



PLANNING COMMITTEE

Tuesday 20 November 2018 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

1 Apologies for absence

2 Declarations of Interest

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

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

3 Minutes

(Pages 3 - 7)

4 Urgent Business

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

5 Schedule of items to be determined by the Committee

(Page 8)

6 18/00580/MFUL - Field Off Hungerhill Lane Wombledon

(Pages 9 - 57)

7 18/00739/FUL - Middleton Service Station Main Street Middleton (Pages 58 - 82)

8 18/00911/FUL - Joiners House Main Street Wintringham

(Pages 83 - 100)

- 9 **Appointment of Members of the Tree Preservation Order Working Party**
- 10 **Any other business**
- 11 **List of applications determined under delegated powers** (Pages 101 - 106)
- 12 **Appeals** (Pages 107 - 118)

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 23 October 2018

Present

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

Substitutes: Councillor CR Wainwright

In Attendance

Gary Housden, Alan Hunter, Ellie Hardie (Clerk) and Ellis Mortimer (Clerk)

Minutes

70 **Apologies for absence**

Apologies were received from Councillor Maud.

71 **Declarations of interest**

Councillor	Item
Farnell	6, 11, 12
Potter	6, 11
Wainwright	12
P Andrews	11
Goodrick	12
Cleary	11
Windress	6

72 **Minutes**

Decision

That the minutes of the Planning Committee held on 25th September 2018 be approved and signed as a correct record.

Voting record

9 For

0 Against

1 Abstention

73 **Urgent Business**

There was no urgent business.

74 **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.

75 **18/00235/73A - Royal Oak Church Street Nunnington**

18/00235/73A – Change of use of former pub to form a 5 bedroom private residential dwelling (retrospective).

Decision

The application was refused contrary to officer recommendation for the following reasons:

Policy SP11 – Community Facilities and Services of the adopted Ryedale Local Plan Strategy 2013 seeks to protect existing local retail, community, leisure and recreational services and facilities that contribute to the vitality of the towns and villages in the district. The Local Planning Authority considers that there is continuing need for this facility in the locality and that there is no easily accessible alternative to serve the needs of the community of Nunnington. Furthermore the Local Planning Authority remains of the view that the premises has the potential to be run as a viable business and that the facility could be run as a viable business.

The proposal to change the use of the premises to a five bedroom private residential dwelling is therefore considered to be contrary to the requirements of Policy SP11 of the adopted development plan and that there are no material considerations of sufficient weight to warrant a decision contrary to the requirements of the adopted development plan.

Members of the Planning Committee considered on balance that the application was unacceptable for the reasons set out above.

In the exercise of its statutory discretion to determine planning applications in accordance with the development plan unless material considerations indicate otherwise the Planning Committee weighed all the material considerations of this case in the decision making balance and reached a planning judgement that weighed in favour of refusal.

Voting Record

7 For

1 Against

2 Abstentions

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

76 18/00035/MFUL - Sherburn Ings Farm Station Road Sherburn

18/00035/MFUL – Erection of an agricultural building for the housing of fattening pigs and formation of an adjacent hard core yard area.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

Voting Record
10 For
0 Against
0 Abstentions

77 18/00839/MFUL - Land off Butterwick Road Butterwick

18/00839/MFUL – Erection of a 32,000 bird free range egg laying unit with associated egg packing and storage building, 2no. feed bins, parking/turning area, concrete apron and access track linked to existing farm access track.

Decision

PERMISSION GRANTED – Subjection to conditions as recommended.

10 For
0 Against
0 Abstentions

78 18/00608/FUL - Howsham Hall Howsham Hall Road Howsham

18/00608/FUL – Change of use to a dual use of residential (Use Class C3) and private hire (Sui Generis) under Class V of Part 3 of schedule 2 of the General Permitted Development (England) Order (2015), together with the temporary erection of outdoor marquee for no more than 4no. 5 day periods per year (part retrospective).

Decision

PERMISSION GRANTED – Subject to conditions as recommended together with additional condition enabling the Operations Plan also to be reviewed after 12 months

Voting Record
10 For
0 Against
0 Abstentions

79 **18/00732/FUL - Malton Road Garage Amotherby Malton**

18/00732/FUL – Erection of 5no. four bedroom dwellings with parking and amenity areas on land occupied by former petrol station.

Decision

REFUSED – As recommended.

9 For
1 Against
0 Abstentions

80 **18/00969/FUL - 7 Russett Road Malton**

18/00969/FUL – Erection of a detached one bedroom self-contained residential annex together with a single storey rear extension to the existing dwelling and demolition of existing detached garage/store and shed.

Decision

Members voted against a movement for deferral and against a movement for refusal.

PERMISSION GRANTED – Subject to conditions as recommended.

8 For
2 Against
0 Abstentions

In accordance with the Members Code of Conduct Councillors Farnell, Potter, P Andrews and Cleary declared a personal non-pecuniary but not prejudicial interest.

81 **Howardian Hills Area of Outstanding Natural Beauty: Draft Management Plan 2019 - 2024**

Howardian Hills Area of Outstanding Natural Beauty: Draft Management Plan 2019 – 2024

Decision

Members agreed the District Council's response to the consultation on the draft Howardian Hills AONB Management Plan 2019-2024 at Appendix 1 of the report

10 For
0 Against
0 Abstentions

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

82 **Timetable of meetings**

Decision

Members agreed the timetable of meetings with one amendment to move the Planning Committee from 5th to 6th of November 2019.

10 For
0 Against
0 Abstentions

83 **List of applications determined under delegated powers**

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

Meeting closed 20:50

Agenda Item 5

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 20/11/18

6

Application No: 18/00580/MFUL

Application Site: Field Off Hungerhill Lane Wombledon Kirkbymoorside

Proposal: Change of use of part of airfield land to allow the siting of 65no. timber clad static holiday units with decking, 1no. static site managers accommodation unit and an office/reception static unit together with formation of a site vehicular access, associated permeable gravel internal site road with car parking spaces for the individual units, site landscaping adjacent to the retrospective peripheral bund, with proposed low level site entrance lighting ,installation of a package treatment plant and siting of electricity substation

7

Application No: 18/00739/FUL

Application Site: Middleton Service Station Main Street Middleton Pickering YO18 8NS

Proposal: Erection of replacement forecourt canopy and pump islands, formation of replacement shop front, installation of 2no. replacement underground tanks, installation of service bays, relocation of vent pipes and formation of additional parking bays

8

Application No: 18/00911/FUL

Application Site: Joiners House Main Street Wintringham Malton YO17 8HX

Proposal: Erection of a two storey side extension to form a one bedroom self-contained residential annex and the erection of 2 no. timber clad outbuildings including a verandah to be used for domestic purposes (part retrospective).

**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: 18/00580/MFUL
Parish: Wombledon Parish Council
Appn. Type: Full Application Major
Applicant: GraceMax Ltd
Proposal: Change of use of part of airfield land to allow the siting of 65no. timber clad static holiday units with decking, 1no. static site managers accommodation unit and an office/reception static unit together with formation of a site vehicular access, associated permeable gravel internal site road with car parking spaces for the individual units, site landscaping adjacent to the retrospective peripheral bund, with proposed low level site entrance lighting ,installation of a package treatment plant and siting of electricity substation
Location: Field Off Hungerhill Lane Wombledon Kirkbymoorside

Registration Date: 16 July 2018
8/13 Wk Expiry Date: 15 October 2018
Overall Expiry Date: 7 November 2018
Case Officer: Rachael Balmer **Ext:** 357

CONSULTATIONS:

Initial	
Parish Council	Objection
Highways North Yorkshire	Objection
Flood Risk	Recommend conditions
Environmental Health Officer	Recommends Conditions
Countryside Officer	
Yorkshire Water Land Use Planning	No comments
Sustainable Places Team (Environment-Agency Yorkshire Area)	Recommend conditions
Civil Aviation Authority	
Vale Of Pickering Internal Drainage Boards	Comments

Re-Consultation

Civil Aviation Authority	
Countryside Officer	
Environmental Health Officer	
Sustainable Places Team (Environment-Agency Yorkshire Area)	
Flood Risk	No further comments to add
Parish Council	Previous objections still stand
Vale Of Pickering Internal Drainage Boards	No further comments
Yorkshire Water Land Use Planning	No further comments
Highways North Yorkshire	Recommend conditions

Neighbour responses:

Mr C Sewell, Mr And Mrs William Foster, B Willoughby, Mr And Mrs R.S. Ham, Mr John Storey, M. W. Clark And D. A. Clark, Mr Gillian Wigley, Mr Ian Simpson, Mr Gary Grice, Mr Christopher Wigley, Mrs Eileen Howell, Mr Eden Blyth, Mrs Rowena Robinson, Mrs Berenice Bellamy, Stewart Slater, Mr David Bingham, Mrs Claire Chew, Mr John Thorndycraft, Ms S Taylor, Mr Nigel Johnson, Mrs James, Mrs And Mrs N Mercer, Mr P Tipping, Mr B Smith, Mr Peter Howell, Mrs H Spencer, Mr R & Mrs J Gamble, Mr A Willoughby, Mr Matthew Simpson, Mr John Walker, Mr Jack Woodhead, Mr & Mrs R S Ham, Mr Harry Bellamy, Dr Nigel Walters, Mr Paul Ashley, Miss Ann Mansfield,

1.0 SITE:

1.1 The site is circa 8.5 ha in size, and sited approximately 700m south (as measured along the main road) from the edge of the village of Wombleton. It is situated within open countryside adjacent to Hungerhill Lane, which is a national speed limit road which runs across the Vale of Pickering to Nunnington. The site is part of the extent of Wombleton Air Field which was used in World War II. The site contains areas of hardstanding, plantation trees and grass. The applicant also owns half a runway (runway 17/35) which is to the immediate west of the site (outside of the red outline but denoted in blue). The part of the runway which is not owned by the applicant is still in use. The site broadly forms a very rough 'T' shape, wrapping around a potato storage facility to the east, and to the north of runway 17/35. The site's layout is derived from the legacy and layout of the airfield, although the land which is subject to this application is not brownfield/previously developed land in terms of the NPPF definition as there are no permanent structures on the land.

2.0 PROPOSAL:

2.1 The proposal seeks full permission for the change of use of part of the airfield land to develop 65 timber-clad static holiday units (lodges) with decking. This would also include a manager's residence and office/reception static unit. Vehicular access would be from an access to the south of the site onto Hungerhill Lane. In the revised scheme, a footpath would also lead onto Hungerhill Lane from a pre-existing access at the north of the site. An internal gravel road with grouped car parking spaces is proposed with further landscaping adjacent to a previously constructed soil bund with trees planted into the bund. Further elements include the provision of low-level lighting at the site entrance, and the installation of a sewage treatment plant. There is also an electricity sub-station. The application was originally submitted with a proposal for a public footpath to Moorfields Lane, but this element has now been deleted.

2.2 The lodges are proposed on the plans as being 13.71m in length, 6.09 metres in depth/width and would be 3.62 metres in height at the roof ridge. Each lodge would be served by a raised area of decking. The car parking is not adjacent to the units, but is proposed as communal parking areas. As no boundaries between the units are identified, the areas of grass and planting would involve comprehensive site management.

2.3 The application was validated on the 16 July 2018 and was the subject of a pre-application enquiry, which identified some key sensitivities. A range of documentation has been submitted for the purpose of considering the application. There is a Design and Access

Statement. There is also a proposed site layout plan, with landscaping. Technical information includes a landscape and visual impact assessment, flood risk assessment and drainage strategy; a transport assessment, with a subsequently submitted revised transport statement with indicative travel plan. A report on the need and economic benefits of the proposal has been provided. No ecological report, nor contamination report have been provided. These documents referred to above (and their absence) are discussed in the relevant appraisal section of the report.

2.4 Revisions to the scheme initially included, the addition of an electricity substation (and describing the bunds as retrospective) and then subsequently deletion of southern public footpath to the south of the site and addition of a travel plan and transport assessment. It is for these elements, and the subsequent two re-consultations why the application has not been brought before Members at an earlier date.

2.5 The application's description refers to the retrospective creation of a soil bund with trees planted into the soil. This bund is operational development and therefore requires planning permission in the first instance. Therefore if Members are not minded to approve this application, the Local Planning Authority will need to consider the next steps concerning the building of the bund. Matters concerning hedgerow removal in this instance are not enforceable as the Authority is unable to establish when the hedging was removed.

2.6 There is also on-going civil issues between the owner/user of the other half of runway 17/35 and the applicant. The applicant has constructed the soil perimeter bund (2m wide and 1m high) and planted trees on it as a precursor for the submission of the planning application. The trees – which sit on top of the bund (including to the immediate north of the runway- where planes land), are not development, and as such the Local Planning Authority is unable to intervene regarding their presence. The siting of large water storage containers down the centre of the runway, as demarcation of land has also occurred. As these are movable structures and are not development nor a change of use of the land, these also constitute a civil issue, and the Local Planning Authority is therefore unable to take action on these. This report does, however, consider the mutual implications of the proposed use for holiday lodges in relation to the existing operation of the runway, and this is discussed later in the report.

2.7 In reading the consultation responses Members may be aware of the presence of an application for a second holiday lodge site on a separate part of the Wombleton Air field complex (18/00662/MFUL) for 60 holiday lodge units. That application is yet to be determined. Part of the above-referenced site has planning permission (17/00567/FUL) for nine units which was granted in October 2017. Members will be aware that they are required to consider each proposal on its own, site- specific, merits in accordance with the policies of the adopted Development Plan, and taking account of material considerations. This is because neither scheme has been granted permission; and therefore it would be unreasonable to consider in any substantive detail concerning the implications of both schemes at this stage.

3.0 HISTORY:

3.1 The planning history is complex largely because the application site and the neighbouring land which is part of the potato store complex used to be in the same ownership. The report focuses on the more recent uses for the site, and the extent to

which, in planning terms, the proposed use has implications for the adjoining land uses.

1980 – Dwelling - refused

1993- Use for motor sports – approved

2007 - 07/00611/MFUL- Change of use and alteration of potato store to building for manufacture of wood fuel pellets to include erection of attached two-storey office and staff facilities building, wood chipping and debarking lines and wood chip bunker, silos for wood pellets and sawdust, fuel bunker and bunded diesel fuel tank, formation of vehicular access for HCVs with weighbridge, alterations to existing vehicular access, staff parking, external log storage areas, site perimeter mounding (berm), landscaping and excavation of pond - withdrawn

2008- 08/00303/MFUL Change of use and alteration of potato store to building for manufacture of wood fuel pellets to include erection of single-storey open fronted storage extension, formation of office and staff facilities within existing building, debarker and log processor within sunken covered bunker, external log and processed wood storage areas, alteration to vehicular access, weighbridge, staff and visitor parking, alteration to existing southern boundary mounding (berm) and landscaping

Northern part of this application site and the potato store to be used for the manufacture of wood fuel pellets -Refused and appeal dismissed.

2009 – 08/00986/FUL Alterations to boundary hedgerow to improve visibility splays to existing access and engineering works to extend hardstanding area within the site- Refused

Covers northern part of this application site and the potato store
Appeal was dismissed 28.08.2009.

2010 - 10/00830/MFUL- Change of use of woodland to allow the siting of 8no. timber clad static holiday chalets and 9no. eco-camping pods, formation of vehicular access, stone access road and parking areas, installation of bollard downlighting and formation of 2no. wildlife ponds and woodland paths and erection of toilet block – not determined and finally disposed of.

The non-determination was due to the non-signing of a s.106 agreement. The agreement sought to secure operation restrictions on the potato store, on the basis that it was necessary to restrict the operation of the store in order to make the scheme acceptable on the basis of noted adverse impacts on the amenity of occupants of the holiday units. This could be achieved at the time due to the two parcels of land being in the same ownership.

There is also extensive planning history concerning the land which is utilised as part of the Potato Store operations. Of particular relevance is the application below.

2018 (April) 18/00146/OBL - Modification of planning obligation dated 24.03.1994 relating to approval 3/154/23C/FA dated 12.04.1994 to allow the removal of restrictions of the agreement on land within the red line of the site location plan submitted that omits the

area of the general purpose building/potato store – Approved

This 1994 application was for the use of the potato store.

4.0 POLICY:

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of any planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises:

The Ryedale Local Plan Strategy (2013)

The Proposals Map (2002) carried forward by the Local Plan Strategy

The 'saved' policies of the Ryedale Local Plan (2002)

The Yorkshire and Humber Plan (Regional Spatial Strategy)- York Green Belt Policies (YH9 and Y1)

(The 'saved' policies of the Ryedale Local Plan and The Regional Spatial Strategy are not considered to be relevant as part of the determination of this proposal)

The Ryedale Plan - Local Plan Strategy (5 September 2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP8 Tourism

Policy SP12 Heritage

Policy SP13 Landscapes

Policy SP14 Biodiversity

Policy SP16 Design

Policy SP17 Managing Air Quality, Land and Water Resources

Policy SP19 Presumption in Favour of Sustainable Development

Policy SP20 Generic Development Management Issues

Policy SP21 Occupancy conditions

Material Considerations:

National Planning Policy Framework (NPPF) (2018), in particular Paragraphs 11 and 12: 'Presumption in favour of sustainable development',

National Planning Practice Guidance

The Natural Environment and Rural Communities Act 2006 s.40.

The emerging Local Plan Sites Document – currently at Examination is not considered material to the consideration and determination of this application.

5.0 CONSULTATIONS:

5.1 A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view on the public access webpage, and referred to in the report accordingly.

5.2 Wombleton Parish Council have raised objections to the proposal, in summary:

- Proposed cycle routes are unsafe;
- Concern that this will lead to second or main homes by ‘the back door’ as no mention of length of tenure and this would place undue burdens on the small village;
- Increase in traffic during construction and in occupation- with a village already congested due to narrow roads;
- Will provide no benefits to Wombleton itself, and will have a huge impact negatively on residents;
- The size of the site is not in keeping with the village;
- Site would increase the already substantial amount of noise pollution for residents close to the proposed development;
- The site could be left half-finished or a change of use inserted part way through the project. Council would like to see something inserted to stop this from happening.

5.3 In terms of neighbour responses, 22 no. comments have been received from individuals.

In summary, the responses are concerned and therefore object to the scheme with the following matters:

- Aviation safety needs to be of paramount importance in the adjacent run-way to the site;
- The adjacent runway is not disused, and has been in regular aviation since the 1960s
- The light aviation has a minimal impact on the existing residents
- The remnants of the WW2 airfield (with the exception of the well-maintained control tower) are the runways and perimeter tracks- which being flat are hidden from passing traffic by hedges
- The proposed southern footpath connecting would cross my land and they do not have a right of access, I and my leaseholders have rights to access the runway section 35/17 those rights include aircraft taxiing, take-off and landing.
- The proposed footpath would be crossing the runway at about head height when coming into land – completely unacceptable in aviation safety.
- The proposals given an embankment- already built and planted with trees, and four chalets directly in line with the approach to the runway 35, a pilot experiencing engine failure, an unexpected down draught or very slight misjudgement could be just one of the main fatalities resulting – completely unacceptable in aviation safety.
- As the potato store is outside of the application area can it be conditioned/ controlled enforced against?
- The indiscriminate hedgerow removal on Hungerhill Lane has done nothing to enhance the area- nor has the bunds with trees which are dead or dying.
- The bunds have been potentially formed from builders waste and household rubbish, with soil over. It has Himalayan balsam in it. Is planning permission needed for the bunds?
- There are 67 units if you include the manager’s accommodation and the office/reception.

- The trees are planted in an unsuitable manner both for their longevity and the implications for the active runway
- Will the package sewerage treatment plan be effective, and the run-off- increase flooding the site floods- pictures provided
- It is not clear how many jobs will be created.
- The application 10/00830/MFUL was never granted for the holidays lodges to the north of the site, I believe because the legal agreement was not signed- what does this mean for this application? See it as a conflict of use.
- The site is not brownfield land – it wasn't added onto the Brownfield Land Register
- Clearly harm the surrounding land, would be highly visible from Common Lane
- The southern footpath to Moorfields would cross two active runways
- The runway should remain open without obstruction (either through people or debris) for safety reasons
- Local holiday parks have not been fully booked through the summer – in spite of the exceptionally good weather
- Up to 276 car parking spaces (Member's this covers a number of applications)
- Holiday homes built for year-round living with a request that no planning restrictions are placed on the operating season.
- The site is likely to have contamination- aviation fuel. This should be established prior to the application going before planning committee due to the size of the site.
- The poor quality of the bunding should also be assessed.
- Should planning permission have been applied for the hedgerow removal?
- The proposed landscaping and layout would not meet with the requirements of SP16
- This is one of two schemes resulting in potentially 129 static caravans.
- Concerned about the noise from the runway and how it would affect the occupants of the units during taxiing, take-off and landing
- Local residents would experience a loss of view of the open countryside
- Consider it cannot be accommodated in the landscape without unacceptable visual intrusion
- Size is out of scale and overbearing, as will be the levels of traffic
- Can the company afford to build the facility, is there the utility infrastructure?
- Because of the scale of the site can I ask that there is a site visit, to see how close it is to the active runway?
- Would harm the natural habitat of the wild deer and other wild animals – species protected by law
- Loss of sheep sale on the airfield
- Dangers from pollution and traffic on country roads
- Wombleton village is within a Conservation Area- consider it would be detrimental to the village as a result of through traffic.
- There is little within the village to attract people, it is small with limited amenities
- The existing businesses may well be adversely affected by this unnecessary development- new jobs at the expense of current jobs is pointless
- The village's road are not wide enough to take the construction traffic- and can this be controlled to avoid the village?
- Change from agricultural use could precipitate further unforeseen exploitation of the site for purposes which could adversely affect the residents of Wombleton
- No local business will be supported, there is not one shop of any kind in Wombleton or Harome
- Utilities strained-Water supply issues- pressure is already very low

- Two separate applications but will be joined by the footpath (note this has now been taken out of the scheme)
- The number of units would probably amount to more than the number of households in Wombleton
- Current paths of the village are narrow, and a hazard for young children- this will only increase with this development
- The current use of the runway for light aircraft has been since 1972. It is unlicensed and therefore not commercial. Permission is needed to land, unless it is in an emergency or a precautionary landing- and the runways are on official aeronautical charts
- The bund has severely disadvantaged our flying- because it creates a serious hazard for take-off and landing as it crosses the northern extent of runway 35. The bunding would be a serious obstruction or cause tipping in the event that the undercarriage or propeller hitting the bund.
- The hazard extends to the presence of the log cabins themselves- with planes flying at an unavoidably low level- there are a number of cabins in the direct flight plan- inadvisable in the extreme.
- The proximity of the site with likely young children, and the risks to them from planes taxiing- in which visibility is much reduced as the pilot cannot see beneath them
- The Local Planning Authority should refer to guidance produced on safeguarding by the Civil Aviation Authority CAP 793 chapters 2 and 3. The CAA has provided this to the Council prior to the application being made.
- Object to the application on the basis that it has not been adequately scrutinised to appraise the dangers, and we have not been offered safeguarding consultation, as recommended by the CAA.
- The Design and Access statement is misleading as it has not made reference to the aircraft hangar which is close proximity and from which planes will taxi adjacent to the northern part of the lodge site.
- Previous applications were declined- and there is a precedent- and these were for a smaller scale of development: Single dwelling, lodge scheme, and alterations to boundary hedgerow to improve access
- The applicants have no local connection- therefore will not be the creation of a local business- construction will be contracted in
- Ryedale is already an area of very high traffic accident incidence- this scheme will increase this by increasing vehicle density in the area
- Consider that proposals would increase CO₂ emissions and exacerbate air pollution.
- Site is not directly related to public transport, nor shops and facilities
- Loss of agricultural land and consequential loss for food production
- Increase wear on vulnerable roads- with limit public expense
- Increased levels of crime due to holiday and transient populations
- Light pollution in the open countryside location
- Para 3.28 of the Local Plan Strategy states: “Over the plan period, Ryedale’s rural communities will not experience significant levels of new development. This Plan looks to ensure that in general, the scale and type of new development at Ryedale’s villages is focussed on addressing local needs and requirements as opposed to externally driven demand”.
- No restriction on residence to would be a means of a cheap home or second home
- Concerns for existing business; tourist related but also equestrian enterprise – extra traffic detrimental
- The two applications – with 18/00662/MFUL should be considered together due to

the overall impacts

- Seem very high density, can the developer demonstrate that there is sufficient demand? Have studies been carried out to suggest this level of need
- What are the implications if it is only half-completed
- What are the implications for a future change of use?
- Applications should be withdrawn and resubmit after meaningful engagement/participation of local residents
- Consider that the proposals would result in visual pollution- harming the countryside which the development is meant to serve

5.4 Responses in (qualified) support of the application (6no.) have commented as follows:

- Local caravan sites are low quality, and this will enhance the local environment and provide good quality tourist facilities.
- The village will enjoy an influx of high-spending holiday lodge owners and occupiers
- It is good to see a company is now willing to improve the outlook of the airfield and increase job and prosperity for the local children and construction workers and tourist related businesses.
- Bring more business to local trade
- People will get to enjoy the beautiful walks and sites and visit local landmarks
- Just what the area needs- great place for holiday cabins
- Reasonable use, and preferable to industrial uses- providing for tourist use only and apply a restriction on occupancy
- Support- but on the basis of screening of the site- and if it dies- it is replaced and no permanent residency- also site looks over-crowded

5.5 It has been brought to the attention of the Local Planning Authority by two individuals who live in the locality that one of the responses made in support of the application has an address which does not exist. The address is Wombleton Grange Barn, Moorfields Lane, Wombleton YO62 7RY. The individual is recorded as a Mr Paddy Tipping. This lack of address has been confirmed through both the Council's property gazetteer and by the Post Office, after the return of a re-consultation letter. In this regard, Members should not consider the responses (by email and through the public access consultation system) made by Mr Tipping as duly made, and have not been referred to in this report. The Local Planning Authority needs to be able to understand the context in which representations are made, to clarify how an individual considers that they, or their community, would be effected by the impacts of a proposal.

5.6 In response to the revisions to the plans:

The Parish Council state that their previous objections to the application still stand.

In qualified support

- No information is given as to how the electricity sub-station will be supplied. If this is through overhead cables the route must be identified as this will influence my support of this application and may affect neighbouring properties.

Further responses state the following in objection to the scheme:

- The two applications are greater than the size of Wombleton Village
- Unprecedented effect on the rural landscape
- Increased traffic along unlit 60mph roads –danger to road users- cyclists, walkers and horse riders
- Local caravan parks have not been full- adding more parks will not help those premises
- Wombleton is rural location sustaining working farms and a balanced community of tourism – do not swamp the countryside with proposals such as these
- The RTP (Revised Travel Plan) is nothing more than an information pack- and not considered enforceable. People will chose the most convenient option based on the circumstances. They will be distributed within three months of purchase of units, and displayed in the manager’s lodge – it is hypothetical and can only be implemented once the units are occupied.
- The references to school accessibility at Beadlam, references to ‘to live’ and use of the words ‘residents’ and moving to the site do not suggest holiday use but being a place of residence.
- Wombleton is not a Service Village, and development should be directed to more suitable locations.
- Reference is made to a shop, and several restaurants –there is a Indian Restaurant and a holiday park with eating facilities (Canadian Fields)
- Reference is made in the Design and Access statement to the private ownership, with residents ‘able to stay year round’ does not suggest holiday use
- The planned pedestrian footway is not suitable- users will have to cross the road at least twice and the bend at Wombleton end of Hungerhill Lane is a blind bend with no footpaths and the verges are unkempt, sloping and over-hung by trees. It is not a continuous footpath.
- The references to the adjacent potato store which is now ‘up for sale’ there are no signs or evidence which demonstrates it is for sale – and the lawful use of the site is as a potato store- meaning if it was sold- the use could be immediately be reinstated.
- The deletion of the footpath does not overcome the issues with the layout and proximity of the proposed lodges to runway 17/35- they remain.
- The applicant is aware of the concerns of the users of the runway (regular and visiting pilots) and has taken no action to resolve the situation either as part of the application- or in relation to the existing activities undertaken. On that basis, given the risk to life, we must therefore defend our interests. We consider that there is a potential offence under Article 240 of the Air Navigation Order 2016.
- The size of farm machinery /vehicles and large wagons using this narrow road is not the average for two way traffic flow.
- The RTP mentions an amenity shop. Wombleton Caravan Park has run an amenity shop for 16 years and speaking from experience this will not reduce the public driving off park to purchase their main groceries. Park shops are mainly used for the sale of calor gas, and the basics. Also identified use of internet shopping and grocery delivery- impact on town centres
- The pedestrian footpath starts opposite the site entrance on Hungerhill Lane and finishes at Washbeck Lane outside of the Wombleton perimeter. The 65 families are encouraged to walk from this junction on the road with wheel chairs/push chairs and young children. These routes have very dangerous narrow roads and blind bends

- Hunger hill Lane is not only dangerous for pedestrians/cyclist but also for traffic-recent accident involving a car and land rover with trailer- no injuries, and on the 23/09/ 2015 a young man jogging on Hungerhill Lane was unfortunately killed by a car traveling to Wombleton.
- Ref: Appeal Dismissed 2009 re. widening of access and removal of hedgerows. Alterations would increase the area of open land beside the highway which would give it a more urban feel than the current rural character of the lane. Extensive work has already been carried out without permission.
- Contaminated bunds have been created which contain Himalayan Balsam (an invasive & noxious weed) building and household waste. The soil cannot have been decontaminated.
- Flood Risk remains an issue.
- The scheme has already caused significant detrimental harm to natural and community interests.
- Identified needs are already being met by existing facilities which have not been fully occupied. Approval of a site of this size would therefore, be detrimental to holiday parks in the area and not in the public interest.
- Public transport: an hourly bus service during the week with limited weekend service through Wombleton and a considerable walking distance from the site.
- No footpaths or cycle lanes from the site to Wombleton Village. See attached photographs showing the narrow lane verges unsuitable for pedestrians. It is unlikely that ‘visitors’ will use the Washbeck/Wellburn route into the village especially in poor weather. This route is equally dangerous.
- Significant increase in traffic on a poorly maintained, dangerous and unlit road regularly used by heavy farm vehicles serving local farms.
- Safety/contamination issues of sewage treatment plants on land susceptible to flooding and so close to farmland.
- The proposal states “At the sales and marketing stage, a proactive Travel Plan can assist a residential developer in promoting a site as an accessible and sustainable location to live” Are they to be used as homes?
- The lodges are to be owned privately and built to a residential specification BS 3632 (2015) and more suitable for year round living.
- A request that no planning restrictions are placed on the length of the operating season.
- This vast application and the sister site at Moorfields Lane is bigger than Wombleton village. References to local schools are only relevant to a residential development not holiday parks.
- All the traffic reports are from other county’s not one of them are in Yorkshire, so they haven’t done a report on our local traffic problems, or the impact on our roads and highways, all the image of Wombleton village are from Google maps and are seven plus years old.
- The revised plans are not solving any problems for the safety of people walking or cycling into Wombleton, building a footpath on Hungerhill Lane to the junction to Wash Beck Lane, does not go all the way into Wombleton what are the wheel chairs

uses and children going to do, walk on the road into Wombleton, this a fast and narrow road with sharp blind bends,

- They're going to ask people to car share, this is just not going to happen, how can the council enforce this?
- These applications ask and recommend customers to use public transport or a car share service, so why do they need to install two car parking spaces per unit?
- The Health and Safety of the fully operational potato store, have not been solved or even talked about.
- Has the bunding that has been put up on the land of application 1800580MFUL without planning, had a contamination report done? If so can we have a copy put online for all to see please?
- A site visit should be undertaken to see the full impact these applications would have

5.7 In reading the consultee representations in detail, Members will be aware that some responses make reference to various civil matters which are not part of the consideration of the application. As such they are not considered in this report. These include the siting of water butts, and matters raised in connection with the applicant's discussions with residents which surround both this application and the application 18/00662/MFUL, and property transactions (such as the sale of the lodges). The presence of the trees is considered in terms of the landscaping of the proposal and the implications for adjoining land uses. Requests have been made for Members to conduct a site visit. Members are able to decide whether a site visit is necessary in advance of determining the application at the Planning Committee if they feel it would clarify any outstanding issues.

6.0 APPRAISAL:

6.1 The main considerations to be taken into account are:

- i) Principle of the Development
- ii) Site- Specific Considerations:
 - Adjacent land uses
 - Impact on Highways, Access implications for Pedestrians and Cyclists
 - Landscape Impacts Incorporating Layout and Design
 - Amenity Matters
 - Flood Risk, Foul and Surface Water Management
 - Ecology
- iii) Wider Considerations
 - Economic benefits
 - Crime
 - Heritage
 - Impacts on Land and Air
- iv) Conclusions

i) Principle of the Development

6.2 The site is not allocated in the Development Plan for tourist development, and the principle of the development of the site is not established by the Development Plan. The principle of development would be established if Members are minded to grant permission for this scheme, taking account of strategic policies of the Development Plan and other material considerations. Key issues in the consideration of the application are considered in the following sections. Key Policies concerning the use of the land are SP1- General Location of Development and Settlement Hierarchy, SP8- Tourism and aligned with SP8: SP21- Occupancy Conditions.

6.3 Policy SP1 states that development in the open countryside will be restricted to that which is necessary to support sustainable, vibrant and health rural economy and communities. Tourist-orientated schemes are a form of development which could be considered to be necessary to support the above policy objective. A consultation response referred to paragraph 3.28 of the Ryedale Plan –Local Plan Strategy. Only half of the full paragraph was referred to. It states:

“Over the Plan- Period, Ryedale’s rural communities will not experience significant levels of new development. This Plan looks to ensure that in general, the scale and type of new development at Ryedale’s villages is focussed on addressing local needs and requirements as opposed to externally driven demand -particularly for new housing. The provision of affordable housing, the provision and protection of community facilities and services together with appropriate new employment and economic activity are important for the longer term sustainability of village communities.”

6.4 However, there is a simultaneous need to consider the impact of such development in terms of compliance with all other components of the Development Plan, and indeed, there are a number of specific policies which would be relevant in the consideration of this application.

6.5 Policy SP8 –Tourism - is concerned with supporting sustainable forms of tourist activity which minimise their environmental impact on the district, and maximise opportunities utilising the district’s natural, cultural and historic assets. It also sets out the appropriate locations for the provision of tourist accommodation. It outlines that in the wider open countryside new sites will be supported, in principle, for touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities, providing that they can be “accommodated without an unacceptable visual intrusion and impact on the character of the locality”. As such, based on the open countryside location this would be an acceptable location, in the first instance. However, it also requires that the proposal has not unacceptable visual intrusion and impact on the character of the locality. The scheme’s capability to meet that requirement, and comply with Policy SP8, is considered later in the report. The Local Planning Authority is not able to refuse applications on the grounds of competition. A report commissioned by the applicant has stated that need for this type of accommodation is not clear to establish, but indicates that there is a lack of un-serviced lodge-style accommodation in the locality. Whether there are any wider economic benefits of the development is considered in the report as part of ‘wider considerations’.

6.6 Consultation responses have referred to the possibility of the use of the lodges as second or indeed primary residences. This has occurred in parts of the District (on schemes which pre-date the Local Plan Strategy). This would be in clear contravention of Policy SP1 of the Local Plan Strategy. Accordingly, Policy SP8 also requires that such accommodation

would also be subject to timed occupancy conditions to ensure that the lodges were used for holiday purposes, and not, as some schemes have been in other localities, occupied as dwellings or as second homes. As this would be contrary to the policies in the adopted Development Plan. This time limited occupation condition is set out in Policy SP21:

e)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:

- *The accommodation is occupied for holiday purposes only; and not as a person's sole or main 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.*

6.7 Therefore if Members were minded to approve this application- this condition would be applied in perpetuity, without exception, as it forms part of the Development Plan. It has been noted that some of the supporting documentation indicates that the properties could be occupied all year round, and seeks to ensure that the use of time limited occupation condition is not applied. The purpose of the occupancy condition is to ensure no permanent residential dwellings are generated by default. But to facilitate the capability of the continuous letting of the units, year round, as opposed to being closed over the winter (a commonly used way in the past to restrain residential uses in tourist accommodation). This is supported in principle as it helps to reduce the potential seasonality of tourist accommodation. The occupancy does not affect whether the lodges are owned by the site operator, or on a lease-hold basis by individuals who then allow family, friends and other paying occupiers to use the lodges.

6.8 Timber clad lodges, used for tourist activity, can clearly be an appropriate use within the open countryside, and the Development Plan recognises this. There is already a caravan and camping site on the airfield, principally concentrated on the south west of the airfield complex. It has been developed in a manner which is not visually intrusive, and has no conflicting land uses immediately adjacent to the site. Consents have been granted in 2015 and 2017 for small scale schemes (each less than 10 units) close to the existing caravan and camping enterprise. These were considered on their own merits, and considered to be in accordance with the Development Plan. A number of responses have referred to the combined impacts of both this application and another scheme of holiday lodges also on the Wombleton Airfield (application reference 18/00662/MFUL). This report seeks to evaluate the impact of the proposal subject to this application, primarily in terms of the impacts of this particular scheme before Members, but it does consider the cumulative considerations, in so far as their capability to be considered through the Development Plan at this stage. The two small schemes would not have materially significant impact on the character of the wider area. The other planning application 18/00662/MFUL is still under consideration and has not yet been determined.

6.9 Any other use, such as residential, would be subjected to consideration through a planning application. The matters raised concerning the implications of a different change of use, at a later date, could only be considered if an application is made, and considered on the basis of that proposal. Furthermore, if only part of the site is built, the extent to which the

LPA would intervene is only if in the public interest there is a matter which needs to be addressed in accordance with any conditional permission granted.

ii) **Site Specific Considerations:**

Relationship to surrounding land use

6.10 The airfield at Wombleton is not a commercial aerodrome, and as such the Civil Aviation Authority have made no response to the application (although they were formally consulted). The Civil Aviation Authority do produce guidance in respect of safeguarding the safe operation of an aerodrome. CAA guidance CAP793 sets out the process to undertake safeguarding. This can take two forms: either by Statutory Direction, or through unofficial safeguarding which is a privately agreed consultation with the LPA and is used for unlicensed aerodromes (such as this one). In considering whether to designate a safeguarding area (either officially or unofficially) the extent would need to be carefully articulated to only consider where development could be reasonably expected to affect aerodrome safe operation, and not prejudice development which, in all other respects, was acceptable. That discussion about the extent of a safeguarding area, which would be between the LPA and the owners/operators of the runway and associated areas, has not occurred.

6.11 The CAA further state that it is sometimes possible to supply planners with a map that can be used to determine the effect of decisions. Aerodromes are advised (in government planning guidelines) to provide maps as the basis of a consultation process. Such a map would normally be used as a trigger for discussion rather than to indicate areas where development should be ruled out. There is no official format for an aerodrome-safeguarding map. Its purpose is simply to indicate the areas in which development could affect aerodrome operations. Consultation about such development proposals will allow the aerodrome operator to explain how aviation interests might be affected. A map has been supplied to the LPA by the operator which shows the extent of the operational runway, taxiing area and hangar.

6.12 The site is immediately adjacent to a runway (17/35) which is active. This has been reported by the owners and users of the runway and a number of local residents. There are two main runways in operation, and on the Officer's site visit a plane took off from the neighbouring, southern runway. The lawful use as an aerodrome has been long-established. The runway's ownership is split in half, lengthways, and the eastern half is in the applicant's ownership. To the north western limb of the site is the hanger, and planes taxi along adjacent to the proposed site.

6.13 There have been concerns raised to the Local Planning Authority prior the submission of this application about the formation of the bunds and siting of water units and planting of trees. These have resulted in the owner/users being unable to fly. The owners have set out clearly the safety implications with these elements. Although as discussed earlier in the report, some of the issues raised are civil matters and the Local Planning Authority is unable to take action regard those civil elements. The Council would have invited an application to consider the implications of the bunding specifically, but then this application was submitted. This required the Local Planning Authority to consider the impacts of the proposed development, as whole, and it is now before Members.

6.14 The bunding, planting and containers have been undertaken as a precursor to the application, and Officers consider that it is probable that were undertaken to support the

application. However, Officers are of the view that by doing so, the works have illustrated that the proposed land uses are, in summary, incompatible with existing neighbouring uses. Whilst there has been no safeguarding designation, the Local Planning Authority has been provided with unequivocal evidence which shows how the runway has already been and would further be affected by the development described in this application. In consideration of this application, it is clear that the proposed development would have an adverse impact on the operation of the runway. It is not only adjacent to the site, but is orientated in a manner which would directly affect the take-off and landing activity, at the northernmost end of the run way. There are also safety implications for children and animals who may stray on to the runway (even if fences were proposed). There would also be amenity issues raised as a result of the proximity of the lodges to the runway- and this is discussed further in the relevant section of the report.

6.15 The Local Planning Authority has a duty to determine planning applications, unless there are very specific reasons why it is legally unable to make a determination. The application has been made; adjacent land users have had the opportunity to be consulted and have made comprehensive and articulated representations. Officers have given due regard to these responses, which set out clearly the adverse implications for users of the runway, and the adverse impacts of occupants of the lodges. This is both in relation to amenity issues and safety issues. Therefore because of the nature of the site, there is considered to be a public interest issue in the safe operation of the runway, and a need to consider the implications of the proposal in accordance with the adopted Development Plan.

6.16 The southern footpath proposal, which crossed the active run way has been removed from the scheme. However it is considered that this does not overcome the fundamental conflict of use between the existing adjacent use, and that proposed. Policy SP20- Generic Development Management Issues- considers the impact of development on the character of the area, and the design implications of development. Policy SP20 seeks to ensure, amongst other matters that proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation exiting neighbourhood land uses. It further states that: new development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted.

Impact on Highways, Access implications for Pedestrians and Cyclists

6.17 The proposed use, layout and off-site works in the highway have been assessed to consider the acceptability of the access and visibility splays. Also considered is whether the proposed use of the site would be acceptable onto the existing road which runs to the east of the site, Hungerhill Lane. This is a national speed limit road at the point it passes the site, and connects the A170 to via Wombleton, to Nunnington and the B1257 beyond.

6.18 The Local Highway Authority raised initial objections to the scheme, in terms of two key elements:

The roads leading to and from the site are by reason of the insufficient verge widths, poor condition and lack of footways considered to be unsuitable for the pedestrian activity to and from the nearest amenities of Wombleton village which would be likely to be generated by this proposal with consequences that such activity would resort to the use of the private

motorcar and go against the key objective of presumption in favour of sustainable development advocated in the National Planning Policy Framework.

The required right-turning forward visibility stopping site distance of 169 metres cannot be achieved along the public highway at the proposed access junction and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

6.19 A revised transport technical note and indicative travel plan were submitted. The information contained within these documents, and the revised layout concerning the visibility splays, and formation of a footpath, has resulted in the Local Highway Authority revising their comments to confirm that they have no objections subject to the inclusion of a series of conditions.

“The documents now include updated traffic speeds and visibility data and a separate pedestrian entrance and off-site works to facilitate reasonable pedestrian /cycle access to and from Wombleton Village and the site. In this respect I consider the development acceptable from a highways point of view subject to recommending appropriate conditions. The off-site works would need to be covered by a S.278 Agreement of the Highways Act and be completed prior to any part of the development being brought into use. Furthermore I understand that the applicant is prepared to accept pre-commencement conditions which will be required as part of this consultation response. Consequently the following conditions are recommended:

- *Discharge of surface water;*
- *Private access/verge crossing – construction requirements and license;*
- *Vehicle access visibility splays;*
- *Pedestrian/cycleway access visibility splays;*
- *Details of site works in the highway;*
- *Completion of site works in the highway- prior to occupation*
- *S.278 agreement provisions*
- *Details of ditch to be piped;*
- *Parking spaces to remain available for vehicle parking*
- *Highway condition survey prior to HVCs onto the site*
- *The submission and approval of a Travel Plan*
- *Construction Management Plan*

6.20 A large number of the consultation responses have raised concerns regarding the level of traffic generated by the scale of the proposal in relation to Wombleton itself (and in doing so often referring to the other scheme which is under consideration- and which is also not determined). Each proposal needs to be considered on its own merits, although it is appreciated that if both schemes were to occur, there would be increased traffic movements through Wombleton and the surrounding roads. This increase is not considered to be unacceptable in the view of the Local Highway Authority (LHA). There is no clear symmetry in traffic levels between residences and the lodges. They are for different uses, and will not compete for facilities and services, nor be in the majority of commuting traffic. Tourist enterprises do not result in peaks in the traffic movements, resulting in congestion (unlike residential development which has more marked travel patterns).

6.21 It is noted that references have been made in relation to dangers raised by the increased traffic density through the village of Wombledon. The Local Highway Authority is satisfied that the highway implications are acceptable, and would impose conditions securing no HCVs through the village during the construction phase. The paths through the village are not being changed by the development, their narrow nature is a feature which is already present. Pedestrians are aware of this, and drivers should pay due regard to the road conditions.

6.22 The proposals are to provide, within the public highway, a footpath, subject to a s.278 Agreement. The path only extends as far as Wash Beck Lane, and then ceases. The proposed footpath route has been met with criticism, based on the fact that it does not run into the village. The rationale for this is that the amount of traffic and its speed reduces to the extent that the footpath is not considered necessary. Individuals will be able to walk in the road. This is acceptable to the LHA. Driver behaviour is not a material planning consideration- as it is responsibility of the driver to drive with due care and attention based on the conditions of the road, recognising the potential for wide farm vehicles, horses, and pedestrians. Likewise those pedestrians would also be expected to use the road with care. Officers do consider, however, that the lack of a continuous footpath will raise concerns for a number of occupants of the lodges. As comments received in response to the application have stated, the truncating of the path will still cause concern to those pedestrians who are using more of the road's width: such as those with young children, pushchairs, wheelchairs and dogs, or those who are unable to get quickly onto what verge exists. In combination with the bend, and lack of visibility, this would make it much harder for these users to respond to on-coming traffic, and vice versa. This lack of footpath would be likely to present a barrier to pedestrians proceeding farther along the road because of their concerns regarding safety.

6.23 In response to criticisms levelled at the proposals for the Travel Plan, the precise details would be required to be approved, in writing by the LPA in conjunction with the LHA. It is noted that the submitted revised transport statement has referred to features which would be more akin to the consideration of residential development (such as references to schools). This is likely that this is an oversight by the applicant's consultants. The Local Planning Authority is considering the proposed use for tourist operations. As non-essential residential development in this location is contrary to the spatial approach of the Local Plan Strategy.

6.24 It is also noted that the transport technical note refers to the proposal having an on-site shop. This is not identified on the plans, and is not being considered as part of this application. The planning considerations around the provision of a shop would need careful consideration to ensure that the vitality and viability of proximal town centres was not harmed.

Landscape Impacts, Incorporating Layout and Design

6.25 The application site is situated within the National Landscape Character Area of the Vale of Pickering, which is primarily defined in extent by the Vale's low-lying topography. Local Plan Strategy Policy SP13 seeks to protect and enhance the quality, character and value of Ryedale's landscapes, including that of the Vale of Pickering, in which this site is situated. *“Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are a result of historical and cultural influences, natural features and aesthetic qualities including...”*

The pattern and presence of distinctive landscape features and natural elements, including field boundaries, woodland, habitat types, landforms, topography and water courses.”

6.26 The 2011 Landscape Characterisation Project of North Yorkshire and York identifies the area in which this site is situated as 'Enclosed Vale Carr Farmland'.

Broad vale landscape which feels generally enclosed to the north and south by higher landscapes (within the Limestone Foothills and Valleys, Limestone Ridge and Wooded Hills and Valleys Landscape Character Type);

- Lightly settled landscape containing a pattern of dispersed farmsteads;
- Predominantly rural character and overall sense of tranquillity;
- Large rectilinear, predominantly arable fields, interspersed with pockets of improved grassland in the west;
- Embankments, dykes and electricity pylons exert a human influence over the landscape;
- Pockets of diverse wetlands are also key landscape features;
- Several prehistoric sites (such as Star Carr), and heritage features relating to monasteries and historic drainage works are scattered throughout the landscape.

2.27 It does not go into the same level of detail that the District-level Landscape Character Assessment (LCA) (Landscapes of Northern Ryedale, 1999). The landscape features of this site are typical of the LCA which identifies the land as being part of the Vale of Pickering and within Wooded Open Vale. The key characteristic features are:

- Flat, low lying terrain
- Open Countryside
- Long views punctuated by geometric woodland blocks.

The main differentiating characteristic is the higher concentration of woodland blocks and shelter belts. They are relatively recent in origin (as is much of the field pattern locally).

6.28 Wombledon Airfield is not within the Area of High Landscape Value. The elevated land to the west is within the Fringe of the Moors Area of High Landscape Value, and views of the site are capable of being achieved at distance from this area, particularly along Common Lane to the west, which looks over the aerodrome site. Being an area for an aerodrome, the land in which the site is situated is naturally open and exposed. References have been made to the acceptability of other schemes in the locality of this application. However, this proposal is of a much larger scale than the previous scheme which was under consideration in 2010 (although undetermined and then disposed of).

6.29 Views of the potato store are achievable, which the holiday lodge site would 'wrap around'. The Landscape and Visual Impact Assessment (LVIA) has referred to the 'industrialising influence' of the potato store, but then refers to the semi-mature woodland and hedgerows which provide some screening from surrounding areas. The LVIA also refers to the 'run down semi-industrial appearance' of the 'former air field' in which the site is located and is seen as detracting from the surrounding countryside. These descriptions do not, in themselves, describe the site as being attractive for the prospective occupants/owners of the holiday lodge accommodation.

6.30 The LVIA has noted that the north and west of the site is the most open, but views from the south would also be achieved. It is not clear from the report whether the report writer is aware that the runway is still operational. It is suggested by Officers that they are not

aware. The summary of landscape effects conclude that with the ‘recessive nature’ of the proposals, combined with the localised reduction in landscape quality within and adjacent to the airfield, and the industrial scale potato store, changes to the landscape would be minimal. It concludes overall that ‘the proposed development would neither enhance nor detract from the character of the derelict airfield’. As the airfield is not derelict, the proposed mitigation measures of extra trees and increased bunding are not capable of being delivered because of issues raised earlier in the report. As such the site of 65 lodges of 3.62 metres in height would be clearly viewable over some distance- as identified in the LVIA.

6.31 The layout of the scheme principally reflects the landownership and the layout of the airfield, resulting in a very linear, geometric in form. The current landscaping treatment is ineffective. On site it was noted that the trees are not in good growing conditions, as the bund is often placed on hardstanding. They have suffered over the hot, dry summer and either have died or at the very least not thrived through lack of nutrients, water and competition from other trees on the bund. This can be seen from Officer’s site photos. Officers also have concerns with this planting to serve as landscaping for development insofar as the planting is accordingly geometric, rigid, uses conifers and will act as a screen, rather than as a landscaping softening which is reflective of the prevailing pattern of hedgerows and tree planting in other parts of the airfield area, and surrounding landscape character, which uses a mixture of native trees and shrub species. The bund and planting is also identified in the LVIA as being ‘insufficient’ as the proposed as the landscaping scheme and that it should be augmented and expanded with the use of native species. It is noted that the northern extent is more sensitive, due to views achieved, and this is also where the runway landing is. Officers concur with the LVIA’s assessment on the deficiencies of the planting. The proposed bunding described in the LVIA would be 10 metres wide (five times that of the current bunding- with a commensurate increase in height (though not specified), it also states that the bund should have a varied height and profile and hard angular bunds which look engineered should be avoided. However, the tree planting and bund enhancement will exacerbate the situation for the users of the runway. As such, based on the supporting documentation, and the actual physical features of the bund, they would not be able to be implemented in the manner proposed in the LVIA, therefore resulting in an insensitive, incongruous development within the landscape. Returning to the provisions of Policy SP8, Officers do not consider that the proposed use can be accommodated without unacceptable visual intrusion. As such it is not considered that the proposal is able to accord with both Policies SP8 and SP13.

6.32 Expanding on this, Policy SP16 - Design- requires that development proposals create high quality durable places that are accessible, well integrated with their surroundings and which, amongst other aspects, reinforce local distinctiveness. This is through the location, siting form, layout and scale of new development respecting the context provided by its surroundings including: topography and landform that shape the form and structure of settlements in the landscape, and that views, vistas and skylines that are provided and framed by the above. Based on the issues identified with the site in terms of landscape setting, it is considered that the layout does not result in a compatible scheme which is well integrated with its surroundings. It is considered that whilst the design of the cabins is acceptable, their positioning is dense, with the areas of communal parking creating large areas of gravel. As such it is considered that the layout and design of the site, in conjunction with the issues identified as part of inability to deliver suitable landscaping would result in a development which would be contrary to the requirements of Policy SP16.

Amenity Matters

6.33 The report has already discussed the proximity of the proposal to an active runway. The Council's Specialist Environment Officer is unable to consider noise from aviation in general. Nevertheless, the Local Planning Authority is able to consider the implications of noise from adjacent land uses. In the opinion of Officers, this represents the potential for intermittent though significant disturbance through planes (light aircraft) taking off and landing in very close proximity to the lodges. Indeed for some of the lodges in the north western limb- planes would pass right over the top of them not far from the ground. The noise report has described the runway as being disused, and this is not the case. Although the current physical obstructions have clearly hindered operation of the runway. There is also the potential demand for the air strip for emergency landings- and these could be day or night. It is appreciated that based on the current use of the land, there are no amenity issues raised by aircraft. If permission was granted, this is expected to increase and fetter the operation of a long-standing use. Also it would not be seen as desirable for the identified owners/renters of the proposed lodges.

6.34 The potato store is adjacent to the east, and the site 'wraps' around it. An application in 2010 for a series of lodges and pods in land to the north of potato store was not determined. The reason for this was that a decision in principle was reached to grant planning permission, subject to the signing of a s.106 agreement to manage the operation of the store to bring about an acceptable level of amenity to adjacent occupiers of the lodges. At the time the land was all within the same ownership. The s.106 however was not signed, and after some time the file was then closed.

6.35 The Specialist Environment Officer is in a position to make observations in relation to the potato store. The noise assessment has concluded for this application that the noise from the adjacent potato store will exceed acceptable guidelines of a day time level of 50dB LAeq with partially open windows during both day and night time period and it therefore indicates a serious adverse impact. The report recommends mitigation in the form of acoustic louvres to be installed onto the potato store and states that this is expected to achieve an attenuation of 18dB. The Specialist Environment Officer has advised:

I recommend that should approval be granted, all mitigation work is carried out prior to any site development and evidence provided to the local authority that attenuation in accordance with the BSA noise assessment report section 10:9 has been achieved or that a maximum 50dB LAeq at the nearest noise sensitive receptor during day time (07:00 – 23:00hrs) and 40dB LAeq during night time (23:00 – 07:00hrs).

6.36 This raises two significant, interrelated, implementation issues. The first is that the potato store is the lawful use of the building (irrespective of any sale) and it is outside of the red outline of the application. In early 2018 the obligation which prevented activities in connection with the potato store was discharged. In the report it states:

"The applicant purchased the land shown edged in red on the plan in September 2017. The land does not form part of the potato storage use or operation, it has been severed from it. As a result, the purpose of the section 106 agreement is obsolete, in so far as seeking to limit the potato storage to the 'new building' which is outside of the applicant's control."

This demonstrates that there is no legal means by which the Local Planning Authority can control the activities of the potato store in relation to implications for the surrounding land. Neither a s.106 nor a unilateral undertaking (as referenced in the Design and Access

Statement but not provided), can be effectively applied as the land is in separate ownership. The second issue relates to the capability to enforce the condition as suggested by Specialist Environment Officer. Whilst the applicant has agreed to any pre-commencement conditions, in principle, the condition requires compliance prior to the commencement of the development. It is considered that this is not achievable because it is not within the applicant's legal power to apply the louvres. No response has been received by the owner of the potato store regarding this application. In the light of the above assessment, however, it is clear to Officers that the condition on the noise would not satisfy the tests set out in the Planning Practice Guidance.

6.37 The potato store does not operate all year-round, being based on the timing of the potato harvest and duration of storage. It is nevertheless, able to operate without limit. The applicant's own landscape and visual impact assessment has highlighted the appearance and scale of the building as being industrial, and it is a sizable structure to screen. It notes a time lag of between 8-10 years in the LVIA for the trees to reach a degree of maturity to provide effective landscaping. In the meantime this would not be an acceptable outlook for those visitors seeking to enjoy the many natural and cultural assets of Ryedale and beyond, and unlikely to be attractive to investors on that basis. A loss of view for current residents is not a material consideration. But the development would have an adverse impact on the landscape, and adverse amenity to prospective occupants of the site, and these are clearly material issues.

6.38 The proposed manager's accommodation would constitute a residential dwelling, (albeit in connection with the management of the site). In the interests of the protection of residential amenity in principle, this requires specific consideration. This dwelling is situated on land which straddles both the land to the potato store, and the runway. The occupant and any dependants they may have would be subjected to unacceptable levels of noise from the potato store, which are not capable of being mitigated satisfactorily, and which would also be subjected to noise and disturbance associated with light aviation planes landing and taking off some 70 metres from the property.

6.39 Lighting issues have been raised. It is considered that a scheme of lighting could be adequately conditioned if Members are minded to approve the application.

6.40 Policy SP20 -Generic Development Management Issues - is concerned with character of places, and amenity considerations amongst other matters. It seeks to ensure that *“proposed uses and activity will be compatible with the existing ambience of immediate locality and the surrounding area and with neighbouring land uses, and would not prejudice the continued operation of existing neighbouring land uses.”* It further states that *“new development will not have a material adverse impact on the amenity of present or future occupants... by virtue of... proximity to neighbouring land uses. Impacts on amenity can include, for example, noise...”*

It is considered that on the basis of the adjacent land uses, occupants of the lodges would be subjected to an unacceptable level of noise which would be very disruptive. Many of the units would also not have an outlook which was commensurate with the provision of high-quality tourist accommodation. As such it is considered that this development would be incompatible with the objectives of Policy SP20.

Flood Risk, Surface Water Management and treatment of Foul Water

6.41 The north-eastern corner of the site is within Flood Zone 3, but it is a relatively small area. The treed area, where this area of high flood risk is situated, is not proposed to be subject to any changes in surface regime. The rest of the site is Flood Zone 1 in terms of both River-derived Flood Risk and surface water flooding. The site therefore passes the sequential test of ensuring that development occurs in the areas at least risk of flooding. That said, surface water management still remains important. Consultee responses have provided visual records of the land being subjected to surface water flooding, and the LLFA acknowledges that whilst they have no record of flooding, that does not mean that flooding has not occurred. There is still a need to ensure that both foul and surface water management are addressed satisfactorily. In summary, surface water drainage is to be provided through the use of SUDs in the first instance and use of pre-existing land drains.

6.42 The Local Lead Flood Authority has considered that the submitted documents show a reasonable approach to the management of surface water on site, and has proposed a series of conditions, which are accompanied by a series of considerations which would need to be addressed in the process of discharging the conditions. The Vale of Pickering Internal Drainage Board, have advised that on the basis that SUDs are proposed, and they then prove to be unsuitable, discharge will be to nearby watercourse. There are such watercourses in close proximity maintained by the board. If it is necessary to discharge, this must be restricted to a maximum of 1.4 litres/second/hectare.

6.43 Foul water is proposed to be treated by means of bio-digester sewerage treatment plant- with the treated water to then be discharged via SUDs. Yorkshire Water have no comment to make on that basis, as they would not be obligated to treat the water. This proposal, in principle, would be to the satisfaction of the Environment Agency providing the details of the scheme are submitted to and approved in writing by the Local planning Authority.

6.44 On that basis, it is not considered that the proposal is contrary to Policy SP17 which is concerned with the protection of natural resources and minimising the risk of flooding as a result of new development.

Ecology

6.45 An ecological survey has not been provided as part of the application, which was validated without the survey. An ecological survey in this instance has not been subsequently sought during the consideration of the application. This has currently resulted in the Local Planning Authority being unable to determine the impact of the proposals on biodiversity. The site is a mixture of coniferous plantation, some of which has been removed, and rough grassland. As such, it is not possible to state that the proposed development would/would not accord with SP14, nor is it possible to justify this lack of information as a reason for refusal as it was not explicitly sought by the Local Planning Authority. Members are aware of the statutory responsibility placed on Local Authorities by the NERC Act 2006 (s.40) which states that: "The public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." Therefore if Members were minded to approve this application, the application would require an ecological survey to be provided prior to its final determination. Mitigation conditions required as a result of that survey would need to be delegated to the Head of Planning.

iv) Wider considerations-

Economic Benefits

6.46 The applicant has commissioned a report which seeks to evaluate the need for tourist accommodation in the area. The Local Planning Authority is guided by the Development Plan which supports tourism accommodation which is sited appropriately, and is also understandably supportive of tourist activities which diminish seasonality both in terms of accommodation and enterprises. The report identifies, in generic terms, that it is the short term renters which make the biggest expenditure per trip (page 10 of the Site Development Assessment). The supporting documents provided with the application suggests that the units will be sold on. It should be noted that the sale/sub-letting of units is a land-ownership transaction, and not part of planning control. If such a proposal was acceptable in principle the units could only be occupied (by the owner/or renter) as per the condition set out in SP21.

6.47 The District Council supports and initiates activities to promote sustainable tourism, which capitalises on the pre-existing natural, cultural, historic and entertaining enterprises in the district. The provision of a range of accommodation is aligned to that, but the accommodation must be considered to be acceptable in planning terms. Matters concerning supporting existing businesses in the locality can be a material consideration, but competition with existing tourist accommodation enterprises is explicitly not a material planning considerations. This is because the planning system considers the impacts of a proposal in the public interest, and competition is not a public interest matter. Regarding supporting existing businesses, it is not possible to control the movements of occupants to visit enterprises in the locality, because that would be unduly restrictive and simply not enforceable. As noted by a number of responses, job creation as a result of the site's construction is likely to be low; involving those already employed in this area of the construction industry, and they will be contracted in and then leave. Because the site will be managed at a low level- i.e. self-catered, no cleaning; only the site manager will be employed permanently to manage the bookings, with contractors to manage the site's open spaces when required. As such it is not possible to make a direct correlation between the delivery of the site and direct economic benefits to the locality. It is difficult therefore to identify the extent of the benefits that are required to be balanced against the harm identified by the proposal.

Crime

6.48 Planning has a role to play in consider how developments can be designed to minimise the opportunities for crime. This is in relation to designing-out crime from external sources. Matters regarding speculative, potential for criminal offences based on occupancy is not a material planning consideration to be taken into account in the determination of an application. The monitoring of anti-social behaviour is a matter for the District Council and other community organisations in conjunction with the Police and other enforcement bodies.

Heritage

6.49 No direct heritage implications have been identified. There are no designated heritage assets on the site or at a proximity would be affected in their setting or their significance, as established by the Landscape and Visual Impact Assessment. Comments made in relation to the Conservation Area of Wombleton relate to the increase in traffic. This does not demonstrably effect the character and appearance of the Conservation Area, and the

features for which designation took place. Traffic movements have been considered by the Local Highway Authority. The site is within the Vale of Pickering, but due to the longstanding uses, it is very likely that archaeology has already been compromised, and there would be limited excavations, due to the nature of the development proposed.

Impacts on Land and Air

6.50 Matters regarding carbon dioxide emissions, are considered within the context of the spatial strategy- which is considered in Policy SP1. This proposal is for a development for which an open-countryside location would be expected, in principle, as per SP1 and SP8. The Local Plan Strategy seeks to accommodate development and growth in more sustainable locations, concerning the provision of homes, shops and land for employment. This is done on the basis for the rural areas there will be other uses, such as tourism accommodation, which are compatible with being in a less sustainable location. This is a correct balance in terms of allowing rural areas to be sustained by appropriate economic development which capitalises on the rich natural and cultural assets of the district.

6.51 Wombledon is not in an Air Quality Management Area, and the levels of traffic and environmental conditions do not result in a requirement for an air quality assessment.

6.52 The land on which the application sits is not considered to be of significant agricultural merit by virtue of the trees and adjacent uses.

6.53 If Members are minded to grant this application a condition would also be required to ensure no contamination from aviation fuel residue. This has been raised by consultees, and whilst it would not undermine the proposal in principle, it would require further, proportionate investigation as remediation solutions are available.

6.54 As such is considered that the proposal raises not conflict with the policy requirements of SP17- Managing Air Quality, Land and Water Resources.

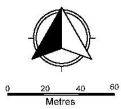
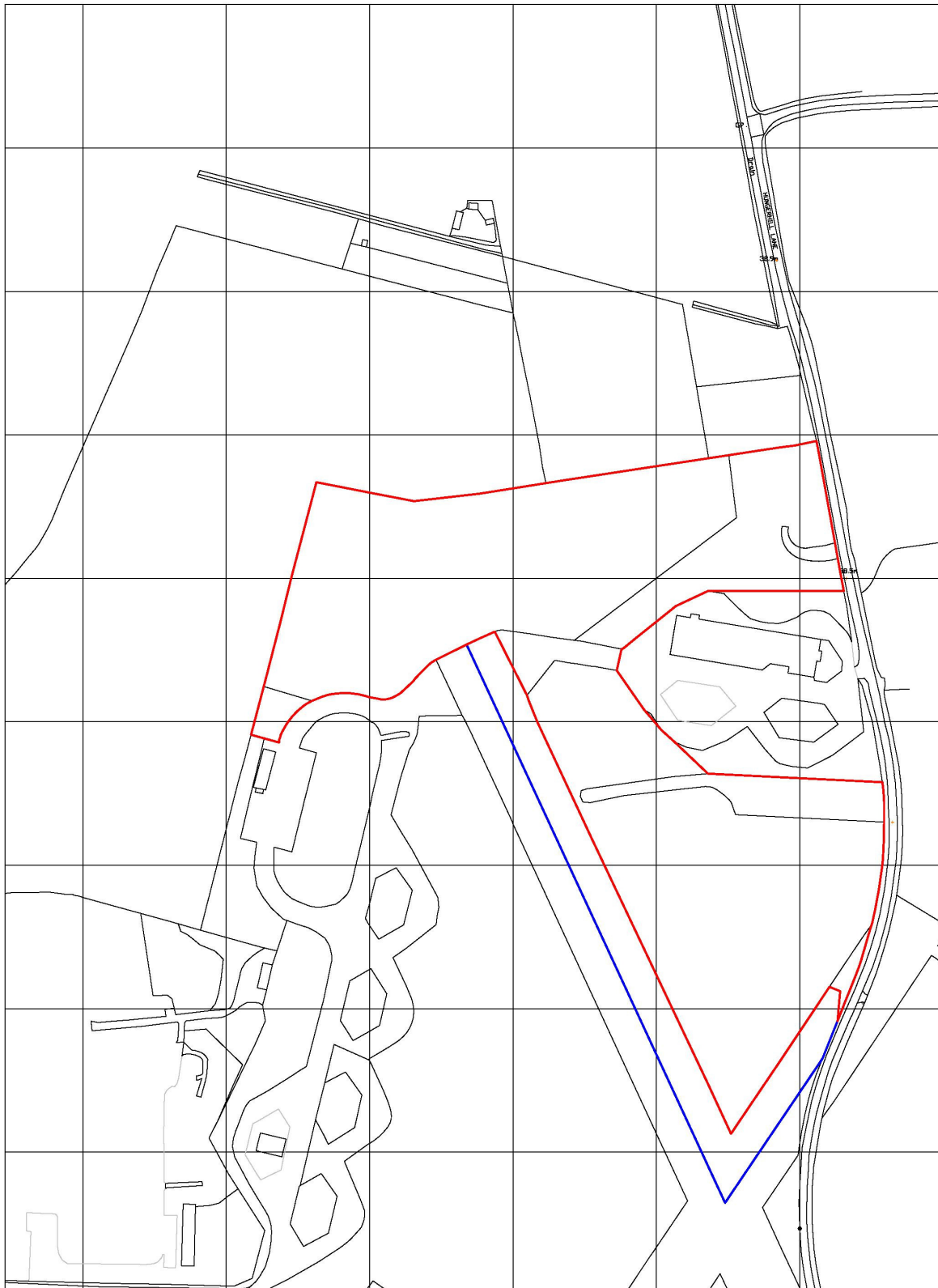
iv) Conclusion

6.55 It is considered that whilst the proposal accords with Policy SP1 (in so far as the application proposes a use which can be appropriate in the Open Countryside); when the Local Plan Strategy is read as a whole there are considered to be irreconcilable deficiencies with the proposal. The proposal is contrary to Policy SP8 and SP13 because the development cannot be accommodated within the landscape without unacceptable visual intrusion. Related to this matter, is the fundamental incompatibility concerning the land use context which surrounds the site. The presence of an active runway would result in issues of aerodrome safety both for the pilots and for occupants of the lodge site, and associated adverse amenity impacts for occupants of the lodges. This is compounded by the presence and operation of the adjacent potato store and the unacceptable levels of noise and poor outlook which would be afforded to occupants of the lodges, including a residence for the manager. There is no legal capability to mitigate the levels of noise to a satisfactory level and/or to overcome the time-lag of the screening. As such it is considered that the proposal is also contrary to the objectives of Policies SP20, SP13 and SP16. On that basis, in terms of Policy SP19, and the presumption in favour of sustainable development, this development, when reading the plan as a whole, is considered to be contrary to the economic, social and environmental conditions of the area. The application is therefore recommended for refusal for the following reasons.

6.56 If Members are minded to refuse this application, Members are advised that enforcement action is authorised to secure the removal of the bunds from the site.

RECOMMENDATION: Refusal

- 1 The extreme and adverse juxtaposition of the proposed development in relation to the operational runway 17/35 gives rise to serious conflict of uses. This is by virtue of a combination of the layout and the impact of the existing, unacceptable bunds and proposed landscaping and the lack of physical barrier to restrict access. The proposal would have an unacceptable safety risk to both the users of the runway, and the occupants of the proposed log cabins. This would be contrary to Policy SP20- Generic Development Management Issues- of the adopted Ryedale Plan Local Plan Strategy which seeks to ensure, amongst other matters, that proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation existing neighbourhood land uses. Policy SP20 further states that: new development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted.
- 2 The landform of the site is low-lying and flat, but also open and exposed. The proposed development does not provide an appropriate level of landscaping. This is to mitigate the adverse impact of the development, as at 3.62 metres in height the proposed lodges would be visually prominent with the landscape. The proposed mitigation in the submitted Landscape and Visual Impact Assessment to address this issue would compound identified safety issues for the adjacent operational runway. The proposal is therefore a development which cannot be accommodated within the landscape without unacceptable visual intrusion. This is considered to be contrary to Policy SP8 - Tourism, SP13 - Landscapes and Policy SP16 - Design- of the Ryedale Plan Local Plan Strategy. The inability to overcome the time-lag of the internal screening for the potato store would also result in a poor outlook for the proposed occupants of the lodges. It is therefore also considered to be contrary to Policy SP16-Design, which expects developments to protect amenity and promote well-being.
- 3 The operation and presence of the potato store would be likely to result in unacceptable levels of noise and poor outlook afforded, respectively, to occupants of the lodges, including a permanent residence for the manager. There is no legal capability to mitigate the levels of noise to a satisfactory level. In addition the proposed internal landscaping will take a significant length of time to fully establish. As such it is considered that the proposal is contrary to the objectives of Policy SP16- Design- of the Ryedale Plan - Local Plan Strategy which seeks in the design of new development, protect amenity and promote well-being. It is also contrary to Policy SP20- Generic Development Management Issues- of the adopted Ryedale Plan Local Plan Strategy which seeks to ensure, amongst other matters, that proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing, neighbouring land uses.



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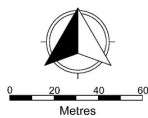
Date Valid 24/10/2018

REVISED PLAN



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Client: GraceMax Ltd

Title: Change of use of former aerodrome to allow the siting of up to 65 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombledon Airfield, Wombledon

Date: 23.10.18

Scale: 1:1000 @ A1

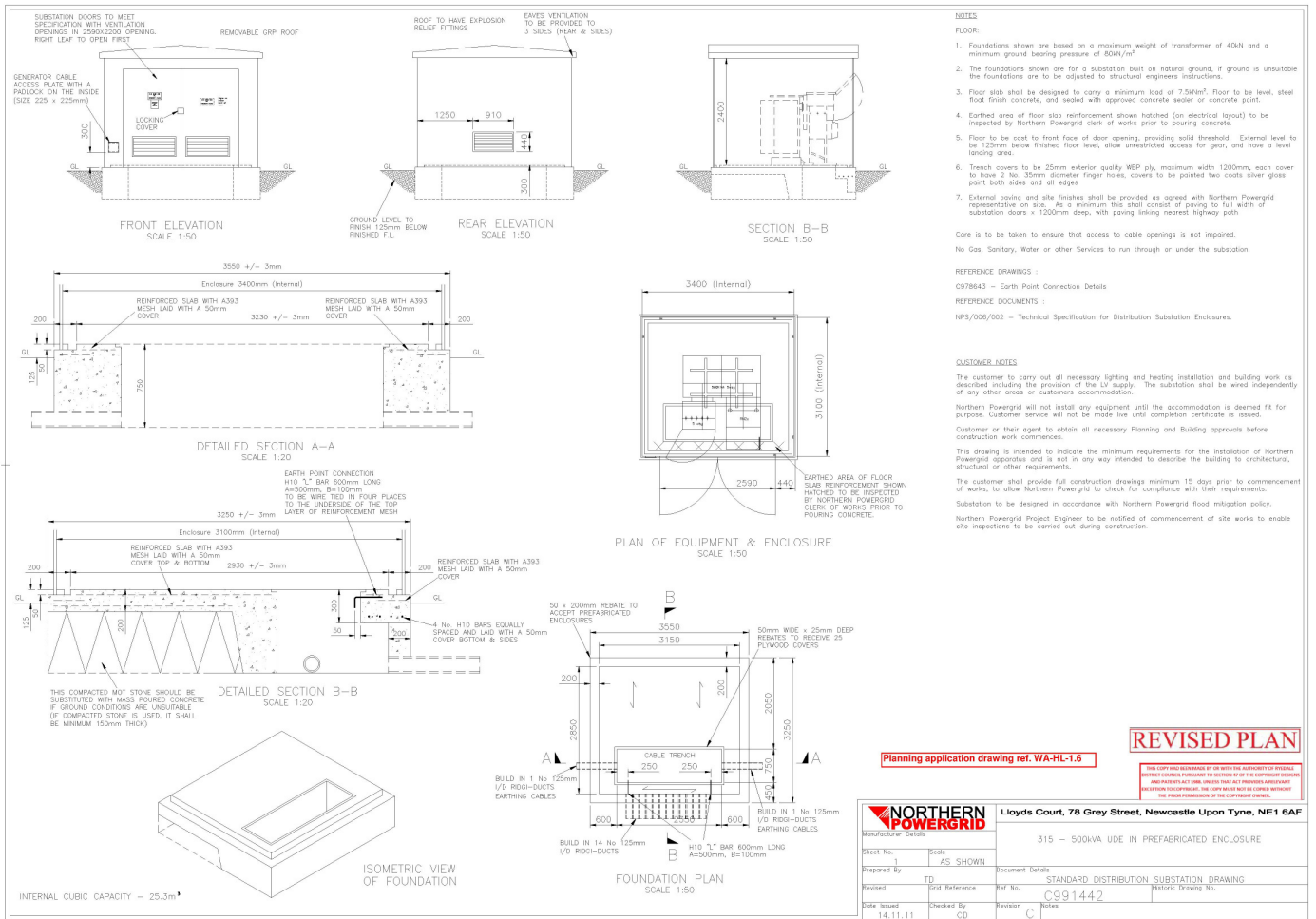
Drawing ref: WA-HL- 1.1 - Rev B

Webster Associates
Chartered Town Planners

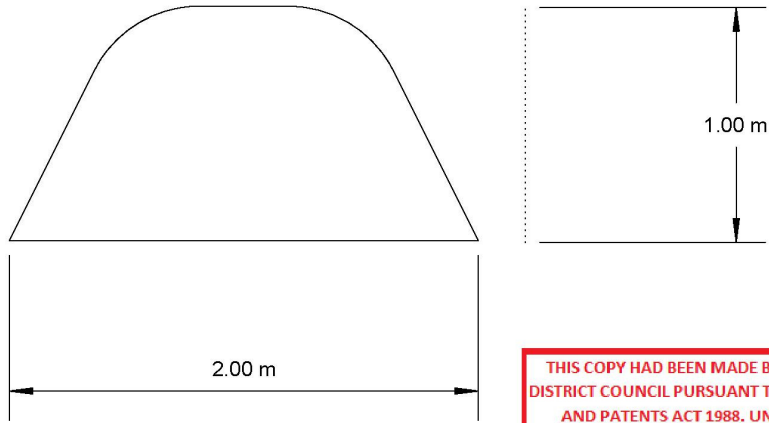
3 Spaldwick Road
Stow Longa
Huntingdon
Cambs.
PE28 0TL Tel: 01480 860862

REVISED PLAN

Date Valid 24/10/2018











Peripheral bund



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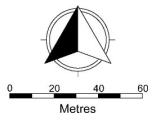
Notes:		Client: GraceMax Ltd			Webster Associates Chartered Town Planners 3 Spaldwick Road Stow Longa Huntingdon Cambs. PE28 0TL Tel: 01480 860862
		Title: Change of use of former aerodrome to allow the siting of up to 65 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombleton Airfield, Wombleton			
		Date: 19.6.18	Scale: 1:20 @ A4	Drawing ref: WA-HL- 1.5	



-  3 bedroom timber clad static holiday unit
 -  Manager's unit
 -  Office / reception
 -  Amenity area
 -  Screen planting - existing and proposed
 -  Existing woodland
 -  Peripheral bund (with tree planting)
-  Peripheral bund

Notes:

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Client: GraceMax Ltd

Title: Change of use of former aerodrome to allow the siting of up to 65 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombleton Airfield, Wombleton

Date: 22.5.18

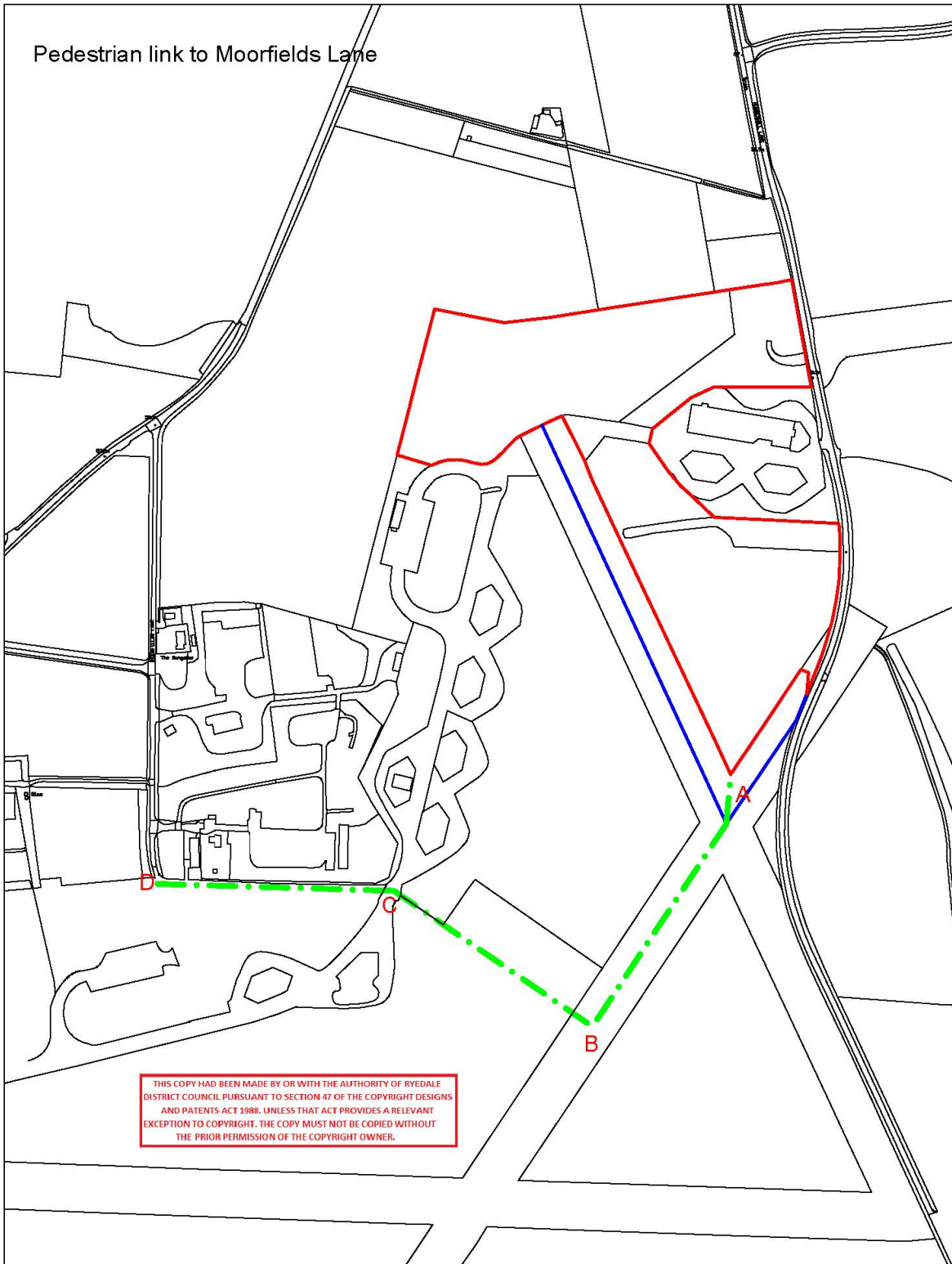
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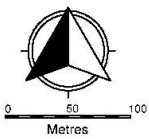
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Pedestrian link to Moorfields Lane



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Client: GraceMax Ltd

Title: Change of use of former aerodrome to allow the siting of up to 65 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombledon Airfield, Wombledon

Date: 6.6.18

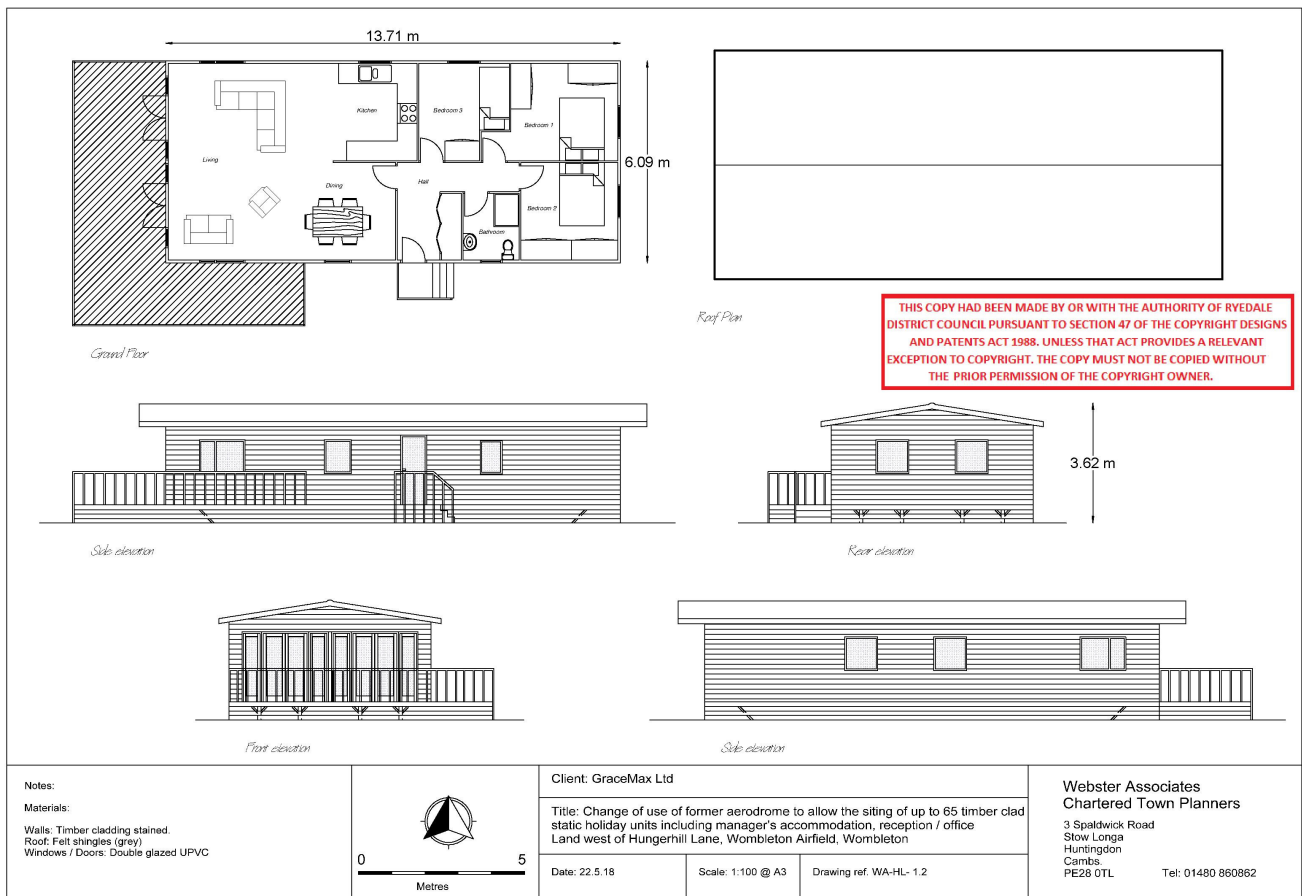
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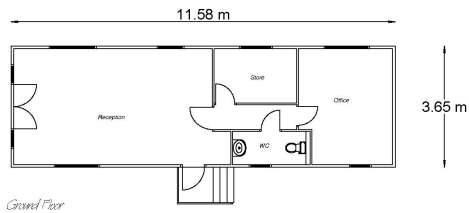
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Reception / Office

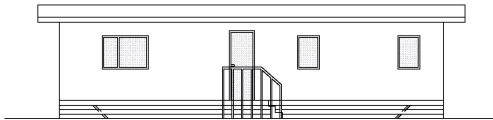


Ground floor

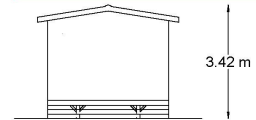


Roof plan

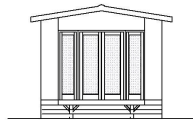
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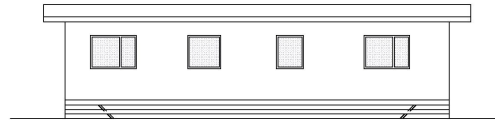
Front elevation



Side elevation

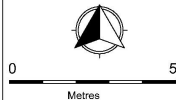


Side elevation



Rear elevation

Notes:
Materials:
 Walls: Timber cladding stained
 Roof: Felt shingles (grey)
 Windows / Doors: Double glazed UPVC



Client: GraceMax Ltd

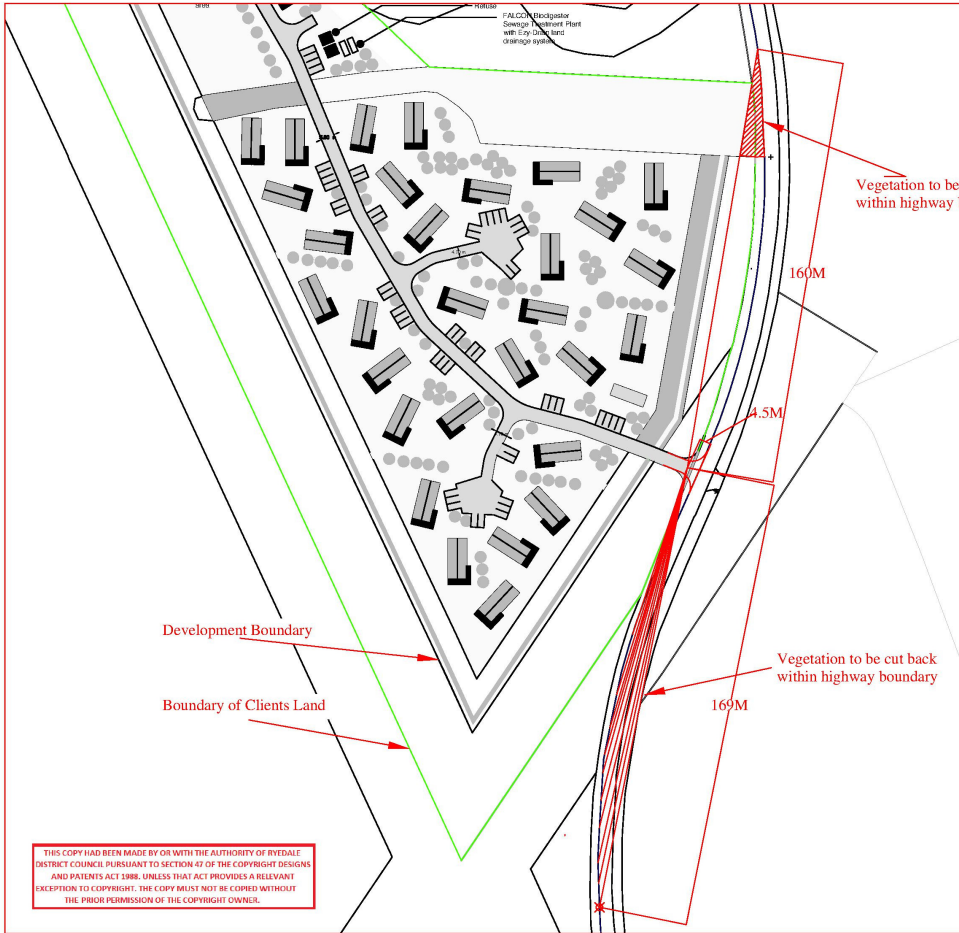
Title: Change of use of former aerodrome to allow the siting of up to 65 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombledon Airfield, Wombledon

Date: 22.5.18

Scale: 1:100 @ A3

Drawing ref. WA-HL- 1.3

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General Notes

1. Not for Construction
2. This drawing is to be read in conjunction with Architects, Engineers & Specialist Contractors Details.
3. Should there be any discrepancy between details indicated on this drawing and those indicated on other drawings the Engineer should be informed PRIOR to construction on site.
4. Until technical approval has been obtained from the relevant Authorities it should be understood that all drawings issued are preliminary and NOT for construction. Should the contractor start site work prior to approval been given, it is entirely at his own risk.
5. All dimensions shown are in metres unless noted otherwise.
6. All survey information is provided by the surveying company and HSP cannot accept any liability for any discrepancies there in. All survey information to be verified on site by contractor. Should discrepancies be identified, HSP to be notified immediately.

REV	BY	DATE	DETAILS	END

STATUS **FINAL**

CLIENT

GraceMax Ltd

PROJECT

Wombledon View

TITLE

Visibility Splays
Proposed Access



SCALE

1:1000 SHEET SIZE A3

DATE	DRAWN	CHECKED
08/06/2018	EL	AE

PROJECT NO.	DRAWING NO.	REV
C2827	SK001	

Design, Access & Planning Statement

Change of use of former
aerodrome to allow the
siting of up to 65 timber
clad static holiday units

Land at
Wombledon Aerodrome
Hungerhill Lane
Wombledon
York

on behalf of the
Gracemax Ltd

Peter Webster BA (Hons) MRTPI
Webster Associates
3 Spaldwick Road
Stow Longa
Huntingdon, Cambs.
PE28 0TL

Tel: 01480 860862

1.0 Introduction

- 1.1 This Statement is submitted on behalf of Gracemax Ltd, owners of the land, in support of the planning application for the change of use of part of the former aerodrome to allow the siting of up to 65 timber clad static holiday units.
- 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

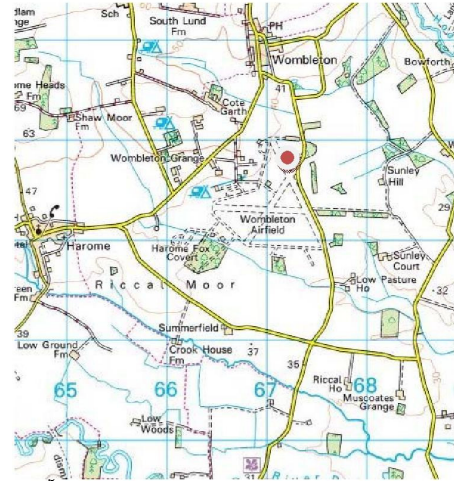
SITE CONTEXT AND ANALYSIS

2.0 The vision

- 2.1 The vision is to develop a high quality development of static holiday units to provide an ideal 'retreat' for those wishing to get away for a short or longer holiday break, in peaceful and attractive surroundings.
- 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's surroundings

- 3.1 The site is located 1.1km south of Wombledon village and 2.5km north-east of Harome village and is accessed via Hungerhill Lane that runs between the villages of Wombledon and Nunnington. The larger settlements of Kirbymoorside, Helmsley and Pickering are 4km, 6km and 16km respectively from the site. The site is very near to the southern edge of the North York Moors National Park.



Extract showing Location of site

3.2 The application site lies to the north-east of Wembleton Caravan Park, a long established holiday park. The only other building in close proximity to the site is a large commercial storage unit located immediately adjacent to the north-east boundary.

4.0 The application site

4.1 The application site is relatively flat and screened from Hungerhill 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 up to 5 metres wide and is in addition to the existing hedge; denser planting has also occurred at the corners of the site.



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

4.2 The proposed area for development extends to circa 8.38ha.

4.3 The site was formerly part of the extensive WWII Royal Air Force Station Wembleton.

5.0 The Proposal

5.1 Planning permission is sought for the change of use of the land to allow the siting of up to 65 timber clad static, chassis based, holiday units of a contemporary design.

Holiday units:

5.2 Each holiday unit will be made available to rent or purchase, all of which will be restricted to holiday occupancy only - through the use of a planning condition - and will be rented out or occupied for a few days to a week at a time.

Soft Landscaping:

5.3 One of the key aims of this development is to create a wooded environment for the enjoyment of visitors and passers-by 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 bund 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 Access to the site will be via a new entrance directly off Hungerhill Lane. Visibility splays of 4.5m x 160m (northwards) and 4.5m x 169m (southwards) are achievable. A new internal site road constructed of permeable gravel will lead from the access road to individual holiday units and their respective car parking spaces. Grass or natural stone paving access paths will be created from parking areas to the individual holiday units.

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 holiday units. 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:
- On-site recycling;
 - A mini packaged sewage treatment plant system will be installed on the site to provide for foul water drainage.

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 both the construction and ongoing operational phases, with local labour being required for all types of trades associated with the project. 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 units will help to divert second home buyers from purchasing existing local housing stock, thereby easing housing pressures for local residents.

8.0 Planning History

- 8.1 A section of the site has previously had a resolution to grant planning permission for the siting of holiday lodges and eco pods, subject to the signing of a Section 106 Agreement, under reference 10/00830/MFUL.

9.0 Evaluation

- 9.1 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 local residential properties within the area;
- Noise issues emanating from the adjoining Potato Store during winter months.

Opportunities

- More efficient use of unused brownfield land;
- 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.

10.0 Design Principles

- 10.1 The primary objective is to provide a development of holiday units, 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

- 10.2 This application seeks approval for the proposed change of use of the land for the siting of timber clad static holiday units, which will provide accommodation for tourists and holiday makers visiting the area.
- 10.3 The intention is to site up to 65 holiday units on the land. The holiday units can be purchased or rented by people looking to spend time in this rural setting.
- 10.4 All of the units are for holiday purposes only. They shall not be occupied as a person's sole or main place of residence.
- 10.5 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.
- 10.6 The proposed site will be managed from a warden's accommodation unit, located in close proximity to an additional static unit that that will be used as a reception.

LAYOUT

- 10.7 The proposed siting of each of the holiday units is shown on the accompanying site layout plan. Parking spaces are all located in the immediate vicinity of each unit.
- 11.8 The layout is considered to make best use of the site, whilst at the same time respecting the physical constraints imposed on this rural site.

- 10.9 The separation distances between individual holiday units is approximately 8 metres.

SCALE

- 10.10 The proposed chassis based holiday homes will be single storey. Floor plans and elevations of the proposed units are shown on the accompanying drawings. The units will have a footprint of 13.7m x 6.1m and have a pitched roof, with a ridge height of 3.6m.

APPEARANCE

- 10.11 The general style of units proposed will be twin unit design with a dark pitched roof and brown timber style cladding. The gable end is predominantly glazed and each unit will have an area of decking on one or two sides depending upon its orientation.



LANDSCAPING

- 10.12 The landscaping of the site is vital to its success as a holiday destination. A significant feature of the design is the

reintroduction of the site's hedgerows that were present prior to the construction of the airfield during WWII.

- 10.13 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 static units to screen each one from the neighbouring units.

- 10.14 Individual parking areas will be screened with trees / hedging. Where required, hedging will also be established between the access road and the holiday units.

- 10.15 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 road, as well as around the periphery of the site.

ACCESS

- 10.16 As described in preceding sections, access to the site will be via a new entrance directly off Hungerhill Lane. Visibility splays of 4.5m x 160m (northwards) and 4.5m x 169m (southwards) are achievable.

- 10.17 A new internal site road constructed of permeable gravel will lead from the access road to individual holiday units and their respective car parking spaces. Grass or natural stone paving access paths will be created from parking areas to the units.

- 10.18 To allow for a safer pedestrian route to Wombleton village a permitted footpath will be provided from the site to Moorfields Lane as shown on drawing reference WA-HL-1.4.

10.19 To promote cycling there will be 20 bicycles available that occupiers will be able to hire to explore the local area whilst on holiday.

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

11.0 Planning Policy Considerations

11.1 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.

11.2 *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 units 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 units, screened by existing and proposed landscaping will not detract from the character of the area. Direct access to the site from Hungerhill Lane is achievable. Local services and infrastructure are 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 units 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 units, together with their single storey design, is sufficient so not to cause demonstrable overlooking, overshadowing, or noise related issues. As such the residential amenity of potential occupiers will be preserved. The site relates well to the local highway and public transport networks, which are found in Wombleton and Harome Villages.

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 consider 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 holiday units will enable them to blend with the landscape and the immediate setting. Safe access and parking for the proposed holiday units 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 <ul style="list-style-type: none"> 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.

11.3 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 units 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

12.0 Planning Obligations

- 12.1 The accompanying Noise Impact Assessment Report prepared by Blue Sky Acoustics (reference 164A/05/2018), concludes that without suitable acoustic noise mitigation works being undertaken, noise emanating from the fans within the adjacent Potato Store which operate continuously throughout the months of November to January each year, is likely to occur to cause a significant adverse impact on the residential amenity of occupiers of the holiday units during both night-time and daytime periods.
- 12.2 The Noise Impact Assessment Report provides for a noise mitigation solution through the installation of appropriate internal acoustic louvres on the Potato Store, which would adequately reduce the noise impact on occupiers of the holiday units, both internally and externally, to meet both design limits and desirable design criteria.
- 12.3 Although the Potato Store is held within a different ownership, the applicant has an agreement with the owner to undertake the internal modifications described in the Noise Assessment. In order to ensure that the proposed mitigation works are undertaken and in a timely manner, the applicant is submitting a Unilateral Undertaking as part of the application. The Unilateral Undertaking covenants that the noise reduction mitigation measures identified in the Noise Assessment will be implemented prior to the first

occupation of any of the holiday units (including manager's unit).

- 12.4 The Unilateral Undertaking also covenants that a permitted footpath will be provided from the site to Moorfields Lane (to the west), in order to allow for a safer pedestrian route to Wombleton village as stated in section 10.18 above.

13.0 Flood Risk Assessment

- 13.1 The site is located in Flood Zone 1, however as it is greater than 1ha in size a Flood Risk Statement is being submitted as part of the planning application.

14.0 Foul Sewage & Utilities

- 14.1 A mains water and electricity supply currently runs in close proximity to the site and can be extended into the application site during the construction phase to provide water and power to each of the holiday units.
- 14.2 Foul water will discharge into a mini packaged sewage treatment plant system which will be installed on the site.
- 14.3 Surface water will drain into soakaways.

15.0 Land Contamination

- 15.1 As the proposed use is not considered to be a sensitive end use, such as housing with gardens or a school or nursery, it is not considered necessary to consider potential contamination of the site. Discussions with the applicants have however confirmed that, as far as they are aware, there is no known source of contamination on the proposed development site.

16.0 Sustainability

- 16.1 The National Caravan Council Structural Thermal Rating Scheme (EN 1647) is designed to give purchasers of caravan holiday homes an indication of the likely thermal efficiency of the homes that they are considering. The scheme takes into consideration the insulation qualities of the fabric of the home and the amount of energy required to heat air passing through the home. A score of between 1 and 10 is awarded to each home based upon its thermal rating. The units proposed for the development have been awarded a score of 8.4.
- 16.2 The holiday homes proposed will also be built to residential specification BS 3632 (2015). The NCC Energy Efficiency Rating Scheme is designed to give purchasers of Residential Park Homes an indication of the likely energy consumption and Carbon Dioxide (CO₂) emissions of the homes they are considering. The scheme takes into consideration the insulation qualities of the fabric of the home, the amount of energy required to heat the air passing through the home and the efficiency of the central heating and water heating equipment, as well as the energy consumed by the fixed lighting equipment. Units built to BS 3632 (2015) are more suitable for year round living, including safety, acoustic and thermal insulation, gas central heating, thermal performance double glazing and enhanced ventilation.
- 16.3 Energy efficient products and appliances will be used within the units.
- 16.4 In order to aid the storage and collection of household waste a recyclable waste bin storage area will be provided.

17.0 Conclusion

17.1 In addition to the benefits discussed within this report, it is considered that this planning application for the siting of holiday units is acceptable for the following reasons:

(1) The Promotion of Tourism

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

(2) Limited Visual Impact

The proposed holiday units are single storey in height and clad in an appropriate coloured material. The development will be screened by new planting to provide privacy and also dense low level vegetation to soften the individual units.

(3) Location of tourism development

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 the 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.

17.2 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, suitably enhances the character and appearance of the surrounding area and overcomes identified noise related issues.

17.3 The application accords with the policies of the development plan and with national planning policies.

17.4 Given all of the above it is considered that the proposed development will have no demonstrable harm to the character of the local or the wider surrounding area. The development will also provide for an identified but un-catered for visitor need.

18.0 Conditions

- 18.1 Should this application be considered acceptable, then the applicants 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.
- 18.2 Notwithstanding the above, we feel that the following conditions are particularly relevant and should be imposed to control occupancy of these holiday homes.
- i) The accommodation is occupied for holiday purposes only and shall not be occupied as any person's sole or main residence;
 - ii) The owner /operator of the site shall maintain an up-to-date register of lettings / occupation, including the names of all owners/occupiers, their home addresses and showing arrival and departure dates; and
 - iii) The owner / operator shall be prepared to make the register available at all reasonable times to the Local Planning Authority.
- 18.3 It is requested that no planning restrictions are placed on the length of the operating season.

Peter Webster BA (Hons) MRTPI

May 2018

Parish comments

Sent: 31 October 2018 10:42

To: Development Management

Subject: Comments for Planning Application 18/00580/MFUL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:41 AM on 31 Oct 2018 from Mr Paul Ashley.

Application Summary

Address: Field Off Hungerhill Lane Wombledon Kirkbymoorside
Change of use of part of airfield land to allow the siting of 65no. timber clad static holiday units with decking, 1no. static site managers accommodation unit and an office/reception static unit together with formation of a site vehicular access, associated permeable gravel internal site road with car parking spaces for the individual units, site landscaping adjacent to the retrospective peripheral bund, with proposed low level site entrance lighting ,installation of a package treatment plant and siting of electricity substation

Proposal:

Case Officer: Rachael Balmer

[Click for further information](#)

Customer Details

Name: Mr Paul Ashley

Address: 11A Station Road, Helmsley, North Yorkshire YO62 5BZ

Comments Details

Commenter Type: ie Site/press notice

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments: Council would like it to be noted that their previous objections, as submitted to this application, still stand.__Paul Ashley_Clerk

From: Paul Ashley
Sent: 10 August 2018 09:39
To: Development Management
Subject: 18/00580?MFUL

Planning Application 18/00580/MFUL

Wombleton Parish Council would like to express its objections to the above application for the following reasons.

- 1 The proposed cycle routes mentioned in the plans are unsafe.
2. There is concern that this site is a back door to second, or even main, homes as there is no mention about length of tenure. This would put enormous extra burdens on a small rural village.
3. The increase in traffic, both from owners and during construction would lead to unprecedented amounts of traffic passing through what is already a congested village due to narrow roads.
4. The development will not provide any benefits to Wombleton itself, yet will have a huge negative impact on its residents.
5. The size of the site is not in keeping with the size of the village.
6. The site would increase the already, substantial amount of noise pollution for residents close to the proposed development.

In addition to the above planning issues, Council is also concerned that the site could be left half finished or a change of use could be inserted part way through the project. Council would like to see something inserted to stop this from happening.

Paul Ashley

Clerk

Agenda Item 7

Item Number: 7
Application No: 18/00739/FUL
Parish: Aislaby, Middleton & Wrelton Parish
Appn. Type: Full Application
Applicant: Jos Richardson & Son
Proposal: Erection of replacement forecourt canopy and pump islands, formation of replacement shop front, installation of 2no. replacement underground tanks, installation of service bays, relocation of vent pipes and formation of additional parking bays
Location: Middleton Service Station Main Street Middleton Pickering YO18 8NS
Registration Date: 2 August 2018
8/13 Wk Expiry Date: 27 September 2018
Overall Expiry Date: 5 November 2018
Case Officer: Alan Goforth **Ext:** Ext 332

CONSULTATIONS:

Highways North Yorkshire	Objection
Parish Council	No objection with comments
Environmental Health Officer	Recommend conditions
Sustainable Places Team (Environment Agency)	Recommend conditions
Yorkshire Water Land Use Planning	Recommend conditions
Highways North Yorkshire	Recommend conditions
Parish Council	No response to re-consultation
Environmental Health Officer	No further comments
Sustainable Places Team (Environment Agency)	No further comments
Yorkshire Water Land Use Planning	Comments unchanged

Neighbour responses: Mr Martin Farrell, Mrs Kathryn Farrell,

SITE:

The existing filling station (branded Esso) is situated on the southern side of the A170 to the east of the village of Middleton and approximately 0.5km north-west of Pickering. The application site is within the open countryside. The site amounts to approximately 0.35 hectares.

The existing filling station site comprises a forecourt, canopy (approx. 125m²), 2 no. pump islands with four fuel dispensers, shop (Londis) and underground tanks. There are two accesses to the site off the inside bend of the A170, both within the 40mph speed limit zone.

The shop forms part of a large building (576m² footprint) and occupies approximately one third of the ground floor which would be unchanged. The shop frontage and entrance is the north-east facing elevation of the building. The existing canopy roof, which abuts the corner of the building, is immediately to the northeast of the shop.

The nearest residential property is 'The Grange' which is a detached, two storey dwelling immediately to the west of the filling station. Access to the property is via the filling station forecourt. Other residential properties are located on West View 60m to the west of the site.

HISTORY:

06/00277/FUL- Erection of building to form petrol station with retail, office and storage areas and 2 no. light industrial units to replace demolished fire damaged building. APPROVED 09.06.2006.

PROPOSAL:

Planning permission is sought for the replacement of the forecourt canopy and pump islands, formation of replacement shop front, installation of 2no. replacement underground tanks, installation of service bays, relocation of vent pipes and formation of additional parking bays.

The proposed development comprises the following:-

- Demolition and replacement of the existing canopy within the forecourt (existing height clearance of 3.2m and overall height of 4.8m)
- Removal and replacement of the existing underground fuel tanks and resurfacing of the forecourt
- Relocation of the existing tanker delivery area to a position 15m closer to A170 than existing
- Relocation of the existing vent pipes from the north west corner of the building to the north east corner (further away from the neighbouring residential property)
- Removal of the existing, dedicated HGV high-speed fuel pump
- Installation of new pump islands and dispensing pumps (increase from 2 to 4 pump islands but no increase of pump dispensers)
- Installation of new shop frontage to north-east elevation and new path and bollards
- Removal of existing above ground diesel tank
- Demolition of existing single storey brick built store building/garage at the rear of the site
- Replacement of the existing wash bay area with 2no. jet wash bays (with 2.9m high glazed screens) and 1no. service bay at the rear of the site for air/water and vacuum
- Installation of ATM in shop front
- Removal of the external, informal seating area comprising picnic benches and low level wall adjacent to the shop entrance
- Installation of five external CCTV mini dome cameras

In response to concerns raised by the occupant of the neighbouring property and following discussions with the LPA, the Applicant amended the application to reposition the canopy, alter the shape and reduce its size from approximately 330m² to 230m². The new canopy roof would provide 4.8m clearance (overall height of 5.6m) to allow safe access for fuel delivery by tanker. The existing canopy has been subject to collision damage from larger vehicles.

The shop is ancillary to the fuel retail activity. It would continue to provide a range of goods such as (but not limited to) snacks, sandwiches, newspapers, magazines, cigarettes, dairy products, drinks, selected groceries and car accessories.

The refurbishment will modernise the filling station and shop and create additional short-term employment during the construction phase and would safeguard existing jobs at the garage in the long-term (10 full and 2 part-time).

There would be on-site parking provision for 13 vehicles and the hours of operations are 0600- 2200, seven days a week.

POLICY:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the

determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework 2018 (NPPF)

National Planning Practice Guidance 2014 (PPG)

Appraisal

The main considerations in the determination of this application are considered to be:

- i) Principle of the development;
- ii) Design and appearance;
- iii) Impact on residential amenity;
- iv) Highway impacts; and
- v) Water management and contamination.

Principle of the development

The use of the land as a filling station and shop is established by the previous grant of planning permission and the business has operated from the existing building for 12 years. The proposed redevelopment and modernisation of the infrastructure would safeguard existing employment at the site and provide additional, short-term employment during the construction phase. The impacts of the alterations and additions shall be considered in this report.

Design and appearance

Policies SP16 and SP20 of the Local Plan Strategy place great weight upon ensuring a high quality design that respects the character and appearance of the surrounding context.

The existing building is predominately clad with Moorland Green powder coated vertical sheets with a Goosewing Grey roof covering. There would be no change to the general appearance of the building. The existing 'Londis' shop front on the north-east facing elevation comprises the retailer's branding in a green, white and orange colour scheme, glazed screens and doorway and facing brickwork.

The new shop frontage would be predominately glazing although an existing single staff entrance door would be bricked up and the main entrance, which would remain on the right hand side of the frontage, would be a box cladding feature with a roller shutter behind.

The replacement canopy roof (230m²) would stand on painted columns and, as amended, would be of a size and shape to provide cover over the new fuel pump island layout with a safe clearance height. The design and colour finish for the canopy fascia is subject to the fuel supplier. The height of the canopy would allow for safe clearance for vehicles and due to the siting would not appear incompatible with the existing building.

The external materials and colour finishes for the shop front and canopy would be secured by condition. It is considered that the design, scale and appearance of the external alterations and additions would be sympathetic to the existing site and would be appropriate in accordance with Policies SP16 and SP20.

Impact on residential amenity

Letters of objections have been received on behalf of the occupant of the adjacent detached dwelling (The Grange). The main concerns raised in response to the original proposal, which included the larger canopy, relate to increased traffic, noise, loss of privacy, loss of light, loss of outlook and visual amenity, security risks, light pollution, contamination and health concerns.

As required by Policy SP20 (Generic Development Management Issues) the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.

The Officer view is that the initial proposal for the canopy encroached across the front of the neighbouring property. Whilst loss of view is not a material planning consideration it was considered that the canopy, by virtue of its siting and extent of projection, would be overbearing and would result in an adverse impact on visual amenity of the neighbouring residential property.

Following discussions between the case officer and the applicant amendments to the application were submitted that repositioned the canopy, altered the shape and reduced its size (no change to height). In addition further changes were agreed to reposition the tanker delivery area further from the residential property, to remove the outdoor seating/eating area adjacent to the shop entrance and to reposition the vent pipes to the north-east corner of the building (further away from the neighbouring residential property).

The north-west projection of the canopy (as amended) is reduced by approximately 4-5m so that it terminates in line with the side of the filling station building and does not cross the front the adjacent dwelling. At its closest point the corner of the canopy would be approximately 10m from the front elevation of The Grange. The alterations to the canopy and forecourt layout also allowed the fuel tanker delivery point to be moved a further 4m from the neighbouring property than originally proposed. It is considered that the amendments adequately address the initial concerns in relation to the visual impact and overbearing presence.

A representation has been received on behalf of the occupant of 'The Grange' in response to the amended proposal. The representation confirms that the occupant is grateful for the amendments and further details in relation to the siting and size of the canopy, removal of the shop tables/wall near the entrance, change to the applicant's HGV policy and the confirmation of the CCTV coverage.

The representation reiterates a 'strong objection' to the application stating that the amenity impact will significantly increase particularly around the shop front area as a result of the expected and anticipated increase in usage of the new petrol pumps, shop and the car wash bays at the rear of the property.

The local resident requests that the shop entrance is repositioned further from their property. Due to the historical arrangement of the buildings and the close proximity of the residential property to the filling station building and the fact that they share access via the forecourt on the north-eastern side, the level of privacy for the outside area to the front of the dwelling is not that that would be expected in the rear garden of the dwelling. The principal garden is to the rear, south-western side of the dwelling and is largely screened by the existing building and the rear boundary comprises a 2m high vertical boarded timber fence. The garden benefits from good levels of privacy that would not be affected by the proposed development. The boundary of the front garden comprises a low level brick wall and vertical timber boarded arch top fence standing to an overall height of 2m. It is acknowledged that this area is close to the shop entrance but it is considered that the existing boundary treatment will continue to provide an adequate level of screening and privacy to the small area to the front of the house and also the ground floor living areas. The occupants of the dwelling would not be adversely affected or disturbed by the passing of customers in and out of the shop any more than what is experienced at present. The addition of an ATM is considered to be a benefit of the scheme although has the potential to attract additional vehicle movements to and from the site over and above existing, although it is not

envisaged that it would cause any significant impacts in terms of disturbance. The ATM is located on the side of the shop front furthest from the adjacent residential property.

The local resident has requested that the jet wash bays to the rear of the site are removed, reduced or repositioned. The existing jet wash is approximately 9m from the boundary with the residential property and screened by the single storey garage/store building. Following the demolition of the garage/store building and removal of the tank the proposed jet wash bays would be approximately 6m from the boundary of the garden. However, the modern jet wash bays would be enclosed by the glazed screens (2.9m high) which would contain the spray arising from car washing. In addition, in order to protect amenity in terms of noise disturbance, the hours of operation of the jet wash are intended to be limited by condition and the specification of any generators and pressure washing equipment will also be approved prior to use to ensure that the output will not cause unacceptable levels of disturbance.

As per the existing situation it is necessary for there to be illumination within the site for safety reasons, when there is reduced or no natural daylight. The applicant has confirmed that there would be no illumination of the rear side of the canopy roof. There would continue to be lighting provided on the underside of the canopy to illuminate the pump islands and the applicant has confirmed that the scheme of modernisation of the filling station includes the use of LED lighting and motion sensors where necessary. A planning condition shall control the position, height, angle of lighting, illuminance level and hours of operation of any additional external lighting to ensure that residential amenity is protected. It is anticipated that there will be no unacceptable illumination or light trespass into the surrounding area or to occupants of neighbouring property.

A concern was raised by the neighbour that the site would be operational 24 hours a day. There are currently no planning restrictions on the hours of opening/operation of the filling station and the shop. In response the applicant has confirmed that the hours of operation of the filling station and shop would be no greater than 0600- 2200, seven days a week. This can be secured by a planning condition of any planning permission granted.

A concern has been raised about security for the occupant of 'The Grange'. At present there is a clear demarcation of the boundary of the residential property to the front and rear and customers currently access both sides of the site to use the fuel pumps, shops at the front and also the jet wash and cleaning bay at the rear. The applicant has provided details relating to CCTV coverage and there would be a staff presence on-site through the day. The details of the external CCTV coverage also indicate that there would be no intrusion or surveillance of the private living areas of the nearby residential property and it is not anticipated that the proposed development would create any additional security risks for the occupants of the neighbouring dwelling.

It is considered that the proposed redevelopment, remediation and modernisation including the new forecourt layout and alterations that reposition certain elements of the operation have the potential to improve the situation for both users of the filling station and also the occupant of the neighbouring property. It is not anticipated that this proposal, as amended, would give rise to any unacceptable visual intrusion, overbearing presence, loss of light, loss of privacy, pollution or disturbance in compliance with the relevant part of Policy SP20.

Highway impacts

The LHA initially objected as part of the proposals were on land forming part of the public highway under the historic route status of the road in connection with a highway improvement scheme along this vicinity (which in effect moved the carriageway further to the north). The effect is that the highway boundary location is within the development site 'footprint'. In light of this the Applicant was advised to apply to the Secretary of State for stopping up of some of the highway land as part of the planning application procedure.

The LHA also requested a speed survey to ascertain the amount of land the LHA will have to maintain to protect the forward and access visibility splays along the inside of the bend of the carriageway.

The applicant submitted a Highway Access Appraisal that includes vehicles speed and visibility surveys. It demonstrates that based upon measured vehicle speeds, visibility splays of 2.4m x 87m northwest bound and 2.4m x 83m southeast bound should be provided at the access points. The appraisal states that these splays are achievable. In addition the existing totem sign is to be relocated to the rear of the existing verge with a 2m clearance above ground level along with a commitment to remove low level structures along the verge to reduce potential obstruction to visibility.

Policy SP20 states that *“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”*.

The existing filling station is physically constrained and requires partial closure during fuel deliveries. Furthermore, due to the existing arrangement of the pump islands the fuel dispensers are very close together and, at present, one vehicle frequently occupies the space of two dispensers. The new pump island layout (increasing from 2 to 4) would provide for a better flow of customer traffic through the site and more efficient dispensing of fuel with reduced vehicle waiting time/congestion on site.

It is considered that this would create an improved layout for safe pedestrian and vehicles movement with clearer circulation routes and entry and exit points with suitable visibility. In addition the redevelopment site would no longer cater for HGV customers. The high speed diesel pump would be removed and the operator would cease using the ‘keyfuels/UK fuels’ fuel cards.

The LHA have requested conditions in relation to the prevention of the deposition of mud and surface water discharge onto the public highway, the retention of parking and turning areas and the protection of the verge so to not impinge on the required visibility splay sight lines. It should be noted that the LHA recommendation is made without prejudice to the outcome of the Stopping-up Order application which the applicant is in the process of making to the Secretary of State under Section 247 of the Town and Country Planning Act 1990. The Secretary of State cannot issue the Order until planning permission has been granted. Informatives shall be included as part of any permission granted to advise the applicant on this matter.

There would be no change to the existing access arrangements and no significant increase in traffic accessing the site. No capacity issues have been highlighted in relation to the public highway and it is considered that the new forecourt layout would improve the movement and safe circulation of pedestrians and vehicles within the site. There are no objections from the LHA and it is considered that the proposed development would not create conditions prejudicial to highway safety and complies with the relevant parts of Policy SP20.

Water management and contamination

The site is in a sensitive location in that it lies within groundwater Source Protection Zone I (inner zone) for the Malton public water supply boreholes and the applicant must ensure that the proposals pose no increased risk to groundwater and the public water supply. Policy SP20 states that *“All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/ potential risks posed by contamination in accordance with recognised national and international standards and guidance”*.

The Parish Council have confirmed that they have no objection to the proposed development and on a whole see this as a good development for the area improving the facilities and safety of the site. However, they have requested that waste water from the jet wash is appropriately controlled.

The Environment Agency have highlighted that the use of the site as a filling station presents a high risk of contamination that could be mobilised by surface water infiltration from sustainable drainage system (SuDS) leading to pollution of controlled waters (located within groundwater Source Protection Zone 1). In light of this a condition is required to be imposed that prohibits the use of infiltration SuDS in this location. It is proposed that the jet wash bays would connect to the drainage network to the rear of the site as existing.

The application is accompanied by a contamination assessment which detected a small amount of contamination at the site. The assessment concludes that there would be no long-term harm to residential receptors or staff at the filling station following the remediation of the site. The remediation would take place as part of the works to replace the existing underground tanks. This would require the service station to be closed for several months during the work.

With regard to contamination, the proposed development will be acceptable if a planning condition is included requiring the submission of a detailed remediation strategy in line with paragraph 178 of the revised NPPF. Similarly, Local Plan Policy SP17 requires the protection of groundwater and the incorporation of an appropriate remediation scheme.

The application details indicate that remediation work would include the use of modern infrastructure to replace the existing and would comprise double skinned tanks, monitoring systems and a resurfaced forecourt with new oil interceptors. In addition, when the ground is opened for the tank removal any contaminated soils would be excavated for off-site disposal and chemical injection would be undertaken in the centre of the forecourt.

Yorkshire Water have requested the inclusion of conditions in order to protect the local aquatic environment and their infrastructure. This would include the submission of a robust Construction Environmental Management Plan which fully details the measures which will be put in place to protect the water environment. The Environment Agency have no objections subject to the inclusion of conditions in respect of pollution control. The application has been discussed with the Council's Environmental Health Specialists who agree with the inclusion of the contamination remediation conditions. The conditions relating to a remediation strategy would ensure that any existing contamination is appropriately remediated as part of the removal and replacement of the existing underground tanks in accordance with the NPPF and policies SP17 and SP20 and there would be no harm to staff, local residents or the environment.

Other matters

The representations made on behalf of the occupant of the neighbouring property highlight concerns relating to the obstruction of vehicular access to the front of 'The Grange' because of inconsiderate customer parking adjacent to the front of the shop. However, the civil rights of access across the filling station forecourt to the adjoining property falls outside the consideration of this planning application. In the event that this application is approved, no such approval would alter such civil rights relating to access. This is a matter between the respective landowners.

Conclusion

The proposed redevelopment and refurbishment of the filling station and shop, including the remediation works, would modernise the site and the improved layout within the forecourt would allow for a more efficient and safe operation of the filling station. In addition, existing jobs would be secured in the long term and short term employment would be created during the construction phase.

It should be noted that if planning permission is not forthcoming the fall-back position would be that the applicant would continue to operate the filling station and shop with the existing layout and infrastructure.

The proposed development would not have an unacceptable impact on the appearance of the site, residential amenity, the water environment or highway safety. In light of the above assessment, it is considered, on balance, that the proposal is acceptable and complies with policies SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. The recommendation to Members is one of conditional 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, drawing ref. 7a, dated 09.10.18

Feasibility Option 3, drawing ref. 4d, dated 08.11.18

Petrol Canopy, drawing ref. 11a, dated 01.10.18

CCTV System Layout, dated 02.10.18

Tank Detail, drawing ref. 9, dated 21.06.18

Proposed Front Elevation, Plans and Section, drawing ref. 9, dated 16.07.18

Wash Bay Elevations, drawing ref. 12, dated 19.07.18

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

3 No development approved by this planning permission shall commence until an Construction Environmental Management Plan (CEMP) relevant to all phases of the construction and use of the proposed development, is submitted to and approved by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities and use of the development on both groundwater and surface water and identify the appropriate mitigation measures which shall then be implemented to the satisfaction of the Local Planning Authority. It shall include, but not be exclusive, to the following matters:-

a) the means by which the underlying aquifer shall be protected during any excavations , explorations or piling activities ;

b) storage and use of fuels and other chemicals on the site;

c) assurance that no excavations shall take place within groundwater SPZs an assessment has been undertaken to determine the presence of contaminated land. Where contamination is found an appropriate methodology to mitigate the risk of pollution into groundwater shall be agreed in writing with the Local Planning Authority;

d) construction site drainage to include the means of sediment control and preventing build - up of standing water in excavations ;

e) all plant and equipment shall be checked each day for signs of leakage of fuel or other fluids and any equipment found to be leaking shall be removed from the site immediately; and

f) design & management of on -site facilities including welfare units and vehicle washing etc, particularly in relation to disposal of waste water / effluent.

Reason: In order to minimise risk to groundwater and in the interest of public health.

4 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

5. The verification plan shall include a timetable of monitoring and submission of verification reports to the Local Planning Authority.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution.

- 5 Prior to any part of the development being brought into use a verification report demonstrating the completion of the initial works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan timetable (Condition 4(5) above) to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

- 7 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- 8 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason: In the interests of highway safety.

- 9 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown Feasibility Option 3, drawing ref. 4d, dated 08.11.18 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 10 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: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 11 No part of any sign, structure or means of enclosure or vehicle parking area shall be laid out or erected within or projected forward of the required visibility splay sight line as shown highlighted in Feasibility Option 3, drawing ref. 4d, dated 08.11.18.

Reason: In the interests of road safety.

- 12 The new jet wash bays (2no.) shall not be brought into use until details of any associated generator and pressure washing equipment to be used has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that amenity levels of surrounding properties are not unacceptably reduced, in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 13 Prior to the installation of the new shop front and canopy roof details of the exterior materials and colour finishes to be used shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 14 Unless otherwise approved in writing the external CCTV provision (location and direction of view) shall be installed in accordance with the details shown on the CCTV System Layout drawing, dated 02.10.18.

Reason: In the interests of the amenity.

- 15 There shall be no illumination on the rear, west and south-west facing sides of the canopy roof. Full details of any new or additional external lighting at the site, including lighting for site security purposes, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution.

- 16 There shall be no external eating areas (picnic benches or similar) provided within the application site outlined in red on the Site Location Plan, drawing ref. 7a, dated 09.10.18.

Reason: In the interests of the amenity.

- 17 The operational hours of the filling station and associated shop shall be limited to only between 06:00 and 22:00 hours.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected.

- 18 The operational hours of the jet wash bays (2no.) shall be limited to only between 08:00 and 20:00 hours.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected.

INFORMATIVES (Other consents)

- 01 An Order authorising the stopping up of the highway under Section 247 of the Town and Country Planning Act 1990 is required.

It should be noted that there may exist underground services which could lie below the historic route of the road and that will possibly be affected by any stopping-up of land required for the development proposed. This may raise an objection to the stopping-up order and/or may require a service diversion at the applicants' expense. It is advised, therefore, that contact be made with the utilities which may be affected at an early stage in the process.

ADS Ashby Road
Highway 100



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SCALE SUBJECT TO PLANING ANALYSIS AND TOPOGRAPHICAL SURVEY

date v a1d 09/11/2018

client	JOE RICHARDSON
project	MIDDLETON SERVICE STATION PICKERING
title	HIGHWAYS LINE OF HERULES
date	22.11.17
scale	1:500 @ A1
year	1962
rev	15



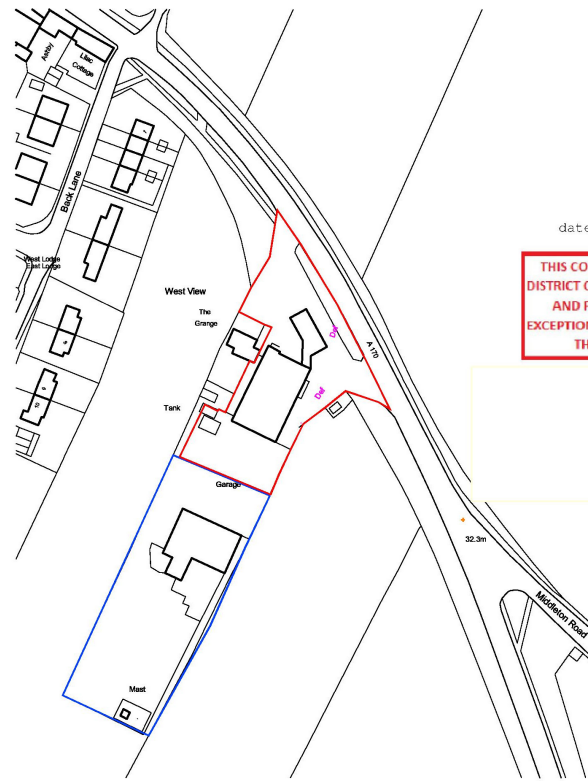
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SCHEME SUBJECT TO TRACKING ANALYSIS AND TOPOGRAPHICAL SURVEY

date valid 11/10/2018

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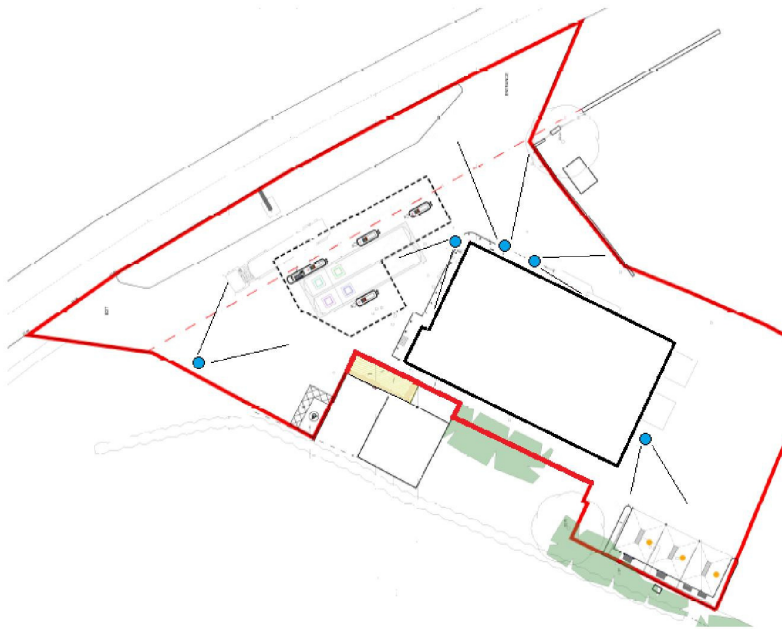
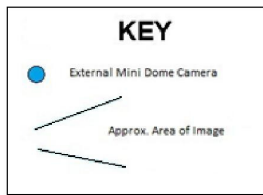
A	09.10.18
REVISIONS	RED LINE AMENDED
CLIENT	JOS RICHARDSON & SON
PROJECT	MIDDLETON SERVICE STATION PICKERING
TITLE	SITE LOCATION PLAN
DATE	16.07.18
SCALE	1:1250 @ A3
JOB ID	1562
DRW	7a

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date valid 12/10/2018



Holly Farm
Main Street
West Haddlesey
North Yorkshire
YO8 8QA

(01757) 228955

Site	Service Station Middleton Pickering
Subject	CCTV System Layout Main External Cameras
Date	02/10/2018
Drawn	M Tate

DEC
 Visibility Squeezed to 2.4m x 4.0m
 Visibility Squeezed to be retained on public highway
 Site Forward Visibility to North Westward, subject to assessment of air drainage, 1.5m forward visibility
 Proposed Site to Road Transport Planning L3 drawings for Future Roads



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date: valid 09/11/2018

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SCALE SUBJECT TO ROAD ANALYSIS AND TOPOGRAPHICAL SURVEY

D	18.08.18	DESIGN PLANS SHED
C	25.08.18	LOANED PLANS
B	25.08.18	LOANED PLANS
A	25.08.18	LOANED PLANS
ISSUED BY		
CLIENT	JOE RICHARDSON	
PROJECT	MIDDLETON SERVICE STATION, PICKERING	
TITLE	FEASIBILITY OPTION 2	
DATE	22.11.17	
SCALE	1:200 @ A1	
ISSUE	1562	
REV	46	





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Date Valid 08/11/2018



1:1000 © Local Transport Projects A3

Key:-	
	Visibility Splay of 2.4m x 80m
	Visibility Splay area to be retained as public highway
	20m Forward Visibility Splay (20m x 20m) as per MCHW Manual of Design, Section 6.10.1.1.1

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Rev.	Date	By	Chk	Description
B	08/11	JH	AM	Final issue and for use on site (2018)
A	08/11	JH	AM	Final issue based on 2018

Client
Jos Richardson & Son

Project
Middleton Service Station,
Keld Head, Pickering

Title
Access Visibility Splays

local transport projects
traffic engineering and transport planning

MEMBERS OF THE INSTITUTE OF TRANSPORT ENGINEERS

Arundell House,
The Grange, Catterick,
Arundell Way,
Beverly,
East Riding of Yorkshire,
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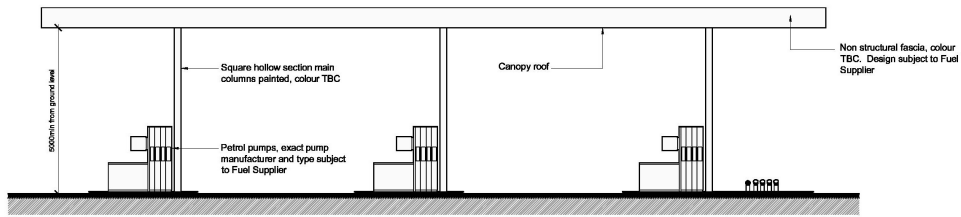
T: 01482 871311
info@localtransportprojects.co.uk
www.localtransportprojects.co.uk
Registered in England
Registration No. 1045242

Drawn: JH Date: 03/10/2018
Scale: 1:1000 Checked: AM

Status:
 INTERNAL DRAFT
 ISSUED
 APPROVED
 PRELIMINARY
 CONSTRUCTION
 AS BUILT

Drawing number: LTP/3436/P1/01.01
 Project: Middleton Service Station
 Issue: Design
 Status: B

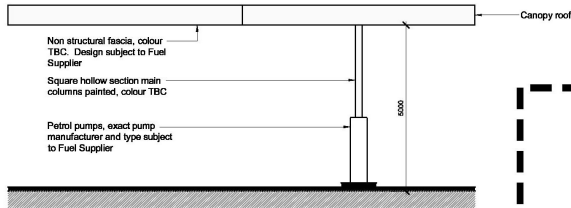
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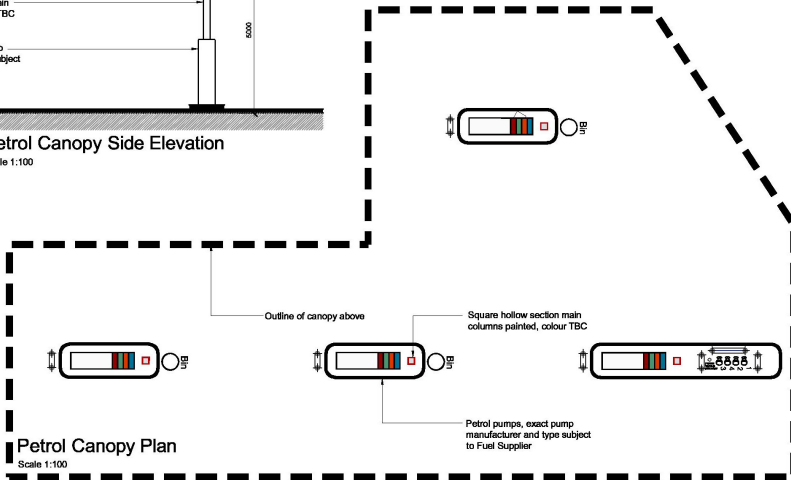
Petrol Canopy Front / Rear Elevation
Scale 1:100

date valid 11/10/2018

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Petrol Canopy Side Elevation
Scale 1:100



Petrol Canopy Plan
Scale 1:100

A	11.11.18
REVISED BY	LOANED/UPD
CLIENT	JOS RICHARDSON & SON
PROJECT	MIDDLETON SERVICE STATION PICKERING
TITLE	PETROL CANOPY
DATE	17.07.18
SCALE	1:100 @ A3
JOB NO	1562
DRW	11a



Planning, Design and Access Statement – Rev A

Middleton Service Station, Main Street, Middleton, Pickering, YO18 8NS

Preface:

Following receipt of the Planning Officer's comments by email, issued 11th September 2018, a meeting was held on site 21st September 2018 with the Planning Officer, Applicant and Agent to discuss the proposed development and to look at various options to address the concerns of the adjoining neighbours (the residential property immediately to the west of the site). The Agent presented several options open for informal discussion.

The Applicant:

Jos Richardson & Son, Suite 12, Brackenholme Business Park, Brackenholme, Selby, YO8 6EL

The Applicant is a family-owned fuel and convenience retailer that operates six petrol retail outlets with associated convenience stores across Yorkshire.

The Site and Site Location:

The site is the existing Middleton Service Station (hereinafter referred to as 'the site'), lying adjacent to the A170 which forms the site's northern boundary. The site lies to the northwest of Pickering Town Centre.

The site consists of a forecourt, canopy, pump islands, shop and underground tanks. The petrol filling station is branded ESSO and is operated by Spensound Ltd, which is a wholly owned subsidiary of Jos. Richardson & Son Ltd.

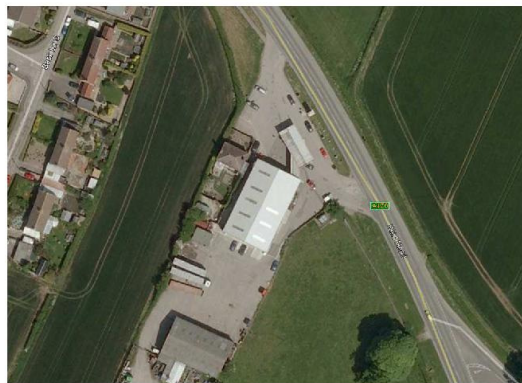


Figure 1 - Aerial image of Middleton Service Station

Existing Forecourt Elevation:

The existing shopfront would benefit from a redevelopment that would not only enhance the site in terms of a visual aspect but would also modernise the operation by providing significantly improved facilities to meet customer's needs.

The proposed works will have a hugely beneficial impact to the overall site which is appropriate within and cognisant of its context and surroundings.



Figure 2 – Existing Forecourt



Figure 3 – Existing Forecourt

The existing delivery area is very constrained, with the site having to partially close during deliveries at present.



Figure 4 – Existing Forecourt

Proposals:

The proposal is to: -

- Demolish and replace existing canopy forecourt
- Remove and replace the existing underground petrol tanks
- Relocate existing tanker delivery area and existing vents
- Remove existing dedicated HGV pump
- Install new pump islands and dispensing pumps
- Install new shop frontage to existing shop, providing a new path and bollards
- Remove existing above ground diesel tank
- Demolish existing single store at the rear of site
- Replace existing wash bay area with 2No new jet wash bays and 1No service bay at the rear of the site for air / water and vacuum
-

Hours of Operation:

The applicant confirms that the site will be open for business between 6am – 10pm, 7 days a week.

Use – Class A1 Shop:

The sale of convenience goods would remain ancillary to the main activity of fuel retail. The shop product range will include (but not limited to) cigarettes, newspapers, magazines, snacks, sandwiches, dairy products, cold drinks, selected groceries and associated car accessories.

The proposed redevelopment and enhancement of the existing petrol filling station facility represents a significant investment in the site which will ensure the long-term operational future of the facility by meeting the requirements of customers and modern petrol filling station operators.

Access:

The development is adequately served by the existing road network of the A170 and will not create or add to problems of safety, environment or efficiency on the highway network and is capable of being sufficiently served by public transport – subject to the results of the speed survey not flagging any issues.

Disability Discrimination Act 1995:

The Disability Discrimination Act 1995 (DDA) introduces measure to petrol retailers to prevent discrimination against disabled people. Wherever practicable, disabled customers should be able to access services and obtain goods in the same way as non-disabled customers.

The new building design will improve the way staff deliver services to disabled customers and make full use of the facilities and goods offered at the site. As with many other retail and service industries, the way a service is managed and delivered by staff has a substantial impact on accessibility and fulfilment of diverse customer needs, by providing a new disabled access into the building the site will be fully accessible.

Environmental:

The proposed works will be undertaken and managed in a manner having full regard to health and safety and environmental issues affecting the processes and materials used. The relevant statutory authorities have been fully consulted as part of the application process and have raised no concerns with respect to these issues.

Energy saving initiatives will be incorporated within the proposal to achieve a reduction to its carbon footprint. Low energy light fittings both internally and externally will produce energy savings.

The new jet wash bays will connect into the existing drainage network as they currently do.

Flood Risk:

The site is classified as being in Flood Zone 1 with a low probability of flooding.

Highways:

The Local Highways Authority has requested a speed survey. The applicant's highways consultant LTP Ltd will issue this report under separate cover.

Further, the applicant has agreed to remove various low-level advertisement signs on the roadside verge to avoid partial obstruction of visibility.

Design:

Following objections from the adjoining property (The Grange) over the impact of the proposed canopy, the applicant has reassessed the proposal and has resubmitted plans which show a dramatic reduction in the size and scale of the replacement canopy to avoid any potential visual intrusion.

Any advertisement / lighting to the new canopy would be subject to a separate application.

For Health and Safety reasons the new canopy would be higher to allow clear access for tanker delivery. Industry standard height is 4.8m on all new developments. The photos demonstrate the need for this adjustment as it can clearly be seen that the canopy has suffered extensive damage due to vehicles colliding with it.



Figure 5 – Damaged Canopy

The applicant wishes to discourage HGV usage of the site, preferring to focus on 'retail' customers. To that end, it is proposed to remove the existing high-speed diesel pump and also to cease using the 'keyfuels / UK fuels' bunkering fuel cards so as to not attract HGV customer.

The proposed new forecourt layout will accommodate above ground offset fill pipes, to accommodate the tanker delivery area closer to the A170 which is circa 15 metres further away from the existing delivery area.

The existing vent pipes will be relocated to the south side of the existing building.

The existing picnic benches and low-level wall will be removed.

Contamination:

Prior to the applicant's acquisition of the site in 2018, they commissioned a contamination survey. The survey highlighted that there was evidence of a small amount of contamination. The Quantitative Risk Assessment dated March 2017 – No17/0605 is enclosed under separate cover to provide full details. However, it is significant to note that the survey concluded that there would be no long-term harm to residents of the neighbouring residential property or to staff at the service station following the remediation of the site.

The applicant proposes to replace all existing underground tanks and remediate any contamination at the same time. This will result in the service station being shut for several months during the building works. The new tanks and underground services will comply to the latest UK petroleum standards.

Conclusion:

Every effort has been made to seriously consider the comments made by the adjoining property (The Grange). The applicant hopes that the amendments made to the proposed development fully addresses their concerns.

The development will improve the safety of the site and will fully comply with the latest industry standards.

The existing service station is not considered to have any architectural merit. The design and materials are limited, typical to the standard design of the era at which it was built. The premises will also be upgraded to ensure compliance with the Disability and Disclination Act.

The sustainable development will create additional employment and safeguard existing employment for now and in the future with enhanced working conditions.

The design of the proposals is considered to be both appropriate in their context and in compliance with relevant planning policy, providing a clean, modern and sustainable forecourt shop premises which contribute to the local economy through business rates and employment and provide a longer building life and enhanced corporate reputation. The applicant is passionate about the high standards of its six operating sites and maintains a 'hands on' approach to their long-term management and stewardship.

The redevelopment incorporates remediation works to the site which will result in a cleaner and safer facility that also benefits from an improved layout configuration and a vastly improved visual appearance.

On balance we consider that the development would not give rise to any unacceptable consequences for the environment, community or other public interest and recommend that planning permission be granted for this important and much needed proposal forthwith.

From: Aislaby Middleton Wrelton Parish Council

Sent: 22 August 2018 08:12

To: Lizzie Phippard

Subject: Middleton Service Station Main Street Middleton Pickering YO18 8NS Ref. No: 18/00739/FUL

Lizzie

Please find below the parish Councils comments

The council has no objection to the proposed development and on a whole see this as a good development for the area improving the facilities and safety of the site.

However there does not appear to be any consideration to the waste water that will be generated particularly from the proposed car wash.

The application (section 14/15) does not detail any proposal for water control. The council felt this should be included to control waste water and rain water run off. In order to minimise environmental impact we would have expected water soak away and processing of the car wash waste water.

If the water is all to be routed to the mains sewer this may cause unnecessary volume increases to the system which in other areas we have seem cause pumping station overflow etc.

Mike Peirson

Chairman

Aislaby Middleton & Wrelton Parish Council

Item Number: 8
Application No: 18/00911/FUL
Parish: Wintringham Parish Council
Appn. Type: Full Application
Applicant: Mr & Mrs B Jolly
Proposal: Erection of a two storey side extension to form a one bedroom self-contained residential annex and the erection of 2 no. timber clad outbuildings including a verandah to be used for domestic purposes (part retrospective).
Location: Joiners House Main Street Wintringham Malton YO17 8HX
Registration Date: 17 September 2018
8/13 Wk Expiry Date: 12 November 2018
Overall Expiry Date: 5 December 2018
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Wintringham Parish Council	No comments received
Parish Council	Objection
Highways North Yorkshire	No objections
Neighbour responses:	Chris & Sheila Bridge, David Wootton, Mr Nicholas Waddington

SITE:

The application site is located within both the designated Conservation Area and the development limits of Wintringham. The existing property is an imposing three-storey semi-detached dwelling of vernacular form and detailing.

The dwelling is set in a large curtilage with open countryside to the south. To the rear the dwelling has single-storey extensions and outbuildings, including an extension that aligns with the boundary with the adjoining dwelling to the east and which projects around 14m from the dwelling.

PROPOSAL:

It is proposed to erect a two storey extension to the side of the property to be used a 1 bedroom self-contained annex to the main dwelling along with 2 no. detached outbuildings and a verandah. This application is part retrospective, and this aspect relates to the 2 no. detached outbuildings and verandah.

The proposed extension will replace an existing single storey side extension that has a footprint of 4m in width by 6m in depth and a ridge height of 5m, with a 2 storey extension also having a width of 4m and a depth of 11m measuring 4.7m to the eaves height and 8.2m to the ridge height. The proposed extension includes a utility room and an en-suite bedroom on the ground floor with a kitchenette and living area on the first floor. A Juliet balcony is proposed on the rear elevation at first floor level. The proposed extension will project beyond the rear elevation of the main property by 3.75m. It is proposed to construct the proposed extension of brick under a Calderdale concrete slate roof.

The proposed outbuildings will have footprints of 6m by 5m, and 8.2m by 5m. The ridge heights are 4.1m, and 3.9m respectively. They are both timber clad under a Calderdale concrete slate roof. The proposed verandah is located to the southern side of the outbuilding farthest from the dwelling, and looks onto open countryside to the south.

HISTORY:

2009: Planning permission granted for the erection of an extension.

2007: Planning permission refused for the erection of a single storey extension to the rear of the dwelling.

POLICY:

National Planning Policy

National Planning Policy Framework (NPPF) 2018
National Planning Policy Guidance (NPPG) 2014

Local Plan Strategy

Policy SP2 - Delivery and Distribution of New Housing
Policy SP12 - Heritage
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues
Policy SP21 - Occupancy Restrictions

APPRAISAL:

The principal considerations in assessing the proposed development against the listed development plan policy are:

- Whether the proposals are sympathetic to the character and appearance of the original dwellinghouse
- Whether the proposals preserves or enhances the character and appearance of the Conservation Area.
- The impact of the proposals upon on the open countryside
- Whether the proposal has an unacceptable impact on the amenities of neighbouring properties.

This application is referred to Planning Committee as there are objections from the Parish Council and the occupiers of neighbouring properties. During the consideration of this application there has been a minor reduction in the projection of the two storey extension from the rear elevation of the property and alterations to the proposed balcony. It was also apparent during the consideration of this application that 2 no. detached outbuildings and verandah also required planning permission. These were the subject of an enforcement complaint. The unauthorised outbuildings had been erected without planning permission, with the applicant wrongly of the belief that they were 'permitted development'. This application has been amended to include both the proposed extension and the outbuildings and verandah. The fact that the works have been undertaken already is not a material planning consideration.

Design and Scale

The imposing three-storey dwelling house and its neighbour are traditional vernacular dwelling houses, situated centrally in the attractive conservation village of Wintringham. The proposed extension is the

same width as the existing single storey extension (4m) but with the additional floor of accommodation the ridge height increases approximately 3.1m. The proposal also extends 11m in depth whereas the existing single storey element only extends 6m into the site. Therefore the proposed replacement extension is 3.1m higher and 5.2m deeper than the current extension. The proposal also extends beyond the rear elevation of the existing property by 3.75m.

Policy SP16 and Policy SP20 of the Local Plan Strategy requires extensions to properties to be sympathetic and appropriate in terms of the scale design and materials. The proposed extension is considered to be subservient to the host dwelling and its scale is considered to be sympathetic to the existing dwelling. The form and detailing is considered to relate to the traditional vernacular of the existing building. The proposed extension projects beyond the rear elevation by 3.75m at two storey level. It is noted that there are other similar two and single storey projections beyond the rear elevations of the adjoining properties. Moreover the proposed extension will be shorter than the rear projecting two storey element on the property to the west. The descriptions of the proposed materials are considered to be acceptable in principle however, exact samples are required by planning condition.

It is understood that the proposed annex is to be occupied by the applicants allowing their son and his family to occupy the house. This family occupancy arrangement is a common arrangement with annex accommodation across the District.

The proposed outbuildings are of a domestic scale and there are other similar structures in other gardens nearby. Their rectangular shape and size is not dissimilar to a domestic garage. In view of their location to the rear of the property and their limited wider impact, the proposals are considered to be acceptable in terms of their design and scale.

In view of the above the proposals in terms of its scale and design is considered to be compatible with Policy SP16 and SP20 of the Local Plan Strategy

Conservation Area

S72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty of Local Planning Authorities to ensure new development either preserves or enhances the character and appearance of the Conservation Areas. In addition, Policy SP12 of the Local Plan Strategy requires an assessment of the impact of proposals upon heritage assets. The main views of the proposed development are from the front elevation. The appearance of the proposed extension is subservient to the main dwelling and the scale and design of the proposed timber outbuildings are considered to be acceptable in the context of this back garden location. The proposed development is considered to ensure the character and appearance of the Conservation Area is preserved.

Landscape impact

The application site is located within the Yorkshire Wolds Area of High Landscape Value, and there is a footpath located immediately to the south of the application site. The proposed development is related to an existing dwelling and located between two existing properties. There are other projecting rear extensions from the rear of the surrounding properties. The proposals are located within an existing built environment as such the proposal is not considered to have an adverse effect upon the Yorkshire Wolds Landscape Character area.

Impact upon the residential amenities of adjoining properties

Dovetail Cottage, a detached dwelling is located to the western side, and the adjoining semi-detached property, The Old Post Office, is located to the eastern side. Dovetail Cottage is located in a side-by-side arrangement with a projecting two and single storey extension from its rear elevation parallel to the boundary to the application site. Dovetail Cottage is located approximately 1.2m from the eastern side boundary with a tall fence between that and the application site. Dovetail Cottage has two ground floor windows, being the main kitchen window and a cloakroom window and two first floor windows

both being bathroom windows. The proposed extension is approximately 4.6m from the boundary to the east of Dovetail House, and 5.8m in total. The Case Officer upon request from the owner of Dovetail Cottage, inspected the application site from within the property and garden of Dovetail Cottage. Whilst there will be some impact from the proposal in terms of the massing, there is considered to be adequate separation between the properties to avoid a significant adverse effect upon the windows on the side of Dovetail Cottage or to result in a significant shadowing issue. The Juliet balcony is not considered to have an adverse effect in terms of potential overlooking. It is noted that there is a first floor window on the rear wing of Dovetail Cottage that is closer to the boundary between the properties.

The Old Post Office to the east has an outbuilding that aligns with the common boundary to the rear, thereby mitigating much of the potential impact upon that property. It is noted that there is a side window in the first floor part and it is recommended that this is obscure glazed because of the potential for direct overlooking.

The proposed outbuildings are located approximately 1.35m from the adjoining boundary with Dovetail Cottage. The ridge height of 4.1m is also some 3.7m from the boundary. The outbuildings are located to the eastern side. Whilst there will be views of the proposed structures from the neighbouring gardens, it is considered very difficult to consider them as having an adverse effect upon the amenity of surrounding occupiers. Members should note that if the structures were no higher than 2.5m at ridge height, planning permission would not be required, or if they were moved an additional 0.7m from the boundary the ridge height could be 4m in height. With this in mind it is again considered to be difficult to reasonably object to the proposals in terms of their scale or use. A condition is however, recommended to ensure that the outbuildings are only used for domestic purposes.

In view of the above it is considered that the proposals are not considered to be likely to have an adverse effect upon the amenity of adjoining properties.

Other issues

The local Highway Authority has confirmed that there are no objections to the proposal.

The Parish Council has objected to the proposed development on the basis of its impact upon the adjoining occupiers' amenities (particularly in relation to Dovetail House to the western side); the appearance of the proposed development; and because the Parish Council is concerned at the 2 no. unauthorised outbuildings and tree removal in the rear garden of the application site. There have been three neighbour responses in relation to the proposal. Two of these responses were from the adjoining occupiers. One of these responses from the adjoining occupier to the eastern side welcomes the balcony amendment discussed above, and seeks to ensure that there is no external balcony subsequently allowed to be constructed. A condition will ensure that the approved plans cannot be altered and planning permission would be required for any extension to the proposed Juliet balcony. The response also raises concern at the potential overlooking from the east side first floor window, which is assessed in the appraisal above. A condition is recommended to ensure this window is obscure glazed.

The other objections raised include the following issues:

- The unauthorised structures and verandah in the rear garden area;
- That permission was refused in 2007 for an extension to the rear of the property;
- The proposal would create a terrace of 3 dwellings;
- The impact of the proposal upon the character and appearance of the area;
- The impact of the proposal upon the residential amenities of the adjoining property to the west, including loss of day light and sun lighting;
- That shrubs and trees have been removed and no additional planting is proposed; and,
- Unacceptable potential overlooking from the proposed balcony.

The complaint regarding the timber structures to the rear of the property has been investigated and it has been confirmed that planning permission is required. This application has been amended and re-consultation has taken place with interested parties. At this point in time no further views have been received. The consultation period for responses does not expire (due to the requirement for a press notice until 5 December 2018). Therefore any decision on this application is subject to the expiry of that consultation period and no new issues being raised. The appraisal above has considered the 2 no. unauthorised outbuildings and veranda in detail. The impact of the proposal upon the amenity of adjoining properties, its design and relationship to the host dwelling and impact upon the Conservation Area have been assessed in the appraisal above.

The proposal is a subordinate extension to the main property which is intended to be used as annex accommodation. It is designed to be subservient to the main dwelling and it is not considered that it will result in a terrace of dwellings.

The loss of the trees is regrettable. Notice should have been served on the Council for the removal of any tree in a Conservation Area. However, the trees did not appear to be significant from the photos submitted, in terms of their overall amenity value. It is noted however, that their loss has changed the outlook from the neighbour's garden. In the circumstances a planning condition requiring replacement planting within the rear garden area to offset the loss of the trees is considered to be reasonable.

The proposed annex is considered to contain basic accommodation to enable it to be occupied as an annex to the main dwelling. It will share its curtilage, parking areas with Joiners House. There is also an interconnecting door into kitchen of the Joiners House. It is considered that the accommodation proposed is capable of being occupied as an annex and a condition is recommended to ensure it is not sold or let off separately.

In view of the above, the recommendation is one approval (subject to the expiry of the consultation period) and subject to the conditions listed below.

RECOMMENDATION: Approval – subject to the expiry of consultation period

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 Prior to their installation, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy.

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

Drg No. 18 - 1260 - 3 revised; 18 - 1260 - 2 revised; 1260 -4.

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

- 5 The annex accommodation hereby approved shall only be used as ancillary domestic accommodation in association with the main dwelling currently known as Joiners House, and shall not be sold off or let off separately.

Reason: In order to ensure the accommodation is not used as a separate independent dwelling unit and to satisfy Policy SP2 Policy SP20 and Policy SP21 of the Local Plan Strategy.

- 6 The proposed first floor window on the eastern elevation shall be permanently obscure glazed with the level of obscurity to be submitted and agreed in writing with the Local Planning Authority prior to its installation.

Reason: In order to protect the amenity of the adjoining occupiers and to satisfy Policy SP20 of the Local Plan Strategy.

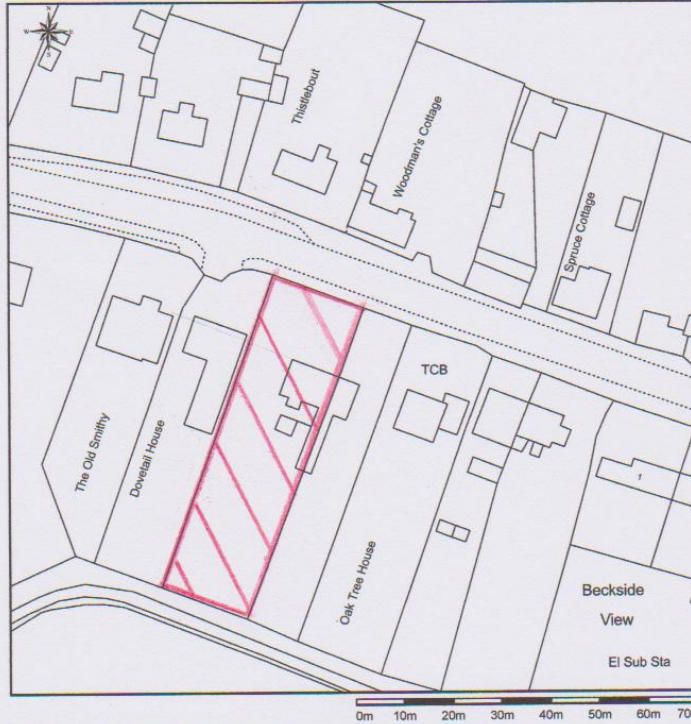
- 7 The outbuildings hereby approved shall only be used for domestic purposes in association with Joiners House.

Reason: In order to protect the amenity of surrounding occupiers and to satisfy Policy SP20 of the Local Plan Strategy.

- 8 Before the end of the first planting season (November - March inclusive) following the commencement of development, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority prior any such planting taking place. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Local Plan Strategy.

Joiners House



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Scale: 1:1250, paper size: A4

18-1260

Joiners House



plans ahead by emapsite™

Prepared by: Mike Punchard, 28-08-2018

Check All Dimensions on Site.



North Elevation.



West Elevation.



South Elevation.



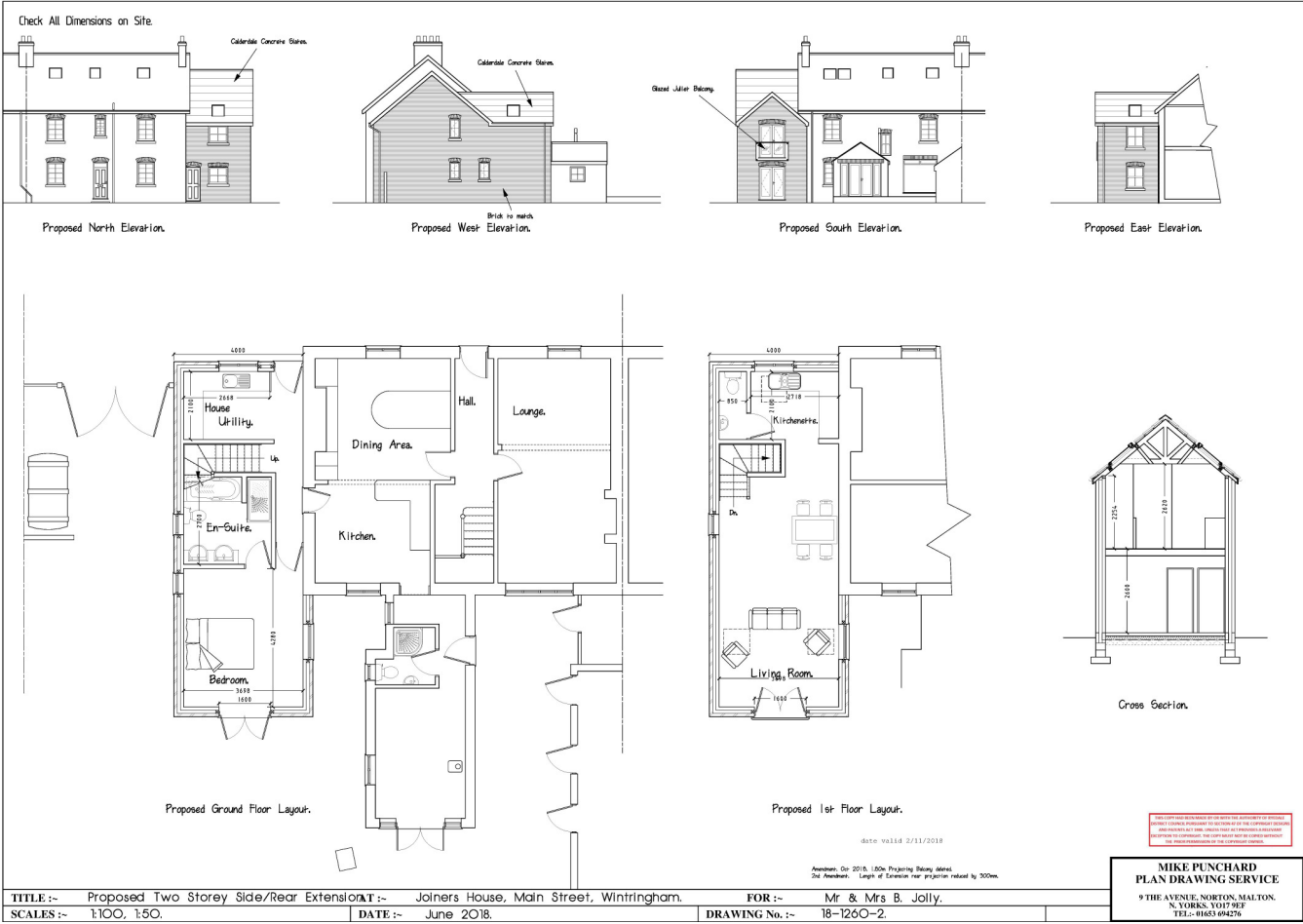
Ground Floor Layout.

Date Valid 17/09/2018

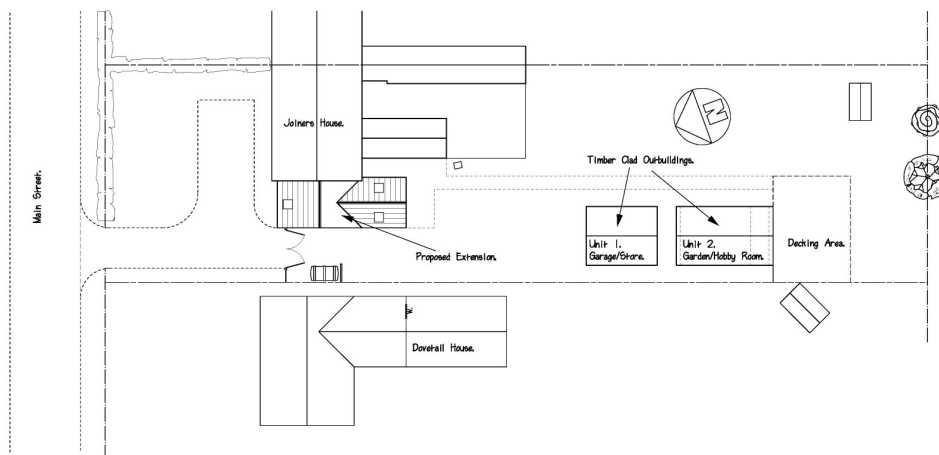
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**MIKE PUNCHARD
PLAN DRAWING SERVICE**
9 THE AVENUE, NORTON, MALTON,
N. YORKS. YO17 9EF
TEL:- 01653 694276

TITLE :- Survey of Existing Dwelling.	AT :- Joiners House, Main Street, Wintringham.	FOR :- Mr & Mrs B. Jolly.
SCALE :- 1:100, 1:50.	DATE :- June 2018.	DRAWING No. :- 18-1260-1.



Check All Dimensions on Site.



Block Plan. 1:200.

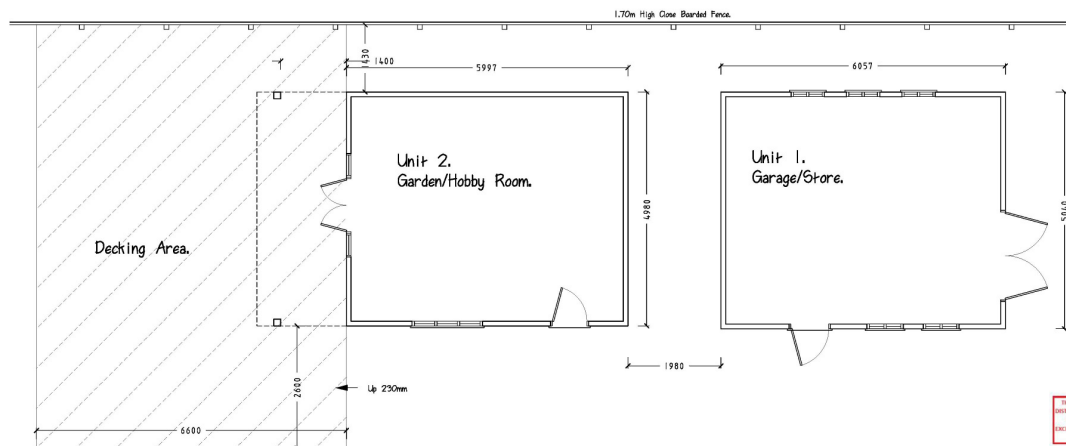
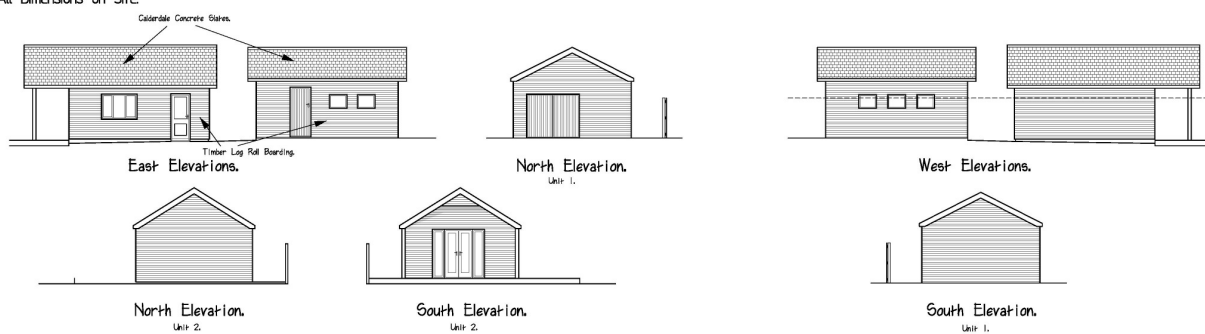
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date valid 2/11/2018

TITLE :- Proposed Extension.	AT :- Joiners House, Main Street, Wintringham, Malton.
SCALES :- 1:200.	DATE :- June 2018. DRAWING No. :- 18-1260-3.

MIKE PUNCHARD
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 TEL:- 01653 694276

TITLE :- Proposed Outbuildings.	AT :- Joiners House, Main Street, Wintringham, Malton.
SCALES :- 1:100, 1:50.	DATE :- Oct 2018. DRAWING No. :- 18-1260-4.

30 October 2018

F.A.O. Mr A Hunter
Development Management
Ryedale District Council
Ryedale House
Malton

Dear Mr Hunter

**Re: - 18/00911/FUL. Proposed Erection of a Two Storey Side Extension
to form a One-Bedroom Self Contained Residential Annex at Joiners House, Main Street, Wintringham.**

Further to our meeting on site on the 25th October 2018, I now enclose a further Drawing No. 18-1260-4 showing details of the 2No. Timber Clad Outbuildings. This is in response to your confirmation that Planning permission will be required for these units due to them being within 2.0 metres of the boundary & exceeding 2.50 metres in height.

These buildings are of a timber framed construction clad with Natural timber Log Roll Boarding & set under Calderdale Concrete Slate roofs. The height to the ridges (considering the slope on the site) falls between 3.89 & 4.09 metres & with the ridge points being 4.0 metres from the west boundary. These structures are partially screened from the adjacent site by a 1.70-metre-high close boarded fence.

In my opinion the size, scale & design of these structures is appropriate for the location & is typical of what you might expect in what is a substantial amenity area at the rear of a village property. The Garden Room (Unit 2) could be brought within Permitted Development limits by altering the design to show a flat roof not exceeding 2.50 metres in height. However, in my opinion it is more attractive with a Dual Pitched roof.

The letters of objection have been noted & our comments would be as follows; -

The Outbuildings are set approximately 7.0 metres beyond the rear extension of Dovetail House. As such they will cause no detrimental overshadowing to that property.

As previously confirmed, the Garden Room will be used for recreational use by the applicants & their immediate family & incidental to the enjoyment of the dwelling house.

Concerns have been expressed by the Parish Council in respect of potential noise & disturbance when the Garden Room is being used. When viewed from Dovetail House this building is set about 14.80 metres away & is also set behind the existing Garage/Store. Compared to a standard Garden Shed (Timber panels set under a board & felt roof) the building is of a more robust construction & the thicker wall panels & the heavier roof covering will give a better degree of sound insulation. The French doors are also located in the South Elevation & face away from the applicants dwelling & the adjacent properties.

The Parish Council letter states (when referring to Dovetail House) "The view from their upstairs rooms now look out onto two sheds thereby spoiling the view". My assessment is that while Dovetail House has sufficient outlook

within its own curtilage it has no right to a view over the applicant's property.

When approval was granted for Dovetail House it appears that the District & Parish Council had paid no regard to protecting my client's privacy as the rear 1st floor window on Dovetail House is barely 1.90 metres from the boundary & gives an open view over the applicant's rear amenity area. The location of the Kitchen window on the East Elevation & within 1.20 metres of the boundary also appears strange.

I am informed by the applicants that the Garage/Store was erected approximately six years ago. This is effectively confirmed in one of the letters of objection which refers to the building being erected 'about five years ago'. If this building is being considered as visually offensive & obtrusive then why have no objections been raised until now.

My understanding is that as the building has been erected for four years or more without challenge by enforcement then it should be allowed to remain, clarification on this point would be appreciated.

In respect of the Annex extension a slight reduction to the rear projection has been made as suggested. This brings it more or less in line with the Two Storey rear projection on Dovetail House & which I feel sets down a strong precedence for similar style of development by the applicants.

The Annex extension will be 4.60 metres from the Western boundary & its west wall will be built on the original line of the present side extension. There will therefore be a distance of approximately 5.60 metres between the face of the Kitchen window of Dovetail House & the applicant's extension & the effect on natural light reaching that window will be negligible. Again, the objectors appear to want to claim a right to view over the applicant's amenity area & this is not a material consideration.

The concerns with regard to potential overlooking from the French Doors in the Southern Gable also appear to be ill founded. As previously mentioned Dovetail House has a 1st floor window 1.90 metres from the boundary & with an invasive view across the applicant's garden.

The applicant agreed to remove the projecting external Balcony so that a side way view towards Dovetail House is restricted. Furthermore, the Single Storey projection on Dovetail House restricts any view to its rear garden area & the distance from the French Doors to the corner of the extension on Dovetail House is at least 10.80 metres.

The reasons for the Annex Extension are as outlined in the letter submitted with the application & its is expected that a Condition will be added to any approval to prevent the Annex becoming a totally independent Dwelling. The extension will appear subservient in appearance to the host Dwelling & will have no adverse impact on the streetscene, Joiners House or the amenities of the neighbouring properties.

The application site has an area of approximately 1300 square metres & the House, Annex & Outbuildings only cover approximately 342 square metres of that area.

Dovetail House forms a dominant & imposing structure close to the western boundary of the applicant's site, it would therefore be unreasonable not to grant an approval for an extension which is far less imposing.

Yours faithfully

M Punchard







Wintringham Parish Council, Clerk's address: Jasmine Cottage, Wintringham,
Malton, YO17 8HX

To: Mr Gary Housden
Head of Planning & Housing
Ryedale District Council
Ryedale House
Malton
YO17 7HH



8th October 2018

Application No: 18/00911/FUL for the proposed erection of a two storey side extension to form a one bedroom self-contained residential annex at Joiners House, Main Street, Wintringham, Malton YO17 8HX.

I am writing on behalf of Wintringham Parish Council to object to the above proposed development.

Wintringham Parish Council held a meeting on Thursday 4th October 2018 to consider the above application. The relevant points from the minutes are below:

The proposed development was considered by the Councillors to most affect Mr and Mrs Wootton at Dovetail House.

1. Lack of privacy and light from the proposed extension. The extension would block daylight to Mr and Mrs Wootton's kitchen, toilet and bedroom windows. The window of the proposed extension will overlook their house.
 - 1.1 Visual amenity as the view from the kitchen window would be a brick wall.
 - 1.2 The proposed planning for an upstairs balcony will overlook Mr and Mrs Wootton's garden taking away complete existing privacy of their garden.
 - 1.3 In addition, two very large sheds have now been built in the garden of Joiners House which are being used for social activities. This could result in noise and disturbance when in use. The Meeting was advised that during erection of these sheds trees had been cut down to make space for them thereby spoiling the view from Mr and Mrs Wootton's

side of the house. They were considered not sympathetic to the Wintringham conservation area.

2. The proposed development would also affect Mr and Mrs Waddington of The Old Post Office.
 - 2.1 Lack of privacy as the proposed balcony will overlook their garden.
 - 2.2 They also have concerns regarding the shed as outlined in 1.3 above.
3. It was also reported at the Meeting that close neighbours, Mr and Mrs Bridge of the Old Smithy, are writing to Ryedale Council Planning Office as the proposed building will be 40 feet long and extremely high and will, therefore, block out light into their downstairs rooms and kitchen area. The balcony will also overlook their garden causing loss of privacy. The view from their upstairs rooms now look out on to two sheds thereby spoiling the view, therefore, their complaint is also based on design, appearance and loss of trees.
4. The Council's opinion was that the proposed application will in fact be changing the appearance of the house and turning it into what would appear to be a semi detached dwelling.
5. The Parish Council members present considered and discussed all the points put forward and unanimously rejected the proposed Planning Application No: 18/00911/FUL. The Council were also unhappy about the erection of the two sheds in the garden of Joiners House and the removal of trees without permission from the Conservation Department.

Your Sincerely

Philip Clark
Clerk, Wintringham Parish Council

RYEDALE DISTRICT COUNCIL

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

12 November 2018

1.

Application No: 17/01269/OBL **Decision: Approval**
Parish: Malton Town Council
Applicant: Taylor Wimpey (North Yorkshire) Ltd (Mr I Pay)
Location: Land At Allotments Broughton Road Malton North Yorkshire
Proposal: Modification of the existing S106 agreement dated 09.04.2015 in relation to approval 13/01141/MFUL dated 09.04.2015

2.

Application No: 18/00530/73A **Decision: Refusal**
Parish: Marton Parish Meeting
Applicant: Mr Colin Coote
Location: The Quarrels Back Lane Marton Kirkbymoorside YO62 6RD
Proposal: Removal of Condition 07 of approval 3/85/38A/FA dated 01.09.1993 - agricultural occupancy condition

3.

Application No: 18/00661/LBC **Decision: Approval**
Parish: Acklam Parish Meeting
Applicant: Michael Beaufoy
Location: 3 Main Street Acklam Malton YO17 9RG
Proposal: Erection of rear first floor extension together with installation of replacement external doors to rear ground floor and internal alterations.

4.

Application No: 18/00719/HOUSE **Decision: Approval**
Parish: Acklam Parish Meeting
Applicant: Michael Beaufoy
Location: 3 Main Street Acklam Malton YO17 9RG
Proposal: Erection of rear first floor extension

5.

Application No: 18/00745/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Matthew Ward
Location: Holgates House 18 Town Street Old Malton Malton YO17 7HB
Proposal: Installation of 2no. timber-framed double glazed windows to south-west elevation to replace existing windows

6.

Application No: 18/00772/FUL **Decision: Approval**
Parish: Flaxton Parish Council
Applicant: Mr Wesley McKenna
Location: The Coach House The Old Rectory Main Street Flaxton Malton North Yorkshire YO60 7QP
Proposal: Change of use, alteration and extension of Coach House to form a three bedroom self-contained annex for residential use or holiday let use (part retrospective application)

7.

Application No: 18/00794/FUL **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr Robert Armitage
Location: Woodend Farm Ashbank Lane High Stittenham Malton North Yorkshire YO60 7TW
Proposal: Erection of a general purpose agricultural building for the housing of livestock.

8.

Application No: 18/00789/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estate (Keith Davies)
Location: York House & Unit 10A Rear Of Yorkersgate Malton North Yorkshire YO17 7AJ
Proposal: Application to extend the temporary approval for a further two years until 02.10.2021 in relation to 16/00212/FUL dated 03.10.2016 for Change of use of ground floor of York House, together with erection of a temporary events tent with wooden steps and toilets within gardens to York House. Erection of temporary toilet block within York House Yard with all associated service connections together with use of Unit 10A rear of 37 Yorkersgate as an associated temporary kitchen to include new door opening

9.

Application No: 18/00790/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estate (Keith Davies)
Location: York House & Unit 10A Rear Of Yorkersgate Malton North Yorkshire YO17 7AJ
Proposal: Application to extend the temporary approval for a further two years until 02.10.2021 in relation to 16/00213/LBC dated 03.10.2016 for Change of use of ground floor of York House, together with erection of a temporary events tent with wooden steps and toilets within gardens to York House. Erection of temporary toilet block within York House Yard with all associated service connections together with use of Unit 10A rear of 37 Yorkersgate as an associated temporary kitchen to include new door opening

10.

Application No: 18/00812/FUL **Decision: Approval**
Parish: Thixendale Parish Council
Applicant: A B Megginson (Mr Adam Palmer)
Location: North Breckenholme Farm Main Street Thixendale Malton YO17 9LS
Proposal: Change of use and alteration of agricultural building to include steps and a ramped external access to form a cloakroom and toilets to support educational visits to the farm together with formation of adjacent picnic area following demolition of agricultural shed

11.

Application No: 18/00831/OUT **Decision: Approval**
Parish: Nawton Parish Council
Applicant: Janet Talling
Location: Kensa Park Harome Heads Road Harome Helmsley YO62 5HZ
Proposal: Erection of an agricultural workers dwelling (site area 0.1ha) - approval sought for access

12.

Application No: 18/00845/FUL **Decision: Approval**
Parish: Foxholes Parish Council
Applicant: Julie Scruton
Location: Hillside Smythy Lane Foxholes Drifffield YO25 3QN
Proposal: Demolition of existing four bedroom dwelling and detached outbuilding and erection of a replacement three bedroom dwelling and detached garage

13.

Application No: 18/00849/TPO **Decision: Approval**
Parish: Gilling East Parish Council
Applicant: Canopy Care Tree Services (Mr Timothy Preston)
Location: Trees To Front Of Karibu 5 Station Road Gilling East Helmsley North Yorkshire YO62 4JL
Proposal: Remove epicormics shoots on stems, and remove rubbing or damaged limbs on 6 limes trees limbs in grass verge within TPO 66/00040

14.

Application No: 18/00859/DNO **Decision: Approval**
Parish: Habton Parish Council
Applicant: Mr James Haxton
Location: Habton House Farm Newsham Lane Little Habton Malton YO17 6UA
Proposal: Demolition of agricultural barn

15.

Application No: 18/00875/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr Neville Jackson
Location: Shotton House West Lund Kirkbymoorside YO62 6AN
Proposal: Erection of pitched roof to replace flat roof over existing single storey extension together with installation of French doors to south elevation (part retrospective)

16.

Application No: 18/00877/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Ms Lynn Crosby
Location: 60 West End Kirkbymoorside YO62 6AF
Proposal: Erection of a single storey rear extension and installation of a conservation rooflight above existing kitchen

17.

Application No: 18/00893/HOUSE **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr K. Brown
Location: Ashfield House 36A Ruffa Lane Pickering YO18 7HN
Proposal: Erection of single storey side extension.

18.

Application No: 18/00895/OUT **Decision: Refusal**
Parish: Weaverthorpe Parish Council
Applicant: Mr & Mrs Reid
Location: Land To The Rear Of Fosters Cottage Main Road Weaverthorpe Malton North Yorkshire
Proposal: Erection of 2no. dwellings (site area 0.1ha) - approval sought for access

19.

Application No: 18/00901/FUL **Decision: Approval**
Parish: Harome Parish Council
Applicant: The Star Inn (Mr & Mrs Pern)
Location: Cross House Lodge Owmens Field Lane Harome Helmsley YO62 5JE
Proposal: Erection of two storey four guest room building with link to the existing south west corner of Cross House Lodge (revised details to part of approval 16/01926/FUL dated 16.06.2017)

20.

Application No: 18/00902/LBC **Decision: Approval**
Parish: Harome Parish Council
Applicant: The Star Inn (Mr & Mrs Pern)
Location: Cross House Lodge Owmens Field Lane Harome Helmsley YO62 5JE
Proposal: Erection of two storey four guest room building with link to the existing south west corner of Cross House Lodge (revised details to part of approval 16/01927/LBC dated 16.06.2017)

21.

Application No: 18/00908/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Richard Webster
Location: 24 Orchard Road Malton YO17 7BH
Proposal: Erection of single storey extensions to the side and rear following demolition of existing sheds.

22.

Application No: 18/00910/HOUSE **Decision: Approval**
Parish: Thixendale Parish Council
Applicant: Mr & Mrs Lake
Location: Chapel Cottage Main Street Thixendale Malton YO17 9TG
Proposal: Erection of rear entrance porch

23.

Application No: 18/00912/HOUSE **Decision: Approval**
Parish: Allerston Parish Council
Applicant: Mr & Mrs Stephenson
Location: West View Main Street Allerston Pickering North Yorkshire YO18 7PG
Proposal: Erection of two storey rear extension together with alterations to fenestration.

24.

Application No: 18/00916/HOUSE **Decision: Approval**
Parish: Stonegrave Parish Meeting
Applicant: Mr Saul Pullan
Location: South Cottage Main Street Stonegrave Helmsley YO62 4LJ
Proposal: Installation of a dormer window to front elevation roofslope

25.

Application No: 18/00927/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr David Loades
Location: Yew Tree House The Green Sheriff Hutton Malton North Yorkshire YO60 6SB
Proposal: Erection of a single storey flat roofed rear extension with glazed roof lantern together with installation of dormer windows to existing rear roofslope

26.

Application No: 18/00928/HOUSE **Decision: Approval**
Parish: Huttons Ambo Parish Council
Applicant: Mr & Mrs Pritchard
Location: The Coppins The Green Low Hutton Malton North Yorkshire YO60 7HF
Proposal: Erection of orangery to side (east) elevation

27.

Application No: 18/00945/FUL **Decision: Approval**
Parish: Coulton Parish Council
Applicant: Mr Paul Judson
Location: Coulton House Farm Coulton Lane Coulton Helmsley North Yorkshire YO62 4NE
Proposal: Erection of an agricultural building for the housing of weaner pigs

28.

Application No: 18/00960/HOUSE **Decision: Approval**
Parish: Marton Parish Meeting
Applicant: Julie Preston
Location: Rise Lea Back Lane Marton Kirkbymoorside North Yorkshire YO62 6RD
Proposal: Installation of 3no. dormer windows to front elevation and erection of a single storey flat roofed side extension

29.

Application No: 18/00929/FUL **Decision: Approval**
Parish: Normanby Parish Meeting
Applicant: PM & RM Bell (Mr P Bell)
Location: Hill Top Farm Hill Top Farm Road Normanby Kirkbymoorside North Yorkshire YO62 6RH
Proposal: Erection of an agricultural livestock building to replace an existing livestock building

30.

Application No: 18/00932/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr & Mrs Howard Raines
Location: Town End Farm 70 Bondgate Helmsley North Yorkshire YO62 5EZ
Proposal: External alterations to the dwelling and attached outbuilding to include an open sided canopy above the main entrance door and door and window alterations

31.

Application No: 18/00944/HOUSE **Decision: Approval**
Parish: Thixendale Parish Council
Applicant: Mr & Mrs Gillingham
Location: Brook House Main Street Thixendale Malton YO17 9TG
Proposal: Erection of two storey rear extension.

32.

Application No: 18/00955/HOUSE **Decision: Approval**
Parish: Foxholes Parish Council
Applicant: Mr & Mrs E Ravis
Location: Gatehouse Boythorpe Farm Butterwick Weaverthorpe Malton YO17 8HG
Proposal: Erection of a part single storey/part two storey extension to the rear elevation

33.

Application No: 18/00956/HOUSE **Decision: Approval**
Parish: Amotherby Parish Council
Applicant: Mr A Eddison
Location: The Old School Amotherby Malton North Yorkshire YO17 6TG
Proposal: Alteration and extension of existing front conservatory to form a garden room with study above

34.

Application No: 18/00958/HOUSE **Decision: Approval**
Parish: Scampston Parish Council
Applicant: Mr Wardell
Location: Ashville Main Street West Knapton Malton YO17 8JB
Proposal: Alteration and increase in height of south elevation monopitch garden room to form a pitched roof garden room with render finish and alteration of north elevation store to form a garage with render finish

35.

Application No: 18/00983/HOUSE **Decision: Approval**
Parish: Oswaldkirk Parish Meeting
Applicant: Mr D Lis
Location: Havoc Hall York Road Oswaldkirk Helmsley YO62 5XY
Proposal: Erection of a greenhouse

36.

Application No: 18/00984/HOUSE **Decision: Approval**
Parish: Terrington Parish Council
Applicant: Mrs Dulcie Phillip
Location: Beau Lodge Main Street Terrington Malton YO60 6QB
Proposal: External alterations to include erection of an orangery extension to the rear elevation following demolition of existing porch, together with replacement conservatory to front elevation and replacement of existing window to front elevation with French doors and replacement of existing window to side elevation with bay window

37.

Application No: 18/00992/GPAGB **Decision: Approval**
Parish: Burythorpe Parish Council
Applicant: Mr And Mrs D Conlon
Location: Thornthorpe House Moorhill Lane Langton Malton North Yorkshire YO17 9LX
Proposal: Change of use of agricultural buildings to form 2no. three bedroom dwellings (Use Class C3)



Appeal Decision

Site visit made on 9 October 2018

by Elaine Worthington BA (Hons) MTP MUED MRTPI

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

Decision date: 7 November 2018

Appeal Ref: APP/Y2736/W/18/3205468

Land to the east of Manor Farm, Main Street, Amotherby, Malton, YO17 6TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Hume against the decision of Ryedale District Council.
 - The application Ref 17/00645/MOUT, dated 26 May 2017, was refused by notice dated 20 December 2017.
 - The development proposed is an outline application for residential development of twenty new semi-detached houses with some matters reserved.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with approval sought for access and landscaping. However, during the Council's consideration of the application details of the site layout were also provided and approval of that matter was also included in the scheme. I have dealt with the appeal on this basis.
3. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018 and replaced the version published in 2012. None of the revisions to the Framework materially affect the issues in this appeal and the parties have been given the opportunity to comment on this matter. However, for clarity, references made to the Framework in this decision are to the 2018 version.

Main Issues

4. The main issues in this case are:
 - Whether the proposal would provide a suitable site for development having regard to the development strategy for the area; and
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - Whether the proposal would provide adequate living conditions for future occupiers with particular reference to noise; and
 - Whether or not the proposal would make adequate provision for affordable housing.

Reasons

Whether the proposal would provide a suitable site for development having regard to the development strategy for the area

5. The appeal site is an open field. It is beyond the identified settlement limits for the village as set out in the Ryedale Local Plan Strategy (Local Plan) and therefore in the countryside in policy terms. Amotherby, along with nearby Swinton, is identified as a Service Village in the Local Plan. Policies SP1 and SP2 of the Local Plan set out the general distribution of development including housing during the plan period. Local Plan Policy SP2 states that in the wider open countryside (outside development limits) new housing is limited to that necessary to support the land-based economy, the conversion of redundant or disused traditional rural buildings, the change of use of tourist accommodation and replacement dwellings. It has not been put to me that the proposal meets any of these criteria.
6. Local Plan Policy SP2 also seeks the delivery of at least 3000 new homes from 2012 to 2027 and attributes 300 homes to Service Villages. In terms of the pattern and distribution of site allocations, these sites will be limited small-scale sites in or adjacent to current development limits with sites to be distributed as far as possible amongst all villages in the category. The Council explains that since there are 10 Service Villages this roughly equates to 30 dwellings per village.
7. The emerging Local Plan Sites Document (Emerging Local Plan) has been submitted for examination and seeks to complement the adopted Local Plan by providing specific policies and allocations. Examination hearings took place in September and October 2018. Whilst the appeal site has been considered as a potential housing allocation as part of that process (Site 635), the Council has chosen an alternative site to the west of the village (Site 148, also referred to as site SD10) which was included in the publication version of the Emerging Local Plan. That proposed allocation for around 40 units would fulfil the identified housing requirement for Amotherby.
8. The appellant advises that the appeal site has been promoted for five years as part of the Emerging Local Plan process but continually overlooked. I am aware of his concerns in relation to the site assessment methodology (and its findings in relation to the appeal site) and note his reference to paragraph 67 of the Framework. I also acknowledge his view that the appeal site should have been included in the Emerging Local Plan in preference to the alternative site promoted by the Council (which he argues would have a greater impact on the countryside and has not been demonstrated to be deliverable). The appellant considers the appeal site to be the preferred option for the majority of local residents and I note that it is supported by the Parish Council.
9. However, those matters are for the ongoing examination of the Emerging Local Plan. At the moment, the appeal site is not identified for development in that document and its approval for housing now would run contrary to the emerging site allocations for the village and the housing distribution envisaged. Whilst I am mindful of the outstanding objections to that approach and conscious that the Emerging Local Plan remains subject to examination, I see no reason to undermine that process at what is a relatively advanced stage of production and attribute that emerging plan moderate weight.

10. The appeal site is located adjacent to the built up area of Amotherby which the appellant regards to be a popular village close to Malton. It is close to existing services and facilities and a bus route connecting it to larger centres and relates well to the built up extent of the village. It is owned by a local builder and can be developed quickly. I also appreciate that the appellant has worked hard to find a solution following the withdrawal of a previous planning application and provided additional information to support the proposal subject of this appeal.
11. Nevertheless, Local Plan Policies SP1 and SP2 seek to direct new development and growth to the more sustainable locations in the District and to limit housing in the countryside. Due to its location in the open countryside, as things stand, the proposal runs contrary to the spatial strategy for the area set out in the adopted Local Plan. Nor does it accord with the currently envisaged allocations for the village in the Emerging Local Plan. Whilst this situation may change in the future, the Framework confirms that proposals must be determined in accordance with the development plan unless material considerations indicate otherwise.
12. I therefore conclude on this main issue that the proposal would fail to provide a suitable site for development having regard to the development strategy for the area. Thus it would be contrary to Local Plan Policies SP1 and SP2.

Character and appearance

13. The appeal site is located on the north side of the B1257 and adjoins a wider extent of open fields to the north. It is bounded to the west by Manor Farm and to the east by a crescent of houses in Eastfield. There are houses on the south side of the road opposite the site and Malton Foods is further to the east. There are mature trees and hedgerows on the site's boundaries.
14. The proposal would introduce 20 semi-detached houses to the site and lead to the creation of an access from the main road. It would relate closely to the existing development immediately to the east and west and to that on the other side of the road which is also within the built up extent of the village. It would not protrude northwards beyond Manor Farm or Eastfield and the appellant considers the proposal to be natural infill.
15. That said, the site adjoins open fields to the north and forms part of the wider countryside and a larger area of open space between Amotherby and adjacent Swinton. The proposal would close the gap between Manor Farm and Eastfield and in doing so would reduce the amount of open space that currently exists between the two settlements and alter the form of the village.
16. The appeal site is within the Howardian Hills Footslope area as identified in the Council's Landscape Character Assessment (LCA). The appellant's Landscape and Visual Impact Assessment (LVIA) accepts that the appeal site, together with its immediate surroundings, have characteristics recognisable in the LCA, particularly being gently sloping and set within an patchwork of farmland and small woodlands interlaced by hedgerows and forming part of a distinctive settlement pattern strung along the B1237. As such, the appellant acknowledges that the site has a moderate to high sensitivity to landscape impacts due to some parts of it exhibiting these key characteristics (together with its proximity to the Howardian Hills Area of Outstanding Natural Beauty).

17. The proposal would inevitably alter the character of the site which is used as a field for grazing. The existing trees and hedgerows and some elements of openness would be retained as part of the development and additional tree planting would be provided. Nevertheless, some of the recognised key landscape characteristics of the site would be lost. The LVIA finds that the magnitude of change to the landscape character would be medium.
18. In terms of visual impacts, despite the boundary planting and substantial trees and hedgerow to the site's frontage, there are intermittent views of it from the B1257 along its long frontage (particularly during the winter months). Uninterrupted views of the site are also possible down the access to adjacent Manor Farm. Thus, the site's existing openness is appreciated and also allows some views to the wider landscape of the Vale of Pickering beyond. The creation of the new access and removal of two of the frontage trees would increase its visibility.
19. This being so, the intrusion of built form that would arise from the appeal scheme would be seen from the main road. Although the site is well contained by existing mature trees and hedgerows (with additional planting proposed) and seen in some views in the context of Eastfield and Manor Farm, the introduction of houses would nevertheless detract from the open rural character of the site itself, interrupt longer distance views of the landscape beyond and undermine the character of the surrounding countryside.
20. I therefore conclude on this main issue that the proposal would be harmful to the character and appearance of the surrounding area. This would be contrary to Local Plan Policy SP13 which seeks to protect and enhance the quality, character and value of landscapes. It would conflict with Local Plan Policy SP16 which expects proposals to create high quality durable places that are well integrated with their surroundings and amongst other things reinforce local distinctiveness and requires development to respect the context provided by its surroundings. It would be at odds with Local Plan Policy SP20 which requires new development to respect the character and context of the immediate locality and the wider landscape. Furthermore it would fail to support paragraph 170 of the Framework which requires decisions to contribute to and enhance the natural and local environment.

Living conditions

21. The Council is concerned about excessive noise levels arising from traffic on the adjacent main road (including that associated with the nearby Malton Foods site). The appellant has submitted a Noise Assessment. Since this is based on only one monitoring position on the site's western boundary, the Council's Environmental Health Specialist considers that it fails to fully represent conditions on the whole site (particularly on the site frontage). Moreover, the results highlight the significant exceedance of recommended internal noise levels when the windows of the proposed houses are open. In response a Supplementary Noise Assessment has been provided with readings taken from a location on the eastern side of the site. However, despite the incorporation of greater noise attenuation measures, this indicates that the internal noise levels of the houses when windows are open would still exceed recommended levels. It is also based on the relocation of the houses further away from the road and down the bank, but no further details of this proposed amendment to the scheme are provided.

22. The appellant considers that the two Noise Assessments provide adequate information for an acceptable solution to address the Council's concerns. I appreciate that the mature tree planting to the road boundary would be retained and strengthened and that mitigation/attenuation measures including mechanical ventilation could be incorporated in the scheme. I also note the appellant's view that a solution could involve moving the houses and providing such measures as bunds, acoustic fencing and additional landscaping. However, I have seen no further details in relation to these matters or the anticipated effect they would have on the noise levels that would be likely to be experienced in the proposed houses. In the absence of any such information, I have no substantiated evidence to demonstrate that the proposal would provide satisfactory living conditions.
23. Whilst I note the Parish Council's view that excessive noise levels are not a problem and residents of the houses in the immediate vicinity of the site do not complain, that is not a reason to allow accommodation that would not safeguard the quality of life of the future occupiers of the dwellings.
24. I therefore conclude on this main issue that the proposal would fail to provide adequate living conditions for future occupiers with particular reference to noise. This would be contrary to Local Plan Policy SP20 which states that new development will not have a material adverse impact on the amenity (including impacts from noise) of present or future occupants. Developers will be expected to apply the highest standards outlined in the World Health Organisation British Standards and wider international and national standards relating to noise. It would also fail to support paragraph 127 of the Framework which requires decisions to ensure that developments create places which promote health and well-being with a high standard of amenity for existing and future users.

Affordable Housing

25. The officer's report indicates that the proposal includes the provision of seven affordable housing units on the site. Two would be intermediate (discount for sale) properties and five would be for rent. These are required to satisfy the requirements of Local Plan Policy SP3 which expects 35% of the scheme to be affordable homes. Local Plan Policy SP3 also states that affordable housing contributions will be secured through the use of legal agreements which will seek to ensure that that units provided are maintained in perpetuity for households in affordable housing need.
26. The National Planning Practice Guidance advises that ensuring that any planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver certainty for all parties about what is being agreed. In order for affordable housing to be provided effectively, arrangements must be made to transfer it to an affordable housing provider, to ensure that appropriate occupancy criteria are defined and enforced and to ensure that it remains affordable.
27. In this instance, no planning obligation has been submitted. Other than to state that affordable housing would be provided (and so would be a benefit of the scheme) I have seen no further explanation as to the appellant's intended approach in this regard. It is not argued that the affordable housing sought by the Council is unnecessary, no circumstances to justify not providing it have been forwarded and no alternative methods to secure it have been advanced.

28. The Local Plan recognises that the lack of affordable housing is undoubtedly the main imbalance in Ryedale's housing market. Thus, in the absence of a planning obligation or any further information in relation to this matter, there are no material considerations to justify making a decision otherwise than in accordance with the adopted Local Plan.
29. I therefore conclude on this main issue that the proposal would fail to make adequate provision for affordable housing. As such, it would be contrary to Local Plan Policy SP3 and the aims of the Framework to provide affordable housing where a need for it is identified.

Other matters and planning balance

30. Paragraph 77 of the Framework states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. It also recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
31. The Council considers that it can demonstrate a five year supply of deliverable housing sites. The appellant disagrees, but provides no further explanation to support his stance. Notwithstanding this disagreement between the parties and the lack of information in this regard, irrespective of the five year supply situation, the proposal's contribution to housing land supply counts in its favour and accords with the government's objective of significantly boosting the supply of homes. I also accept that the proposal would support local services and enhance the vitality of rural communities. These are benefits of the scheme which count in its favour.
32. On the other hand, the proposal would fail to provide a suitable site for development having regard to the development strategy for the area, would be harmful to the character and appearance of the surrounding area, and would fail to provide adequate living conditions for future occupiers or to make adequate provision for affordable housing. It would conflict with the adopted development plan in all these regards and these matters count against the proposal. Whilst the Council raises no objections in terms of habitats and biodiversity, highway safety, drainage or flood risk, the absence of harm in these respects counts neither for nor against the scheme.
33. Taking all these matters into account, and even with paragraph 11 of the Framework and the presumption in favour of sustainable development in mind, I confirm that the adverse impacts of granting permission in this case would significantly and demonstrably outweigh the benefits.

Conclusion

34. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR



Appeal Decision

Site visit made on 9 October 2018

by Elaine Worthington BA (Hons) MTP MUED MRTPI

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

Decision date: 29 October 2018

Appeal Ref: APP/Y2736/D/18/3205044

Lodge House, Spring Hill, Stonegrave, Helmsley, YO62 4LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Brown against the decision of Ryedale District Council.
 - The application Ref 18/00038/HOUSE, dated 14 January 2018, was refused by notice dated 23 March 2018.
 - The development proposed is internal alterations and two storey extensions to north, east and west.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018 and replaced the version published in 2012. None of the revisions to the Framework materially affect the issues in this appeal. However, for clarity, references made to the Framework in this decision are to the 2018 version.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area, having particular regard to its location in the Howardian Hills Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal property is a detached dwelling in the open countryside between Oswaldkirk and Stonegrave and is accessed via a driveway from the main road (B1257). It is within the Howardian Hills AONB which is characterised by well-wooded rolling countryside, a patchwork of arable and pasture fields, scenic villages and historic country houses with classic parkland landscapes.
5. The AONB is a landscape designation of national importance where I must have regard to the purpose of conserving and enhancing the natural beauty of the area. Paragraph 172 of the Framework establishes that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB which has the highest status of protection in relation to these issues. It also advises that the scale and extent of development within these designated areas should be limited.

6. The proposal is for a two storey extension to the appeal property's east elevation and two storey and single storey extensions to its west elevation. The Council estimates that the existing dwelling has a footprint of around 108 square metres and that the proposal would see this rise to around 210 square metres. As such, it would lead to a substantial increase in the property's footprint and also in its internal floor area.
7. The appeal property is modest in proportions and traditional in design with a simple and attractive character generally in keeping with the rural area. The proposal would effectively create new two storey wings to each side of it. Although they would be set down slightly from the ridge of the host property's roof these large wings would not be much narrower than the house itself and would add significantly to its size. Additionally the proposed single storey extension would extend well back into the sloping site beyond the new two storey wing there. This being so, overall the proposed extensions would be considerable.
8. A new two storey gable end would be introduced to the property's north/rear elevation in addition to the existing one. The existing single storey gable end on that elevation would also be increased in height to two storeys. A new two storey gable end feature would also be added to the property's simple symmetrical south/front elevation which has two bay windows on either side of the centrally located door. The proposed single storey extension's oak frame design and covered terrace feature is intended to reflect a style of construction found in the immediate vicinity and provide a degree of transparency to the building. Nevertheless, despite the use of clipped verges (rather than gable parapets) on the two storey elements and the open design and glazing of the single storey element, these new features would compete visually with the host property's existing understated characteristics and uncomplicated form.
9. The floor to ceiling glazing on the south/front elevation is intended to separate and define the proposed side extensions from the host dwelling. However, since they sit beneath the pitched roof and are at both first and second floor level they appear very much as part of the built fabric of the resultant building. As a result, they would do little to set the extensions apart from the main house or distinguish them from it. Nor am I persuaded that they would allow any significant views through the building or give the impression of transparency. Notwithstanding their cleaner uncluttered design, these large areas of glazing would appear at odds with the host dwelling's fenestration.
10. I am conscious that the appellants have employed an experienced architect, given careful consideration to the proposal's design and wish to create an attractive family home. I appreciate that the proposal has been reduced in scale following a previously withdrawn planning application and was also amended during the Council's consideration of the application subject of this appeal. The side or wing extensions arise due to the limited depth of the host property and its existing east west orientation and differentiation between its front and back elevations would be largely retained. Despite the Council's concerns I see no particular reason why the proposed use of render for the extensions (and the host property) would in itself be out of character with the area or particularly conspicuous (subject to a condition to control its colour). I also note that the existing uPVC windows and doors would be replaced with painted hardwood.

11. Even so, the proposed additions would be very extensive and in combination would substantially alter the form and proportions of the existing dwelling. In my view they would be unduly dominant and would overwhelm and swamp its appearance to the extent that its original form would be largely unrecognisable. Thus they would be appreciated as unacceptably bulky and unsympathetic additions that would seriously detract from the character and appearance of the host property.
12. The appeal property is set at a lower level to the road but is in an elevated position in relation to the open land to the south. There is existing planting on the site's south boundary and public views of it from the south are for the most part limited to longer range views from the road on the other side of the valley that runs between Cawton and Gilling East. Nevertheless, given its location on the valley side, the proposal would be clearly visible from there as well as from the surrounding countryside to the south.
13. There is also existing screening to the site's east and west boundaries and views of the house from the north are to some extent restricted by the site's topography and the existing vegetation and landscaping there. Despite this, it is seen from the main road on approach from the west over the roadside hedgerow and down the driveway. Whilst I appreciate that the B1257 is subject to the national speed limit with fast moving traffic and no footpaths, these views are more than fleeting and mean that the proposal would be appreciated from the main road. Taking these factors into account, I consider that the proposal would also have a detrimental visual impact on its surroundings and would stand out as a large and incongruous feature. This would be so particularly during the winter months when some of the trees and hedgerows would not be in leaf.
14. In terms of landscape impacts, I accept that there are examples of large individual detached dwellings nearby and that the proposal would cause no particular harm to the area's landscape features or fabric, such as its topography. The Council's AONB Officer raises no objections to the proposal and it has not been put to me that it would conflict with the AONB Management Objectives. The appellants are proud to live in the AONB and have improved the house and its grounds with this in mind.
15. Nevertheless, due to its unsatisfactory visual impact in relation to the host property and the surrounding area, it seems to me that the proposal would have some negative effect on the special scenic qualities of the AONB. As well as appearing unsympathetic to the host property, due to its excessive size the proposal would give rise to a considerable increase in the amount of built form on the site and a consequent reduction in openness there. This much increased urbanisation of the site would be at odds with its attractive countryside location and adversely affect the scenic qualities of the area which is recognised for its landscape and scenic beauty. The Framework is clear that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB.
16. I therefore conclude on the main issue that the proposal would be harmful to the character and appearance of the host dwelling and the surrounding area, having particular regard to its location in the Howardian Hills AONB. This would be contrary to Policy SP16 of the Ryedale Plan - Local Plan Strategy (Local Plan) which requires extensions and alterations to be appropriate and

sympathetic to the character and appearance of the host building in terms of scale, form and use of materials. It would conflict with Local Plan Policy SP20 which requires new development to respect the character and context of the immediate locality and the wider landscape. The proposal would also be at odds with Local Plan Policy SP13 which resists proposals that would have an adverse impact on the natural beauty and special qualities of the AONB (unless it can be demonstrated that the benefits of the proposal clearly outweigh any adverse impact). Furthermore, it would fail to support the aims of paragraphs 127 and 172 of the Framework.

Other matters and planning balance

17. The proposal would provide additional accommodation for the care needs of the appellants' adult son who has cerebral palsy. It would allow him independent living in his own space where he could receive regular care from his family. Communal family space and a master bedroom would be provided in the west extension and independent 'annexed' living space for the appellants' son would be provided in the east extension. The improved accommodation and facilities would include better bathing and toilet facilities on both floors, a physiotherapy room with gym equipment and an enlarged en-suite bedroom on the first floor along with more and larger communal spaces to aid mobility.
18. The appellants have described the problems that currently arise due to the restricted size and configuration of the existing property. I saw the inside of the house at my visit and do not underestimate the difficulties and challenges faced by the appellants and their family in day to day life. I appreciate their wish to stay in the house where they are settled in the community (and where their son grew up). I am aware that their son is becoming increasingly dependent on assistance as his condition continues to deteriorate and that he struggles with mobility in confined spaces. Nor do I question the severity of their son's condition or his needs and have had regard to the submitted doctor's letter. Paragraph 61 of the Framework requires local authorities to address the need for all types of housing including the needs of different groups in the community such as people with disabilities (amongst other groups).
19. As well as achieving better equipped personal space for the appellants' son, the proposal would lead to more general improvements to the property. The appellants argue that the proposal would bring the house up to basic modern day standards (which the appellants consider are not unusual in this affluent area) and to help to maintain the appellants' own privacy and comfort within their home and provide respite from their caring responsibilities. I see no reason why their own wish for a more comfortable home should necessarily be overlooked due to their son's accommodation needs.
20. These are considerable benefits of the scheme which count in its favour. I also acknowledge that the appellants wish to reduce the burden on local government and healthcare sectors and care for their son themselves. The proposed extensions would 'future proof' the appellants' home for the next 20 years and constructing them in one go would minimise disruption. Other benefits forwarded by the appellants include the creation of a more efficient, cost effective, sustainable and energy efficient home, a reduction in travel to daily physio sessions, less pollution and noise and increased wellbeing.

21. Since it includes two kitchens, two staircases and two entrance doors, the Council is concerned that the proposal is tantamount to the creation of two separate dwellings. The appellants refute this and explain that the provision of a second access and staircase is needed for accessibility for their son and his visitors, to provide independent living and also to accommodate a stair lift as necessary in the future. The second kitchen is intended to provide an adaptable cooking area and independent living opportunities. I see no reason to doubt their intention to occupy the resultant building as a single dwelling and am content that any future division of the house to provide two separate units could be controlled by a planning condition.
22. However, having carefully considered all the points made, I am of the view that, even taken together, the benefits of the proposal are insufficient to outweigh the substantial harm that would be caused in relation to the main issue in this case and the proposal's conflict with the development plan.
23. The Council has no objections to the provision of the physiotherapy room, the additional en-suite bedroom for the appellants' son, or the enlargement of the property to make it easier to move around. However it considers that the scale of the proposed extensions are not proportionate to the needs outlined and goes beyond what would be essential accommodation for the appellants' son. On this basis the Council considers that it may be possible to make alterations to the property to meet the appellants' needs via an alternative scheme. Whilst that may be the case, although I have seen the correspondence between the parties regarding the possibility of a replacement dwelling, I have little evidence before me in this regard. In any event, as set out above, I am mindful that the improvements to the property are sought to better the quality of life for the whole family, not just the appellants' son. Therefore, it is unclear whether a less harmful alternative scheme is possible.
24. I have had regard to the requirements of Article 8 of the First Protocol to the Convention, as incorporated by the Human Rights Act 1998. However, I am mindful that the appellants' individual rights for respect for private and family life must be weighed against other factors including the wider public interest and legitimate interests of other individuals. I have found that the proposal would be harmful to the character and appearance of the host property and its surroundings, and am satisfied that the legitimate aim of granting planning permission in accordance with the development plan and planning policy which seeks to protect character and appearance and to conserve and enhance landscape and scenic beauty in the AONB, can only be adequately safeguarded by the refusal of permission. I consider that the dismissal of the appeal would not have a disproportionate effect on the appellants.
25. I have also considered the Equality Act 2010 and the Public Sector Equality Duty (PSED) to which I am subject. Section 149 (7) of the Act sets out the relevant protected characteristics which include disability. Since there is the potential for my decision to affect persons with a protected characteristic(s) I have had due regard to the three equality principles set out in Section 149 (1) of the Act. The negative impacts of dismissing the appeal on the appellants arise since they would be unable to extend and improve their home as sought and the needs of their disabled son would not be met in this regard. Furthermore, there is a chance that his specific needs would not be met if an acceptable alternative could not be put forward. However, having due regard to this, and to the need to eliminate discrimination and promote equality of

opportunity, in my view the adverse impacts of dismissing the scheme on those with protected characteristics would be proportionate having regard to the legitimate and well-established planning policy aims to protect the character and appearance of the host property the area and to conserve and enhance landscape and scenic beauty in the AONB. Even taken alongside the other considerations forwarded, including the benefits of the scheme, the PSED considerations would not outweigh the harm I have identified.

26. The appellants consider the appeal property to be small in comparison with others nearby and the proposal to be in scale with that of other substantial individual houses which predominate in the area. They refer in particular to Birch House Farm which occupies a similar position on the south side of the main road and is prominent in views from the north and the south. They regard that scheme to be new build development that is well in excess of the scale of the appeal scheme. I have also taken account of the other examples raised by the appellants of substantial and/or extended dwellings nearby including those which incorporate generous luxury accommodation and leisure facilities, extensive areas of glazing and render or newly cut stone.
27. Additionally the appellants highlight existing development in more prominent locations as well as those which attracted objections from the AONB Officer but were still approved. They also refer to the Council's support for ancillary residential accommodation under Local Plan Policy SP21 and its approval of other annexed accommodation to cater for elderly relatives. However, whilst the appellants question the consistency of the Council's decision making, I am not aware of the full circumstances that led to those developments and so cannot be sure that they are the same as the case before me. I note for example that that Birch House Farm may have been permitted to serve an agricultural need. From the evidence submitted, nor am I convinced that all the cited schemes should necessarily be repeated in the AONB. As such, these existing developments do not justify the appeal development.
28. The officer's report refers in error to a historic application to remove an occupancy restriction at the appeal property. Be that as it may, that matter has no bearing on the proposal before me. The appellants refer to a lack of a proactive approach, basic discussion, and opportunity to resolve matters of dispute with the Council. However, that is a matter between the parties. I confirm that I have considered the appeal proposal on its individual planning merits and made my own assessment as to its potential impacts. Whilst I note the appellants' willingness to amend the roof forms and fenestration, no further information has been provided and I am mindful that I must consider the proposal which the Council refused. Besides, I am not convinced that any such revisions would in themselves address the scheme's unacceptable visual impact to any meaningful extent.

Conclusion

29. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR