hovingham YO62 4LY
Proposal: Erection of a two storey rear extension with loft conversion and extension of garage roof to link to main dwelling

38.

Application No: 17/00819/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Michael Saul
Location: Vivers Mill Mill Lane Pickering North Yorkshire YO18 8DJ
Proposal: Installation of bathroom fittings to first floor bedroom and second floor bedroom

39.

Application No: 17/00812/HOUSE **Decision: Approval**
Parish: Oswaldkirk Parish Meeting
Applicant: Mr Jake Elmhirst
Location: Oswaldkirk Hall Main Street Oswaldkirk Helmsley YO62 5XT
Proposal: Infilling of existing swimming pool to allow erection of bespoke Victorian framed greenhouse

40.

Application No: 17/00813/LBC **Decision: Approval**
Parish: Oswaldkirk Parish Meeting
Applicant: Mr Jake Elmhirst
Location: Oswaldkirk Hall Main Street Oswaldkirk Helmsley YO62 5XT
Proposal: Infilling of existing swimming pool to allow erection of bespoke Victorian framed greenhouse

41.
Application No: 17/00827/HOUSE **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr Andrew Moutrie
Location: Deer Keepers Lodge Parkside Lane Hovingham Helmsley YO62 4JD
Proposal: Erection of a part two storey/part single storey extension including garaging and raised terrace to south elevation following removal of existing rear wall, wood store and garden wall to include some regrading of land, erection of retaining walls and areas of resurfacing in a mix of materials (revised details to approval 15/01237/HOUSE dated 18.12.2015)

42.
Application No: 17/00828/LBC **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr Andrew Moutrie
Location: Deer Keepers Lodge Parkside Lane Hovingham Helmsley YO62 4JD
Proposal: External alterations to include erection of a part two storey/part single storey extension including garaging and raised terrace to south elevation following removal of existing rear wall, wood store and garden wall to include some regrading of land, erection of retaining walls and areas of resurfacing in a mix of materials (revised details to approval 15/01238/LBC dated 18.12.2015)

43.
Application No: 17/00836/HOUSE **Decision: Approval**
Parish: Lillings Ambo Parish Council
Applicant: Mr John Hollowood
Location: Toft Farm Goose Track Lane West Lilling North Yorkshire YO60 6RP
Proposal: Erection of 2no. orangery extensions to rear gables of dwelling

44.
Application No: 17/00839/73 **Decision: Approval**
Parish: Pockley Parish Council
Applicant: Haxton Developments Ltd
Location: Low Farm Main Street Pockley Helmsley YO62 7TE
Proposal: Variation of Condition 02 of approval 08/00321/FUL dated 30.05.2008 to allow the accommodation to be used as ancillary to the dwelling as approved by 16/00814/GPAGB dated 27.06.2016

45.
Application No: 17/00915/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr M Collins
Location: 39 The Croft Sheriff Hutton North Yorkshire YO60 6SQ
Proposal: Erection of a detached garage to replace an existing detached garage

46.
Application No: 17/00849/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council

Applicant: Mr John Hansen
Location: The Bungalow Swineherd Lane Kirkbymoorside YO62 6LR
Proposal: Erection of detached 3 bedroom dwelling with integral garage together with formation of 2no. parking spaces, following demolition of existing dwelling (Part Retrospective)

47.

Application No: 17/00854/FUL **Decision: Approval**
Parish: Sinnington Parish Council
Applicant: Mrs Gail Auton
Location: Land Off Main Street Sinnington Pickering
Proposal: Change of use of agricultural land to equestrian use to include erection of block of 2no. stables, field shelter and hay store incorporating retention of existing field shelter.

48.

Application No: 17/00860/FUL **Decision: Approval**
Parish: Welburn (Kirkbymoorside) Parish Meeting
Applicant: Mr William Shaw
Location: Land Off Flatts Lane Welburn Kirkbymoorside
Proposal: Change of use and alteration of agricultural buildings to form 1no. 3 bedroom agricultural workers dwelling to include a 1 bedroom self-contained guest room, and 1no. 4 bedroom agricultural workers dwelling together with demolition of covered fold yard to provide amenity space.

49.

Application No: 17/00862/FUL **Decision: Refusal**
Parish: Kirby Misperton Parish Council
Applicant: Mr & Mrs James Phillips
Location: Land At Kirby Misperton Road Kirby Misperton Malton North Yorkshire
Proposal: Siting of 3no. 2 bedroom holiday lodges with parking and amenity areas.

50.

Application No: 17/00866/FUL **Decision: Approval**
Parish: Norton Town Council
Applicant: (Mr Wayne Butler) Willow Developments
Location: Leat House 71 Welham Road Norton Malton North Yorkshire YO17 9DS
Proposal: Erection of single storey extension to east elevation to form a boiler room following the previously approved demolition of existing extensions.

51.

Application No: 17/00879/LBC **Decision: Approval**
Parish: Norton Town Council
Applicant: Willow Developments (Mr Wayne Butler)
Location: Leat House 71 Welham Road Norton Malton North Yorkshire YO17 9DS
Proposal: Erection of single storey extension to east elevation to form a boiler room following the previously approved demolition of existing extensions.

52.

Application No: 17/00880/ADV **Decision: Approval**
Parish: Pickering Town Council
Applicant: Eastgate Fisheries (Mr Marcus Jeffrey)
Location: Eastgate Fisheries 79 Eastgate Pickering North Yorkshire YO18 7DY
Proposal: Installation of internally illuminated fascia sign following the removal of existing signage and lighting.

53.

Application No: 17/00886/HOUSE **Decision: Approval**
Parish: Nunnington Parish Council
Applicant: Mr Andrew Wood
Location: Hall Garth Ings Lane To West Ness Muscoates Nunnington Kirkbymoorside YO62 5XE
Proposal: Erection of single storey extension to west elevation, cat slide dormer to north elevation and replacement of windows.

54.

Application No: 17/00912/HOUSE **Decision: Approval**
Parish: Sherburn Parish Council
Applicant: Mr Alan Bridges
Location: 2 Eastbeck Close Sherburn Malton YO17 8PU
Proposal: Installation of 4no. rooflights to west elevation roofslope.

55.

Application No: 17/00914/HOUSE **Decision: Approval**
Parish: Sand Hutton Parish Council
Applicant: Mr David Black
Location: Woodside Farm Main Street Sand Hutton Malton North Yorkshire YO41 1LB
Proposal: Erection of detached timber garage

Appeal Decision

Site visit made on 25 July 2017

by **A A Phillips BA (Hons) DipTP MTP MRTPI**

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

Decision date: 24 August 2017

Appeal Ref: APP/Y2736/W/17/3166683

Old Manor Farm, Main Road, Helperthorpe, Malton, North Yorkshire YO17 8TQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Ms Lynne Porter against the decision of Ryedale District Council.
 - The application Ref 16/01823/GPAGB, dated 31 October 2016, was refused by notice dated 9 December 2016.
 - The development proposed is the change of use of agricultural buildings to form 1 no. four bedroom dwelling and 2 no. one bedroom dwellings (Use Class C3).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development on the application form is for *'conversion of existing buildings forming two sides of an existing fold yard in a traditional farm complex. A row of single storey stables and stores is to be converted into two 1 bed cottages and a higher building (currently a granary and hayloft) will be converted to provide a 4 bed house. The existing farm is well screened from neighbours and street by mature hedges and trees. See also the block, site and floor plans'*. However, the description of the proposal on the Council's decision notice is for *'change of use of agricultural buildings to form 1 no. four bedroom dwelling and 2 no. one bedroom dwellings (Use Class C3)'*. I have used this latter description in the above heading as it accurately reflects the development for which prior approval is sought under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the 2015 GPDO).

Main Issues

3. Firstly, there is dispute as to whether the proposal meets the requirements of Class Q of the 2015 GPDO with particular reference to whether the curtilage falls within the definition in Part 3 X of the 2015 GPDO.
4. Furthermore, for permitted development under Class Q (a) development consisting of a change of use of a building and any use within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order requires approval of five matters. On the basis of the evidence before me the main issues in this case are whether the location and siting of the buildings makes it impractical or

undesirable for the buildings to be changed to Class C3 dwellinghouses, in terms of whether future occupants would have suitable living conditions with particular reference to noise, odour and general disturbance, the effect on the living conditions of existing and future occupants of the site with particular reference to privacy and disturbance from vehicles passing in close proximity to the existing dwelling, whether the proposal makes suitable provision for parking and access and the effect of the proposal on ecology.

Reasons

Whether the proposal meets the requirements of Class Q

5. The Council contends that if the access and parking areas associated with the proposed conversion were included within the curtilage of the properties the development would fail to be permitted under Schedule 2, Part 3 Class Q of the 2015 GPDO. This is due to the definition under Schedule 2, Part 3, Class X defining curtilage as '*(a) a piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or (b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser*'. Although their position is not entirely clear it appears that the Council has taken this position because the proposed access and parking area shown on the application plans are separated from the agricultural buildings to be converted by the existing fold yard which lies between them.
6. In this case the area of land identified for six car parking spaces (one disabled) and access is outside the application boundary. Therefore, although it might reasonably be expected that the land in question would form part of the curtilage, or at least part of the application site, this is not the case and consequently it cannot be said that the proposed curtilage of the three properties falls outside the definition of curtilage as defined under Part 3, Class X of the 2015 GPDO.
7. Consequently, on this issue I conclude that in these particular circumstances and on the basis of the evidence before me in this case the proposal does meet the requirements of Class Q of the 2015 GPDO with particular reference to whether the curtilage falls within the definition of curtilage in Part 3 X of the 2015 GPDO.

Ecology

8. Circular 06/2005 states that the presence of a protected species is a material consideration when a development proposal is being considered which may result in harm to the species or its habitat. It is essential that the presence or otherwise of protected species and the extent that it may be affected by the proposed development is established before permission is granted. Ecological surveys should only be required where there is a reasonable likelihood of species being present and affected by the development.
9. In this particular case, at the time of the determination of the prior approval application, it is my understanding that no protected species survey had been undertaken and submitted to the Council. However, a scoping survey for protected species and habitats relating to the current proposal has been submitted with the appeal documentation. No evidence of habitation by bats

was recorded in the scoping survey, either in hibernation or as a roosting or breeding site. Consequently the survey concludes that the site has a low to medium potential for habitation by bats.

10. However, the survey was undertaken in December and therefore has limitations. In order to confirm the findings the survey concludes that an emergence survey should be carried out during the breeding season between May to August, inclusive. To my knowledge no such emergence survey has yet been undertaken. In my opinion exceptional circumstances have not been demonstrated and therefore conditioning further surveys would not be an appropriate course of action in this particular case.
11. On the basis of the evidence before me I therefore consider there to be insufficient information to conclude at this stage that there is no reasonable likelihood of species being present. Consequently, the proposal may have a harmful effect on ecological interests of the buildings in question.

Location and siting

12. The appeal site comprises an agricultural unit with a large modern agricultural building to the rear which would be situated adjacent to the proposed conversion of the existing granary building. The future use of the modern agricultural building is not of significant concern in terms of the proposed Orchard Cottage and The Stables owing to there being sufficient distance between them to mitigate potential harm in terms of noise, odours and general disturbance. However, the building and the proposed Granary are in such close proximity to one another to warrant concern regarding the potential effects of future uses. The appellant has stated that the small scale agricultural operations associated with the small holding of only approximately 4.5 hectares in size will transfer to the modern general purpose building adjacent to the Granary dwelling. I have also noted that the agricultural building in question would also be transferred to the appellant's daughter who is proposed to be the first occupant of the adjacent Granary.
13. The appellant contends that the odours, noise and general disturbance would be relatively minimal and acceptable within this particular location and that intensive agricultural uses are not likely to take place at any time in the future. At my site visit there appeared to be very little agricultural activity on site and if that situation continues the effect of such activity on the proposed conversion is likely to be relatively insignificant.
14. It has also been suggested that in line with the approach taken by a previous Inspector on a different case a suitably worded planning condition could be attached to any permission which could restrict intensive agricultural operations and the storage of silage, dangerous machinery or chemicals in the modern agricultural building. I also understand from the appellant that the building is not suitable for livestock in its current form and I have no evidence to dispute otherwise. I do not consider that a condition restricting the use of an agricultural building for non-agricultural purposes would be reasonable; however, I do consider that in the specific circumstances of this case, in the event of allowing the appeal, it would be appropriate to restrict the use of the building in order to ensure it is not used for intensive livestock or agricultural operations and other activities likely to be prejudicial to the living conditions of potential future occupants of the granary conversion.

15. The appellant contends that the agricultural building, associated land and the Granary would be transferred to a family member who would be its first occupant and that such an arrangement would mitigate potential harm from adjacent residential and agricultural activities associated with the small holding. I agree with the Council's assertion that the current application cannot be used to control the transfer of ownership of land or buildings. However, a condition could be used in the event of granting permission which restricts the occupancy of the Granary and other proposed residential properties to the appellant or family members. I consider that such an approach would be a reasonable way of mitigating any potential harm that may arise from conflicting adjacent uses.
16. The proposed dwellings and Old Manor Farm would have a particularly close relationship to one another. This would undoubtedly result in a degree of overlooking between the properties and adjacent private amenity spaces. Occupants would pass by and through the private amenity space of the existing property for access purposes resulting in overlooking and loss of privacy to an unacceptable degree. There would also be potential overlooking into the properties from communal areas. The effect of the proposal on the proposed Orchard Cottage, The Stables and the rear/side garden of Old Manor Farm is of particular concern, with the current proposal providing little privacy to each property. However, I have noted the appellant's intentions that the site is occupied communally by the extended family. As such it is reasonable to accept reduced standards of privacy and, indeed, in this particular case family members would not necessarily expect the levels of privacy that may be expected in normal circumstances. Therefore in the event of permission being granted an occupancy condition could be used to overcome this particular concern.
17. The Council has also raised concerns relating to the effect of the development on the living conditions of existing occupants in terms of the disturbance from vehicles movements passing by the existing dwelling. However, given the likely relatively low number of daily movements associated with two one bedroom dwellings and one four bedroom (including the living room / guest bedroom) dwelling I do not consider that sufficient disturbance would be likely to cause an unacceptable level of harm to the living conditions of existing occupants in terms of noise and disturbance from vehicle movements.
18. I have noted that the area shown for six car parking spaces (one disabled) falls outside the application boundary. Consequently, I have no evidence that the land in question would be available for allocated spaces for the proposed dwellings. Therefore, there is no control over this land through the current application and, as such, a situation could arise where no parking or vehicular access is available to the dwellings. In this particular case it would not be appropriate for me to condition a legal agreement requiring there to be rights of access across the drive or guaranteeing access to parking, none of which would be within the dwellings' curtilages based on the evidence before me.
19. Consequently, a situation could arise where the residential proposed properties could be sold separately without having the benefit of car parking spaces or access.
20. On the basis of the above I conclude that the location and siting of the buildings makes it impractical and undesirable for the buildings to be changed

to Class C3 dwelling houses as set out in paragraph Q.2 (1) of Part 3 of Schedule 2 of the 2015 GPDO, on the grounds that the proposal does not make suitable provision for parking and access.

Other matters

21. I have noted the family's circumstances; however, I do not consider that these circumstances outweigh the harm that I have identified above. I am also aware that an alternative proposal has been submitted to the Council, but this has no bearing on the current appeal before me.

Conclusion

22. For the reasons given above and taking into account other matters raised I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR