



PLANNING COMMITTEE

Tuesday 13 August 2019 at 6.00 pm

Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH

Agenda

1 Apologies for absence

2 Declarations of interest

Members to indicate whether they will be declaring any interest 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. The requirement is not discharged by merely declaring a personal interest without further explanation.

3 Minutes

(Pages 3 - 6)

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

(Pages 7 - 9)

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

(Pages 10 - 84)

7 19/00144/MFUL - Land to the East of Sherburn Wold Farm White Gate Sherburn
(Pages 85 - 95)

8 19/00366/MFUL - Meadowfield 40 Thornton Road Pickering

(Pages 96 - 152)

- 9 **19/00671/MFUL - Aldby Field Farm Sand Hutton** (Pages 153 - 167)
- 10 **19/00177/FUL - Land South of Pasture House Main Street Normanby** (Pages 168 - 207)
- 11 **19/00531/HOUSE - 61 Eastgate Pickering** (Pages 208 - 216)
- 12 **19/00532/LBC - 61 Eastgate Pickering** (Pages 217 - 219)
- 13 **19/00627/FUL - Stonegrave House Main Street Stonegrave** (Pages 220 - 263)
- 14 **19/00628/LBC - Stonegrave House Main Street Stonegrave** (Pages 264 - 267)
- 15 **19/00735/CLEUD - High Hagg Farm Hagg Road Kirkbymoorside** (Pages 268 - 276)
- 16 **Notice of Motion - The Ryedale Plan** (Pages 277 - 281)
- 17 **NYCC Consultation: Planning Applications by Third Energy, Vale of Pickering** (Pages 282 - 285)
- 18 **Any other business**
- 19 **List of applications determined under delegated powers** (Pages 286 - 291)

Planning Committee

held at Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH
Tuesday 16 July 2019

Present

Councillors Paul Andrews, Cleary, Goodrick (Chairman), Graham, Hope, MacKenzie, Mason, Potter, Thackray (Substitute) and Windress (Vice-Chairman)

Substitutes: Councillor SNR Thackray

In Attendance

Rachael Balmer, Samantha Burnett, Gary Housden and Jill Thompson

Minutes

35 **Apologies for absence**

Apologies were received from Councillor Burr MBE

36 **Declarations of interest**

Councillor	Item
Goodrick	8
Hope	9
Windress	6, 8
McKenzie	6
P Andrews	6

37 **Minutes**

Decision

That the minutes of the Planning Committee held on 16th April 2019 be approved and sign as a correct record.

Voting Record

9 For

0 Against

1 Abstention

38 **Urgent Business**

There was no urgent business.

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

40 **19/00167/FUL - Land at Os Field 0081 Station Road Nawton**

Decision

PERMISSION REFUSED – Detrimental impact on locality and amenities of adjacent residents. Contrary to Policy SP20 of the adopted Ryedale Plan – Local Plan Strategy.

Voting Record

5 For

1 Against

4 Abstention

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

41 **19/00432/MFUL - Kingspan St Hildas Street Sherburn**

Decision

PERMISSION GRANTED – Conditional approval as recommended

Voting Record

10 For

0 Against

0 Abstentions

42 **19/00450/MFUL - Park House Barns Park Farm Road Gilling East**

Decision

PERMISSION GRANTED – Conditional approval as recommended

Voting Record

9 For

0 Against

0 Abstentions

Councillor Goodrick declared a personal and prejudicial interest and left the committee for the duration of the item. Councillor Windress chaired the meeting for the item.

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

43 **19/00600/MFUL - Stugdale House Malton Lane Flaxton**

Decision

PERMISSION GRANTED – Conditional approval as recommended

Voting Record
10 For
0 Against
0 Abstentions

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

44 **19/00430/FUL - Meadow House Main Street Scrayingham**

Decision

PERMISSION GRANTED – Conditional approval as recommended

Voting Record
8 For
1 Against
1 Abstention

45 **19/00540/HOUSE - Sawpit Cottage The Green Slingsby**

Decision

PERMISSION GRANTED - Conditional approval as recommended

Voting Record
10 For
0 Against

0 Abstentions

46 **Any other business**

There was no other business.

47 **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 decision.

Meeting closed 19:43

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 13/08/19

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 43no. 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 with fencing

7

Application No: 19/00144/MFUL

Application Site: Land To The East Of Sherburn Wold Farm White Gate Sherburn Malton North Yorkshire

Proposal: Erection of agricultural livestock building for the fattening of pigs with area of hardstanding and 2no. feed bins

8

Application No: 19/00366/MFUL

Application Site: Meadowfield 40 Thornton Road Pickering North Yorkshire YO18 7HZ

Proposal: Demolition of existing buildings and erection of an 84 bedroom hotel with ancillary restaurant/bar, erection of 3no. light industrial units (Use Class B1 (b and c), creation of habitat area for Great Crested Newts and associated access, parking, drainage and landscaping

9

Application No: 19/00671/MFUL

Application Site: Aldby Field Farm Sand Hutton To Bossall Road Sand Hutton Malton YO41 1LG

Proposal: Erection of a glasshouse (9504 sq.m.)

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 13/08/19

10

Application No: 19/00177/FUL

Application Site: Land South Of Pasture House Main Street Normanby Kirkbymoorside

Proposal: Erection of 1no. four bedroom detached dormer bungalow to include integral studio annex, erection of detached carport and formation of vehicular access and landscaping.

11

Application No: 19/00531/HOUSE

Application Site: 61 Eastgate Pickering North Yorkshire YO18 7DX

Proposal: Erection of timber fence in rear garden (retrospective)

12

Application No: 19/00532/LBC

Application Site: 61 Eastgate Pickering North Yorkshire YO18 7DX

Proposal: Erection of timber fence in rear garden

13

Application No: 19/00627/FUL

Application Site: Stonegrave House Main Street Stonegrave Helmsley YO62 4LJ

Proposal: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping and the construction of equestrian facilities comprising storage barn, stables and all-weather horse walker

14

Application No: 19/00628/LBC

Application Site: Stonegrave House Main Street Stonegrave Helmsley YO62 4LJ

Proposal: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 13/08/19

15

Application No: 19/00735/CLEUD

Application Site: High Hagg Farm Hagg Road Kirkbymoorside North Yorkshire YO62 7JF

Proposal: Certificate of Lawfulness in respect of the works to install the 121 kw biomass boiler and external flue subject of this application within the building as shown in red on the submitted site location plan were substantially completed more than four years before the date of this application

Agenda Item 6

RYEDALE DISTRICT COUNCIL PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

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 43no. 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 with fencing
Location: Field Off Hungerhill Lane Wombledon Kirkbymoorside
Registration Date: 16 July 2018 **8/13 Week Expiry Date:** 15 October 2018
Case Officer: Rachael Balmer **Ext:** 43357

CONSULTATIONS:

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

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, Mr Balvinder Dheer, Mr Kevin Woods, 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, Mr David Wheeler, Mr Simon Greaves, Mr Neil Herbert, Collin & Maureen Jameson, Mr Andrew Edwards, Ms C Hilton,

Overall Expiry Date: 27 June 2019

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 of a range of species (deciduous and coniferous) 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 as a private, unlicensed runway. The site (as defined by the red outline) 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 general 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 Full permission for the change of use of part of the surrounding airfield land was originally sought 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. The proposal has undergone a series of changes since the application was before Members in December 2018. The number of lodges proposed on the site has incrementally dropped over the course of the application's consideration and is now for 43 units. This is a reduction of one third from the original scheme. The reason for the reduction has been to respond to providing an area of appropriate landscaping and stand off to comply with separation distances regarding vertical obstructions regarding aviation safety.
- 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, and it has been

revised to respond to previously identified deficiencies (such as the lack of an ecological report, and a tree report). 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, as has a report on matters of aviation safety, provided in December 2018. These documents referred to above 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 a public footpath to the south of the site and addition of a Travel Plan and Transport Assessment. Other changes relate to the change in the approach to parking- making the parking areas less communal, changes to peripheral and internal landscaping and the re-siting of the Manager's accommodation to address previously raised concerns. Subsequent revisions have been focused on the mitigation measures needed in relation to aviation safety (whilst still meeting wider Plan compliance) and the signing of a s.106 agreement in the form of a Unilateral Undertaking to permit the application of noise attenuating louvres to the potato store which is the adjacent land use. It is for these two elements, and the subsequent four re-consultations, which have meant the application has been with the Local Planning Authority for nearly 13 months.
- 2.5 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. This bund is operational development and therefore requires planning permission in the first instance. 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 extent of the bunding is to be revised, and this is shown on the most recent plan submission. A section of bunding which surrounds the northern end of the runway is proposed to be removed. If Members are minded to approve the application a condition is recommended which specifies the removal of the bunding concerned, as the retrospective bunding is in the description of development, and there would also be a plan clarification condition to be clear about which plans are the approved plans.
- 2.6 The application's description consequently refers to the retrospective creation of a soil bund. 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, because of the current issues it raises in relation to aviation safety. Matters concerning hedgerow removal in this instance are not enforceable as the Authority is unable to establish when the hedging was removed.
- 2.7 There are on-going civil issues between the owner/user of the other half of runway 17/35 and the applicant regarding the use of the runway and liability in the event of an accident. The siting of large water storage containers down the centre of the runway, as demarcation of land has occurred, primarily, in response to these civil matters. 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 significance of the mutual implications of the proposed use for holiday lodges in relation to the existing

operation of the runway, and this is also discussed later in the report.

- 2.8 In justification for their own scheme, the applicant has made reference to a scheme granted permission (15/01018/MFUL) in 2015 for 12 lodge units on land to the east of the Wombledon Caravan Park, and west of the runway 17/35. It is noted by Officers that whilst clearly the scale is different, but also by virtue of the distance from the runway, and the existing and proposed landscaping this scheme was considered acceptable. It simply reinforces why applications are required to be considered on their own merits.
- 2.9 The consultation responses refer to a second holiday lodge complex. Planning permission 18/00662/MFUL was granted earlier this year for a scheme of 29 timber clad static holiday units, some Members will recall it was approved by Committee on the 16 April 2019. Members will be aware that they are required to consider each proposal its own, site- specific, merits in accordance with the Policies of the adopted Development Plan, and taking account of all relevant material considerations. This other scheme also reduced the number of lodges, to less than 50%, from what was originally applied for and also was able to respond to site specific issues raised. This scheme is considered in relation to this application and considered in the relevant sections of the report. Members will be aware that they are unable to decline determination on the basis of how this other approved site is delivered or its level of ‘success’ (see Parish Council responses).
- 2.10 Some Members will recall that this application was first brought before Planning Committee on the 20 November 2018 where the application was deferred by Members, after a request from the applicant, until the following committee. It was brought back to Committee in 18 December 2018, where Members agreed to defer the application, at the applicant’s request, to explore principally the matters of aviation safety and noise in relation to the operation of the potato store. The applicant had submitted an extensive body of information on the day of the agenda being finalised. This included site cross sections; primary ecological appraisal, planting proposals, revised noise mitigation scheme, details of the underground siting of the electricity cabling, as well as CAP 793 – Safe Operating Practices at Unlicensed Aerodromes.
- 2.11 Since that time Officers have had two meetings and extensive email correspondence regarding the scheme. Four re-consultations have been undertaken. Regarding the noise issue of the operation of the potato store, the applicant has been advised that Officers would be unable to make a recommendation other than one of refusal if, in the first instance, no legal agreement could be signed. Such a legal agreement would (in conjunction with conditions which require a minimum level of acceptable level of noise mitigation) give the Local Planning Authority the comfort that in the first instance the mitigation measures can be applied to the building in perpetuity. At the writing of the report the legal agreement remains unsigned, but in an email sent by the applicant’s solicitor on the 17 July, and a phone conversation with the potato store owners’ solicitor on 2 August, both state that they would endeavour to have the signed legal agreement to the Council before the date of committee. As such if it is provided, it will be sent as a Late Paper or reported to Members at the meeting.
- 2.12 The Council also sought external assessment of the proposals in relation to aviation safety matters – which both the applicant and the owner/operator of the eastern half of runway 17/35 have not objected/disputed. The report was commission in May and received in early June 2019. That report is a background paper, and is referred to in the

report.

2.13 The application is now brought back to this August Committee with a range of amendments which have been proposed:

- Removal of key sections of bunding;
- Identified areas of land to remain clear of any vertical obstructions*;
- A revised landscaping scheme, ecological enhancement strategy;
- Consequent reduction in units by a third;
- The applicant has engaged in the production of further surveys to set out in more detail the merits/impacts of the development
- The southern footpath proposal, which crossed the active run way has been removed from the scheme.
- The manager's lodge has been re-sited;
- Proposed footpath (on and off road) to Wombleton village

* Whilst the majority of the area is within the Red Outline to the north, there are areas which are not within the red outline, nor in the blue outline. Two small areas are not identified as being in the red outline, they are in the applicant's ownership on what is the applicant's half of runway 17/35. The implications of this are set out in the report, and a legal view has been sought which will be provided to Members on the Late Papers or at Committee.

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 have been 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.
This deed of variation is not yet signed, but it is lodged with the Council.

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 Plan - Local Plan Strategy (2013)

The Policies Map (2019)

The Ryedale Plan- Local Plan Sites Document (2019)

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

(The Ryedale Plan- Local Plan Sites Document (adopted June 2019) and The Regional Spatial Strategy are not considered to be relevant as part of the determination of this proposal)

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.

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. This application was first consulted upon 17 July 2018 has been the subject of four of re- consultations:

- 24 October 2018
- 19 December 2018
- 9 April 2019 and 29 April 2019 (the latter was required as key document was inadvertently not publically available)
- 11 June 2019

5.2 Wombleton Parish Council have sustained their objections to the proposal, in summary these were reported in the December 2018 Planning Committee Report:

- 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.

The consultation response received 7 May 2019 stated:

Object for the same reasons as given in December 2018. In addition, the Council would like to permanently object to this application until such time as it has been deemed that the sister application for 29 units which has been granted proves to be a success and that further units are actually necessary.

The most recent response of the Parish council was received on the 18 June 2019: Please note that our comments made in our last submission remain unchanged.

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

In summary, the responses are concerned with, 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 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 Initial 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. Since the writing of the report a further consultee notification has been returned from a property of the same name in Muscotes, Nunnington addressed to Mr P Tipping, Sunley Court Farm, Hungerhill Lane, Wombleton YO62 7RY. This latter address also does not exist.

5.6 In response to the initial revisions to the plans as stated in the 24 October re-consultation:

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 Wombledon.
- 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 Wombledon and a considerable walking distance from the site.
- No footpaths or cycle lanes from the site to Wombledon 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 Wombledon 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 Wombledon 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 Wombledon, building a footpath on Hungerhill Lane to the junction to Wash Beck Lane, does not go all the way into Wombledon 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 Dr. Stewart Slater (Director of Petrateg who owns half of runway 17/35) made a representation which was read out at the December 2018 Committee, in summary it stated:

- The applicant has a long-standing awareness of our flying operations;
- We have made complaints to him and to the Local Planning authority regarding the issues regarding aviation safety as a result of the bund, planting and runway obstructions;
- Runway 17/35 is shown on official aeronautical charts – and I have arranging for a warning to be placed in Pooley's UK Flight Guide;
- It is a private airstrip which has been used for almost 50 years.
- The bund and planting at the northern threshold should be subject to enforcement proceedings for its removal – irrespective of any contravention of the Air Navigation Order 2016.

5.8 Representations by the owners/operators of runway 17/35 made since the application was previously brought to Members:

- As owner of much of the adjacent airfield, aviation safety is of paramount importance;
- Note that the footpath has been dropped;
- The plan still retains chalets at the north wester threshold of my neighbour's runway 17/35, as does the earth bund and planting;
- I and my leaseholders have rights to use runway 17, an approval would see the retention of the earth bund, trees and four chalets directly in line with the approach to the runway17. A pilot experiencing engine failure, unexpected downdraft or very slight misjudgement could result in multiple fatalities;
- This is not the better informed re-application I had hoped for, and my objection to it therefore remains.
- My company (Petrateg) owning Wombleton aerodrome (North), as has always been the case since 1972, does not engage in commercial flying or similar aviation services. It is a property company which rents the aerodrome to other entities for aviation activities.
- For the last few years the arrangement has been with a local group of pilots for private leisure and mandatory pilot continuity flying organised by a lead pilot and there is one aircraft permanently based in our hangar.

- Immediately prior to the construction of the obstructive bund there were five pilots but as a result of the danger created three have subsequently resigned leaving two - the lead pilot and an ex Royal Navy pilot. With further obstructive developments, particularly growth of the willow trees forming part of the bund, the last flight from our aerodrome was 26 June 2018 when the ex- RN pilot, who has great skill and experience, declared that it was too dangerous. Use of our property has thus been effectively closed down by the obstructive actions of the applicant and these actions are, as previously explained, potentially serious offences for which proof of intent or motive is not required.
- Our aerodrome is unlicensed which, as it is only for private use with no commercial activity, is in order and not under the auspices of the CAA except, importantly, as regards general aviation law and flying rules where of course the close proximity, siting and use of proposed holiday units are highly relevant. Our legitimate interests, including importantly the relevant proximity of the application area to our runway 17/35 and our established aircraft hangarage operation, are incompatible with holiday chalets and have been ignored both in actions and the application. Until relatively recently the previous owner of the applicant land and an adjacent parallel runway area kept an aircraft on the Northern side totally independently of our interests.
- Our aerodrome has been documented in the authoritative Pooleys UK Flight Guide for decades with runway 17/35 clearly depicted. Quarterly updates for this comprehensive Guide are available. During 2018 I had a warning of the various obstructions to 17/35 added. Fortunately now a copy of the latest edition of the Wombleton plate (due to permission from the copyright holder, Mr Robert Pooley) has been supplied for study by the Committee. It now has the 17/35 numbers added in view of the recent confusion over runway designation and direction. This plate usefully and comprehensively clarifies both aspects of our Northern interests and the separate Swift aviation activity at Wombleton South.

5.9 Regarding the December 2018 re-consultation, this related to the submitted material on the date the December planning committee agenda was finalised. The 7 respondents were in objection:

- The footpath to the village will not be suitable due to the speed and narrow bends – families will be on the road- Members should walk it;
- The fence will prevent a right of access for the owner of the potato store;
- The planting and its height raises aviation safety issues;
- The previous application was of a scale and nature that is not comparable to this scheme;
- The runway is not abandoned;
- The airfield has a long-established WW2 historic value;
- Wildlife would have been in hibernation;
- The other scheme on the other side has expired
- Our site has a range of wildlife
- Concerned about the visual impact of the acoustic screen, and the time it would take for the vegetation to screen it is not appropriate for a rural area;
- Enforce against the contaminated bund;
- Too big for the village, not fitting for the local area;
- The proposed changes to improve aviation safety are contrary to the water storage containers;

- Criticisms of the WPAC report as did not visit the site, nor properly engage with the aerodrome owners/operators;
- The noise assessment has been unable to factor in aviation noise, and the operation of the potato store;
- The northern part of the site was a wetland, with a range of ecology, the drainage ditches have caused this to be lost;
- Wombleton is a small village with limited accessibility;
- Please consider our previous objections;
- As a keen birdwatcher I have noticed the decline in bird life and habitat in this area; and the ecological survey was undertaken in November;
- The electricity supply needs to be grounded- and conditioned as such
- A survey of all holiday lodge parks should be undertaken to establish if there is a need;
- The repeated deferment of the application, additional information has caused inconvenience and is substantially different to the application previously brought to committee – the Council should be mindful of due process and concerned as to whether any decision eventually made may be open to challenge by judicial review or a charge of maladministration;

A landowner and operator (Mr Eden Blyth) his comments are summarised:

- Objects to the application- as an owner of much of the adjacent airfield and I have a longstanding right to taxi over, fly from and land on 17/35;
- Disappointed that the obstructions have not been removed;
- Trees too close to the runway bring turbulence
- The wildflower meadow will be attractive to users of the lodges, for tents and picnics
- The Applicant's own aviation report has concluded that the lodges are incompatible with an aviation use
- Could an article 4 Conservation Area direction be used to control development?
- The WPAC report erroneously said that the owner of runways 04/22 and 10/28 has not objected- I am that person- and have objected;
- The runway is in Pooley' Guide;
- The runway 17/35 is an aerodrome and it is not abandoned;
- The runway is suitable in an emergency- and a pilot won't have the luxury of time or choice

The adjacent landowner- and operator (Dr. Slater) responded to the aviation report commissioned by the applicant, and this is discussed within the context of matters of aviation safety. His comments are summarised:

- The presence of the lodges necessitates a higher standard than CAP 793;
- The notations refer to land which is outside of the red outline;
- Refers to the water containers and their hazard to aviation and frustrate ability to make an accord;
- The safety implications regarding the bunding fence and trees are obvious and whilst some of this has been removed it is insufficient in width to give sufficient safe clearance;
- 12 Chalets have been removed from the north of the site, but three remain vulnerable;
- The containers are a safety issue which the LPA should take into account as an increased risk factor;

- The aerodrome is not abandoned, and certain operations have ceased due to safety issues; other types of plane could still use the runway in its present state;
- We have looked to see an agreement is made; but it's not possible;
- Aerodromes have specific characteristics which should be taken into account when considering development proposals- and not the other way round;
- The lodges represent a significant amount of human occupation;
- The application should be refused and enforcement proceedings instigated to remove the 55 metres of bund at the northern end of runway 17/35;
- Criticisms of the WPAC aviation report:
 - The runway is not disused;
 - It is private, not publicised, but it is in Pooley's Flight Guide- which is a well-regarding, widely used reference;
 - The writer did not visit the site, no photos provided, and relied on information supplied by his client;
 - Our concrete is inspected before flying, and has been worsened by the activities of the applicant (soil bunding);
 - There is no boundary fence, there is the water containers;
 - Longstanding planning permission;
 - I authorise planes of a size commensurate with the width of the runway- in accordance with CAP 793;
 - There is Wombleton Aerodrome North (17/35) and South (04/22);
 - The white crosses are misleading and in the wrong place (undertaken by the applicant)
 - There is a public interest issues in respect of safety;
 - Wombleton could be required in emergencies;
 - The report writer sees the use of the runway and the lodge park as incompatible- therefore given it is not abandoned, then it should be refused

5.10 Regarding the April 2019 re-consultation seven consultees responded in objection and made the following comments:

- Previous objections remain relevant;
- The act of closing off the potato store to the aerodrome will mean farm vehicles will pass the village and common lane, when there will be more pedestrians to start with;
- The owner has a legal right of passage;
- The road path is not safe- additional traffic and narrow blind bends;
- The remaining lodges are in a dangerous location;
- The trees in the existing bunding should be removed;
- Loss of plantation trees; loss of biodiversity and amenity
- Noise still experienced from the store such as reversing alarms even if the store can be made quieter;
- The noise generated also vibrates and resonates across the whole airfield;
- Note the removal of the acoustic fence- and the s.106 but that doesn't prevent general aviation noise or vehicles on the store site;
- Please see the planning appeal history due to the loss of biodiversity and amenity as a result of the loss of trees (appeals in 2009 for the wood pellet scheme)
- The access (implemented) is shabby;
- Ryedale District Council has a 5 year land supply (which can include park homes). why is more development being considered since some have already been approved;

- Tourists come here to enjoy the space and peaceful aspects of rural countryside;
- Too much development will ruin it for everyone;
- What is the need for these lodges?;
- There is too many proposed;
- The locality cannot cope with the proposed development- the increase traffic, the blind bends with large farm vehicles;
- The proposals to the roads will have an unacceptably urbanising of our pleasant rural village;
- Harm to local wildlife – with the impacts on the trees;
- How can retrospective permission be given for something that is already in place- is it an inevitable outcome of the application or arrogance?;
- What about the parking and lack of footpaths in Wombleton/
- Page lane is narrow and dangerous;
- Light pollution is bound to occur
- Employment? Much is short term, or low pay (cleaning)
- No positive benefits and potentially dangerous outcomes;
- No benefits for the residents of Wombleton- reference to the other site (refers to 125 units)

Dr. Slater's response- summarised:

- CAP 793 is for guidance and should not be used as an authority by other land uses to validate their proposals;
- Our aerodrome exists and has been established without restrictions for many years- the application has not;
- CAP 793 refers to aerodrome hazards and obstacles, chalets are more than obstacles, they are for human habitation – raise issues of public safety;
- The water tanks are a civil matter, but they raise issues of public safety in relation to their presence in relation to the proposed holiday chalets
- The use is longstanding under a planning permission;
- CAP 793 is not intended to provide guidance for the insertion of a holiday park (or other use) into an unlicensed aerodrome;
- CAP 793 in its section on low flying which describes and restricts flying close to 'congested areas' which are legally defined in aviation law as 'in relation to a city town or settlement, any area which is substantially used for residential, industrial, commercial or recreational purpose. The group of 50 holiday chalets is akin to such an area;
- The chalets are for human occupation; and enhanced risk, and risk that is being introduced which is currently not present;
- There is no proportionate increase in safe distance for commercial aviation and light aircraft, due to the greater risks of turbulence to smaller planes. Current chalets are too close at c. 50 metres.
- The water containers are an aviation hazard; potentially an offence of the Air Navigation Order 2016 Article 240; temporarily increased in height; they are creating an adverse safety situation and this should not be ignored in the context of the application.
- Any boundaries should be frangible
- In reference to 'no obstacles of more than 2m' is still too high and represents an obstruction;

- We have suspended operations, but the aerodrome is not abandoned and could be used by alternative craft, but an aircraft is trapped in the hangar;
- The chalets could be occupied by children who could wander onto the site with bikes etc
- This proposal should be refused, and the bunding removed to a distance of 55m as per the submitted plans revisions D and E at both ends of the runway

Mr E Blyth's response summarised:

- My objections still stand, the fact that the obstructions remain shows that the applicant does not have sufficient awareness of aviation safety issues to be allowed the development in its proposed form.

5.11 Dr. Slater also submitted the transcript of a question to the Prime Minister on the 27 March 2019 regarding the determination of the application and Council Policy in general on the 8 April 2019.

It refers to an unlicensed airfield Eshott, and a dispute is threatening aviation safety but the CAA will not intervene. He considers there is parallels with Wombledon. The Prime Ministers response was that, in summary, aviation safety is paramount; and that the issue has been raised with the aviation minister; and we are hoping for a positive solution to all parties involved, and that CAA has been in contact with all parties involved.

5.12 Seven consultees responded in support and made the following comments:

- Meet policy objectives and rejuvenate a derelict area;
- Creation of employment;
- Increased tourism and associated benefits;
- Understand the area is zoned for leisure- why zone it then not support it?;
- The lodges will blend in;
- Can cycle in the area, without having to use the car;
- Provides an alternative to farming;
- Meets both local and parish plans;
- Keep Yorkshire as a major tourist destination;
- Bring more commercial interests into the area;
- Would love have more choice in where we stay

5.13 Regarding the 11 June 2019 re-consultation, the following comments received from one consultation response:

- Access across the site remains a serious concern- noting that it is civil matter, if the access is retained, there will be large farm vehicles crossing the road which runs between the two sites- which could harm those using the road- and the alternative is to the roads via the village or common lane;

- objections to the scheme still stand;
 - Responses have also been received from the two owners: Dr. Slater (three responses) and Mr E Blyth. These pertain to aviation safety and are considered in the section on aviation safety. The applicant has responded to the representations of Dr. Slater, describing them as civil matters and this is discussed within the report.
- 5.14 The statutory responses are either summarised on the front sheet, or specifically referred to in the report.
- 5.15 In reading the consultee representations in detail, Members will be aware that some responses make reference to various civil matters which cannot be part of the consideration of the application. 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. References were made to the potential for an Article 4 Direction for controlling the land uses on the runway- Article 4 directions remove 'permitted development' rights, more often in Conservation Areas, and there would be no such rights in relation changes of the use of the land, as such it would not create any more control than the existing system of planning permission for a change of use of the land, or any operational development.
- 5.16 Requests have been made for Members to conduct a site visit before making a final decision. 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 is necessary in order to clarify any outstanding issues.
- 5.17 The Local Planning Authority have considered this application in accordance with their obligations in a positive and proactive manner in respect of the consideration, and the recommendation of the application. The LPA cannot decline to determine an application because it has changed, or raises issues, or has been the subject of a series of consultations to afford interested parties the ability to respond to the proposal which is of considerable complexity and sensitivity. The LPA can only require a fresh application if there are very substantial changes, these involve the material expanding of the red outline or a different proposal i.e. in terms of the use. This is to ensure that no party who has an interest is prejudiced. Whilst the application has been modified the following remains clear: the red outline has not changed and the proposed use of the land has not changed. At each stage the application has been the subject of consultation, regarding the revisions.

6.0 APPRAISAL:

- 6.1 The main considerations to be taken into account are:
- i) Principle of the Development
 - ii) Site- Specific Considerations:
 - Aviation safety
 - 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 for the development of the site is not established by the Development Plan. The Development Plan does not make any specific allocations for tourist development of this nature. The principle of development would, however, 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 for 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 therefore 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 as it is not a material planning consideration. Nor are they able to decline to determine an application or refuse it until another development in the general location is judged to be a ‘success’ (parish Council’s additional representation in May 2018). Such an approach goes beyond the scope of the legal powers afforded to Local Planning Authorities, as it is not a material planning consideration. Members must consider whether the proposal accords with the Development Plan or not, and whether there are there material considerations which warrant a departure from the Development Plan. A report commissioned by the applicant has stated that need for this type of accommodation is not clear to establish, but indicates that 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 is 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. Planning permission has 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 Wombledon 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 schemes would not have materially significant impact on the character of the wider area. The other planning application 18/00662/MFUL has been approved, albeit on a smaller scale than originally proposed.
- 6.9 Any other use, such as residential (sometimes referred to a Park Home scheme), 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:**

Aviation Safety

- 6.10 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 existing neighbouring 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. Therefore, the proposal needs to be considered in the context of the flying operations for both the safety of the users of the runway and the occupants of the lodge scheme.

- 6.11 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 actual and anticipated 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 in its broadest sense, and a need to consider the implications of the proposal in accordance with the adopted Development Plan.
- 6.12 The airfield at Wombleton is not a commercial aerodrome, but a general, unlicensed aerodrome. The Civil Aviation Authority, therefore, 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 unlicensed and licensed aerodromes. CAA guidance CAP793 sets out the process to undertake safeguarding for unlicensed aerodromes. 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 occurred through the consideration of this application.
- 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 (whilst temporarily inactive) is identified by the LPA as the lawful use. This has been reported and evidenced by the owners and users of the runway and a number of local residents. The lawful use as an aerodrome has been long-established, having had permission to fly since 1972, when the runway from WWII was reinstated, with the construction of a hangar for two light craft. Wombleton Aerodrome is identified as being used for general aviation. There are two main runways in operation, and on the Officer's site visit a plane took off from the neighbouring, southern runway. 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. The Aerodrome, and the runway subject to these discussions is identified in Pooley's Flight Guide, and has been amended to reflect the current obstructions.

- 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 stating that they are unable to fly their current planes. 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. 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 for decision.
- 6.14 It is clear that the proposed development, as originally submitted, would have an adverse impact on the safe 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).
- 6.15 The applicant subsequently submitted a report concerning aviation safety matters, by WPAC, which concluded that the runway 17/35 is disused; too narrow, the surface is hazardous to flying; it's not within any formal listings; that the land out with the runway operator is not within their control. It concluded *“any possible future reactivation of the remaining part of the disused runway would be incompatible with the lodge park. Given that the remaining half of 17/35 is no longer safe to use as a runway and therefore cannot be considered as an aerodrome, there is no flight safety issue in relation to the proposed lodge park”*.
- 6.16 The owner/operator of the runway's response reflects the fact that until activities (the creation of the bund and siting of water containers) took place on and round the runway which made the runway unsafe they had been safely and legitimately flying. Five pilots used the site initially, although three have since resigned. Because of the private nature of the enterprise, there is limited public documentation, but it is within Pooley's Flight Guide, and is capable of being used in an emergency (subject to being appropriate for the size of plane). The report writer did not engage with the owner/operator of the runway, and relied upon information supplied by the applicant. The type of planes which are permitted to fly are of a size and weight which are suitable for the size of the runway, in accordance with established guidance (CAP 793).
- 6.17 The Council commissioned its own independent aviation safety technical note by York Aviation in order to give Members the opportunity to understand to what extent the proposed lodge scheme would create an adverse impact on safe operations of the runway. A site visit was conducted on the 9 May 2019. Therefore the technical note is made on the plans which were submitted in April 2019 (and which have since undergone further discussion and revision in response). In summary it concluded that the landscaping needed to set back further into the site; that the ecological enhancements should be of a nature which did not undermine aviation safety to both runway 17/35 and the runway of 04/22 particularly in relation to birds; the control of construction practices to ensure no dust/obstructions and publicity regarding use of cranes.

They make the following conclusions:

- Provided the area immediately to the east of runway 17/35 as shown on drawing WA-HL-1.1 Revision E is kept completely clear of obstacles including any form of ownership boundary fence it will serve as a suitable width of runway strip.
- Provisions on drawing WA-HL -1.1 Revision E at the runway end for removal of the bund and wildflower planting in the adjacent field are considered adequate for allowing safe landings and take off. This assumes again that no form of fence or vertical obstacles are placed along the red line boundary running around the end of Runway 17/35 i.e. the 30° segment either side of the runway centre line.
- Consideration of the landscaping and planting of shrubs and trees on the site is required in the context of the transitional slope of the Obstacle Limitation Surface. The developer must demonstrate that major hedgerow and tree planting will not now or in the future create obstacles that propose a significant threat to landing air craft.
- Further landscaping consideration should be given to wildlife attraction that could pose a similar threat to aircraft landing or taking off for example planting that provides a new habitat for large or flocking birds closer to the runways at Wombledon than is currently the case.
- We would lastly note that while it is acknowledged that building dwellings* within approximately 50 m of a runway is for many reasons not advisable, in this case it does not conflict with any CAA guidance of compliance requirements of CAP 793 or CAP168. Any potential issues relating to noise or safety in this regard are beyond the scope of this report and would require significant further assessment.

* the lodges are not dwellings in a planning sense, but they would be capable of being occupied by persons for 24/7- used for sleeping, eating and generally residing.

6.18 The findings of the report have not been disputed by either party. The application was then revised to take account of the advice set out in York Aviation's Report relating to technical requirements. However, there continues to be a civil dispute between the applicant and the owner/operator of runway 17/35 regarding the matter of liability. The water containers have been a longstanding part of this dispute. Whilst this is no doubt frustrating for the operator of runway 17/35, (and they view it a public safety concern), this is a civil matter. The water containers are not operational development nor a change of use, and this is therefore also not a material planning consideration concerning the merits of the application. In conclusion, this a matter that the Local Planning Authority has no legal basis to take enforcement action against, irrespective of the outcome of this application.

6.19 Dr. Slater responded on the 26 June, and included a plan which shows the plan of approach surface (APPS). When this is compared to the approach of the applicant, the latter covers a wider area. To the south, the APPS is also retained. His comments are summarised as follows:

- We put forward that the relevant CAP 168 criteria for the approach surface (APPS) should also be adopted for landing- and new notation on revision G accepts this;
- Note an error on the plans should be corrected to CAP168
- CAP 168 APPS gives absolute figures which, in conjunction with a survey allows precise ascertainment of the 'surface' which must not be penetrated by any structure of object.
- The APPS Plan submitted is prepared according to the relevant diagram in CAP 168,

this takes into account that 17/35 is treated as a Code 1A licenced runway which is wider than the 18 metre minimum. The slope of the surface is 1:20. There is a horizontal section of 30 metres at the end of the slope down along the landing threshold (start of the concrete and within our ownership)

- Take off needs to ensure that in the event of a failed take off there are also no obstructions, or risks presents by persons in area of at least 2no. 30^o sectors, partly address this issue as does the removal of the bund
- Needs to be effective notation requiring no vertical obstructions or obstacles including structures, trees, fences or moveable objects in the area shown as mown grassland.
- Seek the removal of the water containers- York Aviation report states that they must be removed. They should be removed as they are dangerous and threaten our business. The applicant should rectify the position to warrant a grant of permission for the development.
- Signage is needed at points where access to the runway and its environs is a possibility- such as where the gate is to provide access to the potato store.
- We still subscribe to the view that the proposal conflicts with local environmental and other factors, but appreciate the applicant is entitled to seek benefit from his purchase, but the current position could have been reached much earlier with greatly reduced effort and much less cost and no damage to our business with a different approach.
- Despite the serious effect on our business, we still have local pilots interested in the future of aerodrome, including a proposal for a second aircraft to be based in the hangar.

6.20 The owners of the runway (Dr. Slater and Mr Eden Blyth – who owns the southern runway) have made further representations objecting to the planning application:

Summarised comments here:

- Can a condition be imposed which ensures that areas to be kept free of obstruction are indeed be kept free- to avoid incremental development or that which can take place under ‘permitted development’ rights (such as temporary siting for tents);
- Also that such areas are not publically accessible;
- The applicant has removed the buildings from the north, but not from the south
- No building is allowed anywhere between the proposed access road and runway 17/35, with no public access to grassed areas, and no obstructions to be allowed in them
- The guidelines used by the consultants are a minimum, and the application of such minima do not take account of the issues light aircraft can have with turbulence caused by buildings – which will contain people.
- Completely unsuitable development to site on an airfield and the developer’s best efforts to halt flying there reinforce this.

6.21 Dr. Slater’s most recent response made on the 22 July 2019 raised issues of wider aviation safety than his response submitted on the 26 June:

The independent Aviation Report is, as we accept, technically correct and accurately predicts the inadequate level of aviation safety at our aerodrome which would ensue if the adjacent Eastern ‘runway strip’ was not enforced. There is a manipulation of planning aspects inherent in the application which results in a false concept of adequate aviation safety for the proposed chalet park which is to be sited only a few metres away from our actual runway 17/35. A current abuse is the deliberate placing of

moveable aviation hazards on the land immediately adjacent to the application area and bordering our runway 17/35. This tactic should not be accepted. The proposed development will not be safe without permanent protection afforded by an Eastern 'runway strip' for runway 17/35 in accordance with CAA CAP 168 and the advice of York Aviation whatever the ownership or status of the land identified by the consultants to serve as the protective 'strip'.

In short it is manifestly illogical to maintain that, given their close proximity, the proposed chalet park is unaffected if our runway 17/35 is affected.

With the advent of the independent Aviation Report dated 28 May 2019 the application is not sufficiently comprehensive and does not include measures, identified as necessary for aviation safety, to fulfill the criteria for runway 17/35 to achieve, and allow perpetuation of, the standard for a licensed runway according to CAP 168. The vicinity of the aerodrome which includes the proposed chalet park cannot therefore be adequately protected

To expand further, with the publication of the independent Aviation Report in early June and the latest site plan WA HL 1.1 revision G on 21 June there is more changed information to add to the already voluminous case material. From the Report for the first time in these planning proceedings there is expert opinion that there are serious aviation safety issues currently manifest at our aerodrome due to factors affecting the Eastern 'runway strip' area and actions by the applicant which, although of a temporary nature, are outside our control and seemingly intended to persist affecting our aerodrome into the future. Under the present circumstances we cannot predict for how long they will affect our aerodrome or indeed their nature - currently there are the deliberately and dangerously placed water tanks which are the subject of adverse comment in the Report.

Consequently I have concluded and submit that the area in the vicinity of our aerodrome is unsuitable to site the proposed holiday chalet park on the grounds of aviation safety being seriously compromised in the vicinity of our runway 17/35 which would mean unacceptable enhancement of the usual aviation risks to the occupying and visiting public.

There are the expected risks to public safety (eg aircraft malfunction) in situations like this even with normal aerodrome operation but the risks are enhanced in the case of this application by the deliberate placing of aviation hazards. For instance under Conclusions the Report treats the breach of the advisable criterion of 50 m separation between the runway and building dwellings lightly whereas we believe the Planning Authority should take into account that the application is not just for an odd dwelling or two but for a concentration of dwellings with possibly hundreds of occupants and visitors present in a confined area close to the runway at any one time. Many of the proposed chalets are less than 50m from the runway.

These risks, both normal and those enhanced by deliberate placing of aviation hazards on land adjacent to the application area, include injury and fatality as well as damage to property and fire and include the risks associated with unauthorised intrusions onto the aerodrome. Furthermore such persons would be unaware of the dangers in many cases.

Importantly operators of the chalet park completed as proposed and with the enhanced risks would likely find adequate public liability insurance cover difficult, if not impossible, to obtain.

The independent Aviation Report identifies the criteria for the safe operation of the aerodrome, and particularly the safety of operating from runway 17/35 which is close to the proposed development. Logically it follows that such are the key factors for aviation safety in the vicinity which, evidenced by inclusion in the Report, encompasses the area of the proposed development. Indeed the Report states It is worth noting at this point that CAP 793 recommends the criteria found in CAP 168 be used as guidance for the assessment of safe operation of unlicensed aerodromes. Thus the Report, referring to CAA publications CAP 793 and CAP 186, gives the criteria necessary for runway 17/35 to be of a standard for a licensed runway as given in CAP 168 - in this case a Code 1A non-instrument runway for safe operation. These measures focus mainly on obstacles and associated clearances and the Report examines the application and gives details as to the measures that need to be implemented to deliver the licensed runway standard for 17/35. These measures comprise actions affecting both the application area and the land in the ownership of the applicant which significantly includes the area within the blue ownership line but outside the application area and contains a large proportion of the area designated by CAP 168 as the 'runway strip'. This is not part of the runway nor necessarily part of the aerodrome or within it's ownership. The measures are considered in more detail in my attached comments which are intended to address the issues created by the enhanced risks.

Most importantly all the measures would have to be implemented to deliver the licensed runway standard and although, as the Report confirms, 17/35 has the potential for the measures to be implemented it is plain that the application cannot deliver them all.

Consequently I maintain the proposed chalet park is incompatible with our existing aerodrome - mainly on the grounds of inadequate aviation safety being implemented in the vicinity - and urge that therefore application be refused. I submit that the Report demonstrates inadequate aviation safety and that the measures identified by the Report which would ensure aviation safety for and in the vicinity of our runway 17/35 should not be ignored. Aviation safety has many implications for the safety of the public: not just aviators.

In support I am led to understand that the National Planning Policy Framework (as previously expounded in relation to private airstrips in Planning Policy Guideline 13) directs:-

Local Authorities should avoid development at or close to an airport or airfield which is incompatible with any existing or potential aviation operations.

Additionally it should be noted that if the application is consented we could not carry on in the future as we have done safely for the last 48 years. The circumstances for our aviation with a holiday chalet park in the near vicinity would be very different as obviously there will be numerous and unpredictable new challenges when possibly well over a hundred persons will be living near the aerodrome at any one time introducing hazards such as, for example, children on bikes turning up on the runway and the extra skills required of pilots to avoid the risks inherent in flying close to the chalets: especially in windy conditions. The numerous chalets necessarily cover a considerable area a thus reducing the chances of avoiding them in an emergency. Therefore we will

be precluded from the exercising the type of aviation activity we have legitimately experienced for almost half a century.

Our aerodrome however, even with the prospect of continuing further unwelcome disadvantages, remains a legitimate private unlicensed aerodrome entity under my sole control despite assertions to the contrary.

Whilst I appreciate you understand the issues well I hope the Planning Authority will study the attached comments which are necessarily lengthy to explain the details for the public and interested specialist groups such as the All Party Parliamentary Group for General Aviation.

Ryedale District Council - Planning application 18/00580/MFUL

Comments from Petrateg UK Limited on the significance and impact of the independent Aviation Report on aviation safety at Wombleton dated 28 May 2019 and related matters on the proposed holiday chalet park with respect to public safety and associated risks.

Introduction:- The report commences with the overall brief York Aviation was asked by Ryedale District Council in April 2019 to provide technical advice relating to aviation safety in the context of a major planning application (18/00580/MFUL) for the construction of a number of static holiday cabins on land adjacent to an operational runway at Wombleton Airfield.

1 In considering the application it has to assessed whether the proposed chalet park is appropriately located: in particular whether the proposal is compatible with existing uses of neighbouring land: particularly in the case of aerodrome use. This is expressly referred to in the National Planning Policy Framework (formerly in Planning Policy Guideline 13). The Report, as per the introduction above, is thus highly relevant to ensuring that an acceptable standard for public safety for the occupants and visitors of the proposed chalet park with respect to aviation risks.

2 The use of neighbouring land has been an aerodrome legitimately established and used safely and without incident for over 48 years. In particular the proposed development is very close to or runway 17/35 and the Aviation Report focuses on safety aspects regarding the use of this runway.

3 The proposal for the holiday park needs to be assessed to ascertain whether it is indeed compatible with the established aerodrome, particularly runway 17/35 - not for the aerodrome to be assessed as to whether it can or cannot fit in with the completed chalet park development proposed. In particular the assessment should consider whether there is adequate public safety.

4 The Aviation Report identifies the present deficiencies and recommends the measures, in many cases quantifying them, which are necessary for adequate aviation safety at the aerodrome and thus logically what is required to deliver the acceptable standard of safety in the vicinity for the public occupying and visitors to the proposed chalet park. These measures encompass neighbouring land, viz that adjacent to runway 17/35 which is owned by the applicant, as well as the application area. These measures cannot be implemented by the application and therefore the application should be refused as the Report overall should not be

ignored. The proposed chalet park would be incompatible with the aerodrome on the basis, *inter alia*, that there are measures to mitigate aviation risks identified by the consultants which cannot be implemented.

5 On examining the content of the Aviation Report with respect to the requirements for aviation safety, Civil Aviation publications had been appropriately considered and in particular the criteria given by publication CAP 168, those for licensed runways, were identified as the necessary measures to be adopted for aviation safety according to the direction in CAP 793.

6 The measures correctly focus on obstacles as hazards to aviation as such would be a major factor for causation of an aviation incident putting the occupants of the proposed chalet park at risk of serious injury or death as well as destruction of property and fire. The measures necessary relevant to obstacles given in the Aviation Report fall into three categories based on 'Obstacle Limitation Surfaces' (the terminology as used in the CAA publications) as described below. These are imaginary surfaces covering specific areas through which no obstacle should penetrate vertically. It should be noted that Obstacle Limitation Surfaces are not necessarily part of the ownership of the aerodrome in question: indeed they are most commonly over land in other ownerships and in the case of major aerodromes/airports stretch for considerable distances.

7 There is the Transitional Obstacle Limitation Surface (TOLS) which is adequately described in the Report. It is a slope which commences at the outer edge of the 'Runway Strip' (an area to the side of the runway and to be distinguished from the runway itself) at ground level and is a surface progressing on an upward slope away from the 'runway strip'. The Aviation Report describes how this surface can be conformed with using height contours and the site plan revision 'G' has recognised this by moving the location of chalets Eastwards and adjusting the location and heights of trees etc. The areas affected by implementing the the TOLS are almost all within the application area. However implementation as inferred by the amended application would only result in a 'floating patch' of protection without an overall specific reference and condition linked to CAP 168.

8 Then there is the Approach Surface (APPS) which, as it infers, protects the area under the approach to land which is also in the application area. This area is referred to in the report and the plan revision 'G' indicates some conformity with this by a notation intended to refer to CAP 168 though mistakenly written as CAP 188 and thus requiring correction. The APPS surface has been the subject of further clarification by the writer in comment dated 26 June 2019 which we submit should be taken account of in a similar fashion to the TOLS above.

9 The third category in the Aviation Report, which again has CAP 168 as the basis (for full details see CAP 168 Chapter 3 para 3.35 et seque), is the 'runway strip'. It is an area extending laterally from the runway edge and along the long axis of the runway constituting a 'surface' at ground level. The Aviation Report describes it as effectively a safety envelope designed to be clear of obstacles for aircraft safety and continues with a precise calculation of it's extent laterally in the case of runway 17/35 which is 32.4 metres from the runway centreline. The lateral or outside edge of the runway strip is the commencement of the Transitional Obstacle Limitation Surface described above in para 7: the start of the upward sloping surface previously referred to. That portion of the runway strip runway strip to the East of runway 17/35 is mainly in the ownership of the applicant but is outside the application area. This ownership of the runway strip longitudinally does however run at least the whole length of runway 17/35. With respect to obstacles, the runway strip and aviation safety the Aviation Report states:- This obviously means the water containers must be removed and nothing else

vertical located along the strip over the full length of the runway.

10 Further the first conclusion in the Report states Provided the area immediately to the east of runway 17/35 as shown on the drawing WA-HL-1.1 Rev E is kept completely clear of obstacles including any form of ownership boundary fence it will serve as a suitable width of runway strip. There is no proposal by the applicant to desist from placing dangerous hazards in the area of the 'runway strip' and persistence of such behaviour constitutes deliberate creation of danger to aircraft and occupants as well as comprising aviation safety in the vicinity.

11 The runway strip, the surface to be free of vertical objects to conform with the criteria given in CAP 168, is totally ignored in the application even subsequent to the Aviation Report (prior to the Aviation Report the 'strip' could be considered as advisory only and as being 25m either side of the runway centreline as given in CAP 793 for an unlicensed runway but as the criteria given CAP 168 was advised as appropriate for safety for Obstacle Limitation Surfaces in this case it follows that CAP 168 is appropriate for the runway strip and this is indeed made clear in the Report).

12 If the runway strip is ignored then, due to the close proximity of runway 17/35, an adequate standard of public safety for the occupants of the chalet park will not be met and a significant chunk of the advice given by the Aviation Report will have been disregarded and therefore the application should be refused. Furthermore we submit the parties involved will not be fulfilling their responsibilities over the issue of public safety in the event of a consent if the runway strip Obstacle Surface is not addressed.

13 It is understood that the rationale to be put forward for disregarding the issue of obstacles in the Eastern runway strip is likely to be that part of the runway strip is outside the application area (essentially most of the Eastern half of the wartime runway) and that therefore the land cannot be the subject of conditions. However, especially with the relatively recent advent of the Aviation Report adding weight to measures for safety and the recent publication of the latest site plan revision 'G', professional advice has been sought. The outcome is an opinion by planning consultants that, whilst indeed the land cannot be conditioned, a section 106 agreement as provided for in planning legislation, plus other solutions, are possible in this case to formalise measures according to the criteria for CAP 168 to cover the runway strip and indeed other relevant Obstacle Limitation surfaces. I cannot see any contradiction of the tests given by the National Planning Policy Framework to preclude a section 106. In view of the simple pattern of the land ownership involved this would not be complicated. Such a measure would ensure an acceptable standard of public safety for the occupants of the proposed chalet park and also contribute to responsibilities being discharged.

14 We respectfully therefore urge the Committee to adopt such a course in the event that they are minded to grant a consent.

15 It would be perverse in the extreme if the delivery of public safety for the chalet park depended on transient and dangerous hazards to aviation being deliberately placed to deter flying activity and the legitimate use of our aerodrome - especially as placing such hazards is a potential offence as well as being life threatening.

16 Indeed to have an enforced Transitional Obstruction Limitation surface slope starting at ground level directly adjacent to a runway strip (which is in turn necessarily adjacent to the runway itself) which strip has no surface above and is therefore unlimited is an anathema. The idea with the Obstacle Limitation Surfaces around a runway is that they all join up to form one

'blanket' surface. With no runway strip surface the joining up is not possible. Light aircraft travel at around 100 mph in the vicinity of an aerodrome with a capability in all directions and may be deflected by obstacles or the wind so it is futile and almost meaningless to attempt to discriminate between an area with an Obstacle Limitation Surface (eg the TOLS) and an adjacent area without any limitation (eg the Runway Strip) when the distance involved is only a few metres. At 100 mph the time to travel, say, 100 metres, a significant distance when the chalets would be less than 50 metres away, would be just 2.25 seconds. This scientific certainty demonstrates the absurdity of any contention of adequate safety for the proposed development if runway 17/35 is affected.

17 The Report raises the subject of safeguarding. With respect to our unlicensed aerodrome the relevant CAA material is in CAP 793 Chapter 3. As is well documented I directly requested safeguarding with the Planning Authority, as is advised for all aerodrome owners by HM Government, three times (including one request direct to the Head of Planning) but my requests were ignored without even any acknowledgement. If the safeguarding liaison had been established many of the issues in flux at present would likely have been addressed almost a year ago. I consider this is a significant omission by the Ryedale District Council.

18 Similarly I have made requests to the Council for enforcement for removal over the erection of the bund with trees without the necessary planning permission which has contributed to the dangers created and resulted in the aircraft being marooned in the hangar with our pilots deprived of their legitimate right to use the runway for over 18 months. There has been no action over this and no definitive reply from the enforcement office and we have thus been left severely disadvantaged.

6.22 In response to the above statements, Members may want to note that Dr. Slater has been kept fully involved with the consideration of the application and was invited to meet with the Council, and this was undertaken on the 25 January 2019, regarding the extent to which the site would need to be set back to ensure safe operation of the runway.

6.23 Dr. Slater made a further representation on the 25 July 2019:

I, through my small aerodrome company and the 1972 planning permission, own an established and legitimate runway which does not conflict with the relevant CAA advisory only provisions in document CAP 793. Despite the current disadvantages of interference, which I will seek to have corrected by legal action in the absence of rectification by the perpetrators (the Council may be involved due to enforcement), I can continue with this status of runway if nothing changes in the vicinity. I am satisfied under normal circumstances (ie without the current interferences and with certified aircraft and qualified pilots etc) my runway has sufficient safety for my established use and the onus is on myself as to the prudence of it's use and consequent implications for public liability and insurance. For the 48 years of operation the chances of incurring such liability have been minimal.

Indeed under CAP 793 runway 17/35 could be currently and prudently used for certain small aircraft.

The applicant, Mr Gordon (Herbert), seeks permission for a chalet park partly adjacent and with the remainder in the close vicinity of my runway 17/35. This raises aviation safety issues as, especially with a significant public presence near runway 17/35, maintaining aviation

safety is important for adequate public safety. The public is affected by aviation safety issues as well as aviators. The independent Aviation Report expressly states at the commencement that the Report is relating to aviation safety in the context of the major application and repeatedly emphasises that the aim of the report is to assess the requirements of runway 17/35 use for safe operation. The specific requirements necessary for the runway and it's environs for aviation safety are explained in the Report and are those which are necessary for a runway to be licensed (Code 1A non-instrument) as specified in CAA compliance standards document CAP 168. In other words if my runway 17/35 is not made CAP 168 compliant with the same standards as for a licensed runway I cannot operate safely as per the CAA standards and this situation conflicts with the proposed chalet park.

Therefore the application is incompatible with my aerodrome and I firmly believe it should be refused if it goes to decision. The proposed development completed as per the application could not be safe as is the clear outcome from the Aviation Report.

It is not my responsibility to create the equivalent of the higher Code 1A runway from my existing runway to satisfy the requirements nor can I be forced to adopt one. I can legally continue with the status quo. For Mr Herbert to develop a chalet park then he will have to facilitate my runway being re-classified to the equivalent of a Code 1A licensed runway for compatibility of the proposed chalet park with my aerodrome. Notably only his involvement with his land and the appropriate planning matters need consideration by him to effect re-classification by completing the Eastern 'runway strip' as per the Report and CAP 168. No action or construction is necessary by myself. Indeed possibly fortunately for Mr Gordon (Herbert) my runway has the capacity for this. Furthermore the CAP 168 Code 1A standard would have to be subject to enforcing conditions or agreements affecting Mr Herbert's interest for which I could not be made responsible for either.

Furthermore if the Council grants consent on the current application as it stands, which application is not competent to deliver to the necessary CAP 168 Code 1A compliance standard, then the status of my runway 17/35 will have been changed to one that does not have the requirements for safe operation and, in the context of the application, disadvantageous and burdensome consequences would devolve involuntarily onto myself as a result of the completed development. In view of the large public presence living close by and spread densely over a wide area I would, inter alia, be exposed to potential significant public liability claims in the event of an incident for which I probably would not be able to obtain insurance. Lawyers and the Courts would condemn and penalise me for not operating safely and I would likely have little alternative except to have to cease operations to avoid this situation as I would likely be liable for not acting safely whatever the circumstances of an incident.

Under such circumstances I consider I would have a strong cause of complaint for legal actions against the Council and individuals: effectively a course to a chalet park in the vicinity without the protection of a CAP 168 compliant runway 17/35 would also preclude me from exercising benefits and rights I currently enjoy and could be the destruction of my business through the fault or omission of others.

Throughout this saga I have only minded and defended my own affairs and not interfered with others yet I and my pilots have had to put up with serious injustices and attempts to eradicate my business. I urge that the Planning Authority accept this statement as the up to date defining position re runway 17/35 and the chalet park.

If, importantly, the Planning Authority are minded to grant consent after evaluating the many other issues which have been raised by this application then there are solutions to avoid significant and unfortunate conflict over the aviation issue. There could be explorations to see if compatibility can be achieved. Section 106 or 'Grampian' conditions are a possibility in conjunction with other measures but I am advised they are not ideal. However Mr Herbert could withdraw the application and I believe one in a very similar format could be drawn up in conjunction with the LPA in which runway 17/35 is made available as CAP 168 compliant with provision for such to endure. Indeed I think this would be a remarkably simple exercise with minimal on site work now there is the benefit of the independent Aviation Report and, subject to satisfactory assurances, I would engage with Mr Herbert's professionals if it would assist.

I am not competent to advise on planning matters but it did occur to myself that an even simpler solution might be possible to create the CAP 168 Code 1A compliant runway 17/35. This would be by a further new linked planning application for the necessary 'runway strip' much of which falls on Mr Herbert's land between my runway 17/35 and the current application boundary. This would presumably save a vast amount of work and perhaps this can be considered.

- 6.24 In the first instance, the ability to consider revisions to the red outline, would delay this application's consideration further, and it is far from clear as to whether the proposal would indeed create a solution. Officers are of the view that the application should be considered as it is presented before Members. The land which Dr. Slater describes as being between the red outline and his runway 17/35 is already an airstrip- which has not been used for any other purpose, and compliance with a CAP 168 designation is the remit of the CAA as it is the standard of a licensed aerodrome. Therefore it is a civil/non planning matter concerning the status of this land and its compliance with aviation standards, and not something that the LPA can pass judgement upon.
- 6.25 The Local Planning Authority considers that the proposed development has been modified to such an extent that technical compliance with the revised plans, with appropriate conditions, can overcome the specific deficiencies which were clearly evident with the originally submitted scheme, including the removal of the bunding which wraps around the northern extent of runway 17/35. This is within the context of aviation safety in relation to pilot safety and plane operations. They have modified the proposals in accordance with the technical recommendations of York Aviation in this regard.
- 6.26 Since the last consultation, it has been noted by officers that whilst the proposal includes the CAP793 30⁰ splay either side from the midpoint of the runway (operational), at the north and south extent, there are two areas of land which are within the applicant's control but are not shown in the red outline (they are the other half of runway 17/35). It is not clear why they have not been included- it may be an oversight. Other parts are made parts of existing runways, a road, and farmed land. These other areas are not within the applicant's control, but are the existing uses and unlikely to present issues regarding vertical obstructions.
- 6.27 It is possible to apply conditions to land within both the red and blue land, but it is not possible to condition land outside of the applicant's control. The Council has therefore sought a legal view on this matter.

Conditions are capable of being worded to:

- Restrict access unless in connection with the cutting of the grass and there shall be no vertical obstructions (of any circumstance or description or function) in accordance with CAP 168 (not 188 as per the plan) within the area so identified on the plan, and in the Obstacle Limitation surface (OLS) area at any time, excluding grass cutting;
- Control details of a secure boundary fence which is to prevent unauthorised access into areas the Obstacle Limitation Surface (OLS) area;
- Approve details of warning signage; and
- Require the removal of the bunding as shown on the submitted plan

In many respects the conditions could impose greater restrictions on the surrounding land than if there was no development i.e. prior to the bunding. It does, therefore, act as a measure of safeguarding on the basis that the development is implemented in accordance with the approved plans and conditions. For example, Chattels that create a vertical obstruction but which do not require planning permission (as evidenced by the water containers), could be controlled by a planning condition.

6.28 However, such technical measures only go so far. This is because they are only considering the minimum standards for the safe flying operations, in relation to the runway and its immediate environs and in accordance with industry standards. They require a greater technical specification on the part of Dr. Slater's runway and its operation than the runway can presently achieve- because it is an unlicensed runway. Dr. Slater has explained how this would leave him vulnerable and unable to operate his runway because of the general concerns regarding aviation safety of the general public.

6.29 This section of the report has up until now focused on the safety considerations in terms of operation of the runway as that is the recognised, lawful use of the land. The responses of public safety has been raised in general, but most notably by Dr. Slater, and Mr Blyth, owners of the runways in question (17/35 and 04/22). This is also referred to in the independent aviation report, which raises the inherit safety issues for the general public, and that safe distance parameters are not sent out in a general guidance document. The independent report produced by York Aviation for the Local Planning Authority states the following:

We would lastly note that while it is acknowledged that building dwellings within approximately 50 m of a runway is for many reasons not advisable, in this case it does not conflict with any CAA guidance of compliance requirements of CAP 793 or CAP168. Any potential issues relating to noise or safety in this regard are beyond the scope of this report and would require significant further assessment.*

* As stated earlier the proposal is not for dwellings, as conditions would limit their occupation, but they would be resided in. This proposal does create the situation whereby a large number of people would be located within a relatively close distance of the runway which could, in the event of an emergency, leave them vulnerable. The properties would be capable of occupation 24/7.

6.30 The gist of the last response from Dr. Slater, (as Officers view it), is that

- a) the presence of the lodges in the relative proximity to his runway raises public safety issues; and
- b) the stipulations identified in relation to safe distances, etc. as part of CAP168, place

the onus on him to raise the standards of the runway, which he is unable to achieve. This would make it more difficult to obtain insurance. Because he is unable to meet CAP 168 it leaves him vulnerable in the event of an accident- irrespective of the cause, thus stymieing indirectly the operation of the runway.

Also, as discussed earlier there is only the means for the LPA to influence the scale, nature use of the development for which planning permission is sought- and not to change in any way shape or form the operation of adjacent land uses unless it is legally possible and necessary in planning terms. Whilst the applicant has stated these are civil matters, in response to Dr. Slater's responses, the end result is not. It is a material planning consideration to consider the compatibility of adjacent land uses, and to establish whether there are any conflicts.

- 6.31 Policy SP20- Generic Development Management Issues - 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 neighbouring 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.
- 6.32 It is considered that, despite the efforts of the applicant, the proximity of the runway to the holiday lodge scheme would on the balance of probability result in the prejudicing the operation of the runway, contrary to the provisions of Policy SP20.
- 6.33 Furthermore, despite the lack of technical details regarding what constitutes a safe distance for a development from a general aerodrome, Officers have borne the following in mind:
- The scheme, with 43 lodges, has the capacity to give rise to a significant number of people- occupants and visitors in proximity to the runway;
 - Whilst they will be not on the site simultaneously and at all times, the lodges would have the capacity to be occupied 24/7;
 - The speed of aircraft involved and their proximity to the site would mean occupants would have little or no time to react to an emergency event.

The level of risk is, considered by Officers, to be therefore raised significantly by these factors, over the current use of land, and indeed the operations of the potato store. Whilst the level of risk is by not quantifiable, Officers consider that it is not advisable, nor prudent, for the Local Planning Authority to place the general public in a site of this scale, for this use type, in such close proximity to a general aerodrome, unlicensed or otherwise. Policy SP20 states that new development which will result in unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. It is considered that despite the best efforts of the applicant, and the latest suggestions made by Dr. Slater, this application is not capable of complying with the policy requirements of Policy SP20. There is a material, and potentially significant increased risk, by virtue of the relative close proximity of the proposal to the runway. The nature of the use (human habitation on a significant scale) increases that risk further to the point where it is considered by Officers that the level of risk cannot be viewed as being acceptable.

Impact on Highways, Access implications for Pedestrians and Cyclists

6.34 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 Wombledon, to Nunnington and the B1257 beyond.

6.35 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 Wombledon 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.

6.36 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 Wombledon 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.”*

Since the application’s further revision these conditions have not changed substantially- although more signage is proposed where pedestrians are likely to be on the road.

The response from NYCC highways is that 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: tactile paving; drainage; crossing points and prescribed warning signs; road safety audit (stage 1 and 2) and programme of the completion of the work approved;*
- *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;*

- 6.37 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. In doing so objectors have often referred to the other scheme which has been permitted (18/00662/MFUL). Each proposal must be considered on its own merits. Although it is appreciated that if both schemes were to occur, there would be an increase in 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 direct comparison in traffic levels between residences and the lodges. They are for different uses, and will not ‘compete’ for facilities and services in the same way. Tourist enterprises, for example, do not result in peaks in traffic movements, resulting in the same levels of congestion (unlike residential development which has more marked travel patterns).
- 6.38 It is noted that references have been made in relation to dangers raised by the increased traffic density through the village of Wombleton. The LHA is satisfied that the highway implications are acceptable. The LHA has recommended the imposition of a condition 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.
- 6.39 Representations have been made concerning the provision of rights across the air field for the lorries which serve the potato store. The formation of the boundary fence impedes this access way. This would result in vehicles traveling along Hungerhill Lane, to the bottom of the village. As mentioned earlier in the report, however, this is a civil matter (it concerns rights of access), which could be withdrawn at any time, irrespective of the outcome of the planning application. As such vehicular movement resulting from any changes to rights of access currently experienced are not able to be considered as material to the general consideration of the impacts of the development on traffic movements. It is noted that, on the revised plans, gated access is provided.
- 6.40 The proposals are to provide, within the public highway, a footpath, subject to a s.278 Agreement with the NYCC as the Local Highway Authority. 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 all the way 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, cyclists 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 be likely to 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 use 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. The lack of footpath would be likely to present a barrier to pedestrians proceeding further along the road because of their concerns regarding safety. The Local Highway Authority has considered that in light of this issue of accessibility signage both on the road would be useful to alert drivers to the potential presence of pedestrians in the road.

- 6.41 In response to criticisms levelled at the proposals in 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). It is likely that this is an oversight by the applicant's consultants. The Local Planning Authority is considering the proposed use for tourist operations. Because permanent residential development in this location is, in the main, contrary to the spatial approach of the Local Plan Strategy.
- 6.42 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 again 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

- 6.43 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.”*
- 6.44 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.

6.45 The 2011 project 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).

6.46 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).

6.47 Views of the potato store are achievable. The holiday lodge site would ‘wrap around’ the potato store. 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.

6.48 The LVIA has noted that the north and west of the site is the most open, but views from the south can 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’.

- 6.49 The layout of the scheme originally reflected the landownership and the layout of the airfield, resulting in a very linear, geometric in form. The current on-site 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 of 2018 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 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. The surrounding landscape character, predominantly involves a mixture of native trees and shrub species. The bund and planting is also identified in the LVIA as being ‘insufficient’ as the proposed, 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 existing planting.
- 6.50 The need to respond to deliver a landscaping scheme which softened the views of the site and which also responds to the matters around aviation safety has been further considered. The periphery would be focused on shrub planting which has a varied depth. Native hedging and trees (standard and feathered) are proposed within the site to soften the units. They will be viewable, but they will be glimpsed through the vegetation. Woodland is proposed to be provided to the west of the potato store.
- 6.51 A tree survey was submitted in June 2019, to consider the impacts of the lodges on the existing trees. It categorised all the trees as being of Group B – of moderate quality and value, and of a condition that they make a substantial contribution to the site. It further states that the retention of category B trees should be considered during the design phase and afforded adequate physical protection during the construction phase where retained. Because of the layout of the lodges, about one third of the current trees in the northern section would need to be removed. There would still be some planting to the south, but it is not clear how effective this will be. This is particularly the case at lower levels to screening views of the potato store as experienced by the lodge occupants. Some planting will also be retained to the north, but much less than currently provided, the trees are relatively young and are still growing. Around each lodge all trees within a 3 metre radius would need to be removed. The report advises against the retention of trees in-between these areas of removal due to the risk of wind throw as the trees will be subject wind forces that the trees had previously been sheltered from. There is also the matter of installation of utilities runs; damage during construction, which can be averted through the use of barrier methods. An arboricultural method statement would need to be submitted and approved in writing, as would a detailed landscaping scheme specification if planning permission is granted.
- 6.52 Returning to the provisions of Policy SP8, the lodges will be viewable, but within the context of shrub planting and internal landscaping scheme which will soften the appearance of the lodges, internally and externally. Officers consider that the proposed use can now be accommodated without an unacceptable visual intrusion in the

landscape, subject to conditions to bring about replacement internal planting. As such it is considered that the proposal accords with both Policies SP8 (Tourism) and SP13 (Landscapes).

- 6.53 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.
- 6.54 The layout has been revised, involving the use of more trees and shrubs within the site. It is considered that the design of the cabins is acceptable, and their positioning is now not as dense as previously submitted, with the parking for the units provided closer to each cabin. As such it is considered that the layout and design of the site, in conjunction with the revisions to the landscaping now results in a development which complies with the requirements of Policy SP16 regarding design.

Amenity Matters

- 6.55 The Council's Environmental Health 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. Although the current physical obstructions have clearly hindered operation of the runway. The noise report has described the runway as being disused, and this is not the case. It is appreciated that based on the current use of the land, there are no amenity issues raised by aircraft that can be taken into consideration. The lodges have been set back in the site, and this has reduced, but not eliminated, the likelihood of issues raised in relation to aviation noise. In the opinion of Officers, this still represents the potential for intermittent, though not as significant disturbance through planes (light aircraft) taking off and landing in close proximity to the lodges closet to the runway.
- 6.56 The scheme has been revised so that no lodges are in the 'flight path', and they are set back, the closest is now at c.50metres. This is an improvement on the original submission. There is also the potential demand for the air strip for emergency landings- and these could be day or night.
- 6.57 Officers considered that but for the odd exception, it would not be seen as particularly desirable for the identified owners/renters of the proposed lodges to be sited next to an active runway, although it is hard to ascertain what the precise impact would be. If permission is granted, this has the potential to increase such issues and therefore has the potential to give rise to future complaints about the operation of a long-standing use.
- 6.58 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 potato 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.

- 6.59 The Environmental Health 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 Environmental Health 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).

- 6.60 The previous committee report set out that this raises significant 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 unless the owner of potato store permits any controls/measures.

- 6.61 The applicant consulted on an earlier revision (December 2018) which involved the installation of a 9.5 and 7.5 metres high acoustic fence. It rapidly became clear to all parties that such an approach would create more problems (landscape impact/poor outlook/cost/maintenance/construction costs) vs. uncertain effectiveness. It was dropped in favour of the application of acoustic louvres, and work began in relation to the drafting up of the agreement to permit their installation.
- 6.62 On the 13 December, the adjacent landowner and owner of the Potato Store, Mr Rooke, wrote to advise the LPA that the applicant had made contact with him concerning reducing the noise of the potato store, and that the store is in use and is not for sale. Seven months have elapsed, and at the writing of the report, both the applicant’s solicitor and Mr. Rookes Solicitor have confirmed that a s.106 unilateral undertaking is in the process of being signed by the applicant, the owner of the potato store and their mortgage lender. In summary, if that agreement is signed, it would ensure that the installation, operation and maintenance/repair/replacement the noise attenuation louvres can be delivered. What is not certain is that the louvres will actually achieve the levels of noise reduction required by the Environmental Health Officer. The applicant has agreed to any pre-commencement conditions, in principle. A negatively worded pre-commencement condition would be required to prevent the development from occurring in the event that the mitigation was not sufficient:

In order to protect the holiday lodge's occupiers from excessive noise Ryedale District Council imposes conditions using the highest standards of BS8233 : 2014 and the World Health Organisation guidelines, these state that measured at 1 metre from the façade of the dwelling nearest the source of noise maximum daytime levels (07:00 – 23:00) should not exceed 50dB LAeq allowing for a 15dB attenuation with partially open windows and night time (23:00 – 07:00hrs) 45dB LAeq allowing for 15dB attenuation with partially open windows.

Prior to commencement of the development (not including the retrospective bunding) the attenuating louvres shall be installed to the potato store, monitoring evidence shall be provided in writing to the Local Planning Authority that demonstrates, with the potato store in fully operational mode, attenuation to the above levels under the above circumstances, has been achieved. Those louvres shall be so maintained to ensure that in the noise attenuation is maintained in perpetuity for the protection of the occupants of the holiday lodges.

Reason: In accordance with Policy SP20 of the Adopted Ryedale Plan- Local Plan Strategy to ensure that satisfactory level of amenity is provided to the occupants of the holiday lodges.

- 6.63 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, some of the units are more likely to be affected than others. There is still the existing woodland planting which currently affords a good level of screening to the north and south of the potato store, but as discussed in paragraph 6.51; that level of planting will diminish. It is not fully clear what will be experienced by the occupants of the proposed lodges in the interim, particularly those to the north who are within the wooded area, which will not be as densely planted. A loss of view for current residents is not a material consideration, but an adverse amenity to prospective occupants of the site is a material issue. A condition could be imposed, as part of the wider landscaping scheme to respond to this issue.
- 6.64 The proposed manager's accommodation would constitute a residential dwelling, (albeit limited to being occupied in connection with the management of the site). In the interests of the protection of residential amenity in principle, this requires specific consideration. Initially, the scheme proposed that this 'dwelling' was situated on land which straddles both the land to the potato store, and the runway. This raised issues in relation to noise from the potato store and the runway. The dwelling is now sited in such a position as to be the unit which is positioned as far away as possible from both the potato store and the runway (on the eastern elevation c.137m from the runway). This reduces the impacts considerably, subject to the successful application of appropriate noise mitigation of the potato store.
- 6.65 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.

- 6.66 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, without mitigation occupants of the lodges would be subjected to an unacceptable level of noise which would be extremely disruptive. There is an approach which could be undertaken, but it is wholly dependent on the signing of the s.106 unilateral undertaking. As such it is considered that at the time of the writing of the report (without the completed and signed s.106 unilateral undertaking), and the application of the above-worDED condition this development would remain incompatible with the objectives of Policy SP20. Any further updates on this point will be considered at Committee.

Flood Risk, Surface Water Management and treatment of Foul Water

- 6.67 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.
- 6.68 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.
- 6.69 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.

- 6.70 In conclusion, it is considered that the proposal satisfies Policy SP17 which is concerned with the protection of natural resources and minimising the risk of flooding as a result of new development.

Ecology

- 6.71 The site is a mixture of coniferous and deciduous plantation, some of which has been removed, and rough grassland. A number of the consultation responses have referred to the formation of drainage ditches and the consequential adverse impacts on the wildlife. This is not substantiated, but the ditches will have changed the surface water regime in the locality. 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."
- 6.72 The previous report to Committee outlined that an ecological survey had not been provided as part of the application, which was validated without the survey. The applicant has provided two surveys, one which considered general ecological mitigation measures, provided the day before the December 2018 Committee meeting. The second, provided in response to the York Aviation Report, was submitted in June 2019, to avoid vertical obstructions, and habitats which would attract birds, in particular.
- 6.73 The preliminary ecological survey concluded:
- No impact on statutory designated sites or local Sites of Importance for Nature Conservation (SINCS);
 - No loss of priority habitats;
 - No negative impact on the following species: badgers; voles, otters or native white clawed crayfish, Great Crested Newts or other amphibians, roosting bats, reptiles, hazel dormouse; red squirrels due to the lack of suitable habitat;
 - No negative impact on foraging bats, this was on the basis that no habitats were changing- the scheme is now within the northern area of woodland, which would undergo change as part of this proposal.

It suggested further, native planting, nest boxes and bat boxes.

- 6.74 Given the aviation safety considerations, and the changes to the layout and the effect on trees, the following ecological enhancements are therefore related to ground level features:
- 1no.Artificial badger sett, positioned at the north west corner of the site; no maintenance required
 - 2no.Amphibian and reptile hibernacula – by using a rock pile covered with soil to the sides and rear only in the retained bunding; no maintenance
 - 2no.Grass snake breeding Piles- manure tipped adjacent to the bunds- well away from the lodges; replenished c. every 5 years
 - 4no. Hedgehog homes, sheltered beneath areas of scrub;
 - 6no. Bat boxes;
 - 6no. Insect houses, located close to flowering plants;
- The latter three items just need to be checked periodically to ensure that they have not been vandalised
- All the features are marked on a map

As such, it is now possible to state that the proposed development is able to broadly accord with Policy SP14, without raising issues concerning aviation safety in respect of the operation of the runway, conditions would require the implementation of the proposed measures, if planning permission is granted.

- 6.75 Concerning the matter of the Himalayan Balsam it is a recognised invasive species, and the site Officer's visit confirmed its presence. The ecological survey did not identify it, but it was undertaken in November 2018. It is however, a civil matter, accepting the bunding upon which it came in on- is operational development which needs planning permission in its own right.

iv) Wider considerations-

Economic Benefits

- 6.76 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 Policy SP21.
- 6.77 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 consideration. 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 that are only 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. 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 was previously considered difficult to identify the extent of the benefits of the scheme that are required to be balanced against the harm identified concerning adjacent land uses. Whilst this remains difficult to quantify the wider economic benefits, the elements of harm identified remain incapable of mitigation, and so do not outweigh the benefits of the scheme.

Crime

- 6.78 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. No objections to the proposal are raised in relation to the designing out crime issues.

Heritage

- 6.79 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 Wombledon 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

- 6.80 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. It is anticipated that in the rural areas there will be other uses, such as tourism accommodation, which are compatible with being in a less sustainable location. This is an appropriate 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.
- 6.81 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.
- 6.82 The land on which the application sits is not considered to be of significant agricultural merit by virtue of the trees and adjacent uses.
- 6.83 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 and remediation if any is required.
- 6.84 As such is considered that the proposal raises not conflict with the policy requirements

iv) Conclusion

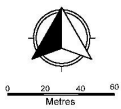
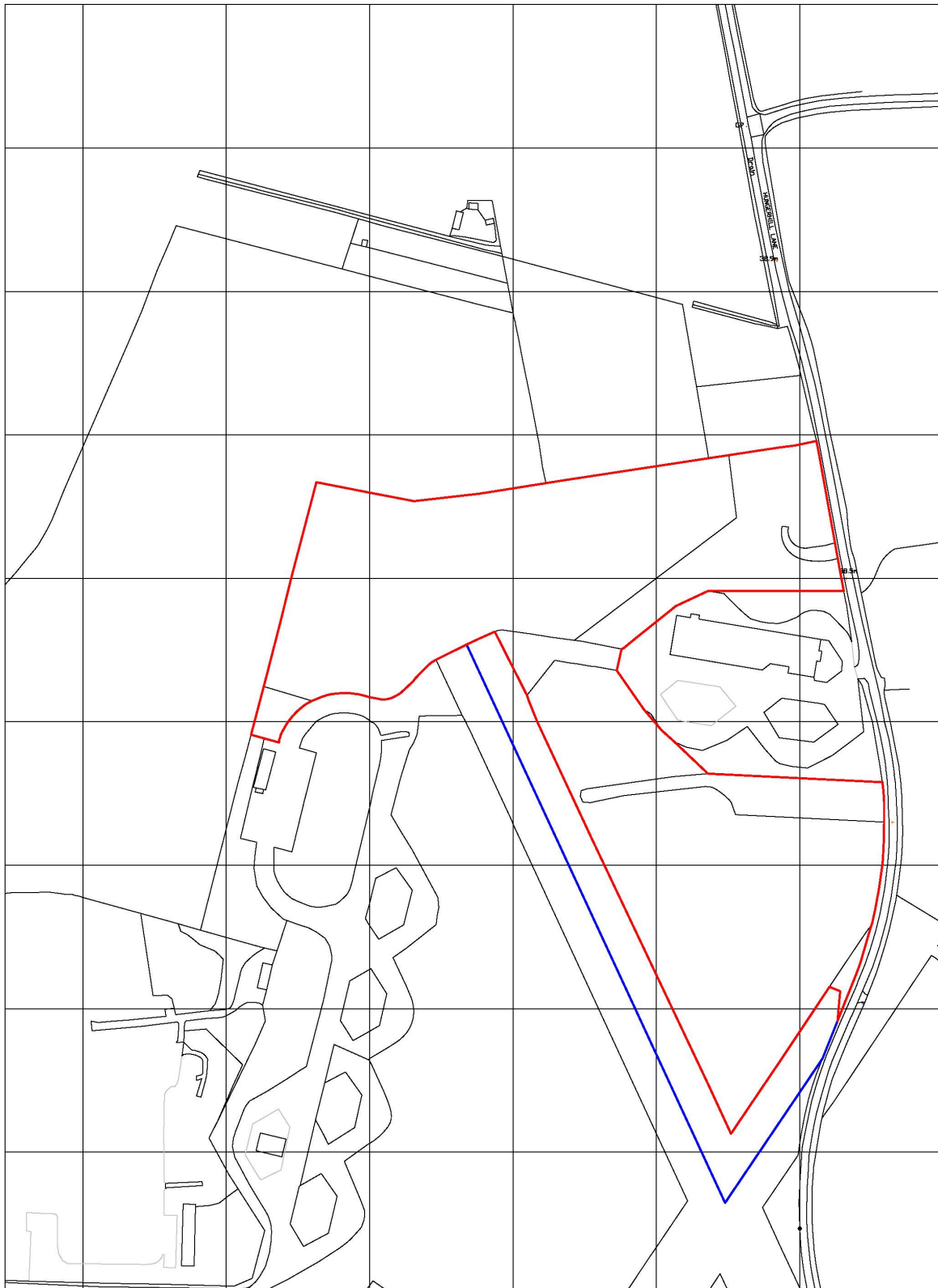
- 6.85 This application has been with the Local Planning Authority for a considerable period of time, and during that time the applicant has amended the scheme on a number of occasions, sought to secure a legal agreement, and much work has been undertaken to explore whether the proposal could exist in harmony with the adjacent land uses.
- 6.86 However, whilst aviation safety has been taken into account considering how the scheme responds to meeting the CAA's technical guidance standards known as CAP 793 and CAP 168, they have inadvertently created a situation which would stymie the operations of the adjacent runway by requiring its operation to safety standards it is not capable of achieving based on the current runway, (CAP 168).
- 6.87 This is not a civil matter because irrespective of whether the fettering question is a civil matter or a matter of technical compliance with industry standards, the presence of the lodges affect the ability of an adjacent land use to operate, contrary to Policy SP20.
- 6.88 The report provided by York Aviation is clear. Whilst the proposed revised layout does not contravene CAP 793 or CAP 168 (as these technical guidance documents do not set fixed parameters about how far development should be sited from the runway) the proposed nature of the use of the site by members of the public, at the scale proposed by this application, does raise inherent safety questions which the Local Planning Authority cannot provide any authoritative answers to address. The proposal is considered to be incapable of ensuring the safety of the occupants of the lodges. Therefore, it is considered that despite the efforts made to bring the scheme into a state of broad Plan compliance (save the impending s.106 legal agreement), it is not considered that it can meet the requirements of Policy SP20, as there is considered to be an unacceptable risk to human life, health and safety or unacceptable risk to property.
- 6.89 Furthermore, the lodge development is proposed adjacent to an active general aerodrome, and runway. The holiday lodges would not be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses, and in terms of aviation safety risk, and would prejudice the continued operation existing neighbouring land uses (potentially the aerodrome as a whole, but in particular, runway 17/35).
- 6.90 If Members are minded to refuse this application, Members are advised that enforcement action is authorised to secure the removal of the unauthorised earth bunds from the site. If Members are minded to approve this application, it considered that Members seek to give delegated powers to the Head of Planning to agree any pre-commencement conditions together with a detailed schedule of conditions. Officers have indicated the specific detail of some conditions in the report, and indicated their general application of other conditions, where relevant.
- 6.91 However, on balance, the application is recommended for refusal for the detailed reasons set out below:

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



Notes:



Client: GraceMax Ltd

Title: Change of use of former aerodrome to allow the siting of up to 43 timber clad static holiday units including manager's accommodation, reception / office Land west of Hungerhill Lane, Wombledon Airfield, Wombledon

Date: 14.6.19

Scale: 1:1000 @ A1

Drawing ref: WA-HL- 1.1 - Rev G

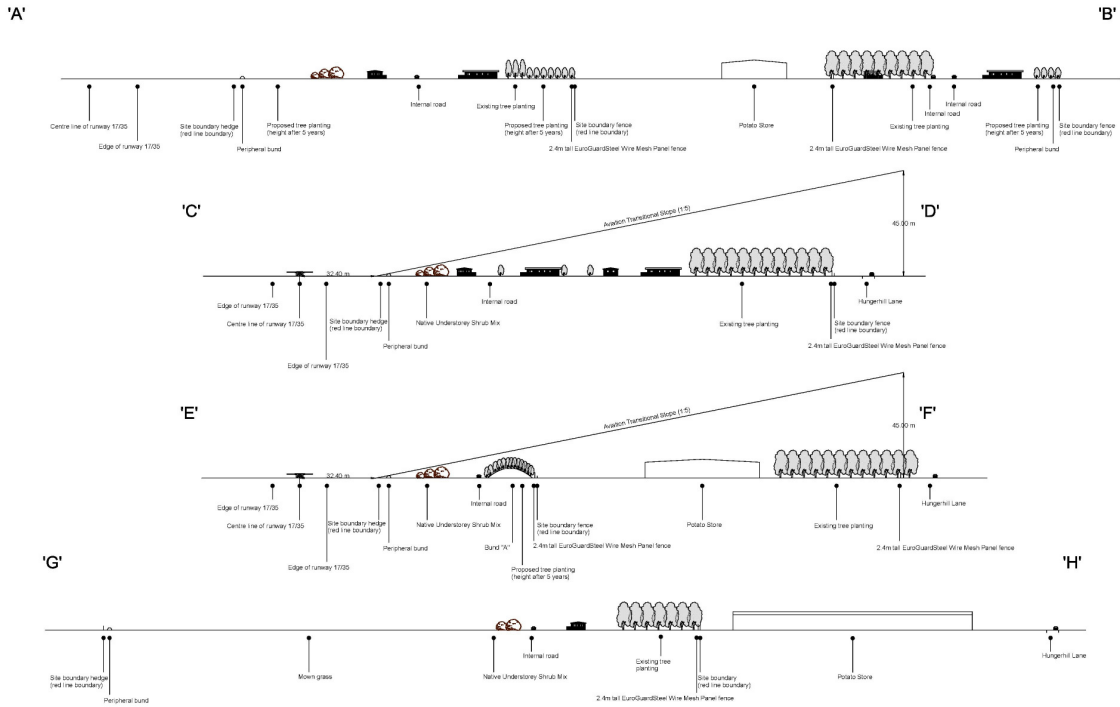
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PE28 0TL Tel: 01480 860862

Date valid 21/06/2019

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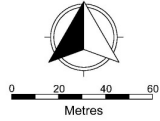
Site Sections



Notes: Date Valid 07/06/2019

REVISED PLAN

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Client: GraceMax Ltd

Title: Change of use of former aerodrome to allow the siting of up to 50 timber clad static holiday units including manager's accommodation, reception / office
Land west of Hungerhill Lane, Wombledon Airfield, Wombledon

Date: 6.6.19

Scale: 1:1000 @ A2

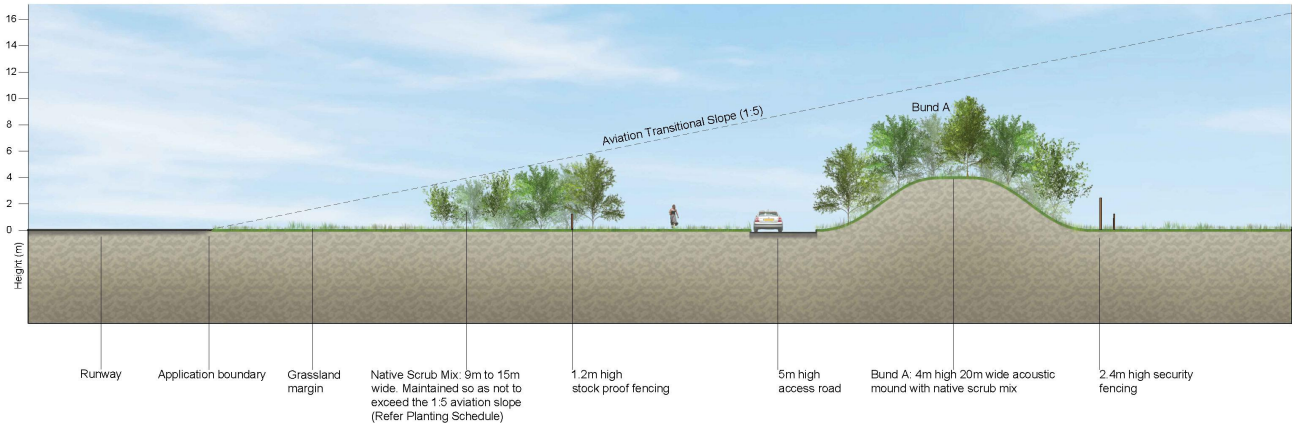
Drawing ref. Drawing ref. WA-HL-1.9 - Rev C

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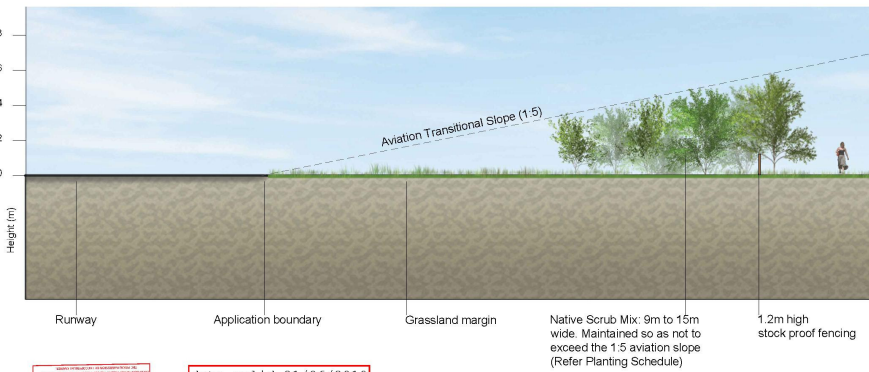
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Huntingdon
Cambs
PE28 0TL

Tel: 01480 860862

Typical Section Through 'Bund A' and Western Boundary



Typical Section Through Western Boundary



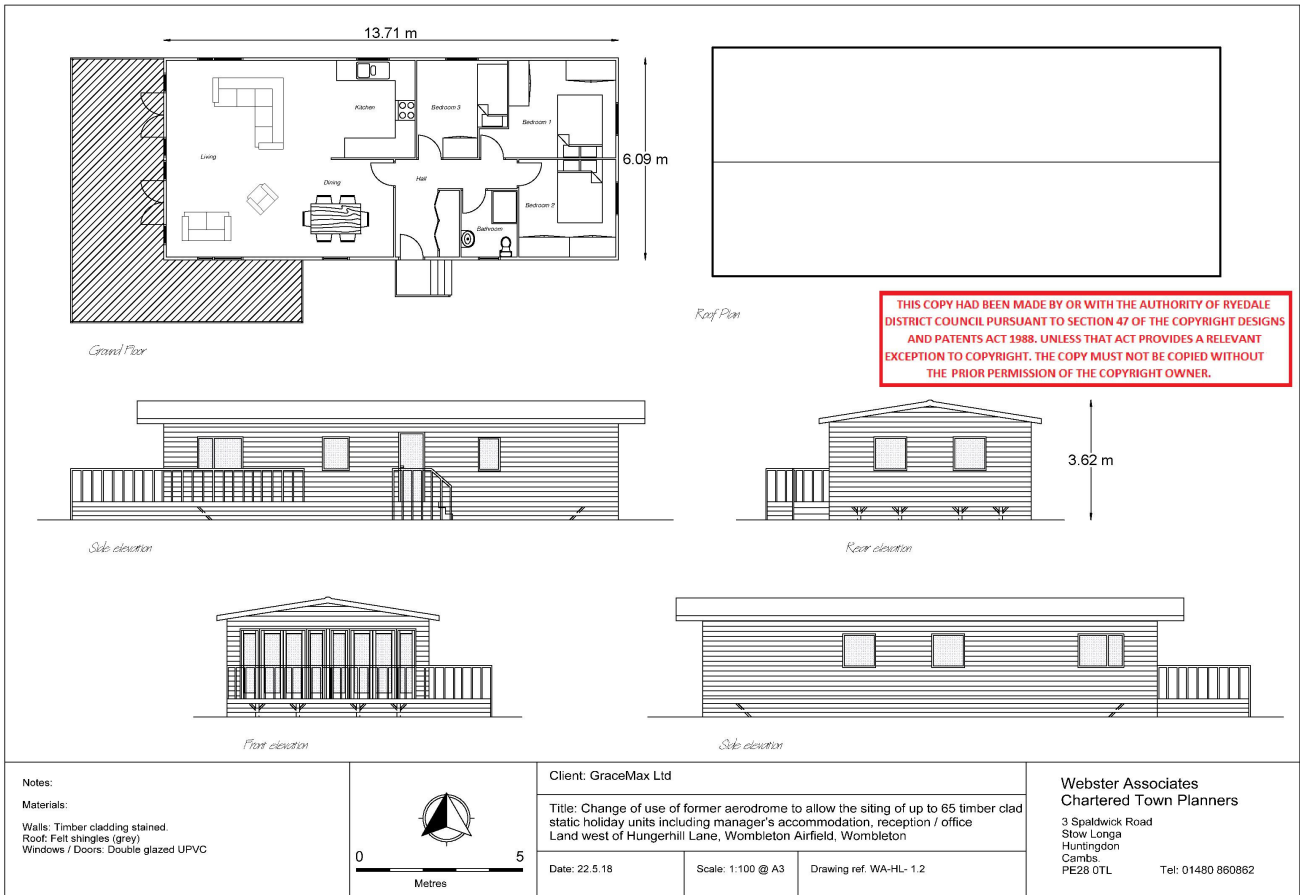
Native Scrub Mix

Species	Size (cm)	Type	Mix %	Spacing
Cornus sanguinea	40-60	1u1	10	1m centres
Crataegus monogyna	40-60	1u1	20	1m centres
Corylus avellana	40-60	1u1	10	1m centres
Ilex aquifolium	30-45	2 ltr cont	5	1m centres
Prunus avium	40-60	1u1	10	1m centres
Prunus spinosa	40-60	BR 1u1	15	1m centres
Rosa arvensis	40-60	1u1	10	1m centres
Sorbus aucuparia	60-90	1u1	10	1m centres
Viburnum opulus	40-60	1u1	10	1m centres

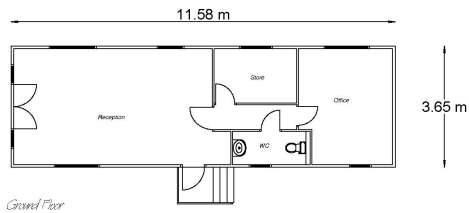
Client: Gracemax Ltd				
Project: Holiday Accommodation on Land West of Hungerhill Lane, Wombledon Airfield				
Title: Typical Boundary Section Details				
Scale: A3 as shown	Date: 17.06.19	Drawn by: CD	Reviewed: NR	
Drawing No: 04				
			<small>DRaw (UK) Ltd 80th Floor York Road Leeds LS15 4TA T: 0113 2622871 E: info@draw.co.uk www.draw.co.uk</small>	

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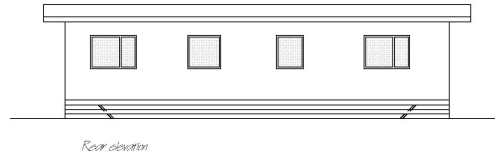
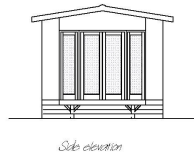
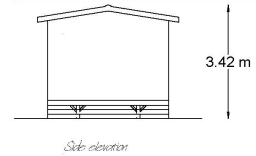
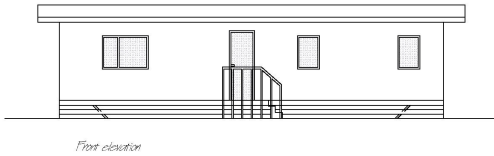
date valid 21/06/2019



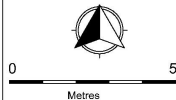
Reception / Office



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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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3 Spaldwick Road
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date valid 21/06/2019



NOTES.

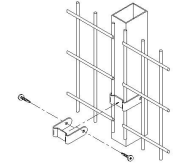
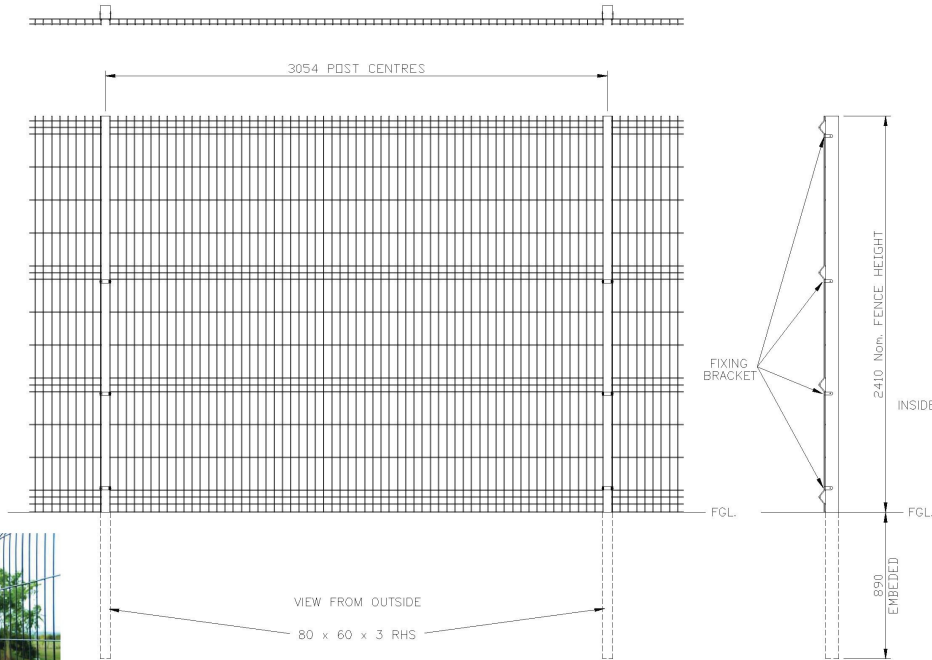
ALL DIMENSIONS ARE IN mm (U.N.O.)
GAPS UNDERNEATH GATES & FENCING
ARE NOMINAL DUE TO GROUND LEVELS.

Materials.

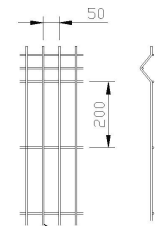
FENCE POSTS – 80 x 60 x 3 RHS

Finish.

GALVANISED TO BS EN ISO 1461:1999
POWDER COATED: IF REQUIRED



FIXING BRACKET
DETAIL



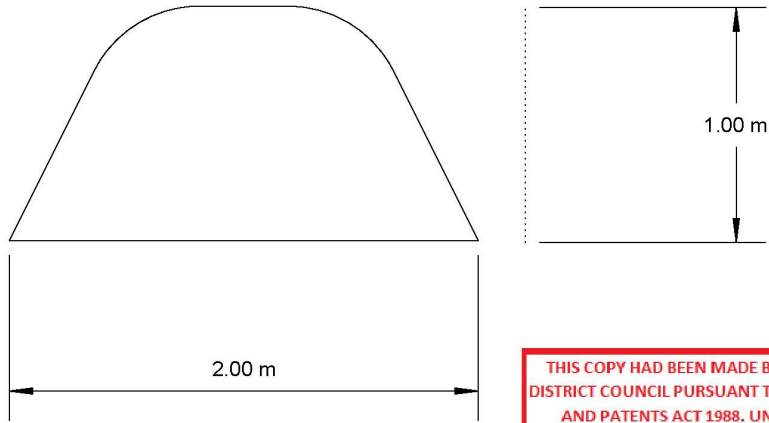
MESH
DETAILS



Fence line between points 1 - 4 on drawing ref. WA-HL- 1.1 - Rev G. Gates of a similar height and design to be installed between points 2 - 3

<p>Jacksons FINE FENCING</p> <p style="font-size: small;">Stowling Common Near Ashford, KENT. TN25 6BN Telephone : 01233 750393 Fax: 01233 750403 Int. Tel : +44 (0)1233 750393</p> <p style="font-size: x-small;">This Drawing Is The Property Of H.S. Jackson & Son (Fencing) Ltd. And May Not Be Copied Or Reproduced In Any Way Without Prior Written Permission.</p>	<p>④ 25/02/11 50mm Wire Centres ③ 04/01/10 Panels Corrected ② 10/11/09 SHEET No. ① 29/09/08 Panel Width Now 3m ① Original Issue</p>	<p>Drawn S.Leeper Date 15/06/06</p>	<p>TITLE SALES DRAWING FOR REGULAR 2.4mH EUROGUARD FENCING</p>
		<p>Checked Chris J Size A3 Scale N.T.S. U.O.S</p>	<p>CUSTOMER ACK No.</p>
		<p>Drawing No. WA-HL- 1.10 - Rev</p>	

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	

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

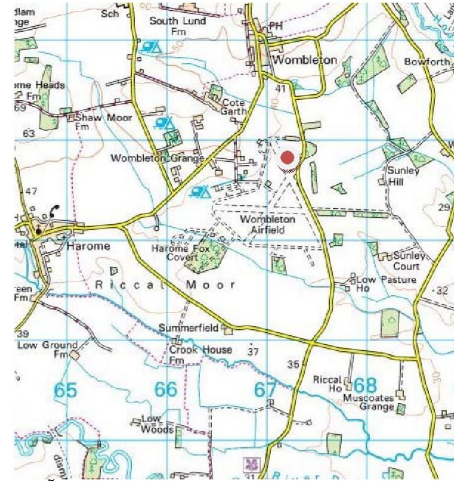
SITE CONTEXT AND ANALYSIS

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.

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.

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.

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

Subject: Consultee Comments for Planning Application 18/00580/MFUL

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 9:19 PM on 07 May 2019 from Mr Wombleton Parish Council on behalf of Wombleton Parish Council.

Application Summary

Reference: 18/00580/MFUL

Address: Field Off Hungerhill Lane Wombleton Kirkbymoorside
Change of use of part of airfield land to allow the siting of 50no. 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

Proposal: 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 with fencing

Case Officer: Rachael Balmer

[Click for further information](#)

Comments Details

Comments: Object for the same reasons as given in December 2018. In addition, Council would like to permanently object to this application until such time as it has been deemed that the sister application for 29 units which has been granted proves to be a success and that further units are actually necessary.

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

Proposal: 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

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: 19/00144/MFUL
Parish: Sherburn Parish Council
Appn. Type: Full Application Major
Applicant: Mr Richard Cundall
Proposal: Erection of agricultural livestock building for the fattening of pigs with area of hardstanding and 2no. feed bins
Location: Land To The East Of Sherburn Wold Farm White Gate Sherburn Malton North Yorkshire

Registration Date: 8 February 2019 **8/13 Week Expiry Date:** 10 May 2019
Case Officer: Alan Hunter **Ext:** 43276

CONSULTATIONS:

Sustainable Places Team (Environment-Agency Yorkshire Area) No objection
Flood Risk Further information required
Yorkshire Water Land Use Planning
Sustainable Places Team (Environment-Agency Yorkshire Area) Object
Flood Risk
Sherburn Parish Council
Highways North Yorkshire No objections
Environmental Health Officer

Neighbour responses:

Overall Expiry Date: 14 June 2019

Introduction

This application was deferred at the June meeting of the Planning Committee for the submission of additional drainage information in order to satisfy the requirement of the Lead Local Flood Authority. A copy of the earlier report is attached for ease of reference.

A detailed Drainage Feasibility Report has been submitted by Alan Wood Associates and this has been forwarded to the LLFA for their final comments. The report seeks to address the points raised in the earlier LLFA response and concludes that the new development proposed can be designed and constructed to satisfy both local and national policy considerations.

The final comments and any requirements of the LLFA are awaited and will be reported on the Late Pages or at the meeting.

RECOMMENDATION: **Approval subject to the conditions listed below and the final requirements of the LLFA**

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 Prior to the construction of any external walling, samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

- SITE LOCATION PLAN;
-ML/RV/5801;

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

INFORMATIVE(S)

- 1 The applicant/developer is advised to consider the consultation response of the Environment Agency dated 15th April 2019

Previous Committee report – 18th June 2019

Item Number: 9
Application No: 19/00144/MFUL
Parish: Sherburn Parish Council
Appn. Type: Full Application Major
Applicant: Mr Richard Cundall
Proposal: Erection of agricultural livestock building for the fattening of pigs with area of hardstanding and 2no. feed bins
Location: Land To The East Of Sherburn Wold Farm White Gate Sherburn Malton North Yorkshire

Registration Date: 8 February 2019
8/13 Wk Expiry Date: 10 May 2019
Overall Expiry Date: 13 March 2019
Case Officer: Alan Hunter **Ext:** 43276

CONSULTATIONS:

Yorkshire Water Land Use Planning	No response received
Sustainable Places Team (Environment-Agency Yorkshire Area)	Object without adequate hydrogeological risk assessment
Sherburn Parish Council	No response received
Highways North Yorkshire	No objections
Environmental Health Officer	No objections
Flood Risk LLFA	Require additional information, further response awaited

Neighbour responses: No responses received

SITE:

The site lies within open countryside, located to the south-west of Sherburn. The site is also within the Yorkshire Wolds Area of High Landscape Value.

The site is part of an arable field within an existing agricultural unit spanning Sherburn Wold Farm and Jackson's Wold Farm. The farm operates a mixed arable and livestock enterprise. The existing livestock element of the enterprise includes a 16,000 bird free range egg laying unit.

Access to the site is obtained via the existing farm access from Whitegate.

PROPOSAL:

Planning permission is sought for the erection of a livestock building that will approximately measure 91 metres by 18.2 metres and be 4.8 metres to the eaves height and 7.4 metres to the ridge height. The building will house up to 2,000 pigs. The proposed building will be located to the northern side of the farmstead on a separate parcel of land. It is proposed to clad the buildings in tantalised timber boards, concrete panels and box profile tin sheeting under a fibre cement sheeted roof in natural grey.

HISTORY:

There is no relevant planning history for this particular site.

POLICY:

National Policy

NPPF 2019

NPPG 2014

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

Policy SP13 - Landscapes

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:

- Siting, scale, design and external appearance of the building;
- Impact upon the special scenic quality of the Area of High Landscape Value;
- Highway safety;
- Landscaping;
- Impact upon the amenity of the adjoining neighbours; and
- Drainage.

Siting, scale, design and external appearance of the building

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

In this case, the proposed building is located approximately 200 metres north of the farm stead. An accompanying letter from a vet supports the separation of the proposed building from other buildings on the farmstead in the interests of animal welfare. There is a mature shelter belt of trees along the southern boundary of the site, thereby limiting any views of the building from the south. The surrounding topography also limits any public views of the building to snatched glimpses of the roof of the building from a lightly used road to the west. As such the siting of the proposed building is considered to be acceptable in this case. The buildings are of a simple pitched roof design which is typical of other livestock agricultural buildings of this nature, elsewhere in the District. It is considered preferable for the roof to be clad in a darker colour than natural grey fibre cement sheeting in order to reduce the visual impact. A condition is recommended to control the exact materials.

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

Policy SP13 of the Local Plan Strategy seeks to protect the special scenic qualities of the Yorkshire Wolds Area of High Landscape Value. The impact of the proposed development upon the character of the wider landscape is considered to be minimal with very limited public views of the building. As a result the proposal is not considered to be visually intrusive or to result in a material adverse effect upon the scenic qualities of the surrounding landscape. The proposal is considered to comply with the requirements of Policy SP13 of the Local Plan Strategy.

Highway safety

The application site is served by an existing access. The Local Highway Authority has no objection to the proposed development.

Impact upon the amenity of the adjoining neighbours

The nearest residential dwelling is 1.4km to the north east of the site. In view of the separation distances, there is considered to be no adverse impact upon the residential amenity associated with nearby property, by virtue of noise, odour or dust.

Drainage

The Environment Agency and the Lead Local Flood Authority (LLFA) have both requested additional information regarding surface water drainage and the impact of the proposal upon groundwater. The site is located within a Ground Water Source Protection Area, Category 3. A detailed report from a hydrologist has been commissioned by the applicant to address the issue and the final views of the Environment Agency and the LLFA are awaited. Members will be updated at the meeting or on the Late Pages.

Conclusion

In view of the above, subject to the resolution of the outstanding drainage issues, the recommendation on this application is one of approval.

RECOMMENDATION: **Approval subject to the resolution of the outstanding drainage issues**

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 Prior to the construction of any external walling, samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

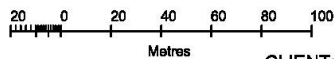
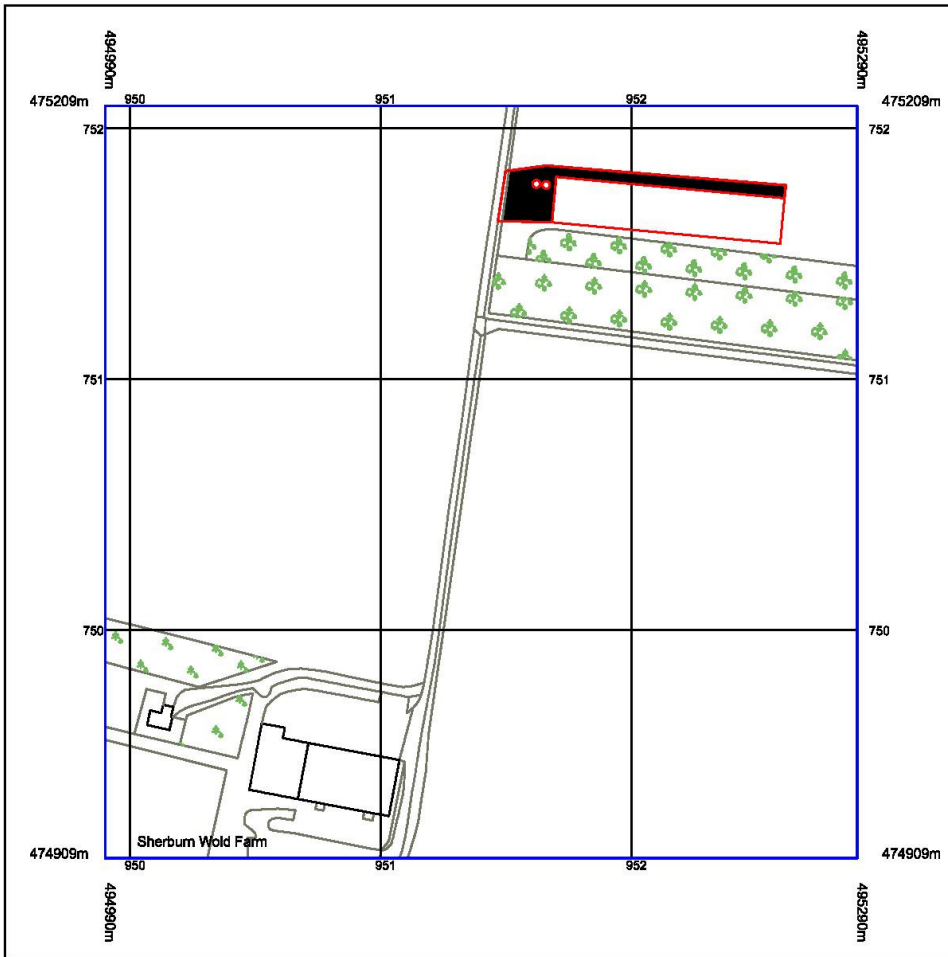
- Site location plan;
- ML/RV/5801;

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

INFORMATIVE(S)

1 The applicant/developer is advised to consider the consultation response of the Environment Agency dated 15th April 2019.

Stanfords VectorMap



CLIENT: MR R CUNDALL
 PROJECT ; NEW AGRICULTURAL LIVESTOCK
 BUILDING (PIG FATTENING)

SHERBURN WOLD FARM, SHERBURN
 MALTON, YO17 8QJ

date valid 08/02/2019

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Land to East of Sherburn Wold Farm

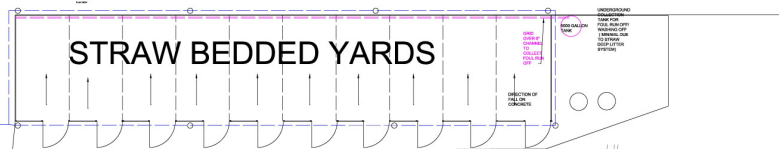


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Organisation	Not Set
Department	Not Set
Comments	
Date	10/06/19
MSA Number	Not Set



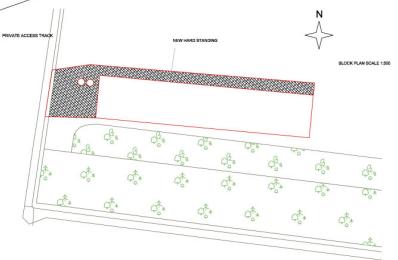
STRAW BEDDED YARDS TO COMPLY WITH LOCAL CODES

<p>OWNER: City of Vancouver PROJECT: 273 1. 10000 10th Avenue, Burnaby, BC 2. 10000 10th Avenue, Burnaby, BC 3. 10000 10th Avenue, Burnaby, BC 4. 10000 10th Avenue, Burnaby, BC</p>	<p>CLIENT: MR & MRS. J. & K. L. SMITH PROJECT: 10000 10TH AVENUE, BURNABY PROJECT: 10000 10TH AVENUE, BURNABY PROJECT: 10000 10TH AVENUE, BURNABY PROJECT: 10000 10TH AVENUE, BURNABY</p>	<p>DATE: 1 FEBRUARY 2019 DRAWN BY: J. SMITH CHECKED BY: J. SMITH SCALE: 1/8" = 1'-0"</p>
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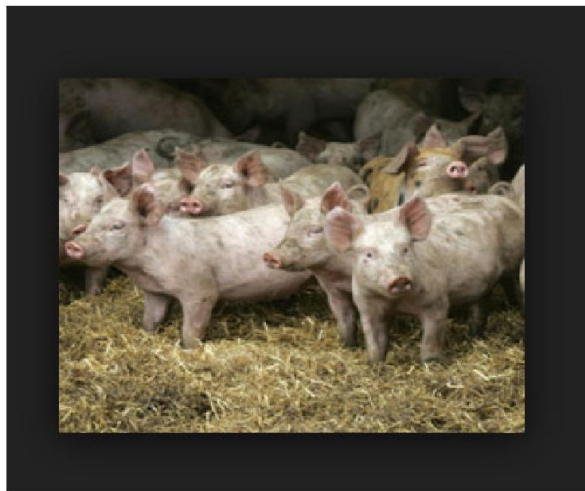
REVISED PLAN

DATE: 10/15/2019



ML Planning Consultancy Ltd

Design and Access Statement
Full Planning Permission
New AGRICULTURAL LIVESTOCK BUILDING FOR
FATTENING PIGS
MR R CUNDALL
SHERBURN WOLD FARM
SHERBURN
MALTON
EAST YORKSHIRE
YO17 8QJ



CONTENTS

1. Introduction and background
2. Agricultural enterprise
3. Scale
4. Landscaping
5. Neighbour amenity
5. Access

1. Introduction and background

This statement has been prepared on behalf of Mr Richard Cundall of Sherburn Wold Farm in support of a full Planning Application for a new pig fattening building.

Mr Cundall has an established agricultural business at the site comprising 950 acres of arable land growing potatoes, barley, oilseed rape and wheat. In addition, there is a 16000-laying bird unit on the farm, which was approved under application number 10/00014/MFUL

This proposal is a new aspect of the business, and it entails fattening pigs from weaned (4 weeks old) up to 50 kg in live weight. This is in a contract with Westgarth Ltd, who provide the weaned piglets, and take away the finished stock to the end user. The system will work on a rotation of four batches per year, and is based on an all-in, all out system.

There will be 2000 pigs in the building during each batch.

The proposal will provide one part time employment position, and in this case, it will be the applicant's son who already lives and works on the farm.

2. Agricultural Enterprise

2.1. Current Agricultural Enterprise

950 acres of arable land

16000 laying hens

The farm is proposing a pig fattening unit, receiving weaned pigs into the unit at 4 weeks old, and taking them through to finished weight at around 50kg for entry into the food chain.

3. Scale

The proposed building is similar in size to the poultry building on site, however it is detached from the main farmstead for bio security reasons.

The building is 91m in length, 18.2m wide, with an eaves height of 4.8m, and a ridge of 7.4m

4. Landscaping and Area of High Landscape Value

At present there are no plans to landscape as the building is against the backdrop of a mature established strip of woodland to the south.

The site is in an arable field to the north of the existing farmstead, which lies in the Area of High Landscape Value, being the Yorkshire Wolds. The farm is accessed via a private drive which is 460m long, from the Sherburn-Luttons unclassified road.

The local plan gives special protection to the scenic quality in the Area of High Landscape Value, the proposal is detached from the main farmstead, for specific and vital bio security reasons (supported in a letter from the Vet in this application)

The site cannot be seen from any public vantage points, and benefits from undulating land in all directions.

The building sits at a lower height than the adjacent strip of trees, and the cladding materials being sympathetic to the rural environs, and would not have significant adverse effect on the AOHLV

5. Neighbour amenity

The existing dwelling at Sherburn Wold Farm is occupied by the applicant and the cottage in the farm yard is occupied by the applicant's son. The next nearest dwelling is St Helens Spring 1,400m to the NE. It is therefore asserted that there will be no adverse effects of noise or smell affecting any neighbours.

6. Access

Access to the building is from the existing access to the farm. There is adequate room for the turning and maneuvering of vehicles and room for emergency services if they were ever required.

The proposal will require one additional HGV movement per week, for the delivery of food, and additional livestock waggons four times per year for the intake/out take period.

The farm will use straw produced on the unit for the bedding material, which will be cleaned out between batches and stored in the farm midden, or spread on the land in the normal manner as fertilizer. As the bedding is deep litter there will be no liquid run off.

Item Number: 8
Application No: 19/00366/MFUL
Parish: Pickering Town Council
Appn. Type: Full Application Major
Applicant: Jomast Developments Ltd
Proposal: Demolition of existing buildings and erection of an 84 bedroom hotel with ancillary restaurant/bar, erection of 3no. light industrial units (Use Class B1 (b and c), creation of habitat area for Great Crested Newts and associated access, parking, drainage and landscaping
Location: Meadowfield 40 Thornton Road Pickering North Yorkshire YO18 7HZ

Registration Date: 2 April 2019
8/13 Wk Expiry Date: 2 July 2019
Overall Expiry Date: 2 August 2019
Case Officer: Jill Thompson **Ext:** 43327

CONSULTATIONS:

Flood Risk	No comments received
Natural England	No comments
Highways North Yorkshire	Recommends conditions
Pickering Town Council	Concerns
Vale Of Pickering Internal Drainage Boards	No objections to the proposals
Yorkshire Water Land Use Planning	Recommend conditions
Alan Tomlinson	Recommend approval with comments
Flood Risk	Further information requested
Yorkshire Water Land Use Planning	No observation
Sustainable Places Team (Environment-Agency Yorkshire Area)	Comments
Archaeology Section	Recommend conditions

Neighbour responses: Mrs Amanda Green, Mr Richard Kimmings, Mrs Lindsay Lee, Mr Alan Collinson, Stephen Williams, Mr Cameron Holmes,

Site:

The application site lies on the eastern side of Pickering, to the south of Thornton Road/ the A170. It immediately abuts the western side of the Thornton Road Industrial Estate. The site is predominantly a grassed field of c. 1.59 hectares bounded by hawthorn hedges. A derelict bungalow is located in the north of the site, facing the road. A dilapidated shed is situated towards the middle of the western boundary of the site in a patch of hawthorn scrub.

Planning History:

90/002488/OLD – Outline permission granted for the erection of a bungalow with integral garage.
10/01069/MFULE – Planning permission for 116 dwellings was dismissed on appeal. The current application site formed part of a wider site which was the subject of this appeal.

15/00423/OUT – Outline permission granted for 5 dwellings and vehicular access, together with the demolition of existing dwelling and buildings.

Proposal:

The application proposes the erection of a Premier Inn hotel (Use Class C1 – Hotel) comprising of 84 bedrooms and a ground floor ancillary restaurant and bar. It also includes the erection of a second building which is proposed to be subdivided into three light industrial units (Class B1(b) - Research and development and B1(c) - Industrial processes which can be carried out in a residential area).

Both of the proposed buildings are rectangular in shape and are located towards the eastern side of the site, positioned on a north- south alignment. Car parking and road access to the buildings run parallel, through the other section of the site. Access to the site is from the A170 and is positioned at the location of the existing access to the site which previously served the bungalow. The proposal includes a landscaped area at the front of the site adjacent to the A170 and a pond/ecological area in the south-western corner. A small service area for the hotel is located between the hotel building and the landscaped area on the site frontage.

The hotel building is proposed to be sited towards the northern end of the site. The rear elevation will face towards the east and the front elevation is orientated into the site, facing west. The proposed building combines two and three storey sections with mono pitched roofs. The 2 storey section measures 8 m to eaves height and 10.2m to ridge. The three storey section measures 10.5m to the eaves and 12.7m to ridge. The proposed hotel will have a total gross internal floor area of approximately 1265 sqm. The pallet of materials proposed includes red brick, render, zinc cladding, grey roof and powder coated grey aluminium windows and steel doors. The main entrance to the building is via a single story section on the western elevation, which is defined by glazed doors, a covered area and larger windows.

The application proposes 93 car parking spaces to service the hotel. This includes 5 disabled spaces, 2 electric charging point spaces and 8 spaces dedicated for staff parking. A covered shelter for 10 bicycles is also proposed to serve the hotel and the business units.

The business units are included within one single storey building with a single pitched roof. The building measures 4.4m to eaves and 6.2 m to ridge height, with a proposed gross internal area of approximately 985 square metres. The proposed building is steel framed, with coated grey profiled metal cladding for the walls and roof. 11 car parking spaces are proposed to serve the proposed business units, two of which will be for disabled users.

Supporting Technical Information and Consultation Statement

The application is supported by a range of technical and other supporting information including:

- Design and Access Statement
- Planning Statement and Sequential Assessment
- Aborigicultural Survey
- Aborigicultural Impact Assessment
- Phase 1 Geoenvironmental Desk Study
- Transport Statement
- Drainage and Flood Risk Statement

- Ecological Appraisal
- Economic Benefits Statement
- Historic Field Impact Assessment
- Environmental Noise report
- Operational Noise Management Plan
- Construction Environmental Management Plan
- Plant Noise Technical Note
- Transport Assessment

The application is also supported by a Statement of Community Involvement (SCI) which outlines the consultation and involvement undertaken by the developer in the preparation of the application. The SCI confirms that the development was the subject of a pre-application enquiry. It also confirms that as part of the pre-application consultation, the developer distributed a leaflet to 132 local residential properties and businesses and also provided ward and parish councillors with leaflets outlining the proposal and seeking views. A meeting with Pickering in Business also took place in March 2019. A response to the issues raised as part of the pre-application consultation is provided in the applicant's SCI and addressed in other material supporting the application.

It is considered that the SCI meets the broad requirements of the Council's Statement of Community Involvement and that the work undertaken addresses national requirements for applicants to engage with local communities prior to submitting planning applications for major development proposals.

Consultations and application chronology

The application has been subject to three periods of public consultation. Following consultation on the material initially submitted, an initial re-consultation was undertaken to cover revisions to the design of the hotel, access and further supporting technical information. A final consultation covered further revisions to the access to the site.

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.

There is one objection to the application although this does not relate to a material planning consideration. The objection is from the owner of a guest house in Thornton-Le-Dale raising concerns that the hotel (with 84 bedrooms) will have a devastating effect on existing B&B businesses in the local area.

In response to the application as it now stands, the Town Council has reiterated earlier comments made regarding access. These include:

- Concern that HGV's would need to cross traffic lanes to access/egress the site
- Speed of traffic on the A170 could make access difficult
- Pedestrian crossing should be installed to allow access the footpath on the other side of the road to allow users to walk into town
- Access would be better through the Industrial Estate

In response to earlier iterations of the scheme, the Town Council raised additional comments:

- Environmental concerns should be addressed such as solar panels and additional wildlife habitats
- Questioned whether the development fitted into the local setting of Pickering as a historic market town.

The occupier of 36 Thornton Road, a residential property neighbouring the site has no objections to the scheme. The occupier has confirmed that this follows revisions to the location of the access to the site and proposed landscaping enhancements and acoustic fencing along the property boundary.

Planning Policy

The Ryedale Plan – Local Plan Strategy (2013). Policies:

- SP1 General location of development and settlement hierarchy
- SP6 Delivery and distribution of employment land and premises
- SP7 Town centres and retailing
- SP8 Tourism
- SP12 Heritage
- SP13 Landscapes
- SP14 Biodiversity
- SP16 Design
- SP17 Managing air quality, land and water resources
- SP18 Renewable and low carbon energy
- SP19 Presumption in favour of sustainable development
- SP20 Generic development management issues

National Planning Policy Framework and Planning Practice Guidance

Appraisal

Principle of Development

The principle of the development is informed taking account of strategic policies of the development plan and other material considerations.

Pickering is identified as a Local Service Centre in the development plan and a centre for tourism in Ryedale. The proposed hotel and business units would align with the strategic role of the town as established by the development plan. In this respect and in broad terms, the proposal aligns with Policy SP1 (General location of development and settlement hierarchy) of the Local Plan Strategy.

The site is located on the edge of the town and outside of the Town's development limits. As such, the proposal needs to be considered against specific policies which apply to the uses proposed in such a location.

The proposed hotel and ancillary bar/restaurant is an element of the application which is a 'main town centre use' within the definition of the term in national policy. Policy SP7 (Town Centres and Retailing) of the Local Plan Strategy makes it clear that Town Centres will be the focus of, for example, commercial, leisure and tourism activity. National policy (NPPF, Chapter 7: Ensuring the Vitality of Town Centres) makes it clear that "*Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date development*

plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered.” It goes on to state that “When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored”

The application site is in an ‘out of centre’ location. The application is accompanied by a sequential assessment in order to demonstrate that no ‘sequentially preferable’ sites exist within or on the edge of Pickering Town Centre or in more accessible ‘out of centre’ locations. Following discussions over the application of the sequential test, this work was refined to assess the availability of sites with the capability of accommodating the hotel (and ancillary bar and restaurant) only. The applicant’s sequential assessment indicates that there are no sequentially preferable sites available to accommodate the proposed hotel. It is considered that the conclusions of the assessment are robust and that the proposed site is sequentially preferable to other available sites, for the development proposed.

The site is adjacent to the existing Thornton Road Industrial Estate. Although the proposal is not technically an expansion to the industrial estate, the scheme and the three business units will, for all intents and purposes function as an expansion to this existing Industrial estate.

In general, the location of the proposed uses aligns with Policies SP6 (Delivery and Distribution of Employment /Industrial Land and Premises), SP7 (Town Centres and Retailing) and national policy as it applies to Town Centre uses.

Design

The proposed hotel building is a contemporary, modern design both in terms of the pallet of material proposed as well as its proposed built form. The site has a strong visual connection with the neighbouring industrial estate and a modern design is considered to be an appropriate response to the context provided by the surrounding townscape. The approach ensures that the proposed development is readily identifiable and understood as a new building which does not attempt to compete with traditional local vernacular and the historic core of the town.

The site slopes gently in a north –south direction. Elements of the design of the building, including the use of mono-pitched roofing and the combination of two and three storey sections help to ground the building on the site and also break the mass of the building. A number of design features are also incorporated to provide some vertical emphasis, to help counter the predominant horizontal form of the building and to visually break the length of the building. These include vertical zinc panels between windows and vertical relief between the different sections of the building.

The proposed industrial units are utilitarian in design and are proposed to be constructed using contemporary materials. The buildings are low profile and are broadly consistent with the character of the neighbouring industrial estate.

The approach to the development of the site as a whole has taken account the context of the site and some of its existing features. The includes for example: a landscaped frontage to the A170; the retention of boundary hedges; habitat creation to the lower lying south –west corner of the site; layout which emphasises the linear nature of the site; clear pedestrian and vehicular routes through the site.

In terms of design, the proposed development is considered to comply with the relevant criteria of Policy SP16 (Design) and SP20 (Generic Development Management Issues)

The application is supported by information relating to the environmental credentials of the development, particularly in terms of energy and resource usage. The information confirms that the main construction materials will be of an A or A+ rating in terms of the BRE Environmental Assessment Method Green Guide. It goes on to note that a range of measures

will be used by Premier Inn to conserve resources including measures to control water usage, lighting controls, selective heating and low refrigeration use.

Policy SP18 (Renewable and Low Carbon Energy) requires proposals over 1,000 sqm of floorspace to demonstrate that meets the highest BREEAM standard that is feasible and viable for the development. The applicant has confirmed that at this stage in the design process, a precise specification for the hotel building has not been confirmed with Premier Inn. Notwithstanding this, the applicant has confirmed that Premier Inn has specified that the building should be designed to achieve a 35% improvement in Building Regulations in terms of energy usage and conservation. The applicant has agreed to a condition that will require that in achieving this level of improvement, measures from each level of the energy hierarchy, including on-site renewable energy generation shall be employed within the scheme. It is considered that this will ensure that the scheme will contribute to the delivering the policy requirements of SP18.

Landscape, Visual Impact, Trees and Landscaping

The site is located in the Vale of Pickering and close to the edge of the Fringe of the Moors Area of High Landscape Value. The scale of the proposed building will mean that it will be visually prominent in this position, particularly when approaching the site from the east and from views from the public footpath along elevated land to the north. The landscape and visual impact of the proposed hotel building is mitigated by the fact that the proposed development is adjacent to an existing industrial estate and is not disconnected or isolated from existing built development of a similar form and character in the landscape.

The visual impact of the proposed development will, for the most part be mitigated by the proposed retention and enhancement of existing boundary hedges and trees together with additional tree planting at the front of the site and within the site. The proposed landscaping will not screen the hotel building from view. However, in conjunction with design features which reduce the mass of the building, it will help to soften the appearance of the building and ‘ground ‘it in the landscape.

The low profile nature of the proposed business units, together with their position at the rear of the site will mean that these buildings are not visible or prominent from existing public views. In this respect, the proposal is considered to comply with Policy SP20 (Generic Development Management Issues)

The landscaping scheme proposes native hedge and shrub mixes and native as well as some ornamental tree planting. The proposed native tree planting is mainly to the boundaries of the site, with the use of more ornamental species within the landscaped areas within the site. The proposed development will result in the limited removal of existing trees and areas of tree scrub on the site, however, the additional tree planting significantly outnumbers the loss of single trees. The proposed landscaping scheme is acceptable in terms of Policies SP13 (Landscapes) and SP16 (Design).

Ecology

The application is accompanied by an ecological appraisal. It notes that the boundary hedgerows and trees provide good habitat for foraging and commuting bats and nesting birds and good terrestrial habitat for amphibians. The site is in close proximity to ponds with known Great Crested Newt breeding activity and, together with surrounding land, forms good connecting habitat with the potential to support a meta-population of Great Crested Newts in the wider area. This is supported by previous survey information. Against this context, the ecological appraisal concludes that the site is optimal foraging and commuting amphibians. Landscaping proposals for the site include the retention of the majority of field boundary

hedgerows. It is considered that the loss of some existing hedgerow (primarily along the site frontage) and a small number of boundary trees will be mitigated by replacement native tree and hedge planting, together with additional native shrub planting along the southern boundary of the site.

The development will result in the loss of foraging habitat and potential hibernation sites for Great Crested Newts. To mitigate and compensate for this impact, the proposal includes both terrestrial and aquatic habitat creation measures. These include the installation of a 10m by 20m pond as well as additional scrub, hedgerow enhancement, species rich grassland and x4 hibernacula. These features will form a 'Great Crested Newt receptor area' focussed in the south/south-western part of the site. This area will provide connectivity to surrounding foraging habitat and existing breeding ponds.

The Council's ecological advisor considers that the proposed scheme of mitigation for newts is robust and is confident that Natural England will grant a licence for the development. Natural England has not commented on the application.

The ecological appraisal also advises a number of other measures to support biodiversity, including the use of bat bricks and bird boxes. A condition is proposed to secure these measures.

Whilst the loss of Great Crested Newt foraging habitat weighs against the proposed development, this is tempered by the proposed mitigation and compensation proposals.

Economic Issues

Ryedale has a limited national hotel chain presence and currently there are no 'budget' chain hotels operating in the District. The proposed hotel would address this and would contribute to improving the choice of visitor accommodation in the District. In this respect, the proposal would support Ryedale's visitor economy in line with Policy SP 8 (Tourism).

The application is supported by an economic benefits statement prepared by Turley Economics, which outlines the quantifiable economic impacts of the proposed hotel development during its construction phase and operational lifetime. This concludes that during the construction phase, the proposed development is estimated to have the potential to generate 45 temporary construction jobs and a £3.7 million annual uplift in productivity within the Yorkshire economy. On completion, the proposed development is estimated to have the potential to generate 25 gross (fte) jobs; £1.4m annual contribution to economic productivity within the North Yorkshire economy of which £1.0m could be local to Ryedale. In addition, it is estimated that the hotel will create an additional salary expenditure of c. £430,000. The statement also estimates that the scheme will generate c.£130,000 business rate revenue pa and will generate up to 60,800 additional leisure and business visitors to North Yorkshire annually, with an uplift in visitor expenditure of an additional £2.8m to the wider economy each year.

The Economic Benefit Statement and Planning Statement also reference the training programmes and tailored employment schemes that Whitbread/ Premier Inn provide, some of which are specifically designed to support specific groups such as young people and people with disabilities into work.

The Thornton Road Industrial Estate is a popular location for small-medium sized business in northern Ryedale with little vacant space. The three proposed business units will provide additional industrial space for small businesses, in close proximity to the existing industrial estate. The proposed units reflect the type and size of units required to address local need and requirements. An increase in business space of this nature will result in benefit to the local

economy.

The direct and indirect economic benefits arising from the proposed development weigh significantly in favour of the application.

Heritage Assets

The site forms part of Pickering's historic strip field system which area a non-designated heritage asset. Whilst the proposed development would retain the rectangular shape of the site, the development of the site would result in the loss of an existing undeveloped strip field. The loss of the non-designated asset is a factor which weighs against the development of the site. NYCC Heritage Services has noted that there is the potential for archaeological remains within the site. Conditions relating to archaeological mitigation recording are recommended.

Neighbouring Amenity and Land Uses

The proposed development will result in increased activity in the area, with potential for increased noise and disturbance.

Supporting information has been provided by the applicant to outline the profile of activity associated with a Premier Inn hotel. This demonstrates that most activity/trips occur in the morning between 7.00-9.00am and in the evening. Activity in the afternoon/ evening is spread across a longer period of time, 17.30-23.00.

Number 36 Thornton Road is the nearest residential property to the site. Amendments to the position of the access into the site, the road through the site and proposed acoustic fencing have addressed concerns relating to the impact on the amenity of the occupier of this property in terms of increased activity, noise and disturbance.

Information supporting the application also points to Premier Inn's 'Good Night Guarantee' – a refund in the price of accommodation if a guest does not have a good night's sleep. It makes it clear that management arrangements are in place to deal with any noisy or anti-social behaviour and that this is integral to the company's family friendly business model.

Mechanical plant serving the hotel is noise generating. At present, the current design of the scheme is at RIBA stage 2 and as such, the precise location and technical specification of the plant to be used has yet to be confirmed. The applicant has provided technical information and an acoustic report which together indicate that plant noise will be capable of being mitigated to an acceptable level in relation to neighbouring residential properties. It indicates that mitigation will be achieved either through the positioning of the plant within an internal plant room, in a position which is shielded by the hotel building itself or within a compound with an acoustic barrier. The supporting information proposes a condition to limit noise levels to acceptable levels (below 49 db during the daytime and below 33 db at night). The Environmental Health Officer is confident that this can be achieved and that with appropriate noise mitigation, an adverse effect can be avoided.

It is not considered that the proposed industrial units will result in specific amenity issues for the occupiers of neighbouring residential properties. The B1 use classes proposed are considered to be acceptable uses which can be carried out without causing detriment to residential amenity. The proposed development is positioned between Thornton Road Industrial Estate and residential development on the edge of the Town. Uses on the industrial estate are largely unrestricted in terms of the nature of industrial activity and operational hours. In this respect, the proposed scheme will act as a buffer between these land uses.

It is considered that the proposed development will not have implications for the continued operation of the Thornton Road Industrial Estate.

The application is supported by a Construction Environmental Management Plan (CEMP) to mitigate impacts associated with the construction phase. This will be secured by condition if permission is granted.

Highways/Access and Parking

Access to the site is proposed by means of a priority junction at the front of the site on the A170. Following revisions to the scheme, the access is positioned at the location of an existing access into the site.

The application is supported by a Highway Assessment and NYCC (Highways) has confirmed that the access will operate within capacity, including during peak summer traffic flows and that appropriate visibility for the access is available within the existing highway boundary. This will require removal of a section of the existing hedge along the front of the site. NYCC (Highways) has confirmed that the geometry of the access will allow the majority of the vehicles expected to use the site, including refuse vehicles to easily access the site. Maximum length HGV's can be accommodated using the full width of the carriageway, although it is noted that these are unlikely to visit the site frequently. Additional widening of the access would assist maximum length HGV's but it is considered that this would be to the detriment of pedestrians who would have to cross a wider site access. To that end, the Local Highway Authority consider the access arrangements to be satisfactory.

The scheme will require a widening of the footpath along the site frontage which will provide a suitable link to the wider footway network and nearby bus stops. A formal crossing facility is not proposed on the A170 at the site entrance. It is considered questionable whether this is on a specific desire line. On the basis that such facilities are located on the A170 and on desire lines to and from the Town Centre, the lack of a crossing in this position is acceptable.

Proposed levels of car parking are considered to be acceptable for the uses proposed.

The Local Highway Authority has no objections to the proposal and conditions, including the requirement for a travel plan, are recommended. In this respect, the proposal is considered to comply with the relevant criteria of Policy SP 20 (Generic Development Management Issues).

Drainage and Ground Issues

Yorkshire Water has provided comments on the application and recommends conditions to protect the local aquatic environment and its drainage infrastructure. The Lead Local Flood Authority (LLFA) has requested further information to demonstrate the operation of sustainable drainage proposals. Further information has been provided by the developer and at the time of writing the report, a final response from the LLFA has not been received.

A Phase 1 Geoenvironmental Desk Study Report has been prepared in support of the application. It concludes that the site is of low-medium risk of contamination but that to fully assess environmental risks and geotechnical constraints, a Phase 2 intrusive investigation will be required. A condition is proposed to require the preparation of the Phase 2 investigation report.

Subject to confirmation that drainage details satisfy the requirements of the LLFA, the proposed development will meet the requirements of Policy SP17 (Managing Air Quality, Land and Water Resources).

Other Issues

The objection to the application relates to concern that the hotel will have a detrimental impact

on existing B&B businesses. The issue raised relates to competition in the market and is not a material consideration in the decision-making process.

Conclusion

It is considered that a number of the impacts associated with the development can be satisfactorily mitigated, including impact on neighbouring amenity and the loss of Great Crested Newt foraging habitat, which is mitigated and compensated for. The design of the scheme is considered to be an appropriate response to the site in this location, with the modern, contemporary design approach helping to mitigate landscape impact. The positive economic benefits of the hotel development to Pickering and the District as a whole are significant and the additional business units proposed will also contribute to meeting the needs of the local economy. The benefits of the scheme are considered to outweigh the loss of the non-heritage asset – the mediaeval strip field. On balance, approval is recommended.

Recommendation

Approval subject to the following conditions and subject to any additional requirements of the Lead Local Flood Authority.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before three years from the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site Location Plan Drawing no. P407 Rev C
Proposed Sit Plan Drawing no. P403 Rev N
Landscape Details Drawing no. R/2216/1E
Proposed Elevations Hotel Drawing no. PSK200 Rev A
Proposed Elevations Hotel Drawing no. PSK200
Proposed ground Floor Plan Hotel Drawing no. P100 Rev F
Proposed First Floor Plan Hotel Drawing no. P101 Rev B
Proposed Second Floor Plan Hotel Drawing no. O102 Rev D
Proposed Long Elevation AA Drawing no. P203 Rev E
Industrial Units Proposed Elevations Drawing no P202 Rev A
Proposed Industrial Unit Floor Plans Drawing no P106
Landscape Details Drawing no R/2216/2B

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

- 3 No deliveries shall take place between the hours of 11pm and 7 am.

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

- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, there shall be no change of use from the B1 Use Classes

hereby granted, unless a planning application for such a change of use has been submitted and approved in writing by the Local Planning Authority.

Reason:- In order to ensure that the units hereby approved are available for their intended use ; to meet the identified employment needs within the area and in order to protect the employment operations on this site and the adjoining sites from possible complaints and in the interests of sustainable development. The condition is required to satisfy Policies SP6, SP19 and SP20 of the Local Plan Strategy.

- 5 No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other items shall be stacked or stored outside of any building on the site without the prior approval in writing of the Local Planning Authority.

Reason:- To ensure that the external appearance of the area is not prejudiced by the external storage of materials and to satisfy Policy SP20 of the Local Plan Strategy.

- 6 No part of the hotel development to which this permission relates should be brought into use until full details of all external lighting have been submitted to and approved by the Local Planning Authority. The lighting shall thereafter accord with the approved details.

Reason:- To protect the character of the locality, the amenity of neighbouring residents and biodiversity and to satisfy Policy SP20 and Policy SP14 of the Local Plan Strategy.

- 7 No part of the B1 Business development to which this permission relates should be brought into use until full details of all external lighting have been submitted to and approved by the Local Planning Authority. The lighting shall thereafter accord with the approved details.

Reason:- To protect the character of the locality, the amenity of neighbouring residents and biodiversity and to satisfy Policy SP20 and Policy SP14 of the Local Plan Strategy.

- 8 No development shall commence until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the Management Plan thereby agreed.

Reason:-In order to ensure the long term retention and maintenance of retained boundary landscaping and to protect local amenity, to satisfy Policy SP13 and SP20 of the Local Plan Strategy.

- 9 Notwithstanding the submitted details, prior to the construction of any of the buildings hereby permitted, details and samples of the materials to be used on the exterior of the buildings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

- 10 Prior to any works of above ground construction, a specification detailing how a 35% improvement on Part L of the Building Regulations will be achieved shall be

approved in writing by the Local Planning Authority. The specification will include measures from each level of the energy hierarchy including on-site renewable energy generation using roof mounted solar photovoltaic panels and /or air or ground source heat pumps.

Reason:- In order to support energy efficiency and a reduction in carbon emissions and to satisfy Policy SP18 of the Local Plan Strategy.

- 11 No demolition/development shall commence until a Written Scheme of Investigation for an archaeological strip, map and record has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions and:

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

(ii)No demolition/ development shall take place other than in accordance with the approved Written Scheme of Investigation

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

Reason:- The condition is imposed in accordance with Section 16 of the NPPF (paragraph 199) as the site is of archaeological significance

- 12 No development shall commence until such time as a European Protected Species Licence has been obtained.

Reason:- In the interests of protected species that are known to use the site and to satisfy Policy SP14 of the Local Plan Strategy.

- 13 Prior to the commencement of the development hereby approved, full details of the mitigation measures and compensatory habitat creation for Great Crested Newts, including the creation of a GCN receptor area as recommended in the Ecological Appraisal report (August 2029) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a management plan for the on-going protection and management of the Great Crested Newt Receptor Area and pond. The GCN receptor area shall be created within a timeframe that is agreed beforehand with the Local Planning Authority.

Reason:- In the interest of protected species that are known to use the site and to satisfy Policy Sp14 of the Local Plan Strategy.

- 14 Prior to any works of above ground construction details of wider biodiversity enhancement measures referred to in the Ecological Appraisal report, together with two hedgehog boxes and two swift nest boxes or swift bricks shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To support net gains in biodiversity and to satisfy Policy SP14 of the Local Plan Strategy.

- 15 Prior to any works of above ground construction, full details of the landscaping scheme, including numbers, species, height on planting and positions of all trees and shrubs including features to be retained shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding and turfing 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.

Reason:- In order to protect the existing and proposed landscaping , to enhance the development and soften the visual impact of the development on the locality and to satisfy Policy SP16 and SP20 of the Local Plan Strategy.

- 16 Prior to the occupation of the development hereby permitted, a 20 year management plan, (including those responsible for the maintenance) for the existing landscaping to be retained in accordance with the landscaping scheme approved plans contained in Condition 02 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed management plan.

Reason:- In order to protect the existing and proposed landscaping , to enhance the development and soften the visual impact of the development on the locality and to satisfy Policy SP16 and SP20 of the Local Plan Strategy.

- 17 Prior to any works of above ground construction, a full and specific noise assessment of the service plant to be used in the hotel development shall be submitted to the local Planning Authority. The assessment shall include details, to be approved by the Local Planning Authority of noise mitigation measures to ensure a noise attenuation to achieve noise levels in line with BS 4142.

Reason;- In the interests of the amenity of neighbouring residents and to satisfy Policy SP20 of the Local Plan Strategy

- 18 Development shall not commence until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to satisfy Policy SP17 and SP20 of the Local Plan Strategy.

- 19 Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to satisfy Policy SP17 and SP20 of the Local Plan Strategy.

- 20 Unless otherwise agreed in writing by the local planning authority, the site shall not be brought into use until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: To ensure any unacceptable level of contamination at the site has been appropriately mitigated and to satisfy Policy SP17 of the Local Plan Strategy.

- 21 In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and to satisfy Policy SP17 and SP20 of the Local Plan Strategy.

- 22 No part of the development to which this permission relates shall be brought into use until the carriageway and any footway/footpath from which it gains access shall be constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway and to satisfy Policy SP20 of the Local Plan Strategy.

- 23 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 and to satisfy Policy SP20 of the Local Plan Strategy.

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

- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - b. The access shall be formed with 12 metre radius kerbs, to give a minimum carriageway width of 7.3 metres, and that part of the access road extending 15 metres into the site shall be constructed in accordance with Standard Detail number E7.
 - e. Any gates or barriers shall be erected a minimum distance of 15 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - f. That part of the access extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 30.
 - g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
 - i. Provision of tactile paving in accordance with the current Government guidance.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to satisfy Policy SP20 of the Local Plan Strategy

- 25 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 70m measured along both channel lines of the major road A170 from a point measured 2.4m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.6m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety and to satisfy Policy SP20 of the Local Plan Strategy.

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

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

a. Provision of 2m wide footpath along the site frontage and dropped kerbs to access the two bus stops located to the west of the site access, on A170.

(ii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway users and to satisfy Policy SP20 of the Local Plan Strategy.

27 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number:

a. Provision of 2m wide footpath along the site frontage and dropped kerbs to access the bus stops located on A170.

Reason: In the interests of the safety and convenience of highway users and to satisfy Policy SP20 of the Local Plan Strategy.

28 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number:

a. have been constructed in accordance with the submitted drawing 1902 P403 Rev M. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development and to satisfy Policy SP20 of the Local Plan Strategy.

29 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number 1902 P403 Rev M 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 highwaysafety and the general amenity of the development and to satisfy Policy SP20 of the Local Plan Strategy.

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

- a. the appointment of a travel co-ordinator
- b. a partnership approach to influence travel behaviour
- c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- d. provision of up-to-date details of public transport services
- e. continual appraisal of travel patterns and measures provided through the travel plan
- f. a reduction in all vehicle trips and mileage
- g. a programme for the implementation of such measures and any proposed physical works

A finalised version of the Travel Plan shall be approved in writing by the Local Planning Authority in consultation with the Highways Authority within six months of the hotel being brought into use. The final Travel Plan shall be implemented and the hotel development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

- 31 Prior to the B1 uses being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- a. the appointment of a travel co-ordinator
- b. a partnership approach to influence travel behaviour
- c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- d. provision of up-to-date details of public transport services
- e. continual appraisal of travel patterns and measures provided through the travel plan
- f. a reduction in all vehicle trips and mileage
- g. a programme for the implementation of such measures and any proposed physical works

The Travel Plan shall be implemented and the B1 uses shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason: To establish measures to encourage more sustainable non-car modes of transport

- 32 The Construction Management Plan referred to in condition xxx shall provide details of the following specific highway safety and amenity measures:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. wheel washing facilities
- e. measures to control the emission of dust and dirt during construction

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area and to satisfy Policy SP20 of the Local Plan Strategy.

- 33 The site shall be developed with separate systems of drainage for foul and surface water on and off site. Surface water discharge to the public surface water sewer network shall not exceed 3.5 litres per second.

Reason: In the interest of satisfactory and sustainable drainage

- 34 Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking areas of more than 50 spaces must pass through an oil, petrol and grit interceptor/ separator of adequate design that has been submitted to and approved by the Local Planning Authority prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network.

INFORMATIVE(S)

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

- 2 Biodiversity
Due care must be taken as bats may probably be using the field margins in the vicinity of the application site for foraging purposes.

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Right of Way Act 2000) and are further protected under the Conservation of Habitats and Species Regulations 2017. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the aforementioned acts and applies to whoever carries out the work.

Any vegetation removal is required to be undertaken without harming nesting birds or destroying their nests. The main nesting and breeding season runs from 1 March to 31 August. If this is unavoidable checks should be undertaken by a suitably qualified ecologist prior to any felling or cutting of trees or shrubs. Reason: In order to prevent disturbance to breeding birds which are protected by the Wildlife and Countryside Act 1981 (as amended).

Great crested newts are a European protected species. The animals, its eggs and their breeding sites and resting places are protected by law. A licence is required from Natural England if the development is to disturb Great Crested Newts or damaging their habitats.

- 3 Yorkshire Water
There is a 150mm diameter public combined sewer recorded to cross the north of the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. In this instance, Yorkshire Water Services would look for any build over to be controlled by Requirement H4 of the Building Regulations 2000.

Submitted drawing 5553-JPG-SW-00-DR-1402-S2, revision P01, prepared by JPG and dated 05/06/2019 indicates that a requisition of the off-site foul and surface water sewers will be required. A signed section 98 (Water Industry Act 1991) agreement must be in place before the development commences.

The site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developers wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel: 0345 120 8482, email: technical_sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements:

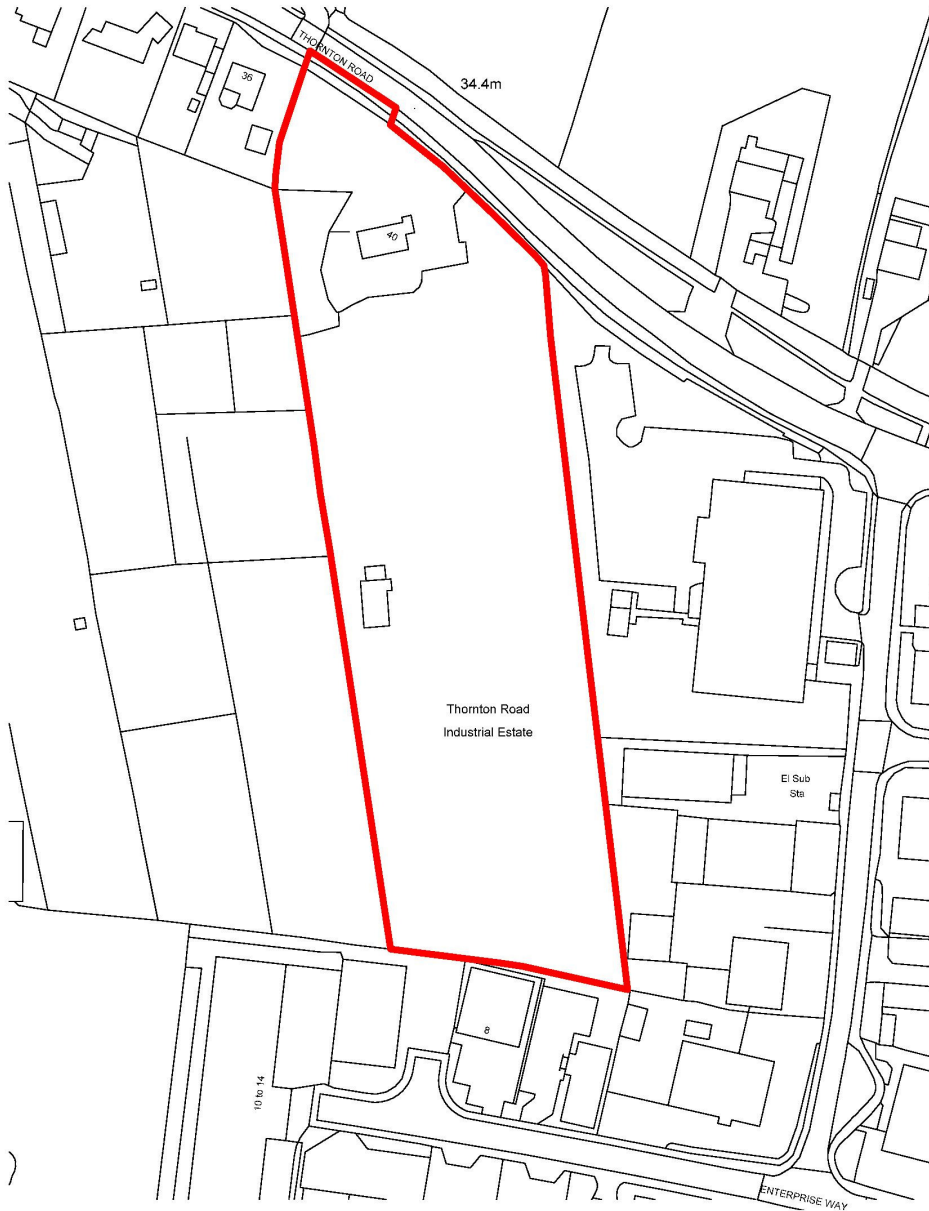
The developer is required to consult with Yorkshire Water's Trade Effluent Team (tel: 0345 1242424) on any proposal to discharge a trade effluent to the public sewer network. Under the provisions of section 111 of the Water Industry Act 1991 it is unlawful to pass into any public sewer (or into any drain or private sewer communicating with the public sewer network) any items likely to cause damage to the public sewer network, interfere with the free flow of its contents or affect the treatment or disposal of its contents. Contravention of the provisions of section 111 is a criminal offence; and

Foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc must pass through a fat and grease trap of adequate design before any discharge to the public sewer network.



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date valid 02/04/2019

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client Jomast	project Thornton Road, Pickering	date March 2019	status Planning Issue	scale 1:1000 @ A3	drawn PJD	checked PH	job no. 1902	diag no. P407	rev. A	A. 22.05.19 10:00 V.100.0	1/1	htarchitects York Place Studio 8 Strama Street E1 1SD T:0113 244 3457 W: www.htarchitects.co.uk E: info@htarchitects.co.uk
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IN LINE WITH LANDSCAPE DRAWING R/22/16/10

SOFT LANDSCAPING KEY

- EXISTING TREE/HEDGE TO BE REMOVED (ROOT PROTECTION AREAS INDICATED BY DOTTED LINES)
- PROPOSED NEW TREE.
- EXISTING TREE/HEDGE TO BE RETAINED. (ROOT PROTECTION AREAS INDICATED BY DOTTED LINES)
- PROPOSED NEW HEDGE
- EXISTING SECTION OF LANDSCAPING TO BE REMOVED

TO BE READ IN CONJUNCTION WITH LANDSCAPE ARCHITECT'S DESIGN AND DETAILS

REVISED PLAN Date Valid 05/08/2019

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client Jomast	project Thornton Road, Pickering	date March 2019	status Planning Issue
scale 1:1000 @ A3	drawing title Proposed Site Plan	drawn LS	checked PH
job no. 1902	dwg no. P403	rev. N	

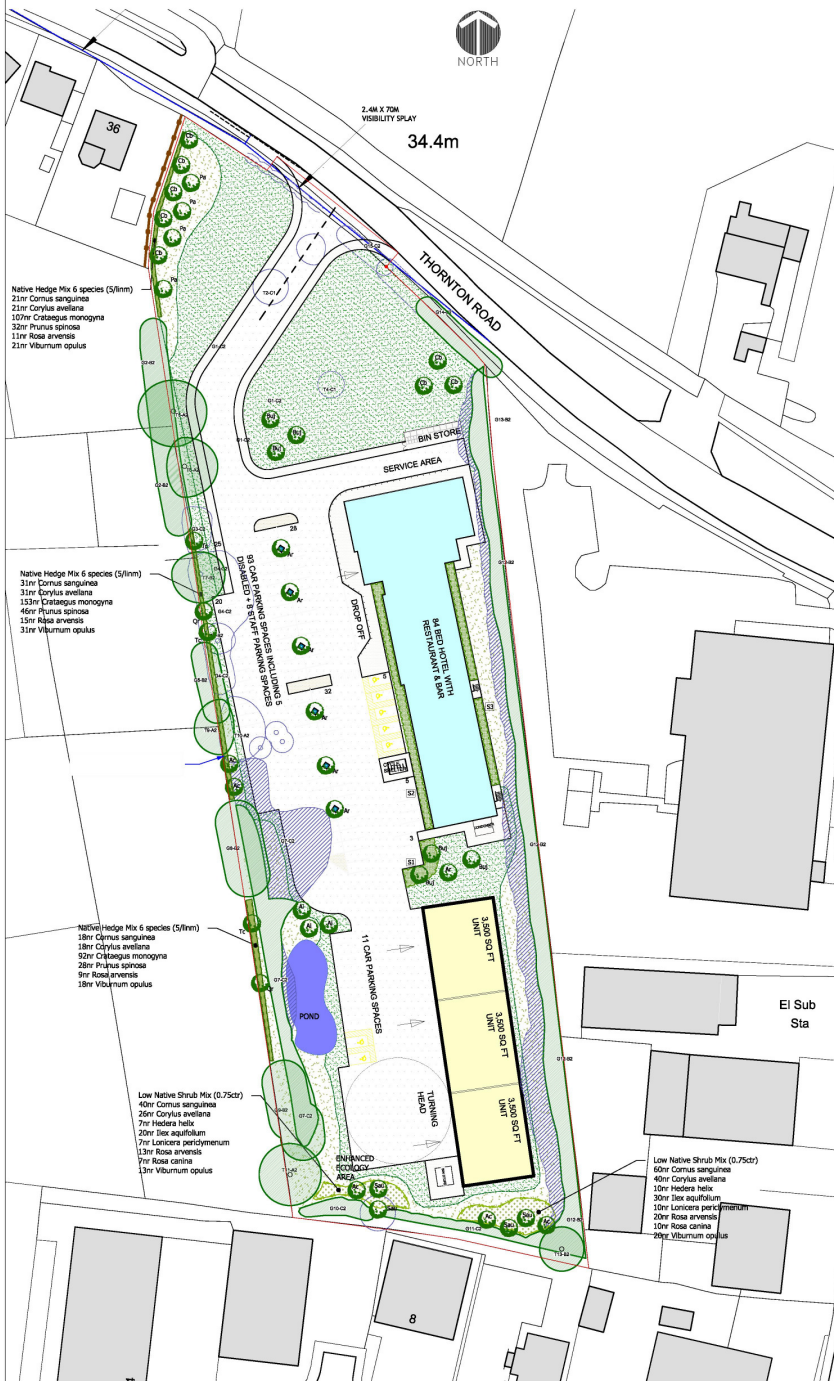
No.	Date	Description	Drawn	Check
1	12.07.15	Access submitted to area planning	LS	PH
2	12.07.15	Update to final site boundary	LS	PH
3	14.08.15	NO. 39 Thornton Rd. Acoustic fence updated	LS	PH
4	27.08.15	Access submitted to no. 39 Thornton Rd. Acoustic	LS	PH
5	27.08.15	Access submitted to no. 39 Thornton Rd. Acoustic	LS	PH
6	25.04.15	Minor update to path	LS	PH
7	25.04.15	Minor update to landscaping	LS	PH
8	25.04.15	Site is set out to be to increase size of landscape	LS	PH
9	25.04.15	Site is set out to be to increase size of landscape	LS	PH
10	25.04.15	Site is set out to be to increase size of landscape	LS	PH
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28	25.04.15	Site is set out to be to increase size of landscape	LS	PH
29	25.04.15	Site is set out to be to increase size of landscape	LS	PH
30	25.04.15	Site is set out to be to increase size of landscape	LS	PH

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1:500 LANDSCAPE MASTERPLAN



PLANTING SCHEDULES

TREE SCHEDULE		NUMBERS REQUIRED
SPECIES	Ht in m	4.5 min
	Girth in cm	16-18
Acer campestre (Ac)		5
Acer rubrum (Ar)		7
Alnus incana (Al)		3
Betula utilis jacquemonti (Bu)		6
Carpinus betulus (Cb)		8
Prunus avium (Pa)		4
Quercus robur (Qr)		2
Sorbus aucuparia (Sa)		4
Tilia cordata (Tc)		3

All trees to have clear stems to 1.8m above ground level with well developed branching heads with a single central leader and healthy, fibrous root systems. Trees shall be either container grown or rootballed in accordance with season of planting. Trees shall be planted into pits of an appropriate size to accommodate the root system without restriction, backfilled with a 3:1 topsoil:compost mix and shall be secured to a machine rounded stake using 1 no. tree tie with rubber spacer. Finished height of stake shall not exceed 1/2 height of staked tree above ground. Foundation design of new buildings shall accommodate proposed tree planting in accordance with NVC guidelines.

NATIVE HEDGE

NATIVE HEDGE SCHEDULE					
Nr	Name	Height/cm	Age	Root	Pol/L
70	Cornus sanguinea	60-80cm	1/1	B	
70	Corylus avellana	60-80cm	1/2	B	
352	Crataegus monogyna	60-80cm	1/1	B	
106	Prunus spinosa	60-80cm	1/0	B	
35	Rosa arvensis	50-60cm	1/1	B	
70	Viburnum opulus	50-60cm	1/1	B	

Hedge to be planted in a previously prepared trench, 500mm wide and 450mm deep backfilled with 3:1 mix of multipurpose topsoil to BS3884:2007 and planting compost. Bare-root transplants to be dipped in a suitable mycorrhizal dip before planting. Plants to be planted in a double staggered row, 300-350mm wide, at 5m plants per linear metre with species planted randomly throughout in groups of 7 to 30 of a single species. The hedge lines shall be mulched after planting with forest mulch to a uniform depth of 50mm. Where the hedge is to be planted within 10 metres of any house the Hawthorn (Crataegus monogyna) shall be excluded from the mix.

NATIVE SHRUB MIX

NATIVE SHRUB MIX SCHEDULE					
Nr	Name	Height/cm	Age	Root	Pol/L
100	Cornus sanguinea	40-60cm	1/1	B	
60	Corylus avellana	40-60cm	1/1	B	
17	Hedera helix	40-60cm		C	2L
50	Ilex aquifolium	40-60cm		C	3L
17	Lonicera periclymenum	60-80cm		C	2L
33	Rosa arvensis	50-60cm	1/1	B	
17	Rosa canina	40-50cm	1/1	B	
33	Viburnum opulus	40-60cm	1/1	B	

Native species shall be planted into 450mm depth, good quality clean topsoil incorporating organic compost and slow release fertilizer, over an compacted sub-grade. Prior to planting all bare-root plant stock shall be dipped into a suitable mycorrhizal plant dip in accordance with the manufacturer's recommendations. Plants shall be planted in groups of 3-11 of a single species with the taller growing species to the back of the areas of the areas and the lower growing species to the edges of the areas. Planted areas to be mulched after planting with coarse grade forest mulch to a uniform depth of 50mm.

GRASS SEEDING AREAS

SPECIES RICH MIX
Subsoil to be cultivated using a disc harrow or rotovator, to 30mm depth then further cultivated and rolled to produce a firm seed bed.
A species rich grass seed mix such as Emergent ELL mix shall be sown to the specified areas at the supplier's recommended rates.

TURFING

The topsoiled area to be turfed, is to be grade and cross-graded to even running falls, to allow the finished levels of the turf to be 40mm above the adjoining paved areas. The surface should be lightly and uniformly firmed by rolling or treading and reduced to a free fall up to 25mm in depth. All rubbish, stones greater than 50mm in diameter etc. shall be removed from the surface. Apply an even application of approved fertilizer at a rate of 70g/m² and rake in. No turves shall be laid in exceptionally frosty weather or in other unsuitable weather conditions. The turves shall be laid in a stretcher bond pattern, closely butted and firmed into position, to the correct levels. The turves should be laid off plants, working over turves previously laid. A dressing of fine, sifted topsoil (complying with BS 3882) should be applied to the laid turf and brushed well into the joints. Turves shall be watered regularly to prevent them drying out before they establish.

KEY

- Existing trees, hedges and vegetation to be retained
- Existing trees, hedges and vegetation to be removed
- Existing vegetation cut back and managed to create a healthy and practical boundary
- Proposed Extra heavy standard (14-16cm girth) tree
- Proposed Extra heavy standard (14-16cm girth) tree set in tree grille with raised kerb edge (SD/7/54)
- Proposed native hedge
- Proposed ornamental shrub planting
- Proposed native species tree and shrub planting
- Proposed turf
- Proposed species rich meadow mix

REVISED PLAN

Date Valid 05/08/2019

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Rev.E: Removal of RPA for clarity (see Tree Report by Quants for detail) (SF) July 2019
Rev.D: Layout amended in line with Proposed Site Plan Rev M (SF) July 2019
Rev.C: Layout amended in line with Proposed Site Plan Rev L (S&L) June 2019
Rev.B: T7 retained (SF) March 2019
Rev.A: Updated in accordance with HVC layout Rev.F (SF) March 2019

<p>Rev Farmer to show all Landscape Activities</p> <p>fdalandscape</p> <p>Westgate Hall Waterfield Road Derry Dale Huddersfield HD3 5GJ Telephone 01484 866616 for 01484 866666 1611 01484 866620 email info@fdalandscape.co.uk www.fdalandscape.co.uk</p>	<p>client Jornast</p> <p>project THORNTON RD, PICKERING</p> <p>drawing title LANDSCAPE DETAILS</p> <p>scale 1:500</p> <p>date March 19</p> <p>drawn by SF</p> <p>checked by R/2216/1E</p>
--	--



West Elevation



South Elevation

Date: 14/11/19 03/07/2019

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NOTES

1. BUFF COLOURED BRICK
2. ZINC RAISED SEAM CLADDING
3. RENDER PANEL
COLOUR: WHITE
4. POWDER-COATED ALUMINIUM WINDOWS
COLOUR: DARK GREY
5. POWDER-COATED ALUMINIUM FRAMED
GLAZED AUTO-SLIDING ENTRANCE
DOORS. COLOUR: DARK GREY
6. POWDER-COATED STEEL DOORS
COLOUR: DARK GREY
7. POWDER-COATED STEEL FASCIA
COLOUR: DARK GREY
8. POWDER-COATED ALUMINIUM GUTTER
AND DOWNPIPES. COLOUR: DARK GREY
9. COMPOSITE FLAT PANEL CLADDING
COLOUR: GREY
10. CAST STONE CILL
11. POWDER-COATED EXTRACT VENTS
COLOUR: DARK GREY



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Client
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Project
Thornton Road, Pickering

Drawing Ref
**Hotel Proposed Elevations
 OPTION 1 (sheet 1)**

Date
September 2019
 Status
Planning Issue
 Scale
1:100@ A1
 Drawn
LS checked PH
 Job No.
1902 dwg no PSK200-A

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East Elevation



North Elevation

Date Valid 03/07/2019

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- NOTES
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Issued By
**Hotel Proposed Elevations
 OPTION 1 (sheet 2)**

Date
September 2019

Status
Planning Issue

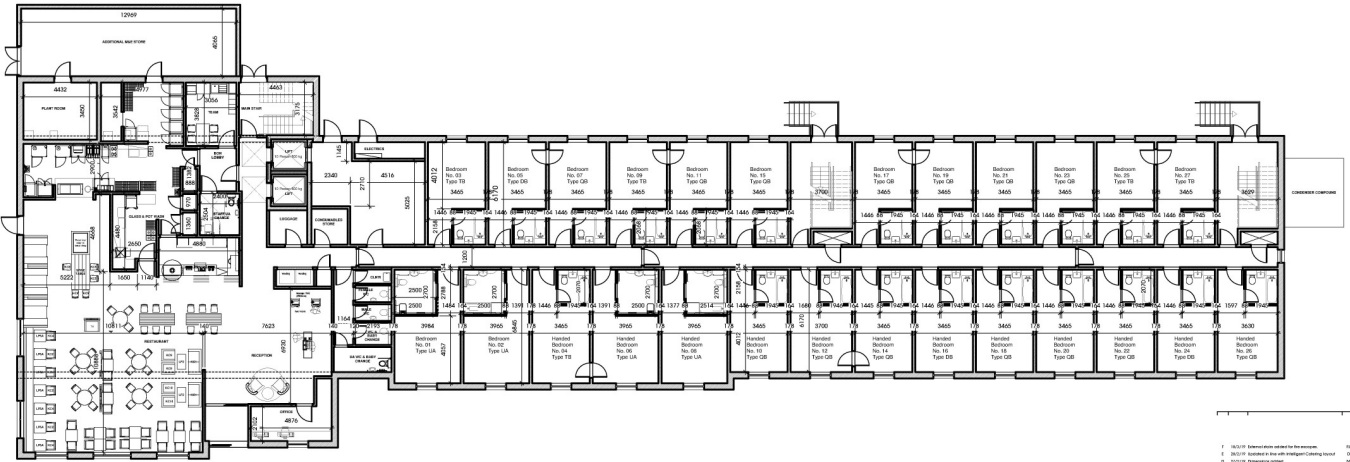
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Drawn
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Job No.
1902 dwg no PSK20 1-1

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PROPOSED GROUND FLOOR PLAN

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 1000 Park Road
 1000 Park Road
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Client
Jomast

Project
Thornton Road Pickering

Drawing title
Proposed Hotel Ground Floor Plan

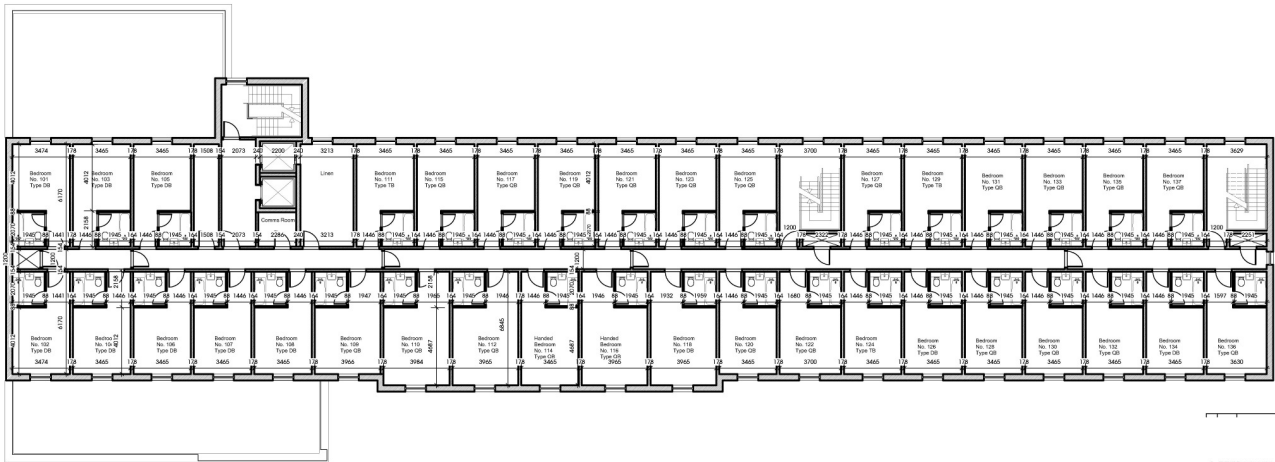
date **August 2018**
 status **Planning Issue**
 scale **1:100 @ A1**
 client **MU checked PH**
 job no. **1902 checked P100 rev. F**

Site valid 02/04/2019

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ISSUED FOR: ALL INFORMATION SHOULD BE CHECKED ON SITE BEFORE WORK COMMENCES



PROPOSED FIRST FLOOR PLAN

1:100 1:200 1:500 1:1000 1:2000 1:5000 1:10000

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Client
Jomast

Project
**Thornion Road
 Pickering**

Drawing Title
**Proposed Hotel First Floor
 Plan**

Date
August 2018

Status
Planning Issue

Scale
1:100 @ A1

Drawn
MU checked
PH

Job No.
1902 sheet no. **P101** sheet **B**

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ARC - 02/05/2018

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ISSUED DATE:
ALL DIMENSIONS SHOWN IN METERS UNLESS OTHERWISE SPECIFIED



PROPOSED SECOND FLOOR PLAN

1	1:1000 - 1:2000 - 1:4000	mm
2	1:2000 - 1:4000	mm
3	1:4000 - 1:8000	mm
4	1:8000 - 1:16000	mm

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**Thornton Road
Pickering**

Drawing Title
Proposed Second Floor Plan

Date: August 2018
Status: Planning Issue
Scale: 1:100 @ A1
Drawn: MU checked: PH
Job No: 1902 sheet no: P102 rev: D

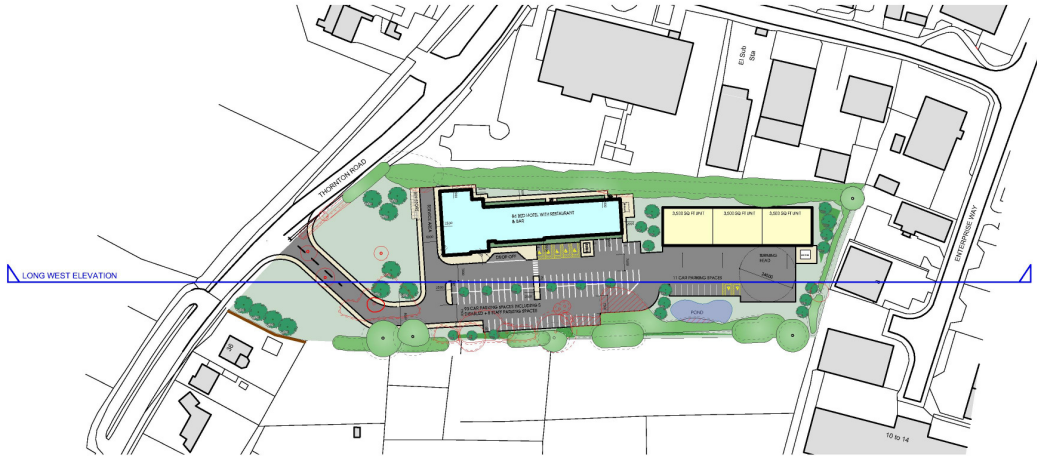
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 PREPARED BY: PROJECT ARCHITECTS
 CHECKED BY: PROJECT ARCHITECTS
 DATE: 30/07/2019
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED IN METERS
 SCALE: AS SHOWN



Long West Elevation (1:500)



Site Plan Extract (1:1000)

1	PROJECT Name	11
2	DATE	12
3	SCALE	13
4	REVISION	14
5	REVISION	15
6	REVISION	16
7	REVISION	17
8	REVISION	18
9	REVISION	19
10	REVISION	20

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project
**Thomson Road,
 Pickering**

drawing title
Proposed Long Elevation AA

date **March 2019**
 stage **Planning**
 scale **1:500/ 1:1000 @ A2**
 client **PJJD checked FH**
 job no. **1902** stage no. **P203** rev. **E**

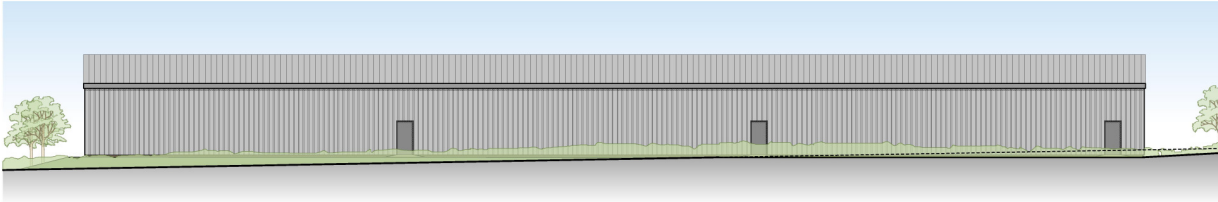
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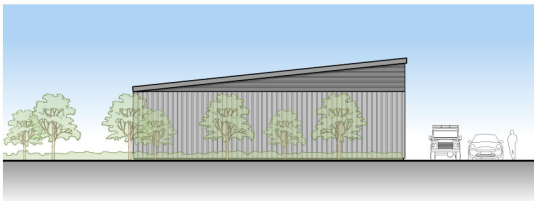
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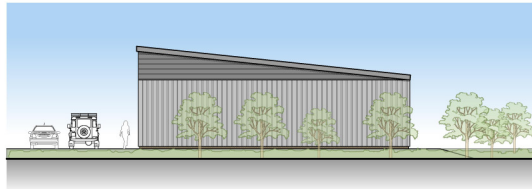
West Elevation



East Elevation



North Elevation



South Elevation

h t c a r c h i t e c t s

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Thornton Road, Pickering

Drawing title

Industrial Units Proposed

Elevations

Date

March 2019

Status

Planning Issue

Scale

1:100@ A1

Drawn

PJD checked LS

Job no.

1902 dwp no. P202 rev. A

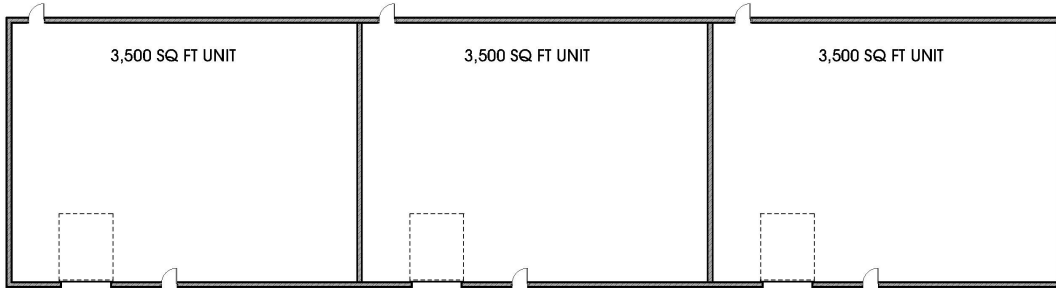
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Floor Plans



date valid 02/04/2019

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project
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 Thornton Road, Pickering

drawing title
 Proposed Industrial Units
 Floor Plans

date March 2019
status Planning Issue
scale 1:200 @ A3
drawn FJD checked LS
plot no. 1902 **dwg no.** P106 **rev.** -

DESIGN AND ACCESS STATEMENT

**Proposed Mixed
Use Development**

**Thornton Road
Pickering**

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Surrounding Built Environment – Town Centre and Housing

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Proposed Unit 2 Information

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Access

INTRODUCTION

This document has been prepared in support of a planning application for the construction of a new hotel and B1(b)/B1(c) light industrial units with associated car parking, servicing and landscaping in the market town of Pickering, North Yorkshire.

The scheme is composed of two buildings, each with dedicated car parking, service area and bin stores. The scheme will also include new hard and soft landscaping installations which will help to integrate it into the surrounding area and ensure the proposal is environmentally and ecologically relevant. Care has been taken in selecting the elevational treatments for both of the buildings.

The full planning application comprises the erection of a Premier Inn hotel and a building hosting three separated light industrial units.

The development site area is 1.59 Hectares.

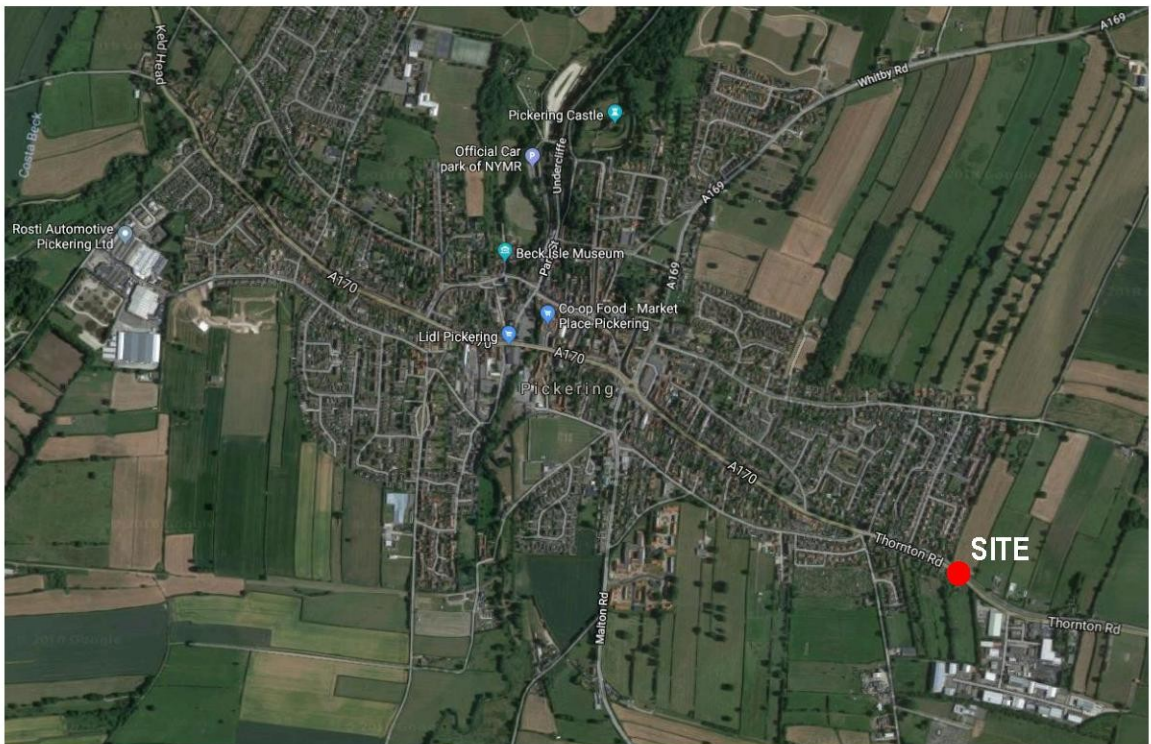
The Design and Access Statement forms an integral part of the application submission and should be read in conjunction with other supporting documentation, including the Architect's drawing package and all specialist consultants reports. The purpose of this document is to explain the design process behind the development proposals and justification of the scheme.

This document provides important and detailed information about the scheme and has been written for a wide target audience, including the local planning authority, local residents, statutory and non-statutory consultees and elected members.

SITE LOCATION



Location of Pickering within North Yorkshire



Location of Site within Pickering

SITE LOCATION



Aerial view of site

The site is located to the south east of the market town of Pickering on the edge of the Thornton Road Industrial Estate, one of two industrial estates in the town. It is accessed via the A170 which runs from Thirsk in the west through Pickering and then out to Scarborough in the east. A new access from the A170 into the site will need to be created to accommodate the proposed development. On the site there is an existing dilapidated bungalow which will be demolished as part of the works, a new pond is proposed and the landscaping surrounding it enhanced to support the existing wildlife.

Pickering is a bustling market town with a wide variety of independent and chain stores including a variety of shops, cafes and restaurants. It is well known as the 'Gateway to the Moors' due to its close proximity to the North York Moors and also as the southern terminus of the North Yorkshire Moors Railway, the second-longest heritage line in the UK. The town itself is also home to a Medieval Castle, the Beck Isle Museum and a Saxon Church with its world-famous 15th century wall paintings. As well as all of this, it is a great base from which to explore the moors, the North Yorkshire coast and Dalby Forest. Pickering and the surrounding area offer a wide range of things to do for all the family, which has led to an increased in popularity with tourists and locals alike.

SITE ANALYSIS



Topographical survey of site

The industrial estate is mainly comprised of two or three storey portal frame buildings with a combination of buff coloured brick and corrugated metal cladding. The houses on the eastern edge of Pickering, closest to the site, are more varied in design, there is a mix of bungalows, flats and two storey homes, detached, semi-detached and terraced, with both gable and hipped roofs. The town has been gradually expanding over the last century meaning the houses are of varying styles from different eras of development. The town centre is much older than the houses on the outskirts of the town and this can be seen in the architecture. The market place, town centre and surrounding streets have a quirky collection of stone, brick and rendered buildings, some of which date back hundreds of years.

SURROUNDING BUILT ENVIRONMENT - INDUSTRIAL ESTATE



North west view towards the centre of town



South east view towards Thornton Road Industrial Estate



JTATKINSON building at the entrance to the Thornton Road Industrial Estate



SM Autocare building on the Thornton Road Industrial Estate



Industrial Unit on Enterprise Way, Thornton Road Industrial Estate



Town & Country Fires, Thornton Road Industrial Estate

SURROUNDING BUILT ENVIRONMENT - TOWN CENTRE AND HOUSING



View from A170 Hungate towards the Church of St Peter and St Paul



View from Market Place towards the Church of St Peter and St Paul



Ryebeck Court - Retirement Homes on the A170 Thornton Road



New homes on Town End Close



Bungalows and two storey homes on A170 Thornton Road



Two storey, detached homes on A170 Thornton Road

LANDSCAPE AND ECOLOGICAL



Aerial view of site

1. Overgrown front of site

2. Neglected rear of site

The site is largely classed as a greenfield land. On the site there is an existing dilapidated bungalow with associated garage and tarmac driveway. The hedgerow at the front of the site has been allowed to grow out of control and currently filters all views into and out of the site as well as obscuring the line of sight for drivers exiting the site. As part of the works this will be cut back to allow views in both directions along the highway.

DESIGN AND USE

The proposed site will be constructed for use as a hotel and business/ employment premises, across use classes B1(b) B1(c) and C1.

Both parts of the development will share an access road which will be formed from the existing site access/ egress point off Thornton Road. The highway access point will be designed inline with appropriate highway standards. Each building will have separate car parking provisions despite sharing an access road. Separating the hotel servicing area and the B1 units turning head will create a safer car park environment for visitors to the development. Pedestrian access routes into the buildings have also been considered and designed into the scheme, and the development will provide covered cycle parking provision adjacent the Premier Inn.

The design, construction, materiality and colour palette of the building have been carefully considered to ensure that the scheme is high quality in its appearance. The scheme needs to work in a way that ties the existing industrial estate to the houses on the outskirts of the town. By using a mixture of facing brickwork and rendered panels to form the elevations of the hotel we will create a welcoming frontage. The roof will be a gable construction with grey roof tiles, similar to those used in parts of the neighbouring industrial estate.

New hard and soft landscaping will be provided throughout to ensure the site is aesthetically pleasing to both users and passers by. The hard landscaping will be constructed in concrete, tarmac and block paving, the different materials will be used to define different users spaces. The northern elevation has been specifically considered to ensure landscaping breaks and softens the massing of the elevation.

AMOUNT

The proposed development consist of 2 buildings;

Building 1 - Premier Inn Hotel

Full planning application

Class C1 - Hotel

External works include the construction of a customer car park and servicing area creating the following provision:

- 93 Staff / Visitor Car parking spaces (Including 5no. disabled parking and 2no. electric car charging)
- 5 Covered cycle parking hoops creating 10 cycle parking spaces (shared with building 2)
- 1 drop off area with space for 2no. cars
- 1 separate servicing area with access to bin store, M&E store and plant area.

Building 2 (subdivided into units)

Full planning application

Class B1(b) & B1(c) –Units

External works include the construction of a customer car park and delivery area for each unit creating the following total provision:

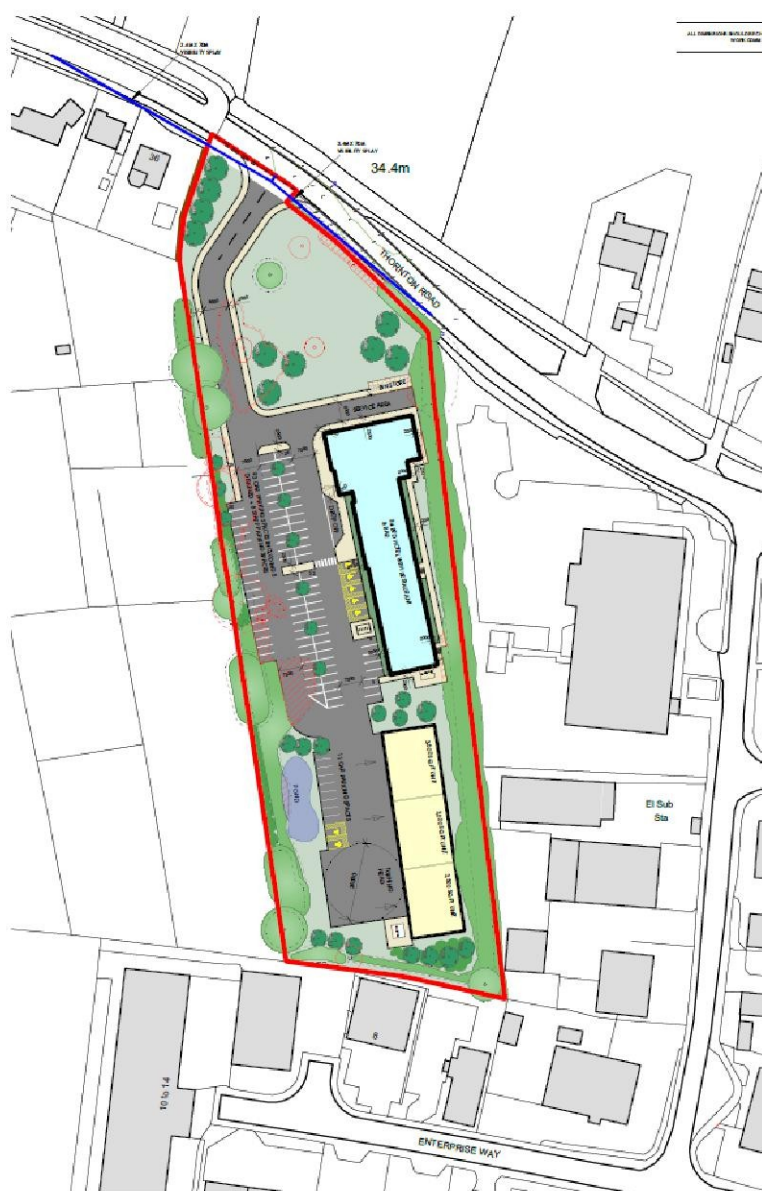
- 11 Staff / Visitor Car parking spaces (Including 2no. disabled parking)
- 5 Covered cycle parking hoops creating 10 cycle parking spaces (shared with building 1)
- 1 Service Yard level entry loading bay per unit.
- 1 Shared turning head

PROPOSED SITE PLAN

Proposed Site Plan

The proposed scheme is shown above. This final layout has been designed to maximise the potential of the site while protecting and enhancing interests of acknowledged importance. The design will:

- Provide an attractive landscaped frontage along Thornton Road.
- Provide an improved access/egress point off Thornton Road, to be designed inline with appropriate highway standards.
- Protect and enhance the surrounding habitat.
- Enhance the existing tree belt to the south of the site screening the development from part of the industrial estate.
- Provide clear and well defined pedestrian routes through site, creating a linked and cohesive scheme for both pedestrians and motorists.
- Provide separate servicing areas to ensure safety.



PROPOSED PREMIER INN HOTEL



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

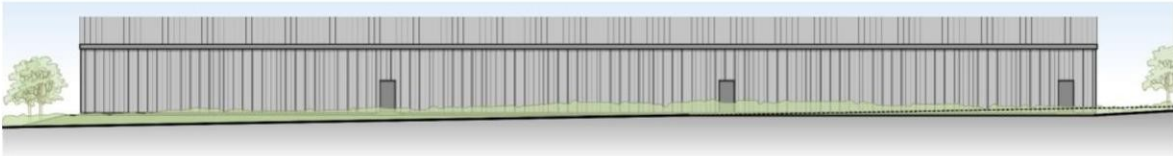
Proposed Premier Inn elevations

The design of the Premier Inn Hotel delivers a mixed two and three storey building with elevations that have been designed in accordance with the local material pallet of surrounding homes and businesses. This has been done to help tie the existing industrial estate back to the homes on the edge of Pickering town and create a more cohesive built up area.

The pallet of materials consisting of, brickwork, zinc raised seam cladding, white render, composite flat panel cladding, double glazed windows and doors and a grey roof which when combined as proposed delivers a sleek and contemporary design. The building is visually split by the use of projections and the use of different materials. A vertical emphasis is achieved by the use of zinc cladding panels between windows in vertical strips, thereby visually breaking up the length of the building. The mono-pitch roof reduces impact of the building when approached from the East whilst also adding to the contemporary feel.

A covered area, glazed doors and larger windows help visitors to the site easily locate the hotel entrance and communal areas on the west elevation, this is easily accessible from the car park via pedestrian walkways. Smaller windows along the west elevation allow plenty of natural light into the hotel rooms and views out of the rooms across the fields to the west of the site.

PROPOSED INDUSTRIAL UNITS



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Proposed Industrial Unit Elevations

Plastic-coated profiled metal cladding for the walls with plastic coated profiled metal cladding to the roof. A contemporary palette of materials is used.

COMMUNITY SAFETY

Crime and Safety

The proposed development has been designed to maximise site safety and minimize crime in the local area as well as within the site by ensuring that all public areas are overlooked by occupants of the development. Natural surveillance is recognised as being a basic requirement as it helps prevent anti-social behaviour and increases people's perception of safety.

The design proposals provide a clear sense of site ownership and clearly established pedestrian and vehicular routes through the site. The use of different materials to mark pedestrian and vehicular routes gives visitors visual indications as to which areas to use, this will help to create a safe environment for everyone within the site. The lighting strategy will also be configured to help minimize the potential for crime in and around the site.

ACCESS

The existing site access is to be relocated slightly to the west to improve and provide a safer vehicular route into the site . The existing hedgerow currently obscures views out of the site, as part of the works this will be cut back to provide unobscured views in both directions along the highway. The access point will be designed inline with appropriate highways standards.

The car park design delivers an open plan layout with clearly defined vehicular routes and separate servicing areas for both buildings. All routes and servicing areas have been tracked to ensure delivery vehicles can safely access and service the buildings on site. Disabled parking is proposed within the new car parking area with new dropped kerb access to footpaths. This will ensure safe and easy circulation for all within the site.

The site currently has no defined pedestrian access routes from the surrounding public highway, the existing footpath runs along Thornton Road without any branches off into the site. The scheme provides safe access for pedestrians through the car park, to the hotel. Several routes with crossing points have been provided in the carpark.



DESIGN AND ACCESS STATEMENT

Part 2 Sustainability & Energy Efficiency

Proposed Mixed
Use Development

Thornton Road
Pickering

The logo for htcarchitects is located in the bottom right corner of the page. It consists of a dark grey square background. The text 'htcarchitects' is positioned in the lower right corner of the square. 'htc' is in a bold, orange font, and 'architects' is in a lighter, grey font.

htcarchitects

Introduction

Considering the current focus of Government and society on creating sustainable and energy efficient new developments, the issue has been at the forefront of the design process. Careful consideration has been given to the merits of making the building more efficient during the construction and operational phases of the development. Included within this has been weighing up the benefits of providing renewable energy on site.

The modern design of the buildings, which benefit from simple clean lines, means it is 'greener' than pseudo-traditional designs. This is on the basis that fewer more sustainable materials are used and the construction time is shortened and more efficient.

The materials applied to the buildings are low maintenance and in the majority of cases require no further applications over time. Quality facing materials are to be utilised on the elevations. The cladding is pre-finished and naturally oxidises therefore does not have to be painted or re-coated unlike traditional plastisol coated claddings. The guttering and down pipes are a powder coated aluminium finish and therefore do not require re-painting or maintenance.

The development aims towards a zero percent additional run-off target in regard to surface water drainage.

To ensure that the development does not waste energy through unnecessary lighting, all internal and external lighting will be remotely operated. This means that the lighting within ancillary areas uses sensors to turn on when someone enters the room and turns off after a specified period of inactivity.

As well as saving energy through lighting systems, Premier Inn operate an extensive recycling policy for all waste cardboard and plastics generated during its operations. All recyclable waste is separated into its constituent parts, the cardboard is then collated and collected twice a week to be recycled. All plastics are separated and bagged. The cardboard bales and Plastics collected separately.

Energy efficiency is a long term lifecycle issue, which should not only be addressed in the short term build such as through materials but also, in the long term through the operation and maintenance costs.

Sustainability & Energy Efficiency

Protection of Nature's Resources

The key to achieving sustainable development is to ensure prudent use of land and resources. This section details how the development has taken account of this during the design.

The development has used materials that are highly rated within the Green Guide specification in the construction of this development.

Element	Construction	Rating
Roof	Mono-pitched roof steel truss construction with an aluminum cladding finish with internal mineral wool insulation.	A
Walls	Poroton Blockwork with a render cladding. Facing Brickwork	A/A+
Glazing	Windows, Double glazed with Aluminum Frame.	A

Protection of Nature's Resources

Ash and Lacey Ash Zip system or similar is used for the roof construction of all the buildings, this is one of the lowest environmental impact materials on the market.

The external walls of the hotel will be formed from Poroton Blockwork using a single leaf construction. Poroton is light-weight and gives enhanced thermal performance due to the air spaces within each block.

Glazing is used modestly around the elevations, this allows natural light into the building reducing the need for artificial lighting. The windows have an aluminum frame which can be recycled at the end of its operational life. This material is also durable, having some of the longest replacement intervals according to the Green Guide.

Operational waste produced in the hotel is segregated at source. Cardboard and plastic packaging is bailed / bagged on site and collected appropriately.

In terms of water usage, The development has a number of objectives which govern the water use on site, these include;

1. Water is fully metered.
2. Water usage monitored on a monthly basis.
3. Water usage targeted use per month.
4. Installation of low water use fittings.
5. All new toilets have dual-flush controls installed.

Sustainability & Energy Efficiency

Energy

Premier Inn are widely recognized as having a lower energy consumption than average benchmarks with energy usage restricted to lighting, selective local heating and a small amount of refrigeration.

In order to achieve an energy efficient design, it is required to ensure optimum use of energy throughout a buildings life. In this section each component of the building will be discussed in terms of its energy efficiency.

Materials

Building Regulations set the minimum thermal performance standards for a building. The development will exceed the minimum standards to make significant reductions in the heating requirements of the building.

Glazing

The development optimises the window selection to maximise daylight, minimize heat loss, reduce solar gains and provide acceptable noise insulation and aims for an area weighted average U-value no greater than 1.1 W/m²K. All windows will be double glazed, with a minimum of 6mm thick glass and a 12mm gap.

Lighting

All lighting in the Development is connected to the Building Management System (BMS). The lighting within the sales area is controlled by timers, the other areas of the store use lights controlled by motion sensors. External lighting utilises a combination of light sensors and timers in order to minimize energy consumption through seasonal variations. Lighting levels vary depending upon the activity i.e. 15 minutes after the store closing lighting levels reduce to only 30% and vice versa.

Heating

The Hotel uses air conditioning systems that provide both heat and cool air. This allows the building to be effectively controlled with the same management system.

The small amount of hot water required will be provided by electric water heating to reduce losses from water storage.

Air

The development is considered unlikely to give rise to any significant air quality issues. Techniques are applied during the construction period to minimise the potential for dust and local air pollutants. Best practice is used to control dust on the construction site.

Efforts are also made to reduce impact on air quality within the building. To achieve this, the development's finishings are designed to be of low impact to human health. These include the use of low impact paints, where practical, including water based paints that have low volatile organic compounds.

Air leakage through draughts at joints in the building such as windows, doors and poorly fitted cladding causes variations with the building's temperature. It takes a significant amount of energy to control these leaks with measures to reduce such leaks being incorporated into the building design.

The amount of openings within the building envelope have been kept to a minimum to reduce the areas where air leakage could occur. Appropriate seals will be used to reduce these draughts to a minimum. The roof space and any draughts created from the cladding around the roof space will not affect the temperature within the building.

Noise

During operation of the development, every effort is made to ensure noise does not compromise the health and well being of building occupants as well as other potentially sensitive receptors.

Noise impacts to the surrounding receptors would be minimized through the appropriate management and if required the installation of acoustic fencing. Where perceived noise sources could occur, acoustic fencing would be supplied to ensure the operation of the hotel does not impact the amenity of local residents.

Lighting

Impacts from lighting have been addressed during the design of the development. Light pollution emanating from the building at night may impede the view of the night sky and cause glare effects, both of which present potential harmful physiological and ecological effects. The development minimise light obstruction, including light trespass and sky glow by following appropriate guidance from the Institute of Lighting Engineers.

Conclusion

The design of this development has made significant advances towards sustainable design and construction.

The design incorporates measures to reduce environmental impact, both through design and through the commitment of the developer to follow best practice to reduce pollution during the construction phase.

The information provided clearly demonstrates that the development can be regarded as energy efficient and will also deliver sustainability within the local community.

The logo for htcarchitects is displayed within a dark grey square. The text 'htcarchitects' is written in a lowercase, sans-serif font. The 'htc' portion is in a light grey color, while 'architects' is in a slightly darker grey. The 'a' in 'architects' has a small orange dot above it.

htcarchitects

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8 Britannia Street,
Leeds,
LS1 2DZ,
t: 0113 244 3457
e: admin@htcarchitects.co.uk
w: www.htcarchitects.co.uk

From: dm
Sent: 17 April 2019 15:06
To: Development Management
Subject: Consultee Comments for Planning Application 19/00366/MFUL

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 3:06 PM on 17 Apr 2019 from Mrs Angela Dawson on behalf of Pickering Town Council.

Application Summary

Reference: 19/00366/MFUL
Address: Meadowfield 40 Thornton Road Pickering North Yorkshire YO18 7HZ
Proposal: Demolition of existing buildings and erection of an 84 bedroom hotel with ancillary restaurant/bar, erection of 3no. light industrial units (Use Class B1 (b and c), creation of habitat area for Great Crested Newts and associated access, parking, drainage and landscaping
Case Officer: Jill Thompson

Comments Details

Comments: The council considered this application at their ordinary meeting on 15th April 2019. Concerns were raised about the safety of the proposed access into the site. It was noted that on the first draft site plan the access was shown as being where the existing bungalow is situated, and this access has now been moved closer to the town. It was thought that visibility at the original access point would be better, but that the safest solution for traffic movement would be if the developer were to create an access road at the rear of the site taking traffic through Thornton Road Industrial Estate and out onto the A170 at the existing industrial estate junction.

The council also commented that there should be pedestrian access from the site into the town centre, and that the developer should also consider creating bus stops. A question was also raised about whether this development fitted into the local setting of Pickering as a historic market town.

Subject: Consultee Comments for Planning Application 19/00366/MFUL

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 12:52 PM on 18 Jul 2019 from Mrs Angela Dawson on behalf of Pickering Town Council.

Application Summary

Reference: 19/00366/MFUL

Address: Meadowfield 40 Thornton Road Pickering North Yorkshire YO18 7HZ

Proposal: Demolition of existing buildings and erection of an 84 bedroom hotel with ancillary restaurant/bar, erection of 3no. light industrial units (Use Class B1 (b and c), creation of habitat area for Great Crested Newts and associated access, parking, drainage and landscaping

Case Officer: Jill Thompson

[Click for further information](#)

Comments Details

In addition to previous comments made on this application the council raised concerns about the speed of traffic on the A170 close to the site entrance which could make access difficult, and asked whether there should be speed cameras in the area. One councillor pointed out that the application states that HGVs will need to cross into the other lane of traffic when turning out of the site and it was agreed that this was unacceptable.

Comments: It was acknowledged by the council that there was a footpath on the other side of the A170 where hotel users could walk into town, but that you needed to cross the road to access this footpath and given the volume and speed of traffic it was a difficult road to cross. It was suggested that a pedestrian crossing of some kind should be installed.

Finally, councillors thought that environmental concerns should be addressed as part of this application such as solar panels and additional wildlife habitats.

Agenda Item 9

Item Number: 9
Application No: 19/00671/MFUL
Parish: Sand Hutton Parish Council
Appn. Type: Full Application Major
Applicant: Aldby Field Nurseries Ltd (Mr & Mrs Coulter)
Proposal: Erection of a glasshouse (9504 sq.m.)
Location: Aldby Field Farm Sand Hutton To Bossall Road Sand Hutton Malton YO41 1LG

Registration Date: 11 June 2019
8/13 Wk Expiry Date: 10 September 2019
Overall Expiry Date: 17 July 2019
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Sand Hutton Parish Council No objections
Highways North Yorkshire No objections

Neighbour responses:

SITE:

The site is a remote farm located in the open countryside. Access is gained from the minor road to the north-west. The site is to the north east of Sand Hutton and 2.5 miles from the A64. The surrounding land is predominately in arable use.

The existing business relates to growing and supplying of bedding plants to the wholesale market, many being propagated in the range of large glasshouses that extend to the south-east of the traditional farm buildings at the site entrance. Part of those former farm buildings has been previously converted into a farm office, canteen and accommodation for the horticultural labour force.

The business has been operational for approximately 25 years and employs 20 full time and 60 part time members of staff.

HISTORY:

01/00956/FUL- Change of use of part of stable block with loft over to form staff accommodation. APPROVED 02.01.2002.

99/01248/FUL- Change of use, alterations and extension to single-storey agricultural building to form nursery, office/reception, staff toilets and canteen APPROVED 22.02.2000.

98/00503/FUL- Erection of a glasshouse (4096 sq.m.) APPROVED 14.08.1998.

PROPOSAL:

Planning permission is sought for the erection of a glasshouse (9504 sq.m.).

The glasshouse would have a generally square footprint measuring 99m by 96m. It is an aluminium framed structure with glass and would be sited to the northeast of the existing glasshouses. The base of the glasshouse would comprise earth floor covered with a woven polypropylene groundcover (permeable) typically used in greenhouses for the purposes of growing nursery stock. The building

would stand to a height of 5.5 metres above ground level. There would be a set of double doors in both the front, north-west facing elevation and the rear, south-east facing elevation. The building would incorporate a window ventilation system in the roof. The building incorporates thermal screens and does not rely on fuel based or mechanical heating systems.

The application is made in response to a growing customer base and increased demand for bedding plants. In addition, the applicant no longer has use of 6,474m² of glasshouse at Wilberfoss which was previously held on a tenancy which came to an end in June 2019.

All rainwater is collected and stored in existing balancing ponds at the southern end of the site and the water is recycled at the site and used for the watering of plants.

POLICIES:

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 SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP16 Design

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 2019 (NPPF)

National Planning Practice Guidance 2014 (PPG)

The main considerations in the determination of this application are:

- i) Principle of the development;
- ii) Design, appearance and visual impact;
- iii) Impact on residential amenity; and
- iv) Highways impact.

APPRAISAL:

Principle of the development

The site is within the open countryside, however, the principle of the development aligns with local policies SP1 and SP9 and the NPPF as the additional, purpose-built glasshouse would support land based activity and the rural economy. The proposed development would allow the expansion of an established horticultural enterprise to meet increasing demand and, in turn, would sustain existing levels of employment at the site.

Design, appearance and visual impact

The proposed glasshouse has a substantial footprint and, within this rural open countryside context, can be regarded as major development. The size of the building is a functional requirement to allow the expansion and rationalisation of horticultural operations at the site and is in response to the loss of 6,474m² glasshouse space previously available at Wilberfoss.

The proposed glasshouses would be positioned to the east of the existing range of glasshouses. The siting of the proposed building would minimise the loss of productive agricultural land and it would be well related to the existing buildings.

The building, in terms of its scale, form and materials, would be a continuation of the existing glasshouses within the wider site and would not appear incongruous within this context. Furthermore, the site is relatively isolated and well screened by the existing boundary planting on the western, northern and eastern sides of the site. In addition there are substantial woodland blocks to the north and north west of the application site. There are no proposals to cut back or remove any existing planting within the farm that screens the application site.

There are no public rights of way in the vicinity and the nearest residential property (Sinkinson House Farm) is over 500m south east of the site and screened by intervening planting. It is considered that the siting, scale and design is acceptable and would ensure that the glasshouse would not be visually prominent in the open countryside. The external appearance of the building is considered acceptable and there would be minimal impact upon the open countryside and the development is considered to be in compliance with Policies SP16 and SP20.

Impact on residential amenity

There are no residential properties within 500 metres of the application site. The nearest (Sinkinson House Farm) is over 500m south east of the site and screened by intervening planting. The proposed building is compatible with the established land use and it is not anticipated that the proposed development would give rise to any unacceptable visual impact or any pollution or disturbance and as a result there would not be an adverse impact upon residential amenity in compliance with Policy SP20.

Highways impact

The access to the site and the proposed glasshouse would be unchanged. There are tracks that run to the west and north of the field within which the proposed glasshouse would be sited. The local roads have been used by vehicles associated with the horticultural business for a number of years.

The applicant has confirmed that the growing space at Wilberfoss is no longer available and the proposed glasshouse would address their space requirements. It would also allow for a more efficient business. The reason being that previously bedding plants were first established at Aldby Field Farm before being transported off site to Wilberfoss (approx. 8 miles from the application site) where they would be nurtured before being returned to Aldby Field Farm where, once fully grown, the plants would be packaged before being distributed. If permission is granted for the proposed glasshouse all produce would be grown, handled and distributed from Aldby Field Farm. As a result there would be a reduction in vehicle movements to and from Aldby Field Farm and this would reduce the impact of the business on the local road network.

The benefits to the applicant would be that the additional glasshouse at Aldby Field Farm would allow for a more efficient horticultural production process and would save time and costs. The wider benefits include reductions in vehicle emissions and traffic on local roads.

The LHA acknowledge the changes in operational HGV movements. Whilst the construction/erection of the proposed glasshouse will involve additional traffic on a temporary basis, overall the LHA have no objections to the application.

Overall, it is considered that the proposal represents sustainable development that would reduce traffic movements associated with the business in the locality and would not have a detrimental impact on highway safety in compliance with the relevant part of Policy SP20.

Conclusion

The Parish Council have no objections to the application.

The principle of the development is in line with national and local planning policy and represents development that supports the land-based, rural economy and gives rise to benefits for horticultural production, the local road network and the environment. The proposed development would not have an unacceptable impact on the open countryside, local amenity or highway safety. In light of the above assessment, it is considered that the proposal is acceptable and complies with Policies SP1, SP9, SP16, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the 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
Ground Plan & details ref. 9077G-02, dated 19.03.19

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

3 All external constructional materials to be used for the building shall be in accordance with those identified in the application.

Reason: In the interests of amenity and to comply with policies SP16 and SP20.

Proposed Development at Aldby Field Farm
on behalf of Aldby Field Nurseries



Promapv2
LANDMARK INFORMATION

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Plotted Scale - 1:2500. Paper Size - A4

Scale 1:2500 @ A4

Page 156

Date Valid 11/06/2019

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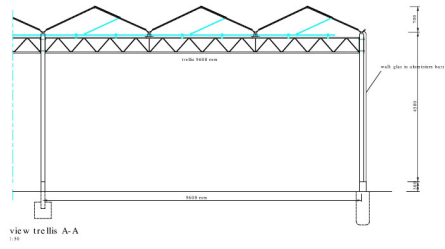
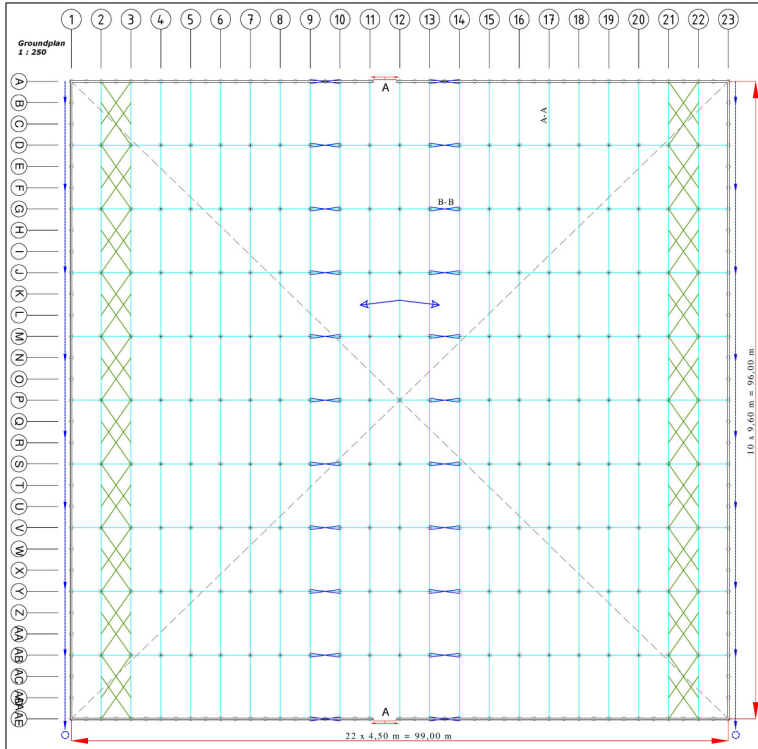


Promapv2
Landscape Architecture

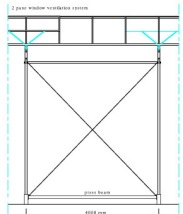
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view trellis A-A



view cross stays B-B

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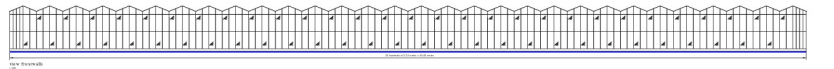
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Legenda:

	ventilation department
	cross stays
	wind bracing
	rainwater discharge
	concrete dolle
	slope (2 mm per linear meter)
	foundation pad

Door legenda:

symp.	number	door type	dimensions	system
A	2	double sliding door	B 2x1750xH3500 mm	upperroller



Groundplan & details

ebtech
GLASSHOUSE SYSTEMS

Client: **Abby Ficks Nurseries**
 Site: **Seed Millon**
 Ref: **Y041 HIG**
 Date: **19.03.2019**
 Project: **Abby Ficks Nurseries**
 Drawing: **Groundplan**
 Scale: **1:250**
 Status: **AI**
 Method: **METHOD**

1 April 2019, 10:20

**DESIGN AND ACCESS STATEMENT
&
PLANNING STATEMENT OF NEED
FOR THE ERECTION OF A GLASSHOUSE DEVELOPMENT
AT ALDBY FIELD FARM**

ON BEHALF OF
Aldby Field Nurseries Limited

LOCATION
Aldby Field Farm
Sand Hutton
York
YO41 1LG

Prepared by:
Jack Ayres – Sumner BSc (Hons) MRICS FAAV
Boulton and Cooper Stephenson
St Michaels House
Malton
YO17 7LR

1.0 GENERAL INFORMATION

- 1.1 **Applicant: -** Aldby Field Nurseries Limited
Aldby Field Farm
Sand Hutton
York
YO41 1LG
- 1.2 **Agent:-** Jack Ayres – Sumner BSc (Hons) MRICS FAAV
Boulton & Cooper Stephenson
St Michaels House
Malton
YO17 7LR
- 1.3 **Site Address: -** Aldby Field Farm
Sand Hutton
York
YO411LG
- 1.4 **Accompanying Documents:-** Location Plan – Scale 1:2500
Block Plan – Scale 1:500
Scaled Drawings – Scale 1:200 @ A1
Application Fee - £2580

2.0 BACKGROUND

This Planning Statement has been prepared on behalf of Aldby Field Nurseries Limited. It accompanies a Planning Application for the erection of 9504 sq m of glasshouse development on land at Aldby Field Farm and adjacent to the existing nursery.

Aldby Field Nurseries Limited is a well-established horticultural business growing bedding plants for the wholesale market for approximately 25 years. It trades from Aldby Field Farm, where there are already established glass houses which serve the existing business.

The business is continually expanding due to a growing customer base and due to increasing demand for bedding plants. Aldby Field Nurseries Limited is supported by a wide and diverse customer base which include's the following:-

- Local Authorities including York, Doncaster, Lincoln and Hull
- Prestigious Stately Homes including Harewood House and Castle Howard
- Retail stores such as B & M Bargains
- Local, Independent Garden Centres

In addition to the expanding business the Applicant no longer has use of approximately 6474 sq m of glasshouse which was previously held on a Tenancy and will no longer available to the Applicant from the end of June 2019. Furthermore the Applicant is continually trying to improve on the economics of the business by cutting costs and one way of doing this is to reduce HGV movements of growing stock.

3.0 DEVELOPMENT PROPOSAL

This Application is for the erection of a glasshouse for the purposes of supporting an existing business. The building will be used for the growing of bedding plants for the wholesale market.

3.1 Location

The proposed development site is between Sand Hutton, Claxton and Bossall.

The development will take place adjacent to existing glasshouses owned and used by the Applicant.

3.2 Proposed Use

The proposed use is for the growing of bedding plants to supply the wholesale market.

The glasshouse will assist the operations on an existing business.

The Applicant is looking to provide facilities that ensures the business remains sustainable, as well as allowing for the expansion of the existing business, whilst improving economics through reduced transportation of plants to complete the growing stage. The Applicant also no longer has use of approximately 6474 sq m of greenhouse which as a minimum is required to sustain the existing business.

3.3 Site Assessment

A site assessment has been carried out by the applicant and has concluded that the proposed site is the most suitable for the proposed glasshouse to assist the existing business.

The siting of the proposed building has also been chosen to minimise the loss of productive agricultural land and without causing significant damage and disturbance to the surrounding environment and landscape.

3.4 Size & Appearance

The glasshouse will measure 99m x 96m x 5.5m to its tallest point. The development will be of aluminum framed construction incorporating glass. The roof will be of the same construction.

The building will be of the same appearance to those already existing at Aldby Field Farm and utilised by Aldby Field Nurseries Limited which are used for the same purpose as the proposed development.

The proposed development uses thermal screens to heat the greenhouse space, with no reliance on oil, gas or mechanically operated heating systems.

3.5 Access

It is not considered that any additional consultation regarding the access should be required, or indeed any further works required as the access has already been used for its continued intended use.

3.6 Drainage

To use an existing drainage scheme.

All rainwater will be collected and stored in an existing balancing pond. This water is recycled through the glasshouses at Aldby Field Farm for the watering of the plants.

4.0 JUSTIFICATION

4.1 General

There are a number of factors which have resulted in the need for the glasshouse which are further discussed as follows:

- Expansion of Current Business – there is increasing demand for bedding plants from the Applicants suppliers. The glasshouse space available at Aldby Field Farm is currently at capacity. To facilitate the increased demand additional production space is required.
- Loss of Approx 6474 sq m of Glasshouse Space – The Applicant had a Tenancy on approximately 6474 sq m of glasshouse space at Wilberfoss. This Tenancy will terminate in June 2019. Therefore to sustain current production levels further glasshouse space is required by the Applicant. The Applicant is now able to facilitate the construction of their own glasshouse at Aldby Field Farm. The wider benefits that derive from this glasshouse are discussed later in the Report but in brief improve the economics of the business, provide the ability to oversee production to a higher standard of husbandry, reduce HGV movements in and around the area and also allow for the expansion of the business.
- Location (Movement of Growing Plants) – The Applicant has previously rented 6474 sq m of greenhouses at Wilberfoss. In addition, the Applicant is looking at improving the economics of the farm business. Some of the bedding plants grown were established at Aldby Field Farm and then transported using HGV's to the previously occupied site at Wilberfoss. The plants were then nurtured and will be transported back to Aldby Field Farm when fully grown to be packaged before being distributed to their customers. To avoid transportation the Applicant will replace the growing space lost at Wilberfoss at Aldby Field Farm which will allow the business to be sustained. Furthermore the Applicant will considerably reduce HGV movements on and off of the site as all produce will be grown and handled from the Aldby Field Farm site.

The reduction in movement of HGV's to and from Aldby Field Farm will result in a reduction of movements through the surrounding villages.

- Environmental Benefit - An additional benefit of reducing the movements of vehicles would be for the environment. Emissions will be reduced due to fewer vehicles in operation producing fewer emissions and burning less fuel.

- Employment – The proposed development will sustain the existing business which will at minimum sustain the jobs of the existing employees. It is expected that as the business is allowed to grow and expand that it will improve job prospects for local people by creating a need for further employment.

4.2 Planning Policy

4.2.1 Ryedale District Council Local Plan Strategy

Policy SP9 The Land Based and Rural Economy

Policy SP9 notes that “Land based economic activity is integral to the district economy, cultural heritage and identity”. The proposed development will support a land based activity and also improve the economics of the business.

Policy SP13 Landscapes

The proposed building is being constructed within immediate proximity to an existing range of glasshouses. Due to the location of the site, its position is well screened by existing natural features.

Policy SP16 Design

Careful consideration has been given to the design of the proposed building. The proposed building will meet the needs and demand of the existing business as well as causing the least amount of disturbance to the surrounding landscape. Furthermore the materials used in the construction of the buildings are typical of that expected of development of its nature and for the purposes of an existing business.

4.2.2 National Planning Policy Framework

Section 6 – Supporting a prosperous rural economy

The proposed development will support the sustainable growth and existence of an already existing rural business.

Section 12 – Achieving Well Designed Places

(see above Planning Policies)

4.3 Conclusion

Having assessed the requirements of the existing business and the reasons for the proposed development it is clear that it will bring multiple benefits to both the Applicant and the surrounding community and landscape.

The development is also supported by Policies contained within the Ryedale District Council Local Plan Strategy and National Planning Policy Framework.

It is therefore requested that this Application is supported.

Subject: Comments for Planning Application 19/00671/MFUL

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

Comments were submitted at 7:58 AM on 07 Jul 2019 from Mrs Fiona Hill.

Application Summary

Address: Aldby Field Farm Sand Hutton To Bossall Road Sand
Hutton Malton YO41 1LG

Proposal: Erection of a glasshouse (9504 sq.m.)

Case Officer: Alan Goforth

[Click for further information](#)

Customer Details

Name: Mrs Fiona Hill

Address: The Byre, Thornton Field House Thornton Le Clay To
Thornton Moor, Thornton Le Clay Malton, North Yorkshire
YO60 7QA

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Reasons for comment:

Comments: The Parish Council has No Objections

Item Number: 10
Application No: 19/00177/FUL
Parish: Normanby Parish Meeting
Appn. Type: Full Application
Applicant: Mr & Mrs Keith & Elaine Dowell
Proposal: Erection of 1no. four bedroom detached dormer bungalow to include integral studio annex, erection of detached carport and formation of vehicular access and landscaping.
Location: Land South Of Pasture House Main Street Normanby Kirkbymoorside

Registration Date: 1 March 2019
8/13 Wk Expiry Date: 26 April 2019
Overall Expiry Date: 26 July 2019
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Normanby Parish Meeting No response received
NY Highways & Transportation Recommend conditions
Sustainable Places Team (Environment-Agency Yorkshire Area) No response received
Neighbour responses: Mr & Mrs Walsh, John & Rachel Riddell, Michael And Silvana Hine, Mr Haydn Steele,

SITE:

The application site is a partly wooded parcel of land directly to the south of Pasture House, Normanby. A small section of the proposed dwelling's location would fall just outside of the settlement's development limits, with the majority proposed to fall within the development limits.

It is noted that the application site is in close proximity to existing dwellings within the village of Normanby, which run along Main Street in a linear pattern.

Two sycamore trees benefitting from a Tree Protection Order (no 80/196) fall within the curtilage of Fellbridge to the south and overhang the application site.

To the rear of the site, part of the land falls within Flood Zones 2 and 3 but this would be at a distance of over 50m metres from the proposed dwelling.

PROPOSAL:

This application seeks approval for the erection of 1no. four bedroom detached dormer bungalow to include integral studio annex, erection of detached carport and formation of vehicular access and landscaping.

Revised plans were received during the determination period to reflect amendments made to the scheme, which were readvertised.

HISTORY:

There is no planning history directly relevant to the current proposal.

POLICIES

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

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

Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS:

One letter of support has been received from the occupiers of The Lodge, Normanby.

Three letters of objection were received from the occupiers of Fellbridge, High Gables and Seven Lodge. These are available to view in full on the planning register of documents, where Members can review the original documents. The following summarised points were contained within the representations:

- Concerns over an additional dwelling given the existing speeding traffic coming through the village and difficulties of gaining visibility splays from the new access due to the position of the existing dwelling at Pasture house, should this be demolished this may be a safer option.
- Concerns that materials should reflect those within the existing village.
- Seeking clarification over whether following downsizing, will the original dwelling be demolished?
- Seeking clarification over whether the drainage ditch running from north to south in the middle of the plot will now be reopened?
- The prefabricated nature of the construction with Yorkshire Black Facing Stone and the corrugated bitumen carport are inconsistent with the village and will impact the street scene.
- The high level balcony are will overlook our garden (High Gables and Fellbridge responses) and will impact privacy.
- The south elevation which proposed a large scale ground floor window, a number of upstairs windows and front door directly overlooking our property (High Gables and Fellbridge responses)
- The proposed driveway and parking areas are located directly adjacent to our property patio area (Fellbridge) and would cause noise, disturbance and privacy issues.
- The soakaway shown on the garage floor plan seems to direct and discharge towards our property (Fellbridge)
- Protected Trees would be affected by the construction of the dwelling and car port areas
- Presence of Great Crested Newts identified in the Wold Ecology report are believed to also be present at Fellbridge.
- The excessive scattering of solar panels proposed on the roof is an appearance matter
- The footprint of the proposed development is not within the village development boundary.
- Two further letters of objection were received from the occupiers of High Gables and Fellbridge following formal reconsultation on the revised plans. These made the following summarised points:
 - Original objections have not been addressed in the response received from the occupiers of Fellbridge.
 - The occupiers of High Gables note that all their original objections have not been addressed and substantive issues remain. Concerns remain over the prefabricated nature of the construction being inconsistent with the street scene and the footprint of the dwelling is not

in the village development boundary.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the Development
- ii. Form and Character
- iii. Impact upon Neighbouring Amenity
- iv. Impact upon Ecology
- v. Impact Upon Trees
- vi. Impact upon Access and Highway Safety
- vii. Other matters, including consultation responses.

- i. Principle of the Development

The Ryedale Local Plan Strategy is the Development Plan and includes a settlement hierarchy, which directs the majority of development to the Market Towns and then to Service Villages. New dwellings will only be supported in 'other' villages, such as Normanby, when needed to support a sustainable, vibrant and healthy rural economy and communities and there is a local need for the dwelling.

Policy SP2 Delivery and Distribution of New Housing notes support within non service villages for *"Infill housing (small open sites in an otherwise continually built up frontage) restricted to local needs occupancy will be supported."*

The majority of the proposed new dwelling falls within the defined village development limits, including the new access and car port. Of the total c149 square metre footprint of the dwelling, only a small section (16.5 square metres) falls outside of this delineated limit. Although the proposed dwelling is set back behind the frontage trees, it is considered to meet the requirements of an 'infill' dwelling as described in the development plan.

In relation to the Local Needs Occupancy element of the policy, the applicant currently resides in Normanby in the adjoining dwelling at Pasture House. A statement was provided to the Local Planning Authority indicating the requirement for new building dwelling to meet specific family needs which cannot be provided elsewhere in the village. This remains confidential due to the personal nature of the contents. However Officers are satisfied that this is convincing justification to warrant the provision of a new dwelling for identified 'local need.' The design of the build includes ground floor level living accommodation that would provide a 'lifetime home.'

There is no policy requirement to necessitate the demolition of the existing dwelling, which will continue to contribute to the housing stock in the village.

- ii. Form and Character

The proposed dwelling would be located inset within the site, with the nearest point at a distance of approximately 27.5 metres from the highway. The proposed new dwelling incorporates a pitched roof design, with the ridge line orientated east/west. This is to be constructed under a Passivhaus ethos with a low carbon, low energy approach and will incorporate integrated solar panels within the proposed roof slopes. These integrated units are preferable in design terms to surface mounted panels.

Consideration has been given within the Design and Access Statement to the palette of materials found within the surrounding streetscene in Normanby. The proposed dwelling would be

constructed of York Stone (noted on the drawings as 'Yorkshire Black Stone') in addition to sections of white render and traditional pantiles on the roof. A small section of the flat roofed boiler room would be completed in GRP roofing which is considered acceptable. The dwelling would also incorporate a timber framed porch to the southern elevation and a small balcony to the rear eastern elevation, also externally accessible via a spiral staircase. Following concerns raised by the Case Officer and representations received from the occupiers of the neighbouring dwelling, this balcony would incorporate an obscured glass privacy screen along the southern side elevation. This will be further detailed in Section iii below.

Following comments raised by the Case Officer, the originally proposed roof lights and solar panels were reorganised and refined to incorporate a more regular and grouped appearance, together with improvements made to the verge/eaves detailing. The rationalisation of the roof lights and solar panels is considered to have improved the visual appearance of the scheme significantly, which was raised as a concern within the representations.

The use of 'Yorkshire Black Stone' has been raised as a concern within the representations received, however an indicative image was submitted in the revised Design and Access Statement which illustrates that this would be a slightly weathered cream coloured York Stone. This is considered to be a high quality material.

Concerns were also made in relation to the 'prefabricated' nature of the building, however notwithstanding the internal construction, all external materials proposed are high quality in nature would be subject to a recommended condition that would ensure samples are provided prior to the commencement of above ground construction. Therefore it is considered that the final appearance will not be incongruous in this location. Overall it is considered that the scheme would result in a high quality new build design that will form a sustainable new dwelling.

In the Design and Access Statement, the proposed location of the dwelling, set back from the Main Street was justified as this would facilitate the retention of the existed wooded area to the south of Pasture House between the highway and the siting of the proposed dwelling and would limit impacts upon neighbouring amenity, with consideration also given to the location of great crested newts.

It is not considered that the design nor the positioning of this dwelling would harm the character of the streetscene. It is acknowledged that whilst the street scene is mostly linear in form (with the majority of dwellings positioned closer to the highway) the proposed positioning is considered acceptable in part due to the presence of the dwellings to the north and south which are also set well back from the highway. The retention of the existed wooded area will also positively contribute to the streetscene and the relationship with the original dwelling is considered acceptable.

The carport, to be located along the southern boundary of the site would be constructed of timber posts with a black corrugated bitumen roof. Concerns have been raised about the appearance of this element within the representations received. However the form and materials proposed are considered acceptable and this clearly subservient structure would assimilate effectively with the main dwelling. This would be low profile and inconspicuous from public views.

The landscaping of the site is considered significant currently and as will be explored in Section V below. Appropriate steps will be taken to ensure that no trees are impacted as a result of the proposed development. It is not considered that any further landscaping is necessary. However it is requested that details of proposed boundary treatments at the site are submitted.

iii. Impact upon neighbouring amenity

The proposed dwelling would be located in closest proximity to the properties of Fellbridge and High Gables to the South. The original Pasture House dwelling would also be located in relatively close

proximity to the north west and Seven Lodge is located further to the north.

Concern was raised within the consultation responses in relation to overlooking from the openings along the southern elevation of the proposed dwelling. It is not considered that the proposed openings at ground floor level within this elevation would result in harmful loss of privacy within the dwellings to the south, given the distance. The proposed dwelling would be situated c14 metres inset from the shared boundary. Whilst some limited views of the private amenity spaces associated with High Gables and Fellbridge may be realised, the significant level of landscaping at this point would interrupt direct views, even in winter conditions.

The first floor level rooflights along the side southern elevation have been supported by cross sectional drawings, which indicate that the bottom cill levels would remain a minimum of 1.8 metres above floor levels. This would prevent any harmful overlooking from elevated openings at the property. Permitted development rights to create openings along this elevation at first floor level would be removed to protect neighbouring amenity in the future.

Concerns were raised by the Case Officer in relation about the potential harmful loss of privacy to the occupiers of the neighbouring property to the south High Gables as a result of the elevated balcony to the south/east. As noted, whilst there is significant mature landscaping to the southern boundary, the distances between the balcony and the private rear amenity space of High Gables was lower than could be accepted given the raised nature of the balcony. It was considered that in the times of the year where the tree is not in leaf glimpsed views could be achieved from the elevated balcony. Following negotiations, a privacy screen was agreed for installation along the southern side of the balcony with a height of 1.8 metres from the floor level at this point. This will be conditioned for obscuration of the highest level and to be retained in perpetuity to secure the privacy of this adjoining property.

It is not considered that future occupiers of Pasture House would experience any harm in terms of direct overlooking either within the dwelling or the private amenity space associated with the dwelling as a result of the proposed openings along the western or northern elevations. Some views of the expansive grounds associated with this dwelling could be achieved but these are not considered harmful. Sufficient amenity space would be provided for the new dwelling, whilst retaining sufficient amenity space for Pasture House.

It is not considered any other properties would be affected in terms of privacy, nor would any properties experience harmful overshadowing as a result of the proposed development.

The point in relation to the position of the access in close proximity to Fellbridge to the south is noted. However it is not considered that a new access for a single property in this location would result in harmful loss of amenity by virtue of noise, particularly given the likely background noise levels associated with the proximity of the main road directly adjoining this property. It is not considered that harmful loss of privacy could be experienced by virtue of this parking/access route.

iv. Impact upon Ecology

The application is supported by an Extended Phase 1 Habitat Survey prepared by Wold Ecology Ltd (May 2018) This found that the proposals would not result in harm to Bats, Badgers, Birds (including Owls) Reptiles and Hedgehogs.

Wold Ecology did not recommend any further specific bird surveys. However any trees, shrubs or hedgerows to be removed should be cleared outside of the bird nesting season. An informative will be recommended in relation to nesting birds.

In relation to Great Crested Newts, eDNA sampling detected their presence in one of the five ponds

on site that were sampled.

The report noted *“In order to comply with the requirements of the latest Natural England Guidance, a population size class assessment of all accessible watercourses within 500m of the Application Site must be undertaken. The survey will comprise 6 survey visits during the period mid-March to mid-June. Due to the construction zone occurring 50m to a known great crested newt population and comprising viable terrestrial habitat, a Natural England development licence will need to be obtained prior to site clearance and building works commencing. Any works in which there is a significant risk of great crested newts being harmed or killed requires a Natural England Licence.”*

Consequently, appropriate conditions will be recommended to secure the safety of the Great Crested Newts on site.

The submission of a Natural England development licence or confirmation from them that a licence is not required in relation to the Great Crested Newt presence on site will be required to be submitted to the Local Planning Authority prior to any development works commencing on site. As detailed within the Wold Ecology report, in order to support the application for this licence a high level of data from further surveys will be necessary. This condition will therefore ensure that the works on site are undertaken in accordance with the requirements of the licence and the provisions of the Wildlife and Countryside Act 1981.

Further to this, a Biodiversity Method Statement will be required for approval prior to the commencement of any on site works.

v. Impact Upon Trees

A Tree Survey was submitted with the application prepared by Elliot Consultancy Ltd, which categorised the class of trees, including their species and indicated on the revised version the location and canopy spread of the two protected trees. This plan also indicates the Root Protection Zone of the trees.

In tandem with this plan, the proposed site block plan indicates that the proposed access and car port would be provided within the canopy spread of some of the trees.

Confirmation was sought on how the proposed carport and driveway could be constructed in a manner that would not result in harm to the trees along the southern boundary of the site, including the two Sycamores that are afforded statutory protection.

It is proposed that the drive will be installed using low impact ‘no dig’ method to avoid potential damage to the roots of trees both on site and within the adjoining properties. The area which would be completed with root protection systems is indicated on the Revised Site Block Plan (Drawing A02 Rev E) and a method statement of the proposed membrane system was provided. This will be conditioned for use unless otherwise agreed in writing.

Confirmation was also provided that there are a two potential methods to be used for the construction of the proposed carport to limit the digging of extensive foot holes incorporating manual and helical screw methods. The final details of this construction will be requested prior to commencement via a planning condition.

A condition in relation to the precise location and type of tree protective fencing is also recommended.

These methods were considered to be acceptable following a site visit with the Tree Officer. The drainage ditch on site was noted along the southern boundary which may have lessened the root expansion of these trees northwards, however it remains imperative to ensure these are adequately

protected.

vi. Impact upon Access and Highway Safety

The proposed development would be accessed via a new access taken from Main Street to the west which would run along the southern boundary of the site. Parking provision would be provided within a gravelled parking/turning area and the proposed double car port.

North Yorkshire Highways Officers have been consulted and have confirmed no objection to the proposed development, subject to a range of conditions being attached to any approval.

It is not considered therefore that the proposed development would result in harm to access and highway safety. The demolition of Pasture House has not been put forward as part of the proposal and the considerations in terms of visibility splays have been taken on the basis of the existing surrounding developments in this location.

vii. Other matters, including consultation responses.

No part of the proposed dwelling or domestic curtilage would be located in Flood Zones 2 or 3. Part of the rear of the site falls within Environment Agency Flood zones 2 and 3. However given the distance from the proposed residential dwelling of over 50m, this should not impact upon the proposed development. The EA did not respond to a consultation on this proposal.

The proposed surface water would be directed to a newly constructed soakaway. This was indicated on revised plans submitted following concerns raised by neighbouring dwellings in relation to this being originally located discharging to the drainage ditch to the south of the site. The soakaway would be directed to a new field pond to the north east of the dwelling, at a significant distance from neighbouring properties. A condition is considered necessary to ensure that the soakaway operates in line with the relevant British Standards and to the satisfaction of an approved Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of surface water disposal agreed in writing.

The proposed plans note that Foul Water would be discharged to a new septic tank however the application was submitted together with a specification relating to a Waste Water Package Treatment Plant. The agent confirmed by email that the references to the septic tank should have read 'Package Treatment Plant.' The use of a Package Treatment Plant is preferred to the use of a Septic Tank and the precise details of this will be verified by Building Control. It is noted that the development would be located at a significant distance from mains sewers in the village. It is however considered reasonable to request a condition to ensure that the foul water system is completed to the satisfaction of the Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of foul water disposal agreed in writing. Informative will be added in relation to the potential applications to the Environment Agency for discharge.

Therefore subject to the identified conditions we can be satisfied that this proposal conforms with Policies SP2, SP14, SP16, SP17, SP18, SP19, SP20 and SP21 of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

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 plan(s):

Site Location Plan

As Proposed Site Block Plan (Drawing no. A02 Rev D)

As Proposed Site Dimensions (Drawing no. A03)

Ground Floor Plan (Drawing no. SK01 Rev R)

Draft First Floor Plan (Drawing no. SK02 Rev P)

South Elevation (Drawing no. SK03 Rev J)

West Elevation (Drawing no. SK04 Rev F)

North Elevation (Drawing no. SK05 Rev G)

East Elevation (Drawing no. SK06 Rev G)

Car Port Elevations (Drawing no. SK07 Rev C)

Garage Floor Plan (Drawing no. SK08 Rev A)

Schematic Sections (Drawing no. SK09 Rev B)

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

- 3 The dwelling house hereby approved shall be occupied by a person(s) together with his/ hers spouse and dependants, or a widow/widower of such a persons who;
Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving for military service; or
Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason: To meet local housing need in non service villages and to satisfy the requirement of Policy SP2 and Policy SP21 of the Ryedale Plan - Local Plan Strategy

- 4 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:
Class A: Enlargement, improvement or alteration of a dwellinghouse
Class B: Roof alteration to enlarge a dwellinghouse
Class C: Any other alteration to the roof of a dwellinghouse
Class D: Erection or construction of a domestic external porch
Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Reason: To ensure that the appearance of the areas is not prejudiced by the introduction

of unacceptable materials and/or structure(s).

- 5 Notwithstanding the submitted details, prior to the commencement of the above ground works of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Unless otherwise agreed in writing with the Local Planning Authority, Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external stone walling to be used in the construction of the development hereby approved . The panel so constructed shall be retained only until the development has been completed.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further doors, windows or any other openings shall be created within the southern elevations of the dwelling hereby approved at first floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Unless otherwise agreed in writing with the Local Planning Authority, the privacy screen to be located to the southern elevation of the balcony at first floor level shall be obscured to the highest level of obscuration (Pilkington Glass Level 5 or equivalent) and retained for the life time of the development.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 Unless otherwise agreed in writing with the Local Planning Authority, all surface water from the extension hereby approved shall be directed to a soakaway in accordance with the British Standard requirements to the satisfaction of an approved Building Control Inspector. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of surface water disposal agreed in writing.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

- 10 Notwithstanding the submitted plans, unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the dwelling hereby approved, one of the following methods of foul water discharging must be provided, either;

- (i) a connection to the public sewer or;
- (ii) the installation of a package treatment plant.

The method of foul water discharging must be completed to the satisfaction of an

approved Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of foul water disposal agreed in writing.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

11 Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place on site (including further site clearance) until the local planning authority has been provided with either:

- a) A license issued by Natural England pursuant to the Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Reason:- In the interests of maintaining species protected under the Wildlife and Countryside Act, and to satisfy the requirements of Policy SP14 - Biodiversity of the Ryedale Plan - Local Plan Strategy.

12 Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a method statement in relation to the protection of Great Crested Newts has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include:-

1. Purpose and objectives
2. Detailed designs and working methods for ground works and construction
3. Extent and location of proposals works
4. Timing of works
5. Responsible persons
6. Aftercare and long term maintenance.
7. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason:- In the interests of maintaining species protected under the Wildlife and Countryside Act, and to satisfy the requirements of Policy SP14 - Biodiversity of the Ryedale Plan - Local Plan Strategy.

13 Unless otherwise agreed in writing with the Local Planning Authority, no additional external lighting shall be installed within the application site, without the prior written approval of the Local Planning Authority.

Reason: Inappropriate lighting in this location may result in harm to residential amenity in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

14 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of development details of the form and position of temporary protective fencing, which shall comply in full with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations, for the protection of those trees, shrubs and natural features not scheduled for removal shall be submitted to and be to the written approval of the Local Planning authority, and such fencing shall be erected in the positions approved before the development is commenced and thereafter retained until such completion of the development, to the approval of the Local Planning Authority (with the exception of during the installation of the proposed root protection system as indicated on the

proposed plans.) Hereafter, the fencing shall be referred to as the 'approved protection zone'. No storage of plant or machinery shall be undertaken in the Root Protection Zone.

Reason: To preserve trees and hedges on and adjoining the site in the interests of visual amenity and the character of the area, having regard to Policy SP13 of the Ryedale Plan, Local Plan Strategy, coupled with the NPPF.

- 15 Prior to its installation, the precise method of car port foundation system construction shall be submitted to and approved by the Local Planning Authority.

REASON: To preserve trees and hedges on and adjoining the site in the interests of visual amenity and the character of the area, having regard to Policy SP13 of the Ryedale Plan, Local Plan Strategy, coupled with the NPPF.

- 16 Unless otherwise agreed in writing, the proposed root protection system for use within the site (in the location indicated on the approved Block Plan - Drawing no. A02 Rev D) shall be provided in line with the Core TRP system method statement.

Reason: To preserve trees on and adjoining the site in the interests of visual amenity and the character of the area, having regard to local plan policy SP13, coupled with the NPPF.

- 17 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
- d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number DC/E9A (over the first 5 metres measured from the carriageway edge) to cater both for construction and delivery traffic during the build phase and use by the occupants and servicing vehicles thereafter.
- e. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

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

HI-07 INFORMATIVE

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

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

- 18 There shall be no access or egress by any vehicles between the highway and the application site
(except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 59 metres measured along the adjacent channel line of the major road Main Street in a northerly direction from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
NOTE: This visibility splay extends beyond the application site, over land shown in blue as being under the control of the applicant.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of road safety.

Informative: An explanation of the terms used above is available from the Highway Authority.

- 19 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number A02 Rev. D. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

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

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

- 21 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

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

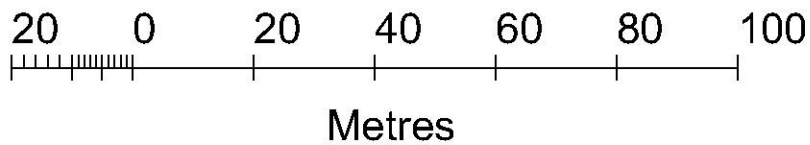
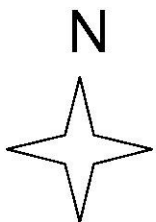
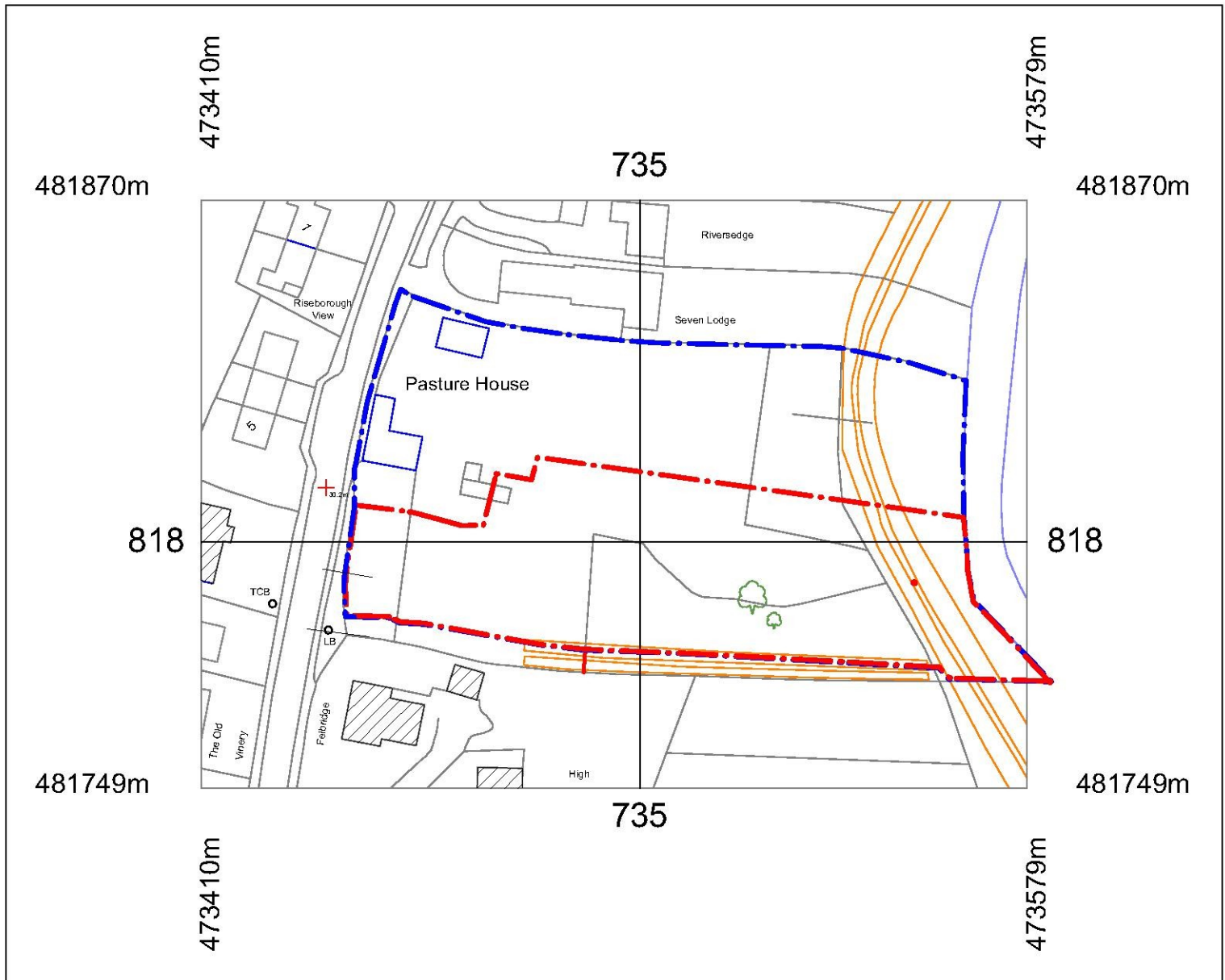
- 22 Prior to the occupation of any part of the development hereby approved, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVE(S)

- 1 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Additional protection is afforded to a number of birds listed on Schedule 1 of the Act. Operations likely to injure or kill any wild bird or damage its nest and operations likely to disturb a Schedule 1 species must be avoided. Therefore any work likely to affect any birds nesting on the site should be undertaken out of the bird nesting season ie no work between March and August inclusive.
- 2 The applicant's attention is drawn to the potential permissions which may need to be sought from the Environment Agency in relation to discharges to watercourses.

Stanfords VectorMap

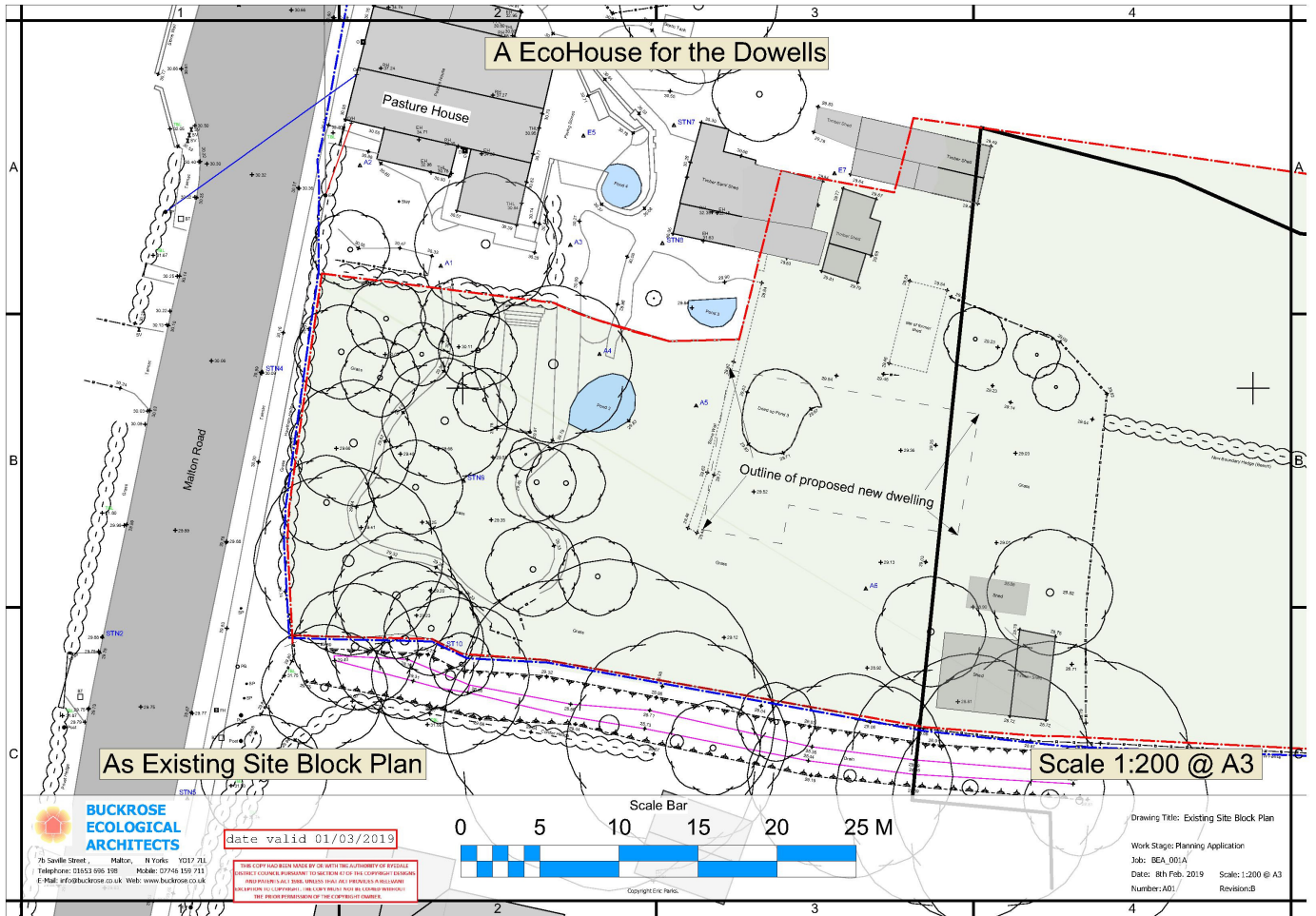


date valid 01/03/
2019

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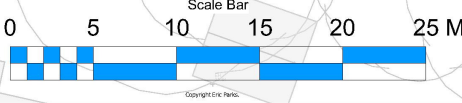
A EcoHouse for the Dowells

As Existing Site Block Plan

Scale 1:200 @ A3

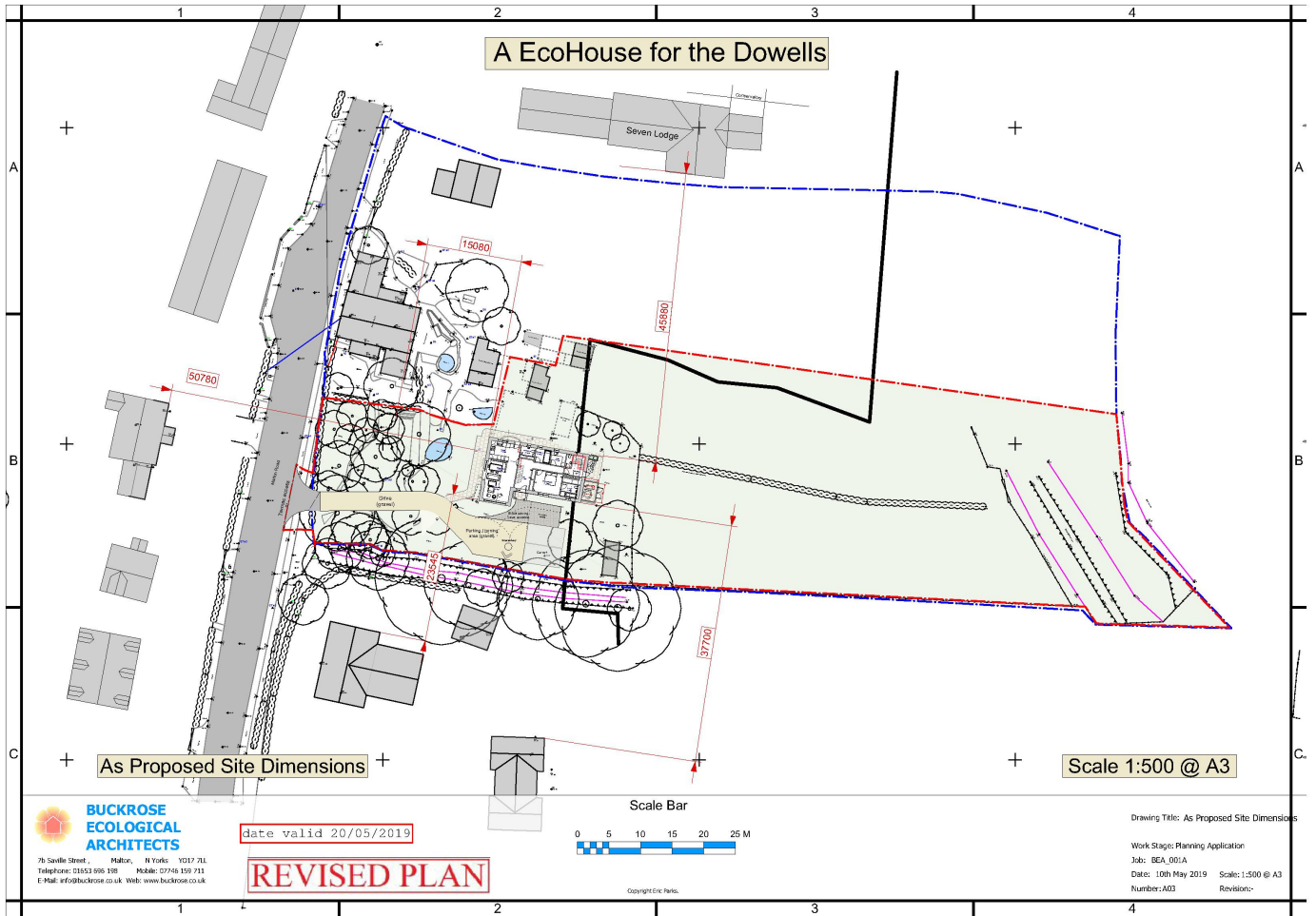
**BUCKROSE
ECOLOGICAL
ARCHITECTS**
76 Saville Street, Malton, N Yorks YO11 7JL
Telephone: 01553 696 195 Mobile: 07746 159 711
E-Mail: info@buckrose.co.uk Web: www.buckrose.co.uk

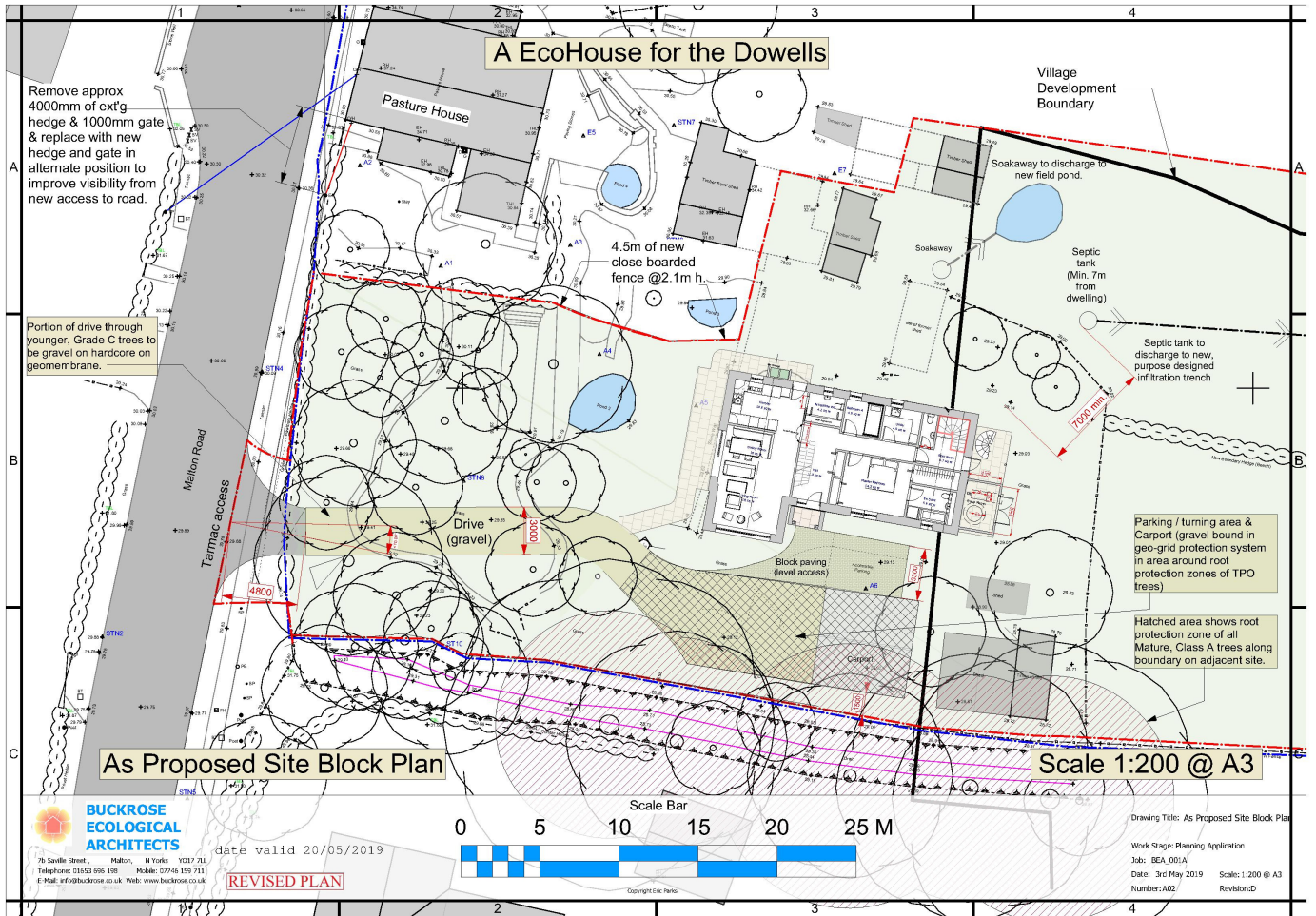
date valid 01/03/2019



Drawing Title: Existing Site Block Plan
Work Stage: Planning Application
Job: BEA_001A
Date: 8th Feb. 2019 Scale: 1:200 @ A3
Number: A01/ Revision: B

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A EcoHouse for the Dowells

K Rend
TC 15
(to all doors / windows)

Yorkstone
Black
stone

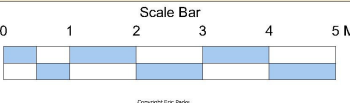
West Elevation

Scale 1:50 @ A3

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date valid 20/05/2019

REVISED PLAN



Drawing Title: West Elevation
Work Stage: Concept
Job: AN/C_15_02
Date: 1st May 2019 Scale: 1:50 @ A3
Number: SK04 Revision: F

A EcoHouse for the Dowells

Date Valid 03/07/2019

REVISED PLAN

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RLs1,4,5-6: Fakro U8 777 x 981mm rooflights - with Thermo flashing
 RLs2: Fakro U8 777 x 1180mm rooflight - with Thermo flashing

8no. PV panels

12no. PV panels

Yorkstone
Black
stone

1.8m high
obscured glass
privacy screen -
to South end of
Balcony

1.800

K Rend
TC 15

K Rend
TC 15

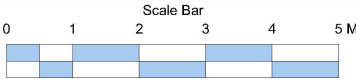
K Rend
TC 15
(to all doors / windows)

South Elevation

Scale 1:50 @ A3



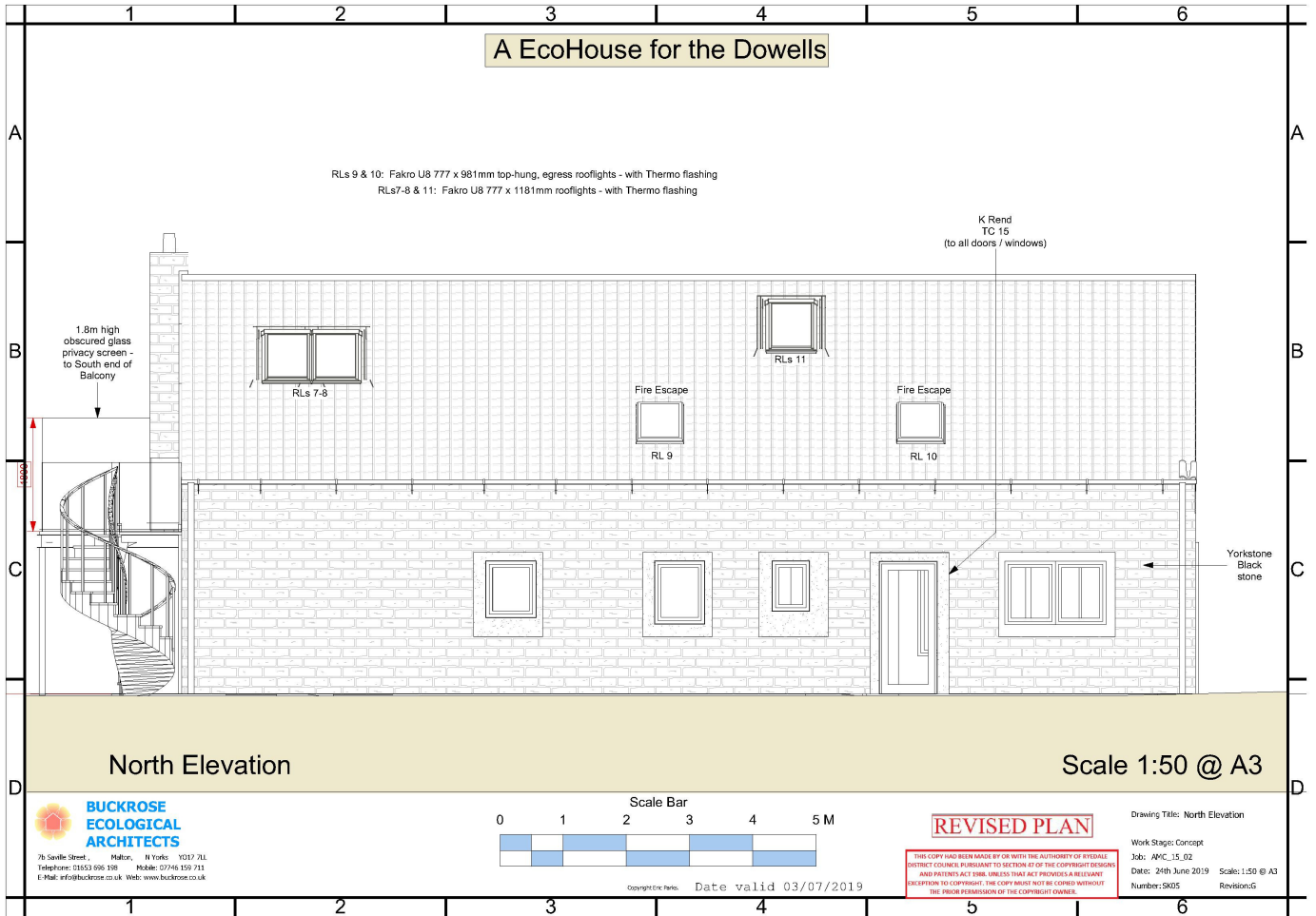
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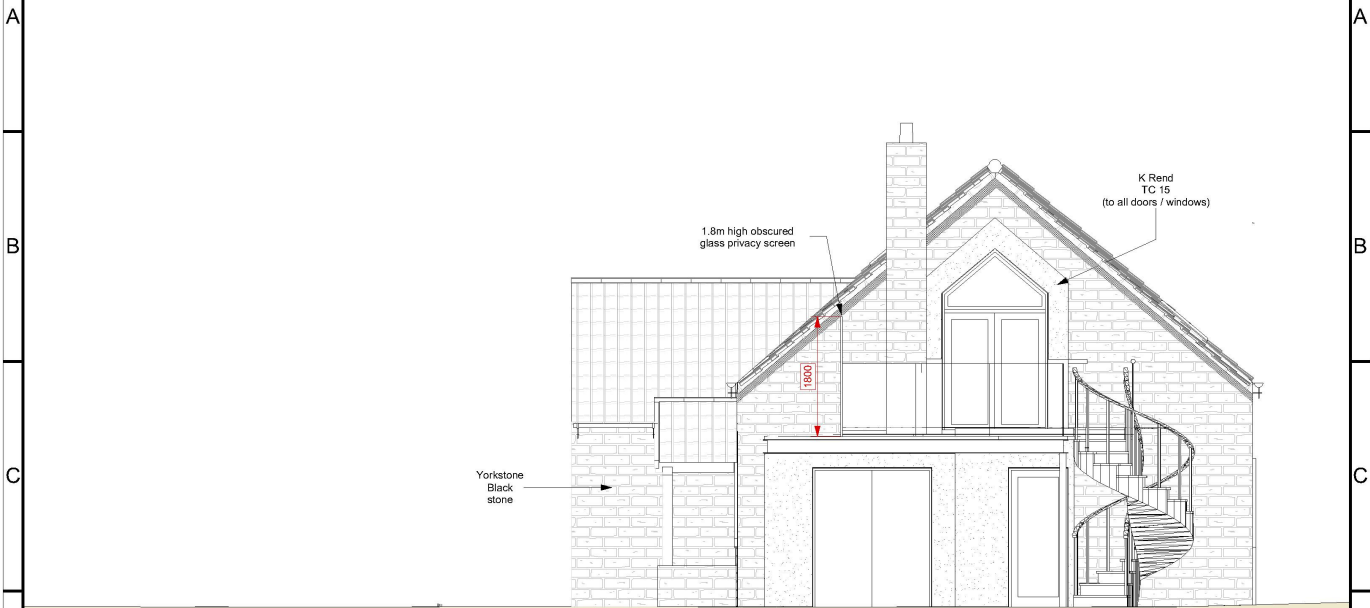
Copyright Oak Park

Drawing Title: South Elevation

Work Stage: Concept
 Job: AN/C_15_02
 Date: 24th June 2019 Scale: 1:50 @ A3
 Number: SK03 Revision: J



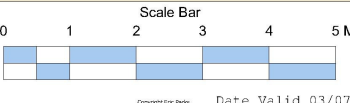
A EcoHouse for the Dowells



East Elevation

Scale 1:50 @ A3

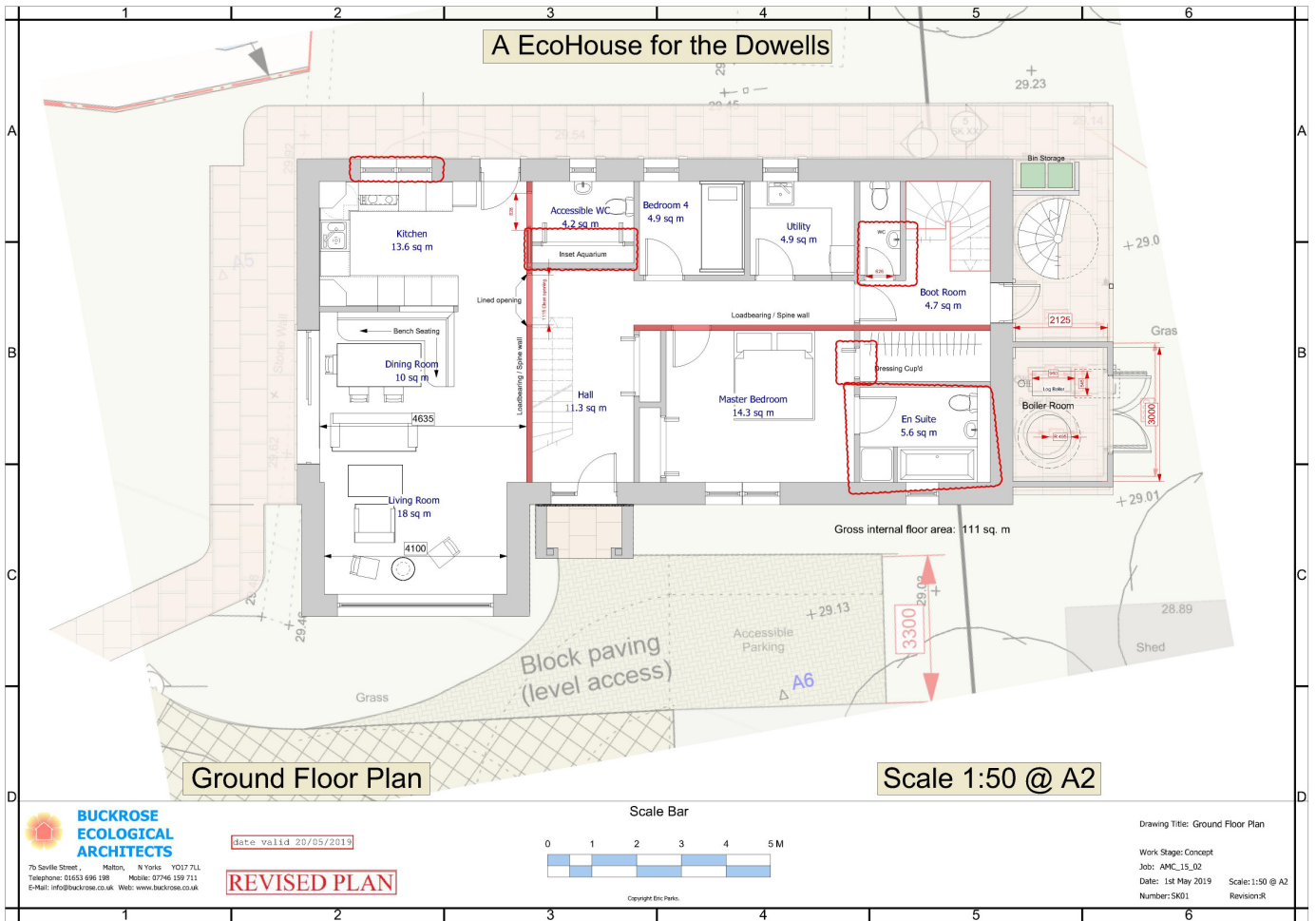
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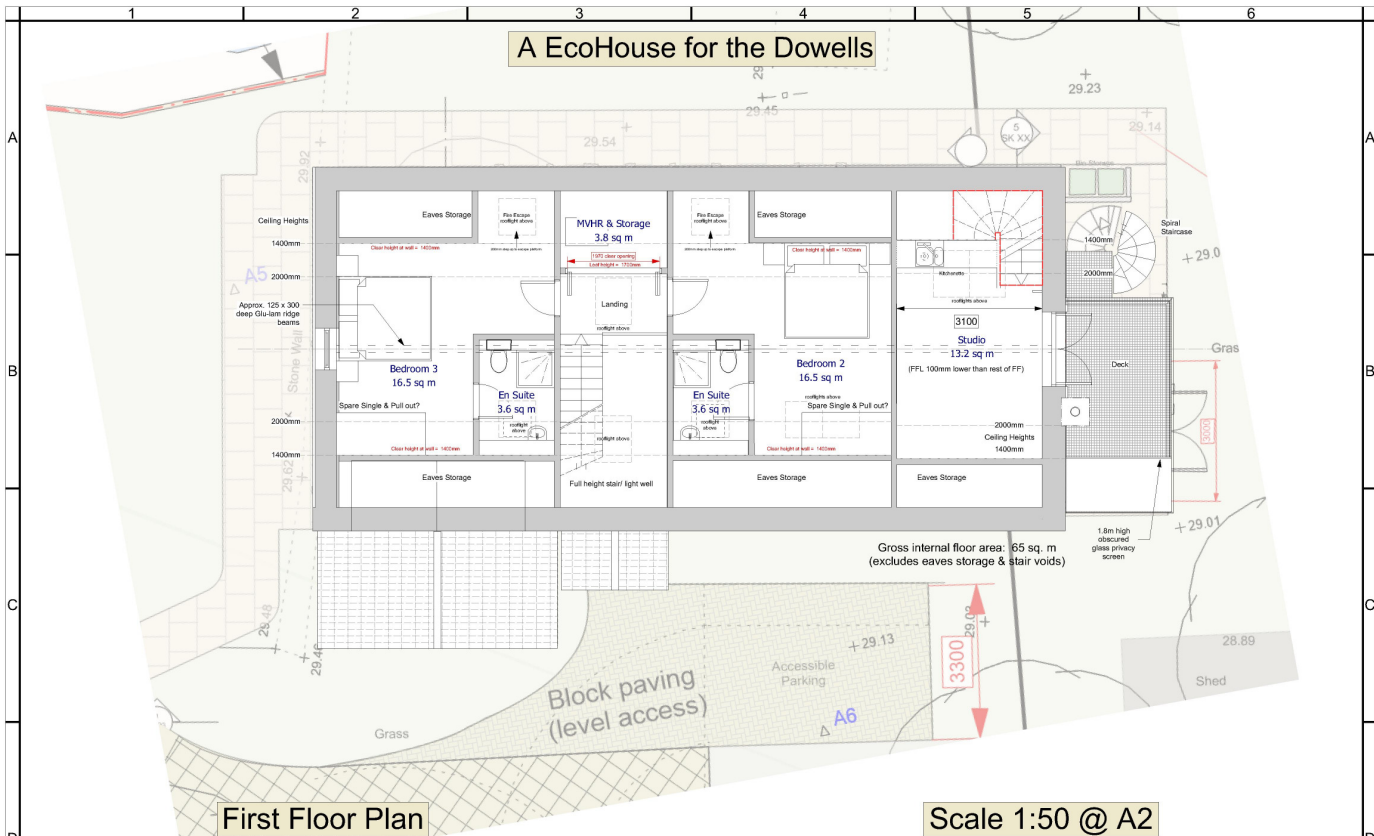
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Drawing Title: East Elevation
Work Stage: Concept
Job: ANIC_15_02
Date: 24th June 2019 Scale: 1:50 @ A3
Number: SK06 Revision: G



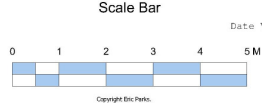
A EcoHouse for the Dowells



First Floor Plan

Scale 1:50 @ A2

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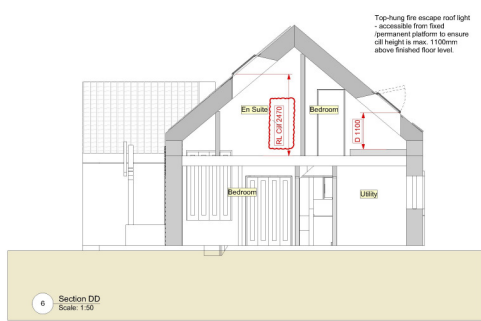
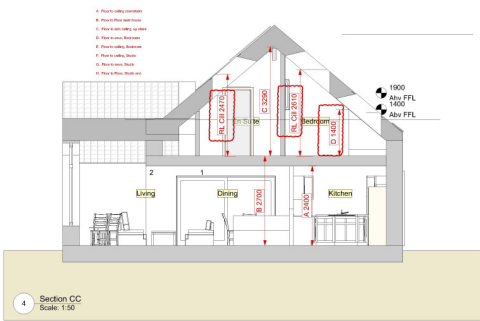
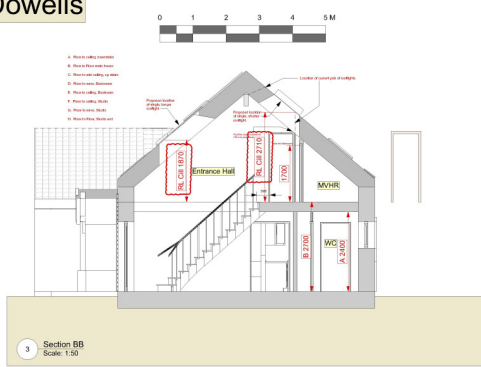
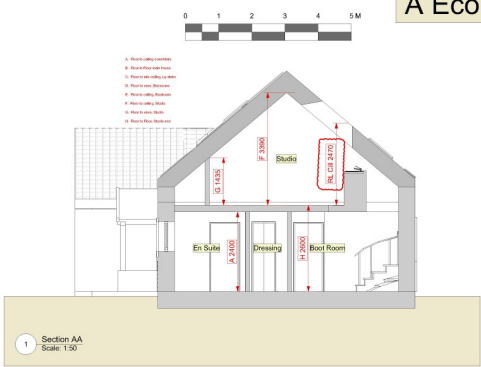
Date Valid 03/07/2019

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Drawing Title: Draft First Floor Plan
 Work Stage: Concept
 Job: AHC_15_02
 Date: 24th June 2019 Scale: 1:50 @ A2
 Number: SK02 Revision: P

A EcoHouse for the Dowells



Schematic Sections

Scale 1:50 @ A1

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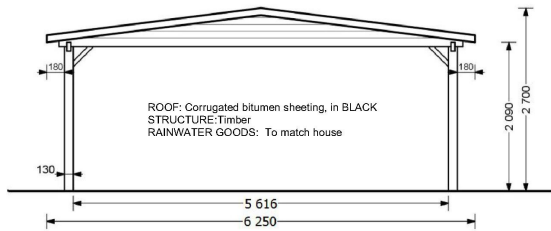
Scale valid 17/06/2019



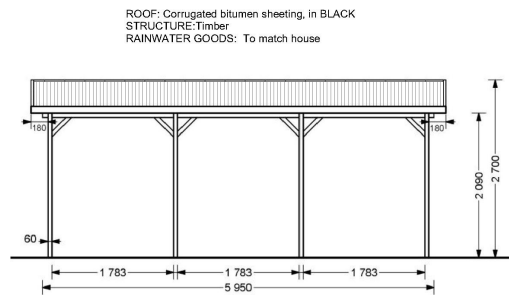
Copyright Ecx Parks

Drawing Title: Schematic Sections
Work Stage: Concept
Job: AMC_15_02
Date: 5th June 2019 Scale: 1:50 @ A1
Number: SK09 Revision: B

A EcoHouse for the Dowells



East & West Elevations



North & South Elevations

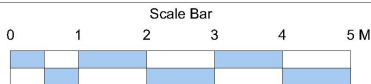
[Product website for proposed Carport](#)



7b, Saville Street, Maltby, N Yorks YO31 2LL
Telephone: 01553 895 198 Mobile: 07946 159 711
E-Mail: info@buckrose.co.uk Web: www.buckrose.co.uk

date valid 01/03/2019

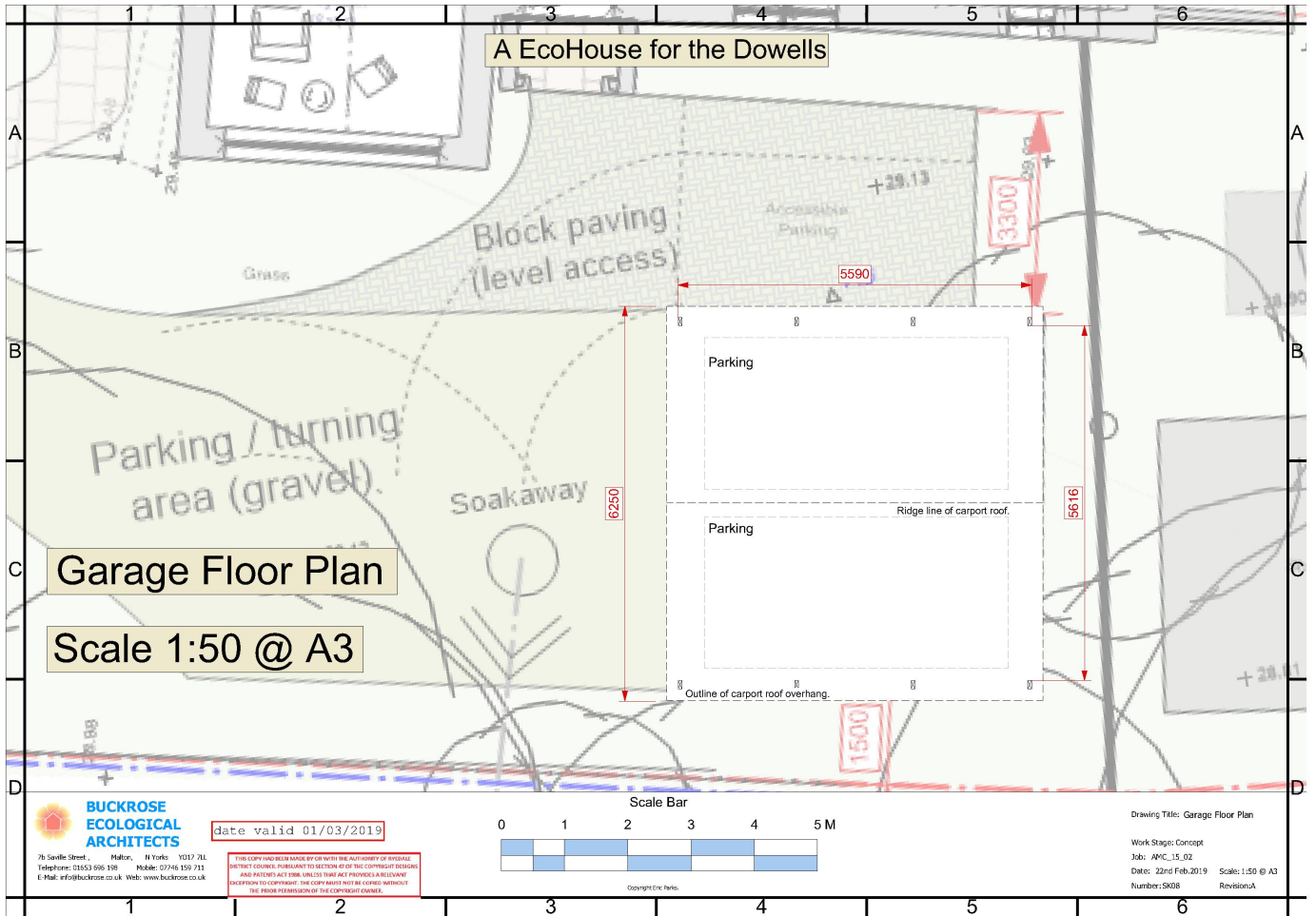
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Drawing Title: Carport Elevations

Work Stage: Concept
Job: AMC_15_02
Date: 25th Feb. 2019 Scale: 1:50 @ A3
Number: SK07 Revision: C



Use & Amount

The proposed use of the new property will be as a single, 1.5 storey 3-4 bedroom family dwelling. Has been designed using Passivhaus design methods as the applicants are interested in achieving an energy-saving and comfortable retirement dwelling.

Layout

The new dwelling is aligned lengthwise in a west / east direction with a small gabled extension at the west end of the building. A single storey boiler room – with a upper level deck above – is located on the opposite gable. The deck is accessed from the upper level Studio space and an external spiral staircase.

The ground floor accommodation is comprised of the following rooms and can be seen on drawing SK01:

- Entrance Hall
- General WC
- Utility
- Master Bedroom with Dressing Room and En Suite
- Boot Room – with small WC
- Spare Bedroom
- Open-plan Kitchen, Dining & Living Room

The first floor contains the following spaces and can be seen on drawing SK02:

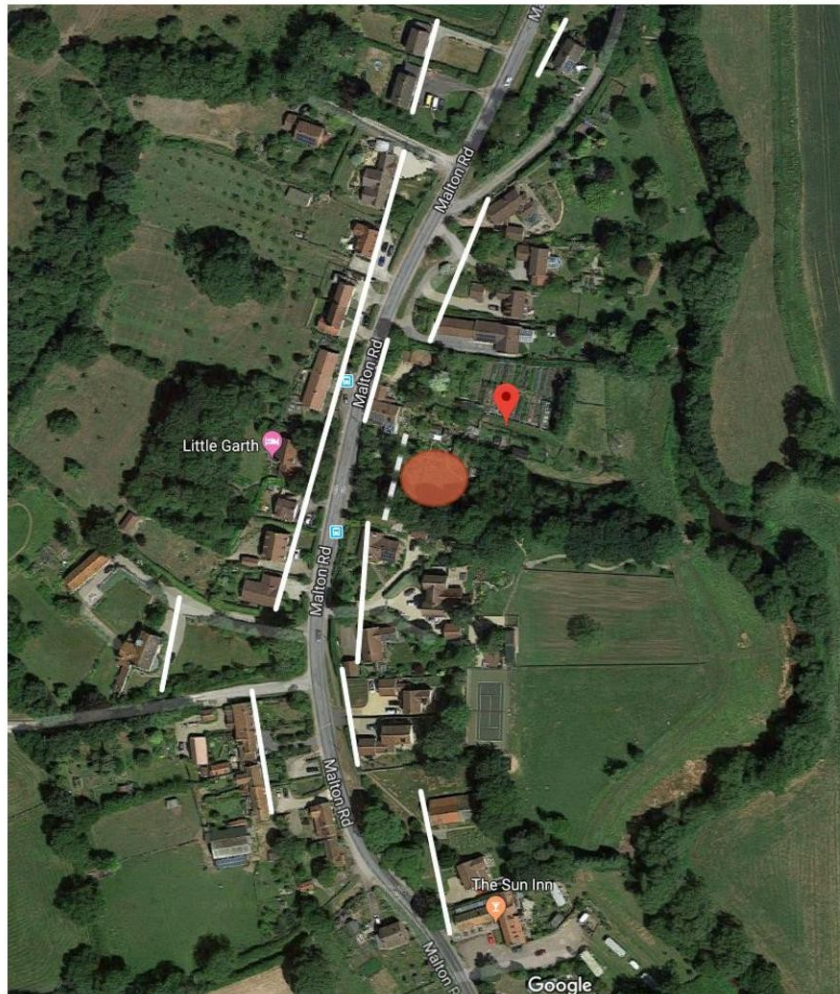
- A service cupboard – containing a mechanical ventilation and heat recovery unit (MVHR)
- Two Guest Bedrooms, each with an En Suite
- A Studio at the east end of the plan – accessed via a second internal stair in the Boot Room

The proposed location of the dwelling on the site is set away from the main road as the applicants wish to:

1. Site the new dwelling in a gaps in the existing woodland planting and retain as much of the existing wooded area to the south of Pasture House as possible. This area (in addition to the wooded area to the east of the site) has been planted by the applicants during their 35 years living on and developing the site as an organic small holding. They wish to retaining this wooded amenity for both the benefit Pasture House and the new dwelling.
2. Locate the new dwelling out of direct view / overlooking from Pasture House. Setting the new dwelling back (eastwards) on the site means that overlooking between the two properties would be minimised.
3. Locate the dwelling as far as possible from ponds (particularly Pond 1) to ensure the great crested newt habitats are protected as far as possible. More on this can be found in point 2. Of the “Pre Application Submission and Advice” section below.

In the image below, the amount of setback in the existing village layout are shown in thick white lines. The proposed line of setback for the new dwelling is shown in a dashed white line – adjacent to the red ellipse showing the site location. Although the setback depths from the Malton Road are relatively consistent on the West side of the road, on the east side, the setback distances are more variable. Additionally, the dwellings on the West side of Malton Road are predominantly aligned north-south along the road whilst the dwellings on the East side of the Road are more mixed, with many aligned

east/west, or perpendicular to the road. Within this variability, the proposed line of the new dwelling would be similar to the line of the existing dwellings on the plot directly to the north of Pasture House.



Following queries raised on Monday, the 15th of April, 2019 on the location of the proposed dwelling, relative to adjacent properties, we have prepared a separate Site Block Plan (A03) to show the distances between the proposed dwelling and existing properties on all (relevant) sides – to the North, west and South. To the east of the proposed development site is only additional land under the applicant's ownership which ends at the River Seven, so this area is not as subject to overlooking from other properties as it is outside the current limits of existing development.

Access

Access to the new dwelling will be via a new access drive – located along the site's western boundary approximately half way between Pasture House and the dwelling on the adjacent site to the south. This location has been chosen primarily based on the fact that the easiest route through the wooded area is in this area. Fewer, larger trees are present along the line of the propose drive.

The drive and associated access paths will be finished in three materials:

1. Tarmac – from the main road to a depth of approximately 5m into the site.

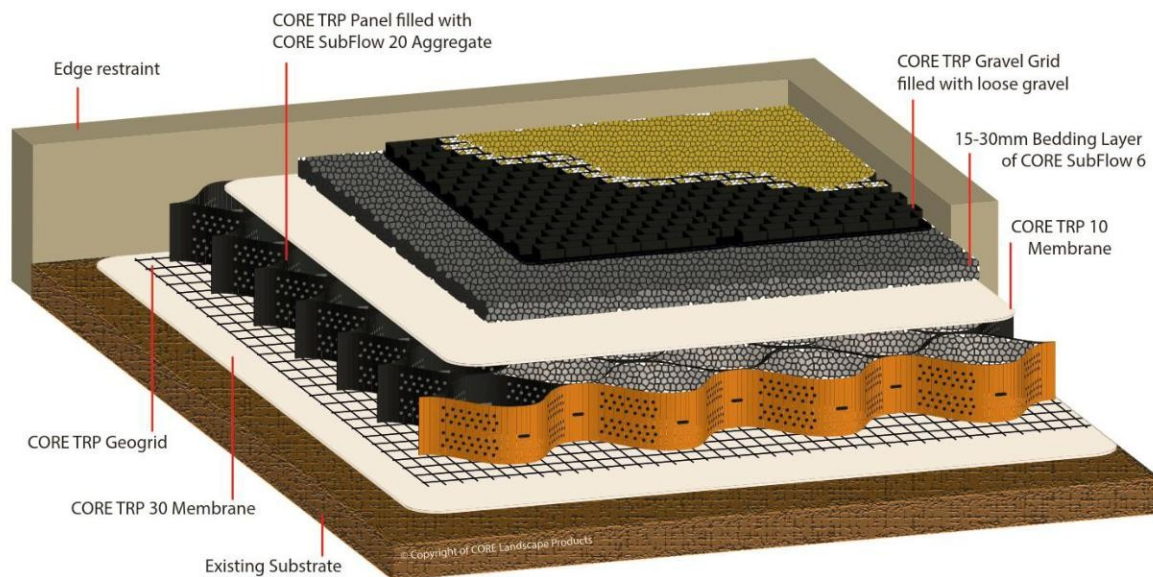
2. Gravel – from the tarmac end for the remainder of the access drive and the majority of the wider parking and turning area in front of the new dwelling.
3. Block paving – this will be used on the paths connecting the dwelling to the carport and also to provide fully accessible level access from an area in front of the carport to the main entrance to the new dwelling.

Following query raised by Niamh Bonner – we propose to install the drive using low-impact methods and a system to protect the root zones of both the trees on site and the adjacent trees (that are under tree protection orders – now annotated on the revised site block plan.)

Below is a construction build-up of one of the systems under consideration. Other similar systems are available and may be considered, however, all share the same, “low impact” and “no-dig” methods suitable for avoiding the risk of any damage to tree roots. A method statement for the system below is also attached – in APPENDIX A.

Further information on the system below can be found at:

www.corelp.co.uk



Following discussion with both Niamh Bonner and the Applicants we have revised the proposed finish for parts of the access drive / turning and parking areas. The system pictured above is proposed for use in those areas nearest to the root protection zones of the mature trees on the adjacent southern boundary as well as for the surface directly beneath the Carport – please see the outline of this areas on the revised Site Block Plan drawing A02 Rev. E. Other access drive areas to be as shown on the same drawing.

The applicants have drawn to our attention that that the mature trees (including those with TPOs) are actually next to a 500mm+ deep ditch between their property and the adjacent one to the south and this would indicate that the roots of these trees are at least this deep as they stretch into the Applicant’s property.

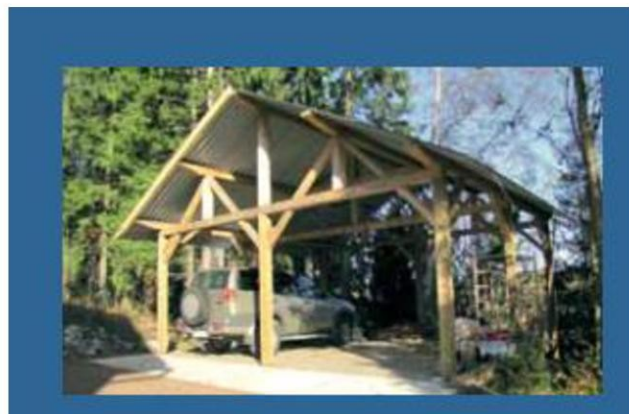
On a related note, Niamh Bonner has also queried how the proposed carport would be constructed in an equally low-impact manner – with regards to tree root protection zones. The Applicants are looking at a range of helical screw foundation systems to this end. Below are a couple of images from two

such systems under consideration. As one can see, both completely minimise the need to dig extensive holes for footings and can even be installed manually. Although the final choice has not been made, each product being investigated shares the same basic method of installation and also low-impact on tree root systems.



Image from Krinner Brochure showing ground screws supporting a carport.

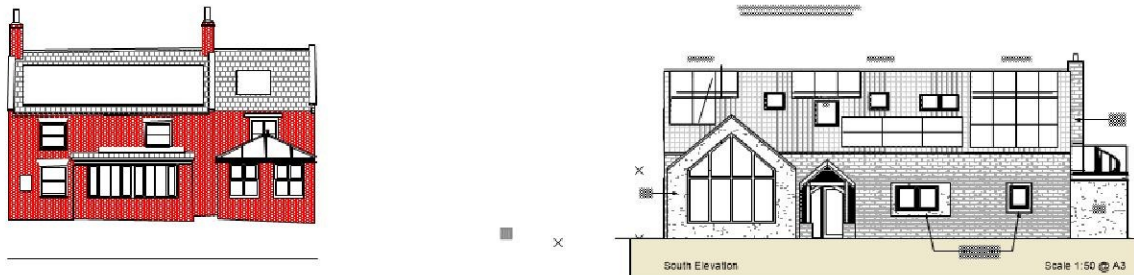
Alternative product showing a manually installed screw suitable for carport and other timber frame structures.



UK Helix Co. Ltd.

Scale

Compared to Pasture House, the proposed dwelling is a similar scale, if somewhat longer. The image below show both the properties from a front view and in positions indicative to those that they will occupy on the site.



The image below is a schematic layout of the relative position of Pasture House and the proposed new dwelling.



Landscaping

New dwelling placed in a relatively open part of the existing garden – not directly visible from Pasture House. Considerable open space to the south of the new dwelling and bounded to the east with a small maturing woodland, planted by the Applicants. The nature of the landscaping will essentially remain the same, despite the introduction of the new dwelling on the site.

Appearance & Design

Below we identify how the appearance and design of the proposed new dwelling relates to the design characteristics present in the village of Normanby.

As identified in the “Layout” section above, there are two main types of development in the village, relative to the main road through the village. The first type can be found in most of those properties on the western side of the Malton Road through the village where the dwellings are aligned north/south and face the road. The second type is more in evidence along the eastern side of the Malton Road where the properties are perpendicular to the road and some are set further back, often not in direct view of the road.

The proposed new dwelling at Pasture House follows the second type of development by being set further back from the road and being aligned in an east / west direction. The longer form has some precedence in the village, including that of the property directly to the north of the Pasture House site.

The materials in use in Normanby are the following:

Walls: predominantly brick with some stone walling and a few rendered properties. Some of the single storey properties directly across from Pasture House have small portions of timber cladding.

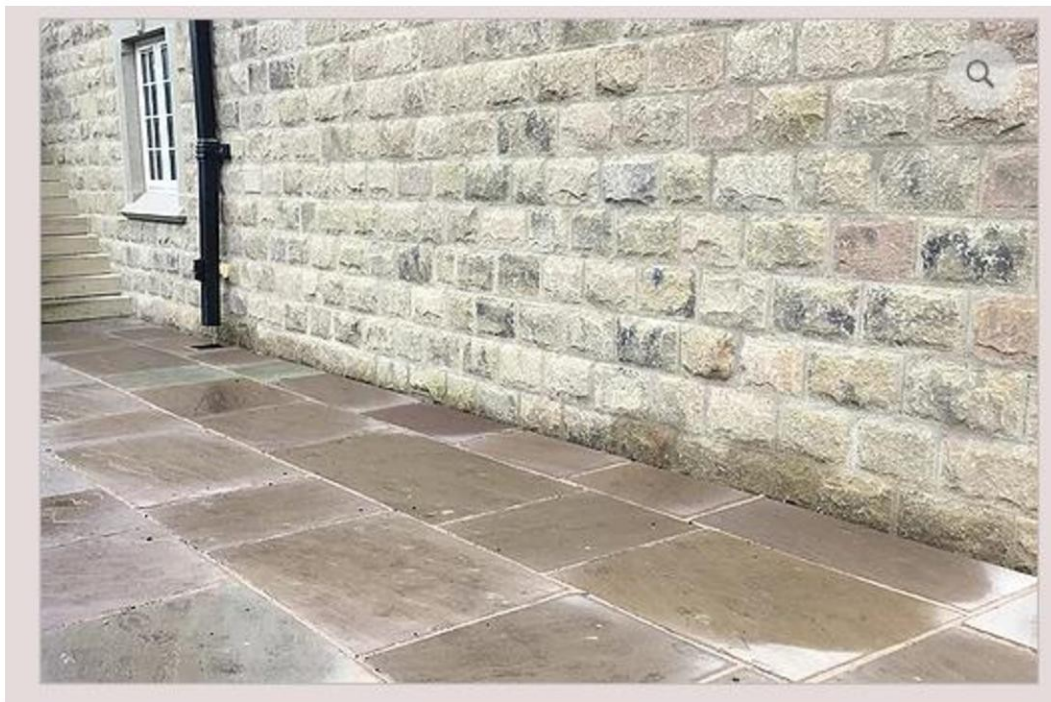
Roofs: Almost solely pantiles

Doors & windows: Predominantly white in colour, with some darker frames. Materials are either uPVC or timber.

The appearance of the new dwelling as Pasture House draws from the sources above and each element is listed below with the proposed materials for use:

Walls: The majority of the wall material proposed for use will be a Yorkstone – similar to the existing stone used on several properties in the village. Some render (in white) will be selectively used around all openings to create a feature banding that will also double as a practical and weather resistant method of sealing a gap in the super-insulated fabric. At the request of Niamh Bonner, below is a series of sample images from the proposed source of stone of the product intended for the external wall:





(from: <https://www.wellstoned.net/product-page/yorkshire-sandstone-black-tumbled-140s> accessed 29th April 2019)

Roofs: All pitched roofs on the new dwelling will be red pantiles – with the sole exception being the Boiler Room which will have a flat roof covering (likely to be single ply or GRP in dark grey). The proposed PV array will be realised using roof-integrated PVs (as opposed to above-roof mounted PVs, see an example of this type below). This is to ensure the profile of the panels is as low as possible and provide a smoother transition between the pantiles and panels.



(Source: [http://www.viridiansolar.co.uk/gallery-of-solar-installations.html#\(grid|popup\)=gallery/3096-TaylorWimpey-Raunds-Avonside\(C\)ViridianSolar.jpg](http://www.viridiansolar.co.uk/gallery-of-solar-installations.html#(grid|popup)=gallery/3096-TaylorWimpey-Raunds-Avonside(C)ViridianSolar.jpg); accessed 29th April 2019)



(Source: [http://www.viridiansolar.co.uk/gallery-of-solar-installations.html#\(grid|popup\)=gallery/3151-Dakintegratie-solarpv-NL\(C\)ViridianSolar.jpg](http://www.viridiansolar.co.uk/gallery-of-solar-installations.html#(grid|popup)=gallery/3151-Dakintegratie-solarpv-NL(C)ViridianSolar.jpg); accessed 29th April 2019)

Niamh Bonner has expressed a preference for a darker slate roof finish to the proposed dwelling. However, the Applicant's would prefer a red pantile roof over a slate roof. It is felt

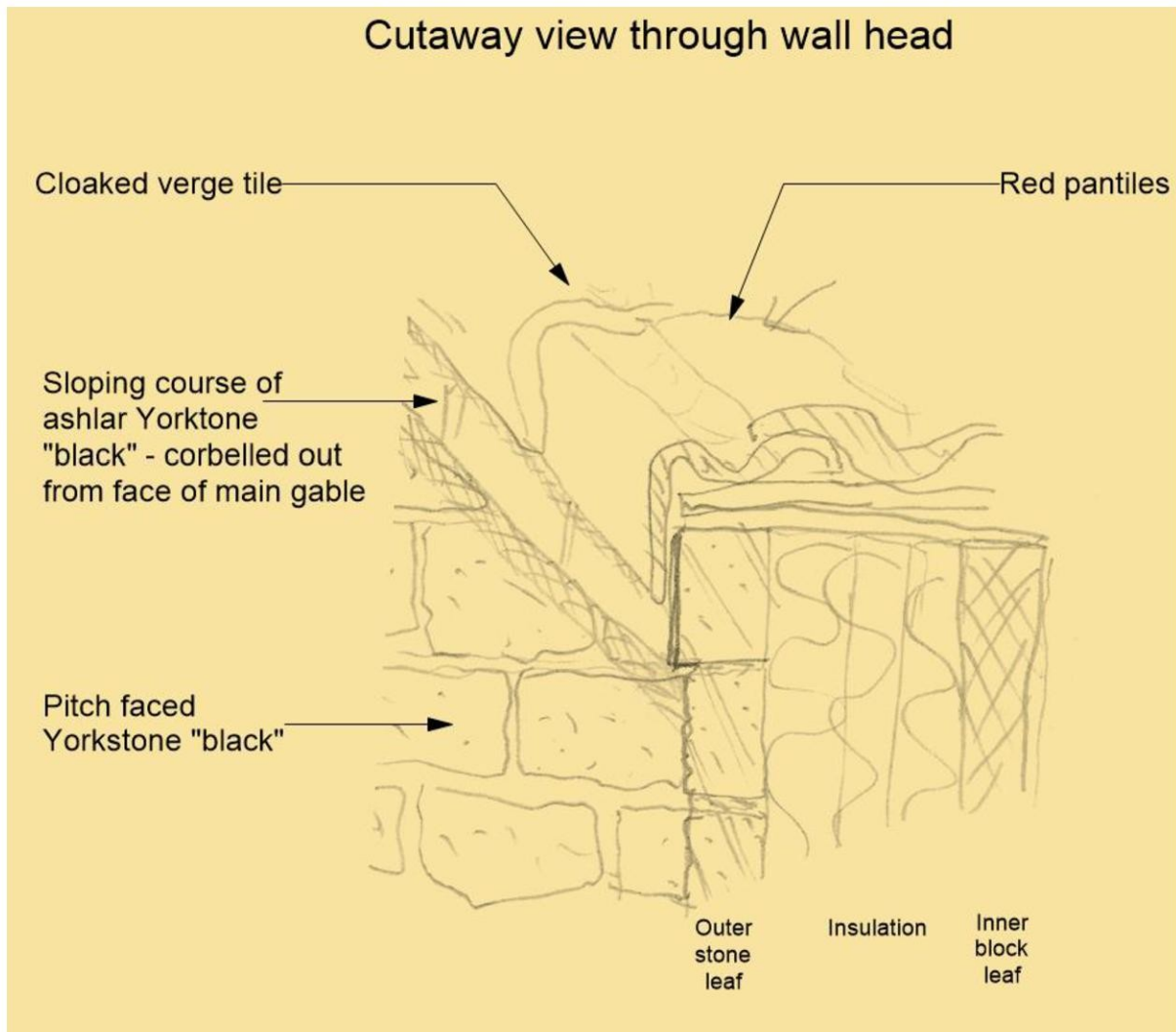
that, based on the images above – when compared with the approach below, adopting integrated PVs can achieve a suitable aesthetic appearance that is certainly preferable to surface mounted PVs – as shown below.



(Source: <https://www.dreamstime.com/stock-photo-solar-panels-red-roof-panel-image58257414> accessed 29th April 2019)

We have also reduced the number of Photovoltaic panels on the roof down to 20 panels (from 28) and consolidated their arrangement in relation to the rooflights to be more coherent and aesthetically pleasing. This revised layout can be seen on the re-submitted South Elevation, drawing SK03.

One additional note regarding the roof: in the midterm feedback from Niamh Bonner, she noted that the RDC Head of Planning felt the roof lacked “a strong eaves or verge detail”. This has been taken into account and a revised verge detail has been prepared – a sketch of which can be seen below and the effect of which can be seen on the updated West and East elevations (drawings SK04 & SK06) We can confirm that our current preference for the eaves detailing would be to simply use rise and fall brackets for the gutters.



Although a number of verge and eaves details are present throughout Normanby, our reasoning for the proposed verge and eaves treatments are primarily to do with providing a lower maintenance solution and to find a balance traditional detailing against the more contemporary aspects of the design (window treatments, glass balcony balustrading and cloaked verge tiles). Adopting a close or wet, mortared verge, although common across several houses in Normanby, would mean that the mortar in the verge would need to be periodically patched, repaired or replaced. Adopting a cloaked tile verge (with proper clay or concrete cloaking tiles – not plastic) – in combination with the corbelled or slightly set out ashlar stone provides both a weather-proof, long-lasting junction (practically maintenance free) that also provides a stronger visual edge to this prominent junction. Doors and windows: The new doors and windows will be triple glazed timber, finished in a microporus white finish

The resulting design, whilst using predominantly traditional materials clearly in use in the village, will have a slightly more contemporary appearance due to some of the larger glazed openings to the gable of the extension on the southwest corner of the property. Due to the non-dominating form and scale of the new dwelling and its position further back on the site, we believe that the impact on the village as a whole will be minimal yet complementary.

Pre-Application Submission and Advice

The Applicants submitted a Pre-Application enquiry in the Autumn of 2017 (application no 17/01110/PREAPP) and received a response from Niamh Bonner, dated 27th October 2017. The

submitted site plan indicated a development for a three bedroom bungalow that straddled the village development boundary along the eastern portion of the development site.

A summary of the advice received from Ms. Bonner and taken into account during the design of the attached proposal is provided below:

1. There was no directly relevant planning history for the site.
2. If the proposed dwelling fell entirely within the village development limits, it would be considered “infill Development” and (could) be supported.
3. The importance of according with the Ryedale Plan policies SP16 (Design) & SP20 (Generic Development Management Issues) was noted.
4. A tree survey would be required with any formal Application and it was suggested that a landscaping plan would help in showing that the proposed development would “assimilate with its surrounding and limit impacts on amenity”.
5. Parts of the site, adjacent to the River Rye, are in Flood Zones 2 & 3 though these areas are distant from the proposed development so will not impact on the development.
6. The following aspects of site access will require consideration: visibility splay and suitable parking provision.
7. Policy SP21 of the Ryedale Plan would be applied if planning permission were granted on the development.

Taking the above points into account, our response, where required, is the following:

2. Village Development Boundary

With regards to point 2, siting the proposed dwelling within the village development boundary, the Applicants have decided to site the new dwelling slightly over the development boundary. There are two reasons for this placement:

1. The new dwelling will be even further from direct view / overlooking from Pasture House.
2. In light of the presence of great crested newts (outlined in the “Site Habitat Survey” section below) and the requirement to enhance the habitats for GCNs, we have decided to move site the dwelling (away from Pond 1) to increase the area of buffer around the pond – both during the construction and ultimately during occupation of the new dwelling.

3. Ryedale Plan Policies

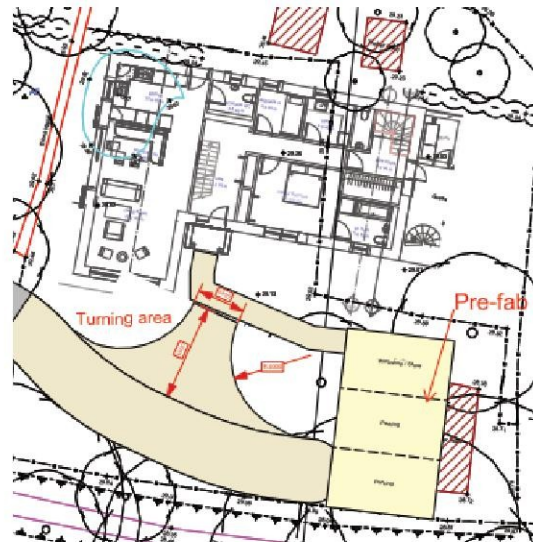
Ryedale Plan policies SP16 (Design) and SP20 (Generic Development Management Issues) have been addressed as indicated in the “Appearance & Design” section above.

4. Tree Survey

The Applicants appointed arboricultural consultants Elliot Consultancy Ltd. to prepare a tree survey. The completed survey and notes is attached. We have incorporated the survey information into the existing and proposed site plans.

6. Site Access

The new access has been designed based on a preliminary layout provided to Stephen Boyne of North Yorkshire Highways. Mr. Boyne visited the site (on Tuesday, September 11th 2018) to comment on a previous site layout – as shown in the image below.



Mr. Boyne's comments are summarised below:

1. *"there seems to be an issue with traffic speeds through the village here, so I would wish to ensure that, for any new access, visibility can be achieved in accordance with the maximum Stopping Sight Distance values as given in Table 7.1 in Manual for Streets"*
2. *"some of the hedgerow close to Pasture House and around the electric pole will all have to be cleared away to ensure that visibility. Ideally the little section of fence and hand-gate should be moved back too to clear the visibility splay."*
3. *"the domestic driveway may be reduced to 3 metres width away from the vehicular crossing section. The reversing / turning area directly in front of the carport would be satisfactory."*

With regards to item 1. Above, the required visibility splays are shown on drawing A02 As Proposed Site Block plan – as far as is practically possible for the scale of the drawings. The Applicants are prepared to make the changes requested in no. 2 above & they have been noted on the existing & proposed site block plans. In line with item 3. above, we have reduced the width of the driveway to 3 metres away from the drive access point – primarily to ensure the proposed drive can be accommodated in between existing trees on site.

Mr. Boyne concluded his pre-application advice by noting that

"...if your client is prepared to accept this from the new access point as shown, then I would offer no highway objections in principle to the development of a single dwelling, subject to usual conditions."

The site layout has changed since Mr. Boyne's original visit – to what is shown below, however, the scope of the drive and it's functionality have not been fundamentally altered. Further details are shown on the submitted Site Block Plans A01 & A02.



Site Habitat Survey

In March 2018, Chris Toohie of Wold Ecology was appointed to undertake a Phase 1 Habitat Survey of the development and wider site at Pasture House. The resulting report has been included with this application. The survey considered the following species:

- Bats
- Great crested newt
- Badger
- Reptiles
- Birds
- Hedgehog

For all species but great crested newts, no further surveys were recommended. The report did recommend that a presence or absence survey for the presence of Great Crested Newt is carried out. The applicants instructed Mr. Toohie to undertake an eDNA survey for the presence of GCNs, which was carried out on the 13th of June 2018.

The results of the eDNA survey indicate the presence of GCNs in Pond 1 on the site. The presence of GCNs will require additional surveys to take place in support of a Natural England license for the proposed construction works. These surveys will be carried out by the clients in due course.

Both the Phase 1 Habitat Survey and the eDNA test results have been included as supporting documentation for this application.

Drainage

The above ground drainage will be addressed through the use of porous paving (gravel to the drive and permeable block paving to portions of the drive) with rainwater runoff discharged to a soakaway. The proposed location of the soakaway is shown on drawing A02 As Proposed Site Block Plan.

The applicants propose to deal with foul water with a septic tank – located to the east of the proposed dwelling and draining into the existing drainage ditch along the southern boundary of the site. The

specific septic tank proposed for use is the WPL DMS2 Sewage Treatment Plant, more details have been provided in a brochure for the system – submitted as supporting information with this application.

10th May 2019

Item Number: 11
Application No: 19/00531/HOUSE
Parish: Pickering Town Council
Appn. Type: Householder Application
Applicant: Mr Mark Coverdale
Proposal: Erection of timber fence in rear garden (retrospective)
Location: 61 Eastgate Pickering North Yorkshire YO18 7DX

Registration Date: 2 May 2019
8/13 Wk Expiry Date: 27 June 2019
Overall Expiry Date: 10 June 2019
Case Officer: Emma Woodland **Ext:** 43324

CONSULTATIONS:

Pickering Town Council

Neighbour responses: Mr And Mrs Allanson C/o Shaun Allanson,

SITE:

61 Eastgate, Pickering is a Grade II listed building within the Pickering conservation area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation of the listed building and the preservation or enhancement of the conservation area. The neighbouring property 60 Eastgate is also Grade II listed and is also located within the conservation area and the same statutory duties also apply to this property. 61 Eastgate dates from the 18th century and is one of a row of stone and pantile cottages on the north side of Eastgate. It is located on the back edge of the footpath behind a grass verge and is clearly visible within the townscape.

PROPOSAL:

This is a retrospective application for the erection of a timber fence c. 4.2m long and c. 1.65m high. The works in this application have already been undertaken and permission is now sought to regularise them.

POLICY:

- Local Plan Strategy- Policy SP12- Heritage
- Local Plan Strategy Policy SP16 Design
- Local Plan Strategy Policy SP20 Generic Development Management Issues
- National Planning Policy Framework

PROPERTY HISTORY:

13/00797/LBC -External and internal alterations to include erection of single storey rear extension (part with bathroom above) to replace existing single storey lean-to extension, works to rear to lower existing ground level to form patio area with steps, internal secondary glazing, replacement of first floor ceilings, new electrical circuit, installation of 2 no. conservation rooflights to rear roofslope, widening of internal opening and removal of fireplaces.

13/00209/HOUSE- Erection of single storey rear extension (part with bathroom above) to replace existing single storey lean-to extension together with works to rear to lower existing ground level to form a patio area with steps (minor amendments made 13/00754 AMEND).

This application has been submitted following an enforcement enquiry into the removal of a c. 4.2m length of stone wall and the erection of a replacement timber fence. The timber fence is attached to the rear of No 61 Eastgate and runs in a northerly direction. The works also require Listed Building Consent by virtue of their attachment to a listed building.

CONSULTATION RESPONSES:

Parish Council – no objections

Neighbours – two comments have been made on behalf of the occupants on the neighbouring property:

- Original arrangement (a wall should be re-instated)
- Damage has been caused to our property

APPRAISAL:

The layout of the land and rear property boundaries are not straightforward in this instance. The fence forms part of the shared property boundary between No 60 and No. 61 Eastgate. Due to the topography, the boundary is also a retaining structure and the timber fence sits on top of a wall which retains the higher ground level in the garden of No. 60 to the west. The height of the boundary is equal to the eaves of the single storey extension which are level with the top of the fence. In addition, the property boundary of No. 60 Eastgate is not a straight line in that it wraps around the rear of No. 61 and has a direct relationship in that it encompasses a c. 2m stretch of the rear wall of No. 61.

The fence is a height of c.1.5m for a c. 3.3m length nearest the listed building and increases in height to 1.8m for a c. 0.80m stretch. It is a close boarded fence with an untreated finish.

Prior to the construction of the extension, the property boundary was a stone wall with a height of c. 1.6m. The c.4.2m stretch of stone wall was taken down during the construction of the extension. The timber fence was erected in its place and is adjoined to the remaining section of stone boundary wall. Other boundary treatments in the vicinity include hedges and fences.

The fence is located in the rear gardens of No. 60 and 61 Eastgate Pickering. It cannot be seen from any public vantage points and forms the boundary between the rear gardens of No 60 and 61 Eastgate. Due to the intervening new extension built immediately up to the fence, it is not readily visible from No. 61. The fence is visible from within the garden of No. 60. The fence is of simple close plank/boarded construction with a flat topped profile finished with a flat topped capping board. It is finished with an untreated natural appearance.

The applicant states that the drawings submitted under planning reference 13/00797/LBC and 13/00754 show the stretch of existing wall removed. This is not under dispute and the applicant was advised that the fence erected was not shown on these drawings and therefore did not benefit from Planning Permission and Listed Building Consent. The applicant also states that construction of the extension could not have been undertaken with the boundary wall in place and additionally that maintenance of the extension could not take place should a wall be reconstructed. The applicant states that the fence has been erected to protect the air gap between the higher elevation of ground belonging to No. 60 from filling with soil and causing damp to pass through the extension wall.

Although the fence does not strictly preserve the listed building in that the traditional boundary material would be a masonry structure, it is of a simple design and does not run for the totality of the boundary. It is not visible from any public vantage points and, it is seen with the pantile roof of the extension to No 61 as a backdrop which softens its effect.

The alteration of construction materials causes some harm to the listed building and conservation area. The reconstruction of a boundary does however maintain the historic property division. It is considered that due to the short length of fence, lack of public visibility, simple design of the replacement fence and

presence of other nearby timber boundary treatments that the level of harm is on the very low end of less than substantial harm. Due to the air gap/level drop in between No. 60 and 61, the removal of the fence and exposure of the new stone wall to the new extension to create a boundary is not considered to be a viable option in this case.

Objections have been received from the occupants of No. 60, the adjoining property to the west with which the boundary is shared. The objection raises issues of whether the fence is appropriate in the setting of a listed building. Other issues relate to party wall concerns and property damage and are outwith the Planning system.

It is considered that the level of harm to the listed building and conservation area is very low. In this case, the applicant has justified that due to the complex ground levels it is not possible to re-construct a masonry structure. Identified benefits are that the fence protects the potentially hazardous drop in level and secures the property boundary in between the 2 properties. It is considered therefore that the small degree of harm is outweighed by the wider benefits. The application will not have a material adverse impact on the amenity of the occupants of neighbouring properties it therefore complies with policies SP12, 16 and 20 of the Ryedale Plan and the NPPF and I recommend this application for approval.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan:

190 430 01

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

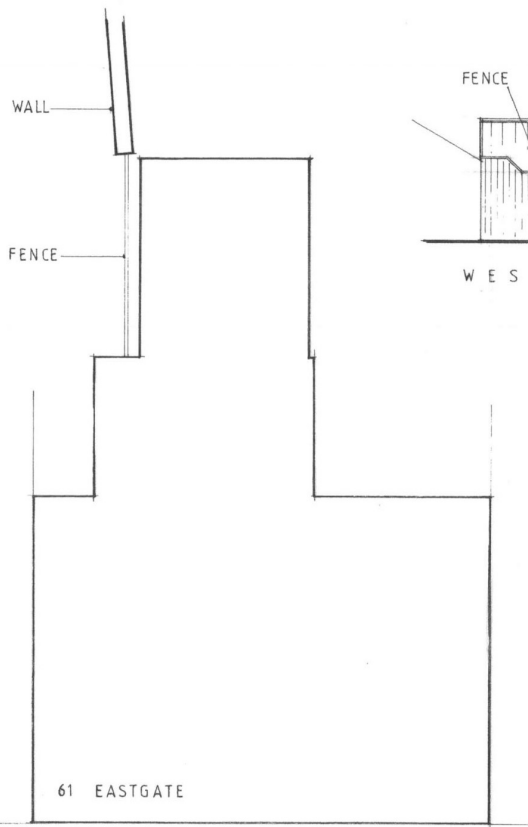
**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 480251, 483623**



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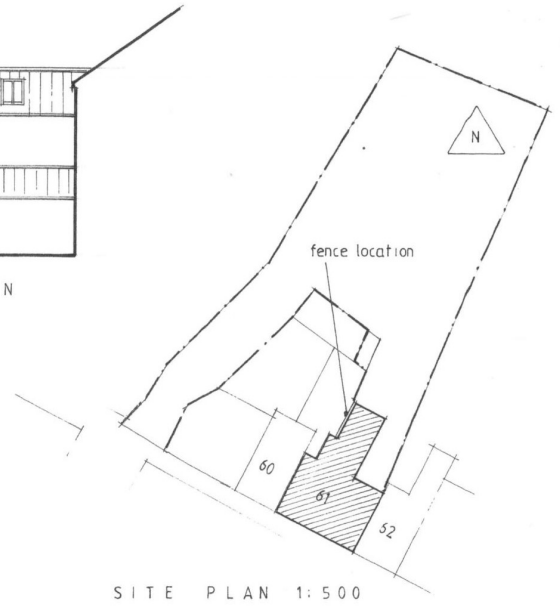
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S I T E P L A N 1 : 5 0 0

PETER RAYMENT design
 Architectural Designers • Peter Rayment • Richard Waller

title: plans & elevation
 project: retention of timber fence
 61 Eastgate, Pickering
 client: Mr M Coverdale

dwg No: 190 430 | 01 -
 scale: 1:100 & 1:500 @ A4

Peter Rayment Design Ltd, Uppang, Westgate, Thornton le Dale, Pickering YO18 7SG ©01751 472541 eraymentdesign@gmail.com

TITLE Planning & Heritage Statement

PROJECT Retention of timber fence at
61 Eastgate, Pickering.

CLIENT Mr M Coverdale

VERSION 1.0

DATE 30.04.2019

DRAWING No 190 430 01

OVERVIEW

The site is located to the north side of Eastgate and is within the towns development limits and conservation area as defined by The Ryedale Local Plan. 61 Eastgate is a Grade II Listed Building with the following description:

EASTGATE 1. 5340 (North Side) Nos 60 and 61 SE 8083 2/ 37 II GV 2. C18 cottages of 2 storeys in coursed rubble with pantile roof with 3 brick chimneys. 3 windows, sliding sashes, with glazing bars to 2 to No 61. 2 doors of 6 moulded panels. Stone lintels and cills.

We seeking consent to retain an existing timber fence as described in the accompanying drawing. The fence is just over 4 metres long and serves to separate the rear garden areas of numbers 60 and 61 Eastgate.

IMAGE



Overview of fence from the rear of 61 Eastgate

HERITAGE STATEMENT

Heritage assets are identified as the Grade II Listed status of 61 Eastgate. The Listing description by Historic England is limited to external frontage features of the property which will remain unaltered by the proposal. The proposed fence is of a simple and minimal design and is unobtrusive in the locality and will not have a detrimental impact on Heritage Assets.

Subject: Consultee Comments for Planning Application 19/00531/HOUSE

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 11:28 AM on 22 May 2019 from Mrs Angela Dawson on behalf of Pickering Town Council.

Application Summary

Reference: 19/00531/HOUSE

Address: 61 Eastgate Pickering North Yorkshire YO18 7DX

Proposal: Erection of timber fence in rear garden (retrospective)

Case Officer: Emma Woodland

[Click for further information](#)

Comments Details

Comments: The council had no objections to these plans.

Agenda Item 12

Item Number: 12
Application No: 19/00532/LBC
Parish: Pickering Town Council
Appn. Type: Listed Building Consent
Applicant: Mr Mark Coverdale
Proposal: Erection of timber fence in rear garden
Location: 61 Eastgate Pickering North Yorkshire YO18 7DX

Registration Date: 2 May 2019
8/13 Wk Expiry Date: 27 June 2019
Overall Expiry Date: 5 June 2019
Case Officer: Emma Woodland **Ext:** 43324

CONSULTATIONS:

Pickering Town Council No response received

Neighbour responses: No response received

SITE:

61 Eastgate, Pickering is a Grade II listed building within the Pickering conservation area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation of the listed building and the preservation or enhancement of the conservation area. The neighbouring property 60 Eastgate is also Grade II listed and is also located within the conservation area and the same statutory duties also apply to this property. 61 Eastgate dates from the 18th century and is one of a row of stone and pantile cottages on the north side of Eastgate. It is located on the back edge of the footpath behind a grass verge and is clearly visible within the townscape.

PROPOSAL:

This is a retrospective application for the erection of a timber fence c. 4.2m long and c. 1.65m high. The works in this application have already been undertaken and permission is now sought to regularise them.

PROPERTY HISTORY:

13/00797/LBC -External and internal alterations to include erection of single storey rear extension (part with bathroom above) to replace existing single storey lean-to extension, works to rear to lower existing ground level to form patio area with steps, internal secondary glazing, replacement of first floor ceilings, new electrical circuit, installation of 2 no. conservation rooflights to rear roofslope, widening of internal opening and removal of fireplaces.

13/00209/HOUSE- Erection of single storey rear extension (part with bathroom above) to replace existing single storey lean-to extension together with works to rear to lower existing ground level to form a patio area with steps (minor amendments made 13/00754 AMEND)

POLICY:

- Local Plan Strategy- Policy SP12- Heritage
- National Planning Policy Framework

CONSULTATION RESPONSES:

Parish Council – no objections

APPRAISAL:

This application has been submitted following an enforcement enquiry into the removal of a c. 4.2m length of stone wall and the erection of a replacement timber fence. The timber fence is attached to the rear of No 61 Eastgate and runs in a northerly direction. The works require Listed Building Consent by virtue of their attachment to a listed building.

The layout of the land and property boundaries are not straightforward in this instance. The fence forms part of the shared property boundary between No 60 and No. 61 Eastgate. Due to the topography, the boundary is also a retaining structure and the timber fence sits on top of a wall which retains the higher ground level in the garden of No. 60 to the west. The height of the boundary is equal to the eaves of the single storey extension which are level with the top of the fence. In addition, the property boundary of No. 60 Eastgate is not a straight line in that it wraps around the rear of No. 61 and has a direct relationship in that it encompasses a c. 2m stretch of the back wall of No. 61.

The fence is a height of c.1.5m for a c. 3.3m length nearest the listed building and increases in height to 1.8m for a c. 0.80m stretch. It is a close boarded fence with an untreated finish.

Prior to the construction of the extension, the property boundary was a stone wall with a height of c. 1.6m. The c.4.2m stretch of stone wall was taken down during the construction of the extension. The timber fence was erected in its place and is adjoined to the remaining section of stone boundary wall. Other boundary treatments in the vicinity include hedges and fences.

The fence is located in the rear gardens of No. 60 and 61 Eastgate Pickering. It cannot be seen from any public vantage points and forms the boundary between the rear gardens of No 60 and 61 Eastgate. Due to the intervening new extension built immediately up to the fence, it is not readily visible from No. 61. The fence is visible from within the garden of No. 60. The fence is of simple close plank/boarded construction with a flat topped profile finished with a flat topped capping board. It is finished with an untreated natural appearance.

The applicant states that the drawings submitted under planning reference 13/00797/LBC and 13/00754 show the stretch of existing wall removed. This is not under dispute and the applicant was advised that the fence erected was not shown on these drawings and therefore did not benefit from Planning Permission and Listed Building Consent. The applicant also states that construction of the extension could not have been undertaken with the boundary wall in place and additionally that maintenance of the extension could not take place should a wall be reconstructed. The applicant states that the fence has been erected to protect the air gap between the higher elevation of ground belonging to No. 60 from filling with soil and causing damp to pass through the extension wall.

Although the fence does not strictly preserve the listed building in that the traditional boundary material would be a masonry structure, it is of a simple design and does not run for the totality of the boundary. It is not visible from any public vantage points and, it is seen with the pantile roof of the extension to No 61 as a backdrop which softens its effect.

The alteration of construction materials causes some harm to the listed building and conservation area. The reconstruction of a boundary does however maintain the historic property division. It is considered that due to the short length of fence, lack of public visibility, simple design of the replacement fence and presence of other nearby timber boundary treatments that the level of harm is on the very low end of less than substantial harm. Due to the air gap/level drop in between No. 60 and 61, the removal of the fence and exposure of the new stone wall to the new extension to create a boundary is not considered to be a viable option in this case.

It is considered that the level of harm to the listed building and conservation area is very low. In this case, the applicant has justified that due to the complex ground levels it is not possible to re-construct a masonry structure. Identified benefits are that the fence protects the potentially hazardous drop in level and secures the property boundary in between the 2 properties. The harm is considered to be outweighed by the benefits in this case and the application is therefore considered to comply with Policy SP12 of the Ryedale Plan and the NPPF and I recommend it for approval.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 18(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plan:

190 430 01

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

Item Number: 13
Application No: 19/00627/FUL
Parish: Stonegrave Parish Meeting
Appn. Type: Full Application
Applicant: Mr & Mrs A Newbould
Proposal: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping and the construction of equestrian facilities comprising storage barn, stables and all-weather horse walker
Location: Stonegrave House Main Street Stonegrave Helmsley YO62 4LJ
Registration Date: 4 June 2019
8/13 Wk Expiry Date: 30 July 2019
Overall Expiry Date: 19 August 2019
Case Officer: Niamh Bonner **Ext:** Ext 43325

CONSULTATIONS:

Public Rights Of Way	Recommend informative
Paul Jackson AONB Manager	No objection
Environmental Health Officer	Recommend Condition
Sustainable Places Team (Environment-Agency Yorkshire Area)	Awaiting response
Stonegrave Parish Meeting	No response received
Highways North Yorkshire	Recommend conditions
Neighbour responses:	Mrs Nicola Macauley, Mr Blenkin,

SITE:

The application site relates to Stonegrave House, a Grade II Listed dwelling with associated Grade II Listed stone built outbuildings to the west and open paddocks to the south of the site, including a manege. This site is located to the south of the B1257.

The dwelling and the majority of outbuildings fall within the village development limits and the entire site falls within the Howardian Hills Area of Outstanding Natural Beauty. A section of the site entrance falls within a Visually Important Undeveloped Area and a public right of way (PROW) runs from east to west at this point.

The southern part of the site, in close proximity to Holbeck falls within the Environment Agency's designated Flood Zones 2 and 3.

PROPOSAL:

This application seeks approval for the change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping and the construction of equestrian facilities comprising storage barn, stables and all-weather horse walker.

HISTORY:

The following planning history is considered to be most relevant:

00/00352/FUL: Change of use of outbuilding to form residential annex
00/00353/LBC: Internal and external alterations to outbuilding to form residential annex
01/00355/FUL: Erection of stables
01/00618/FUL: Formation of manege

19/00628/LBC: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping. Pending consideration.

POLICIES:

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP8 Tourism
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
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
Local Plan Strategy - Policy SP21 Occupancy Restrictions
National Planning Policy Framework
National Planning Practice Guidance

REPRESENTATIONS:

A letter of objection has been received from the occupier of Church Farm, to the west of the site. A further letter of objection was received on behalf of this neighbouring resident. These are available to view in full on the planning register of documents, where Members can review the original document. The following summarised points were contained within the representations:

Their dwelling (Church Farm) is adjacent to, and overlooked by the proposed holiday cottages. The equestrian facilities are immediately to the south of my garden and clearly visible from all south facing first floor rooms.

The B1257 is a busy trunk road and the access from Stonegrave House is at a point below a sharp bend with limited visibility and fast traffic flow. There is a blind bend a mere 60 yards from the driveway with traffic that regularly exceeds the 40mph speed limit. This is not only a concern of ours but also the speed watch group within the village. The holiday makers would be unfamiliar with the challenges of this road.

The proposed four holiday cottages will mean a minimum of four extra cars making multiple journeys, greatly adding to the risk of accidents on this busy stretch. Furthermore the enlargement of the existing equestrian facilities will generate extra HGV and trailer traffic.

Suitability of proposals - Stonegrave house is a distinguished grade 11 listed building the former home of Sir Herbert Read. I regard the proposed holiday cottages and equestrian development as an inappropriate commercial addition to the quiet, rural/residential nature of this part of Ryedale, itself within the Howardian Hills AONB.

Over development of the site - the four holiday cottages and the added equestrian facilities proposed represent overdevelopment of the residential site. The previous owners had already substantially extended the stabling and storage, and any further extension of this aspect effectively turns the whole property into a working stud farm.

The outbuildings proposed for use stand on higher ground than Church Farm and are clearly visible from the garden. The existing equestrian buildings and associated facilities are also clearly visible from the first floor of Church Farm, and any extension to them would cause an increase in noise and activity, particularly as floodlighting and other means of illumination are likely to be installed and in frequent use. The bright glow any time from 1600 hrs on a winter's night would be most obtrusive. In addition, HGV and towing traffic must necessarily increase.

Mrs Macauley has talked with Mrs Newbould, her neighbour, about these issues of concern, and asked why the extended equestrian facilities could not be sited in front of Stonegrave House. Mrs Newbould thought that the fact that it is a listed house would make this unacceptable; it seems to Mrs Macauley and to me that this is no reason why Church Farm should bear the burden.

Sustainability - Holiday makers are notoriously bad at using recycling facilities meaning an increase in up to eight extra plastic refuse bags per week going to landfill. The pressure on the septic tank system (which will presumably have to be replaced and enlarged) will mean an additional risk to the watercourse which flows to the south.

Noise and light pollution will be an inevitable concomitant of the proposed development. With regards to the conversion/extension of the outbuildings. Four holiday cottages must, by definition, create extra traffic, as well as noise and light, without the same concern for neighbour's feelings. This could involve large groups including stag or hen parties. We are concerned that there may be velux windows installed that will not only overlook our property but will pollute the property with light. Light pollution is also a major concern with regards to the equine facilities, most notably the all-weather horse walker.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Form, Character and Impact upon Listed Buildings and Area of Outstanding Natural Beauty
- iii. Impact upon Neighbouring Amenity
- iv. Impact upon Access and Highway Safety
- v. Impact upon Ecology
- vi. Impact upon Flood Risk
- vii. Other matters, including consultation responses.

- i. Principle of the development

Policy SP8 (Tourism) highlights support for certain tourist accommodation in Ryedale, including the conversion of refurbishment of buildings and conversion of traditional rural buildings. Occupancy conditions are likely to be imposed to ensure such accommodation is not used as a sole of main place of residence and to ensure the accommodation is available for holiday lettings for a prescribed period of the year.

The response within the structural survey is noted and is acknowledged that subject to repairs, the buildings are considered to be suitable for conversion. The survey makes reference to a recommendation for a Copper Beech which falls within separate ownership to be removed. This tree is not afforded statutory protection and its removal is a civil matter between landowners. It is therefore considered that the principle of tourist accommodation in this location could in principle be acceptable.

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy is supportive of new buildings that "are necessary to support land based activity and a working countryside, including for farming, forestry, and equine purposes."

The Design and Access Statement notes *"the stable block, storage barn and horse walker would be for the private use of the owners of Stonegrave House in associated with their land holding which extends to the east and south."* Later within this statement in response to a request by the LPA for a justification of the size of the building, the following information was provided: *"Aside from the need for the building to accommodate up to 200 bales of hay, a list of the machinery required to maintain the land holding can be provided to the council on request. The number of horses which can be grazed on the applicant's blue lined land holding can extend to 14, hence the need for the size of stabling proposed."*

The provision of equestrian facilities for private use in concluded to accord with the Ryedale Plan, Local Plan Strategy subject to the other considerations identified above.

ii. Form, Character and Impact upon Listed Buildings/Setting of Listed Buildings and AONB

Form and Character Assessment - Conversion to Holiday Accommodation:

The proposed buildings for conversion to holiday accommodation are located along the western boundary of the site. Four holiday units would be formed in these outbuildings, the run of listed buildings in close proximity to the access currently used as domestic storage would form Units 1-3 (2no. 1 bedroom units and 1no. 2 bedroom unit.) An unlisted single storey detached outbuilding located further into the site which would form Unit 4 (1no. 1 bedroom unit.) These are currently used as domestic storage and are constructed of stone, brick and pantiles.

The structural survey notes that Units 1, 2 and 4 would require stripping and re-roofing with replacement or localised structural repairs to the rafter, purlins and roof trusses as required.

The following aspects would be required to facilitate the conversion:

Building comprising Units 1-3:

- Installation of 6no. conservation roof lights
- Introduction of 1no. black anodised flue pipe.
- Installation of 1no. new window opening along side northern elevation.
- Reuse of existing openings with new glazing/doors where necessary, with existing units pinned back and retained where possible.
- Retention of leaded window of historic significance along southern elevation to be repaired.
- Installation of internal walls to subdivide spaces.
- Limited removal of sections of internal walls along within unit – within Unit 2 this is specifically designed to maintain the open truss appearance
- Limited removal of wall section to form patio

Unit 4:

- Introduction of a black anodised flue pipe
- Small lean to extension to the southern elevation (approximately 2.5m x 5.4m) incorporating a sheet metal roof following removal of gable end structure.
- Reuse of existing openings along eastern elevation
- Installation of 1 no. roof light

It is considered that in terms of the physical alterations proposed to facilitate the conversion, the scheme is sympathetic in nature. Further information is required in relation to external joinery which will be requested by condition and samples of the any new material to support the conversion including the proposed metal roof sheeting and brickwork proposed for the extension to Unit 4 will be requested if permission is granted. The proposed flues will be conditioned to be black anodised metal unless otherwise agreed in writing with the Local Planning Authority.

The structural survey notes repair to the roof of the outbuildings is necessary and the following point is noted in the D&A “*Building 1 (units 1 and 2) and building 5 (unit 4) also require stripping and re-roofing with replacement or localised structural repairs to the rafters, purlins and roof trusses as required.*”

The Building Conservation Officer has confirmed that the re-roofing of a Listed Building does not require listed building consent if best practice building conservation principles are followed. The agent has confirmed that they are content with a condition that, localised structural repairs to the existing roof structure should be undertaken where possible, with replacement works only undertaken where found to be structurally necessary. Traditional repairs undertaken, eg splicing and laying new timber alongside old, including any salvageable original timbers. Unless otherwise agreed in writing, prior to undertaking any replacement of timbers within the outbuildings hereby approved for conversion, details

of the sections to be replaced should be submitted for the prior written approval of the Local Planning Authority.

The agent also confirmed that any replacement floor boards/joists would be a like for like replacement and that cement mortar within building 4 would be replaced with lime mortar.

Form and Character Assessment - Equestrian/Barn Facilities:

The application also proposes the erection of a proposed equestrian facilities comprising storage barn with adjoining stables, which would be located to the south of the existing manege on lower ground than the main dwelling, as illustrated on the proposed sectional plan. A proposed all weather horse walker would be located further beyond this to the south.

It is noted that the Design and Access Statement confirms that the proposed equestrian facilities would be for private use and not for commercial purposes.

The proposed building has a significant floor area, spanning c43m x c10.8m, incorporating a footprint of c.464 square metres. This building has a relatively low pitched roof design, with a maximum height of c5.25m and an eaves height of c3.2m. This would incorporate quite a utilitarian appearance, by virtue of the scale and materials, which includes profiled roofing sheets and Yorkshire Boarding timber cladding. It has been confirmed by email that the profiled sheets would be 'Anthracite Dark Grey' which would help the building assimilate in this location. These materials would be conditioned for use if planning permission is granted.

The horse walker would have a maximum diameter of c12.5m with a maximum height of c3.35m. This is considered acceptable in terms of location and form.

These two elements would be located against a backdrop of significant mature landscaping when viewed from the public vantage points to the east, ensuring this does not appear incongruous. Their impacts is further limited by the orientation of the equestrian/barn building. In addition, further mature landscaping to the north of the proposed building would limit views from the north. The proposed materials are considered high quality in appearance and the building, whilst having a relatively footprint has a low profile. Furthermore it is not considered that this new building and horsewalker would result in overdevelopment of the site.

Heritage Considerations

A heritage assessment was prepared by ELG Planning, which has been reviewed. The heritage statement identifies the assets which have the potential to be affected by the proposed development and considers the significance and setting of the identified heritage assets in addition to other aspects, including the impact of the proposed development. This can be viewed in full on the planning file. The proposal which focuses on all aspects of the proposed development including the equestrian/barn building and horsewalker concludes that

- The proposed works have been informed by specialist heritage advice and result in the least amount of intervention necessary to enable the reuse... Design details have been incorporated to respect internal and external character and to preserve the historical and architectural values.
- Siting of the stables and horse walker to the south-west has ensured development does not impact views towards the house from the south-west of from the house to the south west. There is no interrelationship between this position and Stonegrave Minster.
- The proposal does not result in harm to the significance or setting of the Listed Buildings and therefore accords with both national and local policy.

The Council's Building Conservation Specialist who also visited during the preapplication process was consulted in regard to the associated application 19-00628-FUL. In response to that application they noted *"I have read the submitted Heritage Statement and concur with its details and findings. I have no*

objection to the principle of the proposal. I note that there is reference in the Design and Access Statement relating to the poor condition of the diamond pane leaded window which we sought to be retained as part of pre-application discussions. To my knowledge no information regarding the condition of the window has been submitted with the application and I would urge that was either added as a planning condition or addressed as part of this application."

The agent confirmed in an email dated 24th July 2019 that "The heavily leaded window will be retained and repaired." This will be subject to a planning condition to prevent its removal unless otherwise agreed in writing with the Local Planning Authority.

It is therefore considered that the proposal would not result in harm to the character or form of the Listed Outbuildings or detract from the setting or the significance of the other listed buildings in the locality.

Area of Outstanding Natural Beauty Considerations

The Area of Outstanding Natural Beauty Manager has responded stating: "*No comments to make on this proposal, as the points I raised at Preapp Stage appear to have been taken on board and incorporated into the final design.*" It is therefore considered that this proposal does not detract from the special character of the protected Area of Outstanding Natural Beauty and that Policy SP13 Landscapes is satisfied.

iii. Impact upon Neighbouring Amenity

The proposed buildings for conversion are located to the western boundary of the site. Church Farm is the closest adjoining property to the west which could potentially be affected as a result of the proposed conversion.

It is noted that along the facing side western elevation of proposed Units 1-3, new openings are limited to 2no. additional conservation roof lights. The cill point of these would be at least 3 metres above ground level, so this would not result in any additional overlooking.

Consideration has been given to the positioning of the existing openings that would serve the proposed Units 1 and 2. Whilst these are existing it is acknowledged that the proposed change of use would intensify the use of the buildings and this could have a potential impact upon amenity.

The two existing roof lights would be positioned high enough within the roof slope so that no harm in terms of overlooking could be experienced. The two larger windows at the most northerly point on Units 1 and 2 would each serve a bedroom but due to their positioning to the very north of the site, these would be located c32 metres from the nearest point of the neighbouring dwelling, at an oblique angle. Furthermore, the intervening grounds form the front garden of Church Farm. The position of the windows sits in close proximity to the public right of way, which runs to the north of the site therefore it is considered therefore that public views from a similar location can already be experienced to some extent. However, it is not normally considered that front gardens are afforded the same level of privacy as private rear amenity spaces. Officer's conclude that no additional harmful loss of privacy would be experienced from this point.

Unit 4 would incorporate no openings within the facing rear western elevation or side northern elevation and therefore no impacts upon privacy would be experienced from the occupation of this unit. The site plan indicates a patio area for this 1 bedroom unit which would be located to the south and which adjoins a section of the grounds in the ownership of Church Farm. A c1 metre high wall currently separates these areas but given the functional garden space and distance from the residential dwelling intersected by an outbuilding, it is not considered that a patio in this area would result in harmful loss of privacy of the private rear amenity space of Church Farm.

It is noted that the introduction of 4 new holiday units could result in additional noise generation by virtue of additional vehicular movements and the potential with associated outdoor recreation. However Units 1-3, by virtue of their layout, would incorporate outdoor seating areas to the east of the units, behind existing stone built buildings/walls without significant harm to amenity. The patio serving the 1 bedroomed Unit 4 would not benefit from significant buildings, however this is at a significant distance

from the dwelling at Church Farm.

It is considered that if permission is granted, the units would be conditioned to remain in the same ownership as Stonegrave House, to facilitate an onsite management presence that could address potentially harmful instances of disturbance. To protect future amenity, a condition preventing any new openings within Units 1 – 4 is also recommended.

It is noted that the Design and Access Statement confirms that the proposed equestrian facilities would be private and not for commercial purposes. This would limit significant journeys being created that could otherwise be associated with a new business.

The nearest part of the proposed stables would be located at a distance of c60 metres from the southern boundary of the garden at Church Farm and c110 metres from this main residential dwelling. It is not considered that this type of development would be likely to result in any harm to the occupiers of this adjoining property by virtue of loss of privacy or overshadowing. During the determination of the planning application, the openings on the stable building were relocated to the south western and south eastern elevation to limit any impact in terms of light pollution being experienced by the occupiers of Church Farm. It was noted that the horse walker would have no separate light but would benefit from its positioning to the south of the stable building. Whilst some views of this proposed building may be realised from this neighbouring property, the right to a view is not a material planning consideration. Notwithstanding this it is noted that the intervening orchard together with the low profile and sensitive materials of the building would aid in limiting its visual impact.

A consultation response has been received from the Council's Environmental Health Officer noting the following: *"With reference to the above planning application, I have no adverse comments with regard to noise, but recommend that the proposed holiday cottages be tied to Stonegrave house to avoid any potential separate ownership. This will facilitate the owners of Stonegrave House in the implementation of a noise management plan which can be monitored whilst the holiday cottages residents are on site to ensure no noise disturbance to neighbouring properties."*

With regard to the equestrian facilities, I request that prior to any development a waste management plan be in place to ensure there is no potential for nuisance from large accumulations of manure."

A plan illustrating the location of the current manure heap has been submitted to the LPA in advance of a decision being made, together with a supporting email received on the 2nd August 2019 indicating that the stables would be mucked out daily with waste immediately moved to the manure heap. The manure heap is located in fields under the applicant's ownership two fields to the south, at a significant distance from any residential properties and it was confirmed that this would be emptied every 2 to 3 months. This does not require the use of the access to the north of the site as there are separate accesses. This has been successfully used to date. A condition will be recommended to ensure that this manure management methodology is continued for use but that the LPA reserve the right to request amendments if it is considered necessary.

iv. Impact upon Access and Highway Safety

North Yorkshire Highways have confirmed no objection to the proposed development. It was noted "The buildings for conversion to holiday use are all long standing existing structures which may well have had an allied vehicular use over the years. The principle of conversion and associated vehicular activity with a holiday use is therefore considered acceptable to the Highway Authority. Appropriate conditions were subsequently recommended.

The points raised in the letters of representation in relation to access and highway safety, including speeding within the village and holiday makers potentially being unfamiliar with the area have been noted. The concerns raised in relation to potentially enhanced levels of journeys associated with the equestrian/barn building are also noted.

The Highways Officer was made aware of these representations but maintained his original response position of no objection. It is noted that the site is already home to numerous horses, so the formalising

of their accommodation within the site may not result in significant additional journeys given their use of the surrounding fields for grazing.

It is not therefore considered that the proposal would result in no additional harm to access or highway safety.

v. Impact upon Ecology

MAB Ecology produced an Ecological Assessment in support of the application, which undertook Bat, Bird, Otter and Vole Surveys.

It concluded that no evidence was found within the buildings proposed for conversion of any bat roosts and no bat emergences observed during a separate survey. No further survey work was considered necessary.

Signs of nesting birds were found within Buildings 1, 2 and 4. Therefore a condition will be recommended in relation to the timing of works/precommencement checks to avoid harm to these species. There was no evidence of owls.

A walkover survey in relation to the proposed stable building was undertaken and no evidence of otter or water vole was found. It was noted that there is value for commuting and foraging bats therefore it was recommended that a low level lighting scheme is implemented. Details of lighting have been submitted and this will be limited to four lights in total on 2 elevations of the proposed building operated on a sensor basis that would be limited to 30 Watts. This is considered acceptable to limit potential harm to bats and a condition is recommended to ensure that any proposed additional lighting has the prior approval of the LPA.

vi. Impact upon Flood Risk

The proposed horse walker and stables are located in Flood Zone 3, this area does not serve as a functional floodplain as designated by the LPA and therefore this is considered to fall within Flood Zone 3a.

A Flood Risk Assessment was submitted in support of the application, which identified these proposed uses were 'less vulnerable' which the LPA concurs with.

The LPA is presently awaiting a final response from the Environment Agency in this regard which if available before the meeting will either be provided via the Late Pages or by a verbal update at the meeting.

The equestrian/barn building will see surface water drained to a new soakaway. A condition is recommended to ensure that soakaway details including percolation details are provided to the LPA for approval and the agreed method of surface water drainage is implemented prior to the occupation of the building.

vii. Other matters, including consultation responses.

The Parish Council did not respond to this application

Foul Water associated with the proposed holiday accommodation would be drained to the existing septic tank on site. A FDA1 form was completed in support of this proposal which discounted connection to mains sewers as these are not present in Stonegrave. The following comment was provided from the Planning Agent. *"The tank is located at the bottom of the existing stable yard, in a very good position for cottage 4 to link into. As far as I am aware the capacity of the tank is around 2000+ gallons, I was told this by Harpers when they emptied it (only the once in 6 years), obviously, it was built on a large scale to service the house with 10 large double bedrooms and some of the existing*

outbuildings (as they have sinks and toilets), considering there is only 3 of us living in the house full time it has more than enough capacity to accommodate the holiday lets.”

It is therefore considered that this will be sufficient to appropriately cope with the additional connections.. Surface Water from the buildings will drain to an existing soakaway and this is considered acceptable given the very limited amount of new footprint proposed. These aspects will also be controlled through the Building Regulation Process and it is not considered appropriate to replicate their regulatory responsibilities.

In light of the above assessment, it is considered that the principle of the proposed change of use of the historic outbuildings to form holiday accommodation is appropriate and acceptable terms of design, scale and materials subject to the recommended conditions. An appropriate level of residential amenity for occupants of neighbouring properties would remain and it is not considered that the proposed use would result in material harm by virtue of noise and disturbance, given the proposed condition ‘tying’ the new holiday accommodation to the main dwelling, allowing a close level of control. For this reason it is also considered that matters raised within relation to recycling can be dealt with if necessary by the on site management presence.

The proposed stable building and the horsewalker are considered acceptable in positioning, scale and design benefitting from appropriate construction materials and existing landscaping. Subject to condition, it is not considered that the proposed development would result in harm to residential amenity or the character of the locality, remaining for private use only.

The points raised in the consultation responses from and on behalf of the occupier of Church Farm have been addressed above.

Therefore subject to the identified conditions we can be satisfied that this proposal conforms with Policies SP1, SP8, SP9, 12, SP13, SP14, SP16, SP17, SP19, SP20 and SP21 of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

RECOMMENDATION: Approval

- 1 The consent hereby granted shall continue for a period of five years ending .

Reason:- To ensure compliance with Section 220 of the Town & Country Planning Act 1990 and with Regulation 13 of the Town & Country Planning (Control of Advertisements) Regulation 1992.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan(s):
Site Location Plan (Drawing no. RYDC/5125/06)
Plans and Elevations As Proposed (Drawing no. RYDC/5125/03 Rev B) (Stables and Horsewalker)
Plans and Elevations As Proposed (Units 1, 2 and 3) (Drawing no. RYDC/5125/02 Rev D)
Proposed Site Plan and Section (Drawing no. RYDC/5125/05 Rev B)
Plans and Elevations as Existing and Proposed (Unit 4) (Drawing no. RYDC/5125/07)
Manure Management Plan (Rec'd 27/7/2019)
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The equestrian/barn building and horsewalker hereby approved shall remain in the ownership of the dwelling known as Stonegrave House. The use of these equestrian/barn facilities should not be used in any way which would relate to a commercial enterprise.
Reason: In the interest of preserving the character of the area and amenity of neighbouring properties in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 Unless otherwise agreed in writing with the Local Planning details of the surface water drainage methods for the equestrian/barn building hereby approved, including soakaway

percolation test data shall be provided to the Local Planning Authority for written approval. The building shall not be brought into use until the agreed method of surface water management is provided.

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the proposed stable building shall be completed with Yorkshire boarding and box profile roof sheeting in Anthracite Grey, as agreed with the agent in an email dated 24th July 2019.
Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12, SP16 of the Ryedale Plan - Local Plan Strategy.
- 6 No additional external lighting beyond that agreed for use on the equestrian/barn building hereby approved shall be installed within the application site, without the prior written approval of the Local Planning Authority.
Reason: Inappropriate lighting in this exposed location is considered to conflict with the aims of Policy SP13 of the Ryedale Plan - Local Plan Strategy and may result in harm to residential amenity in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.
- 7 Unless otherwise agreed in writing with the Local Planning Authority, all stable waste shall be removed from site under the methodology described in the supporting information received from the applicant on the 2nd August 2019 to the location indicated in the manure management plan map. The Local Planning Authority reserve the right to seek alterations to the Manure Management Plan if necessary.
Reason: In the interest of the amenity of neighbouring properties in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.
- 8 The 4no. holiday units hereby approved shall remain in the ownership of the dwelling known as Stonegrave House.
Reason: In the interest of preserving the character of the area and amenity of neighbouring properties in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.
- 9 The holiday accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.
Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.
- 10 The holiday accommodation hereby permitted shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days in any one calendar year.
Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.
- 11 The owners/operators of the holiday accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:
 - the main address(es) of all the occupiers of the accommodation hereby permitted
 - the start date of every one of the letting/occupation of all the occupiers of the accommodation hereby permitted
 - supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permittedReason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in

relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 12 Notwithstanding the submitted details, prior to their installation, details of all new/replacement windows, doors and roof lights within the holiday accommodation hereby approved, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority. These shall be shown on a 1:10 scale drawing.
Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 13 Notwithstanding the submitted details, prior to the commencement of the conversion of the outbuildings for holiday accommodation, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the proposed holiday units the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 14 Notwithstanding the submitted details, all new flues for use within the holiday accommodation hereby approved, shall be completed in an anodised black finish.
Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP12, 16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 15 In line with best practice building conservation principles, localised structural repairs to the existing roof structure should be undertaken where possible, with replacement works only undertaken where found to be structurally necessary. Traditional repairs should be undertaken where possible, eg splicing and laying new timber alongside old, including any salvageable original timbers.
Unless otherwise agreed in writing, prior to undertaking any replacement of timbers within the outbuildings hereby approved for conversion, details of the sections to be replaced should be submitted for the prior written approval of the Local Planning Authority.
Reason: To preserve the historic fabric of the listed building and to satisfy the requirements of Policies SP12 and SP16 of the Ryedale Plan - Local Plan Strategy.
- 16 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number RYDC/512/05 Rev. B for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.
- 17 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal
Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
- 18 Unless approved otherwise in writing by the Local Planning Authority there shall be no

establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
- c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

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

- 19 Works to facilitate the conversion of the outbuildings shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites.

Reason: In accordance with Policies SP17 and SP20 of the Ryedale Plan, Local Plan Strategy to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 20 Where land affected by contamination is found which poses risks identified as unacceptable, no development to facilitate the conversion of outbuildings or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended holiday accommodation use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

Reason: In accordance with Policies SP17 and SP20 of the Ryedale Plan, Local Plan Strategy to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 21 Unless otherwise agreed in writing by the local planning authority, none of the holiday dwellings shall be occupied until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: In accordance with Policies SP17 and SP20 of the Ryedale Plan, Local Plan Strategy to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 22 In the event that contamination is found at any time when carrying out the approved conversion development, that was not previously identified, it must be reported immediately to the local planning authority, and work must cease until an appropriate investigation and risk

assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason: In accordance with Policies SP17 and SP20 of the Ryedale Plan, Local Plan Strategy to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 23 No new openings, other than those indicated on the approved plans shall be constructed within holiday accommodation Units 1 – 4 without the granting of planning permission.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 24 Unless otherwise agreed in writing the diamond pane leaded window on the southern elevation of the outbuilding at first floor level shall be retained and repaired. This shall not be removed without the prior written approval of the Local Planning Authority.

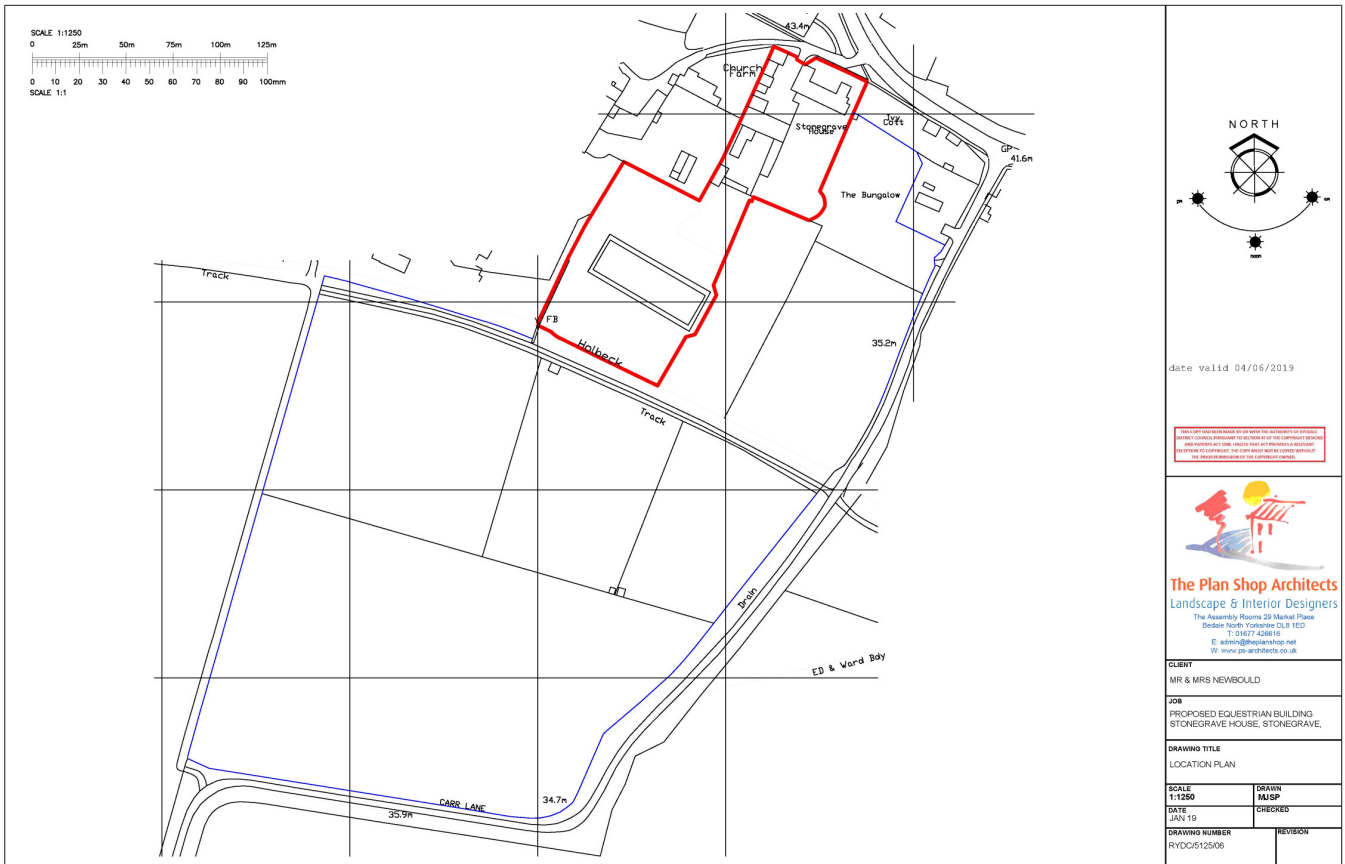
Reason: To preserve the historic fabric of the listed building and to satisfy the requirements of Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

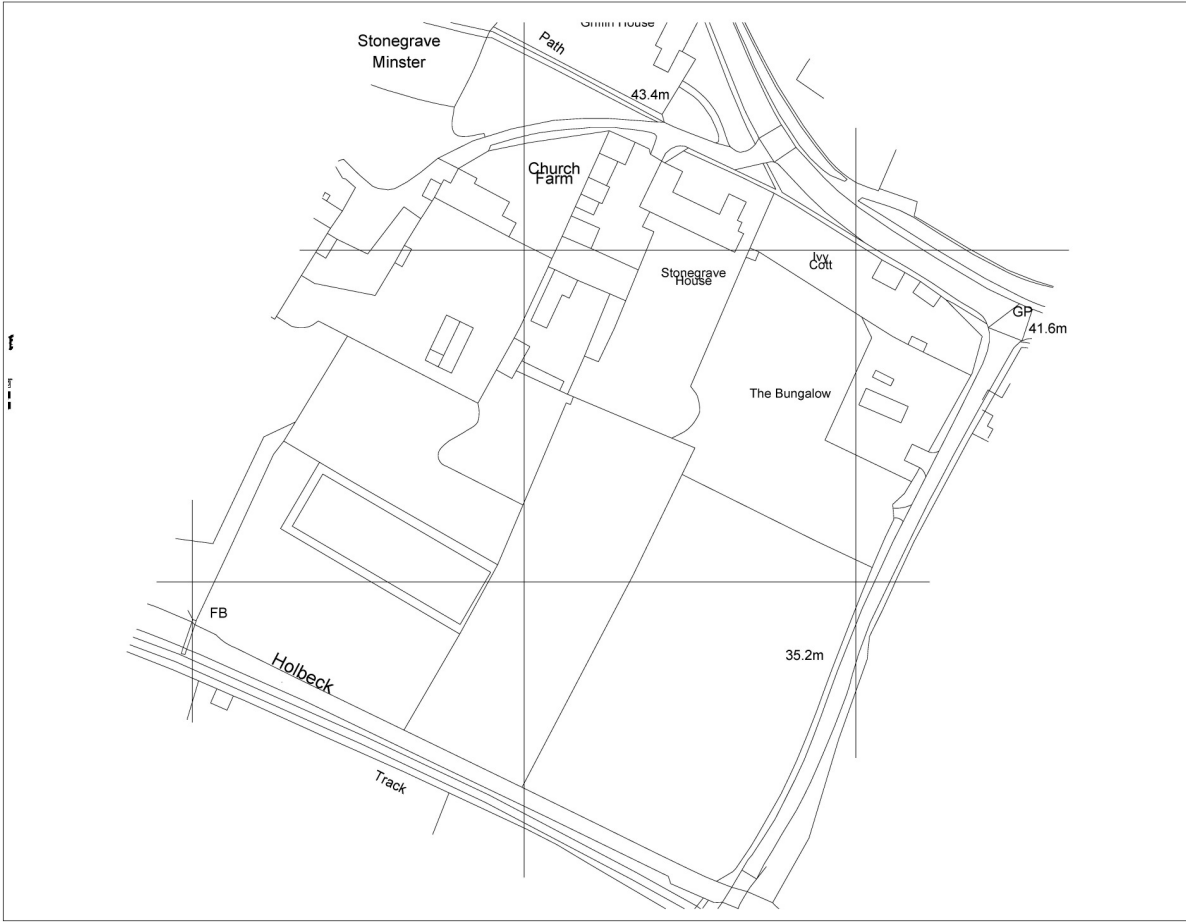
INFORMATIVE(S)

- 1 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Additional protection is afforded to a number of birds listed on Schedule 1 of the Act. Operations likely to injure or kill any wild bird or damage its nest and operations likely to disturb a Schedule 1 species must be avoided. Therefore any work likely to affect any birds nesting on the site should be undertaken out of the bird nesting season ie no work between March and August inclusive."

- 2 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development.

Applicants are advised to contact the County Council's Access and Public Rights of Way Manager at County Hall, Northallerton on 0845 8727374 to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.





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NORTH

Date valid 04/06/2019

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PROJECT

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CLIENT
 MR & MRS NEWBOULD

TYPE
 PROPOSED EQUINE BUILDING
 PROPOSED HOUSE, STONEGRAVE.

DRAWING TITLE
 EXISTING SITE PLAN

SCALE	ISSUE
1:500	ISSUE
DATE	PROJECT
06/19	PROPOSED
PROJECT NUMBER	REVISION
RYG02512504	

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SITE SECTION AA

MANEGE FFL STABLE - 35.42 APPROX. BASE RIVER BANK - 33.70

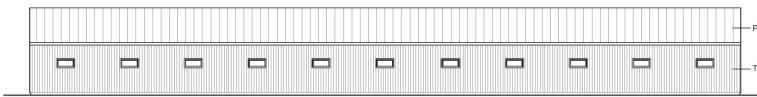


DATE: 04/18 04/15/2019

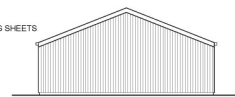


DATE: 04/18 04/15/2019	
PROJECT: PROPOSED EQUESTRIAN BUILDING, STONEGRAVE HOUSE, STONEGRAVE.	
DRAWING TITLE: PROPOSED SITE PLAN AND SECTION	
SCALE: 1:500	SECTION
DATE: 04/18	PROJECT
DRAWING NUMBER: RY02012565	SECTION: B

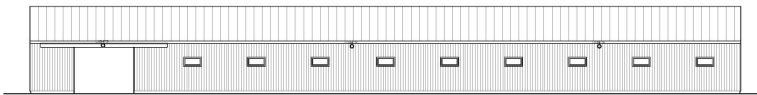
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NORTH EAST ELEVATION



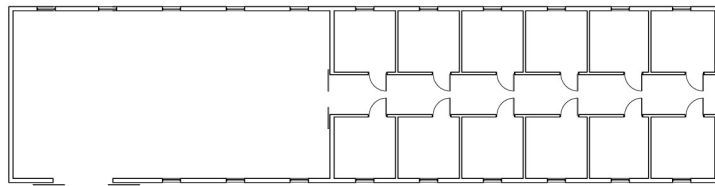
NORTH WEST ELEVATION



SOUTH WEST ELEVATION



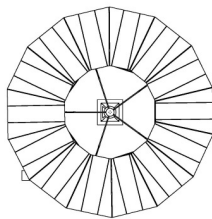
SOUTH EAST ELEVATION



PLAN



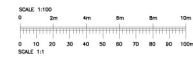
SECTION



ROOF PLAN OF HORSE WALKER



ELEVATION OF HORSE WALKER



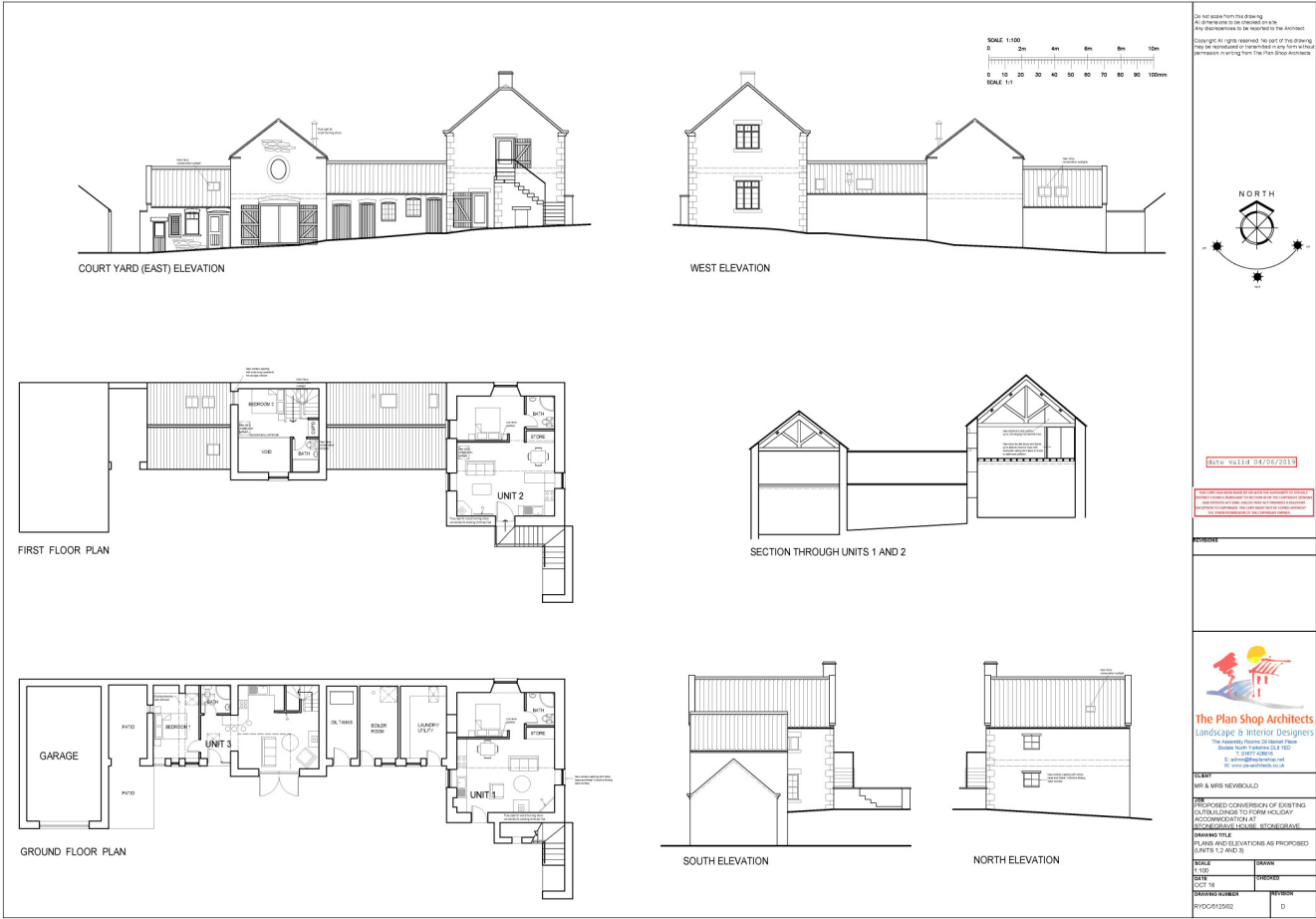
REVISIONS



<p>DATE: 18/07/2013 DRAWN BY: J. G. T. / J. G. T. CHECKED BY: J. G. T. / J. G. T. PROJECT NUMBER: 1100212543 SHEET NUMBER: 8</p>	
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date: 18/07/2013



SCALE 1:100
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Date: 04/06/2013



<p>PLAN W1 & W18 NEWBOLD</p>	
<p>TYPE PREPARED CONVERSION OF EXISTING BUILDING TO FORM HOLIDAY ACCOMMODATION AT NEWBOLD, NEWBOLD, BRISTOL</p>	
<p>DRAWING TITLE PLANS AND ELEVATIONS AS PROPOSED UNITS 1, 2 AND 3</p>	
SCALE	DATE
1:100	
DATE	PROJECT
04/06	
DRAWING NUMBER	REVISION
RY02012062	D

EXISTING

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SCALE 1:1

PROPOSED

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NORTH

Date: 04/05/2019

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PLAN & WBS NEWBOLD

DATE: PREPARED CONVERSION OF EXISTING
DRAWINGS TO FORM HOLIDAY
ACCOMMODATION AT
ADDRESS: 29 MARKET PLACE, BRISTOL

DRAWING TITLE:
PLANS AND ELEVATIONS AS EXISTING
AND PROPOSED (UNIT 4)

SCALE:	DATE:
1:100	04/05/19
DATE:	PROJECT:
04/05/19	NEWBOLD
PROJECT NUMBER:	VERSION:
BYG0251267	1



LAVINGHAM
PLANNING CONSULTANTS

Planning and Design Statement

Location: Stonegrave House, Stonegrave

Proposal: Alterations to Grade II Listed Outbuildings to Form
Tourism Accommodation and Construction of
Agricultural/Equestrian Facilities

Applicant: Mr and Mrs A Newbould

Prepared by: Lavingham Planning Consultants Ltd

Date: May 2019

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1.0 Introduction

- 1.1 This statement accompanies a full application for planning permission and Listed Building Consent by Mr and Mrs A Newbould for the conversion of the Grade II Listed outbuildings to form four units of tourism accommodation and for the construction of equestrian facilities comprising a storage barn (also for agricultural use), stables and all-weather horse walker at Stonegrave House, Stonegrave, North Yorkshire.
- 1.2 The purpose of this statement is to address the key planning issues arising from the proposed development and to show that planning permission should be granted having regard to the Development Plan and the National Planning Policy Framework (NPPF).
- 1.3 This statement has been produced by Andrew Cunningham who is a Chartered Town Planner and the Managing Director of Lavingham Planning Consultants Limited – a Planning Consultancy based in Brompton, Northallerton. Andrew holds a Master of Science Degree in Town and Country Planning, from Newcastle University. His experience spans 10 years of employment within the public sector at Hambleton District Council and 3 years with Lavingham Planning Consultants Ltd. Andrew is experienced at managing a varied range of projects, including medium scale residential, commercial, agricultural and heritage based schemes.

2.0 Site Description

- 2.1 The application site at Stonegrave House extends southwards from its entrance off the public highway. The main dwelling is positioned to the east of the northern portion of the application site, with the range of outbuildings the subject of this application positioned to the west of the site.
- 2.2 The existing outbuildings are currently used for domestic storage purposes, for the accommodation of surplus domestic effects associated with the main dwelling. It is proposed to condense the domestic effects requiring storage into being accommodated within the remaining curtilage structures on-site that are suitable and not proposed for conversion.
- 2.3 The existing domestic outbuildings are formed of a two-storey section nearest to the public highway to the north of the site, adjoined via a row of single storey structures to a further two storey structure mid-way down the site. Following a further single storey range of structures, a detached private garage and stables separate an additional detached outbuilding from the main range of outbuildings, which is also proposed for conversion.
- 2.4 The structures are mainly formed of a stone exterior and clay pantiled roof, with the exception of the detached outbuilding which has a brick and stone exterior.
- 2.5 The western elevation of the range of outbuildings, including the detached outbuilding, form the western boundary of the application site. The eastern elevation of the main range of outbuildings front onto the access and turning area currently for the use of Stonegrave House only.
- 2.6 The site descends from the public highway to a grassed and landscaped orchard south of the detached outbuilding proposed for conversion. Beyond this an existing manege area is in situ, bound to the south by a grassed paddock prior to reaching the beck.
- 2.7 Stonegrave is classed as an 'other settlement' within the Ryedale Local Plan Strategy.
- 2.8 The majority of the site is positioned within Flood Zone 1 and is at the lowest risk of flooding. This includes the buildings proposed for conversion from domestic outbuilding to tourism accommodation. A small part of the manege and the land immediately to its west, and the land south of this are within Flood Zones 2 and 3.
- 2.9 The site is positioned within the Howardian Hills Area of Outstanding Natural Beauty.
- 2.10 The main dwelling and outbuildings at Stonegrave House are Grade II Listed structures.

3.0 Proposed Development

- 3.1 This submission presents for re-development the range of outbuildings to the western side of the curtilage of the residential complex at Stonegrave House, Stonegrave, YO62 4LJ. The scheme also includes the formation of an agricultural/equestrian storage barn, adjoined stable block and all-weather horse walker to the south-west of the existing manege at the site.
- 3.2 The tourism accommodation would be formed in two parts, comprising units 1 to 3 within an adjoined range of buildings nearest to the main dwelling, and unit 4 as a separate building to the far south of the range of buildings adjacent the western curtilage boundary.
- 3.3 Unit 1 would comprise the first floor level of the two storey outbuilding nearest to the public highway and directly opposite the western elevation of the main dwelling. It is proposed to provide for a kitchen/living/dining area, plus a bedroom and bathroom within the currently open plan first floor space.
- 3.4 Unit 2 would comprise the ground floor area below unit 1 and again would provide for a kitchen/living/dining area, plus a bedroom and bathroom within the currently open plan ground floor space.
- 3.5 Unit 3 is separated to units 1 and 2 by a laundry room, boiler room, and oil tank storage area. Unit 3 is a further two storey and single storey structure which will at ground floor provide for a kitchen/living/dining area, w/c and shower room, and ground floor bedroom, and at first floor a bedroom and a bathroom.
- 3.6 Unit 4 would be accommodated within the southernmost single storey structure adjacent the western curtilage boundary and would provide for a living/dining/kitchen area, along with a bathroom and a bedroom.
- 3.7 Parking for the accommodation would be provided to the area which is east and south-east of the applicant's private domestic garage. Further vehicle accommodation would be available to the north-east of this garage, in the event that the occupiers of the accommodation received visiting guests. A further vehicle space for unit 4 would be available directly outside of this accommodation.
- 3.8 An agricultural/equestrian storage barn, stable block, and all-weather horse walker surrounded by a concrete yard would be provided to the south of the existing manege. The stable block, storage barn and horse walker would be for the private use of the owners of Stonegrave House in association with their land holding which extends to the east and south of the site presented for consideration. The stable block would be formed of profiled sheet roofing and timber clad walls.
- 3.9 A structural survey of the buildings proposed for conversion to tourism accommodation has been undertaken by Rawcliffe Associates on 14th August 2018 and concludes that building 1 (units 1 and 2) has suffered significant structural movement in the past but

has been repaired internally. Further cracking is noted on the south-west eaves elevation and internal and external stitch repairs are recommended. The copper Beech tree adjacent to the gable is also recommended to be removed. Building 1 (units 1 and 2) and building 5 (unit 4) also require stripping and re-roofing with replacement or localised structural repairs to the rafters, purlins and roof trusses as required. Subject to these changes the buildings are suitable for conversion to providing residential tourism accommodation.

- 3.10 A heritage statement has been prepared by ELG Planning in January 2019 and May 2019 to assess the impact of the works on the Listed structures on site and their setting. The statement concludes that:

This Heritage Statement has identified the heritage assets which have the potential to be affected by the proposed development and has considered the heritage values and significance as they relate to the site. The heritage values lie primarily in the evidential, historic and aesthetic values, and less so in communal value. These values will be preserved through the sensitive scheme for re-use.

The proposed works have been informed by specialist heritage advice and result in the least amount of intervention necessary to enable the re-use. Design details have been incorporated to respect internal and external character and to preserve the historical and architectural values. Siting of the stables and horse walker to the south-west has ensured development does not impact views towards the house from the south-west or from the house to the southwest. There is no interrelationship between this position and Stonegrave Minster.

This proposal does not result in harm to the significance or setting of the Listed Buildings and therefore accords with both national and local policy.

- 3.11 A protected species survey by MAB Ecology has been prepared in August 2018 and May 2019 and concluded that:

During a visual inspection of the buildings carried out in July 2018, no evidence was found of any bat roosts. However, low potential crevice bat roost habitat was identified, which was unable to be inspected comprehensively at the time due to its location. Therefore, dusk emergence surveys were carried out in July 2018 to fully assess whether bats were using these areas.

No bat emergences were observed during the evening surveys and overall bat activity during the survey was low. Works will not impact on bats and no further survey work or mitigation is required. Signs of nesting swallows were found within Building 1, 2, and 4, and an unidentified nest in Building 2. We, therefore, recommend that work to these buildings is timed to avoid disturbance to nesting birds. If this is not possible, then a check should be made prior to work for the presence of any nesting birds. If active nests are found, then work to those areas should be delayed until after the bird breeding season or once chicks have fledged. Alternative provision for swallows should be

provided within the development area. There is no evidence of the use of the site by barn owls, and, therefore, no mitigation is required.

A walkover assessment was conducted in May 2019, to assess the value of a small beck for otter and water vole, in response to comments from the LPA. This beck runs adjacent to the proposed location of a new stable block and horse walker. No evidence of otter or water vole was identified on the beck, however, there is value for commuting and foraging bats; it is recommended that a low lighting scheme is implemented. We would also recommend a permanent 3-6m buffer between the beck and the development to protect from the impacts of construction, and to protect water quality. We also recommend this buffer area is planted with scattered trees to enhance the riparian habitat.

4.0 Pre-Application Enquiry

- 4.1 A pre-application enquiry was submitted to Ryedale District Council on 30 January 2019. A formal response to this enquiry was received on 5 April 2019.
- 4.2 In summary the pre-application enquiry supported the tourism uses being proposed, and the formation of the agricultural/equestrian facilities. Specifically, the following points were noted as relating to the formal submission for Listed Building Consent and Planning Permission:
- Retention of the existing leaded window in Unit 2
 - Introduction of a black anodised finish flue
 - Section drawing through Unit 3 to demonstrate no overlooking to neighbour
 - Demonstration of outdoor seating area for Unit 4
 - Removal of the Copper Beech tree adjacent to Units 1 and 2
 - Justification of the scale of the stable/agricultural building
 - Inclusion of the stable/agricultural building in the Heritage Statement
 - Use of dark coloured materials for the exterior of the stable/agricultural building
 - Council agreement that the stable/agricultural building and horse walker would be Less Vulnerable Development in Flood Risk Terms
 - Formal submission requires a Flood Risk Assessment
 - A bio-diversity appraisal is required in regard to the stable/agricultural building due to its proximity to a water course
- 4.3 In response to the key pre-application points raised above the following additional information has been compiled:
- Discussion on the poor condition of the leaded window to Unit 2 is welcomed.
 - A black anodised flue is welcomed.
 - The roof lights to unit 3 have been confirmed as elevated in the roof slope and not capable of promoting views into neighbouring property.
 - The outdoor seating for Unit 4 is demonstrated on the proposed site plan.
 - The Copper Beech tree is confirmed as outside of the applicant's ownership.
 - Further information will be provided in section 7 regarding justification of the

Agricultural/Stable building.

- An updated Heritage Statement has been submitted in support of this application including reference to the Stable/Agricultural Building.
- The use of dark coloured materials to the exterior of the stable/agricultural building is welcomed.
- The Council's confirmation that they view the stable/agricultural building as less vulnerable in flood risk terms is welcomed.
- A Flood Risk Assessment is submitted in support of this application.
- An updated biodiversity appraisal for the area proposed for the stable/agricultural building has been compiled by MAB Ecology.

5.0 Relevant Planning History

5.1 The application site has planning history relating to the change of use of part of the western range of outbuildings to a residential annexe in 2000, various domestic alterations to the dwelling and outbuildings, and the formation of the existing equestrian facilities on site.

5.2 Application Site –

74/00416/LBC - Change of use of premises from a granary to a dwellinghouse at Stonegrave House, Stonegrave, Nr Hovingham, York; Approved 1974.

85/00602/LBC - Reconstruction of west gable end wall and insertion of new windows and roof lights at Stonegrave House, Stonegrave, Hovingham; Approved 1985.

98/00796/LBC - External alterations including renovation of existing windows and doors and internal alterations; Approved 9 November 1998.

00/00352/FUL - Change of use of outbuilding to form residential annex; Approved 9 June 2000.

00/00353/LBC - Internal and external alterations to outbuilding to form residential annex; Approved 8 June 2000.

01/00355/FUL - Erection of stables; Approved 6 June 2001.

01/00618/FUL - Formation of ménage; Approved 23 July 2001.

6.0 Planning Policy Background

- 6.1 This section of the statement details the current national and local planning policy context against which the proposed development should be assessed.

National Planning Policy Framework

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions, and those considerations from the NPPF which are relevant to this application include the following sections:

- Section 6. Building a strong, competitive economy
- Section 9. Promoting sustainable transport
- Section 11. Making Effective Use of Land
- Section 12. Achieving Well-Designed Places
- Section 15. Conserving and Enhancing the Natural Environment
- Section 16. Conserving and Enhancing the Historic Environment

- 6.3 Crucially, paragraph 10 and 11 of the NPPF establishes a presumption in favour of sustainable development for plan-making and decision taking. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 6.4 Paragraph 8 of the NPPF identifies three dimensions to sustainable development, namely economic, social and environmental, which are explained as follows:

- *Economic – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- *Social – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- *Environmental – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

6.5 Section 4 at paragraph 38 states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

6.6 Section 4 of the NPPF promotes pre-application between local authorities and applicants with an aim to front load the process. It also directs how applications should be determined, how planning controls should be tailored to local circumstances, how planning obligations and conditions should be effectively used and when and how enforcement powers should be exercised.

6.7 Paragraph 20 of the NPPF states that:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development;

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”

- 6.8 Section 5 of the NPPF relates specifically to delivering ‘a sufficient supply of homes’. Throughout this section of the NPPF, the Government aims to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 6.9 Paragraphs 77-79 of the NPPF sets out the government’s approach to rural housing. Paragraph 77 makes clear that *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local need”*. Paragraph 78 further suggests that *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities”*. Paragraph 79 of the NPPF directs how consideration should be given to the provision of isolated homes in the countryside and the following exceptional circumstances that should be considered:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
 - d) the development would involve the subdivision of an existing residential dwelling; or*
 - e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*
- 6.10 Paragraph 83 sets out the government support to supporting the prosperous rural economy. It states that planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 6.11 Paragraph 84 underpins how supporting the prosperous rural economy should be approached in terms of sustainability and states that:

“planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

- 6.12 Paragraphs 189 to 202 of the NPPF direct planning authorities in the consideration of the impact of proposals on heritage assets. Paragraph 192 provides clear guidance that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.13 The overriding message from the NPPF is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. In particular, they should approve proposals that accord with statutory plans without delay. The Framework proposes that planning permission should be granted where the plan is absent, silent, or where relevant policies are out of date. The Framework suggests that the primary objective of development management is to foster the delivery of sustainable development. Furthermore, the advice states that local planning authorities should look for solutions rather than problems and decision makers at every level should seek to approve applications for sustainable development where possible.

National Planning Practice Guidance

- 6.14 National Planning Practice Guidance (NPPG) was first published in March 2014, and has undergone a number of amendments and additions since that time. The NPPG contains guidance of relevance to both the registration, processing and consideration of planning applications. One of the key components of the NPPG is the issue of design, acknowledging that ‘good quality design is an integral part of sustainable development’. The NPPG also offers practical guidance in relation to, amongst other things, flood risk, noise, public open space, transport, the natural and historic environment, viability and water supply.

The Development Plan

- 6.15 Section 38(6) Planning and Compulsory Purchase Act (2004) requires that if regard is to be had to the development plan in any determination, that determination shall be in accordance with the plan unless material considerations indicate otherwise. Section 38(5) requires that, where policies in the development plan conflict, the conflict must be resolved in favour of the last document to be adopted.
- 6.16 The 'Development Plan' for the Ryedale District is currently comprised of the following documents:
- Ryedale Local Plan (2002) – Saved Policies
 - Ryedale Plan – Local Plan Strategy (Adopted 5 September 2013)
- 6.17 The Council has also adopted various Supplementary Planning Documents (SPD) in support of this suite of documents.

Ryedale Plan – Local Plan Strategy Development Plan Document (DPD)

- 6.18 The purpose of the Ryedale Plan is to encourage new development and to manage future growth whilst ensuring that change across the District is based on a presumption in favour of sustainable development. This strategy document is at the heart of the Plan. It sets out the strategic issues facing the District and the challenges of addressing them.
- 6.19 Those policies of particular relevance to the proposed development are:
- Policy SP8 Tourism
 - Policy SP12 Heritage
 - Policy SP16 Design
 - Policy SP19 Presumption in Favour of Sustainable Development
 - Policy SP20 Generic Development Management Issues
- 6.20 As part of policy SP8 the Council recognises that tourism in Ryedale will contribute to a sustainable and diverse economy. The policy states that the Council will seek to encourage sustainable tourism which minimises its environmental impact on the District. The Council recognises that this will be achieved by supporting:
1. The provision of a range and choice of quality tourist accommodation;
 2. The business plans and operational requirements of existing tourist and visitor attractions, and event arenas where appropriate;
 3. Encouraging all year round tourism subject to the occupancy conditions set out in Policy SP21;
 4. Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds;
 5. Cultural and creative businesses in Ryedale inspired by Ryedale's unique environment

6. The role of Pickering, Helmsley and Thornton-le-Dale as key visitor destinations as well as gateways to tourism and recreational opportunities in northern Ryedale including the North York Moors National Park.
- 6.21 Within policy SP8 the Council states their support in ‘other settlements’ for the delivery of tourism accommodation through the *‘refurbishment and extension of existing buildings’*.
- 6.22 Policy SP12 recognises the distinctive elements of Ryedale’s historic environment, that they will need to be conserved and where appropriate enhanced. The policy states that Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset or to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset. In considering and negotiating development proposals, the policy advises that the Council will seek to protect other features of local historic value and interest throughout Ryedale having regard to the scale of any harm or loss and the significance of the heritage asset
- 6.23 Policy SP16 supports development that is able to create high quality durable places that are accessible, well integrated with their surroundings, and which [as relevant] reinforce local distinctiveness and protect amenity and well-being. Specifically the policy advises that the Council will seek to ensure that:
- *A building is capable of conversion to the use proposed without the need for extensions or alterations that would be detrimental to its character*
 - *Proposed extensions and alterations, considered acceptable in principle, that are of an architectural style which complements the traditional character of the main building*
 - *Appropriate materials and traditional construction methods and techniques are used.*
- 6.24 Policy SP19 aligns the development plan document with that of the NPPF. Specifically when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 6.25 Policy SP20 assesses the suitability of proposals on the basis of their impact on the character of the area, their overall design, impact on amenity and safety, and their impact on the access parking and servicing of property.

7.0 Policy Appraisal

- 7.1 Having regard to the local and national planning policy and guidance context it is considered that the principle of development turns on the approach to the criteria of the adopted development plan policies, identified above, and the NPPF.

Principle of Development

- 7.2 Policy SP8 is the main policy which is directing the acceptability of the development proposed at Stonegrave House at a local planning policy level. It is the mechanism for delivering a sustainable and diverse tourism economy in the district. The National Planning Policy Framework was adopted after the Ryedale Local Plan Strategy and should as a consequence be afforded great material planning weight in decision making. Paragraph 83 of this document sets out the government's approach to supporting a prosperous rural economy, that planning policies and decisions should [as most relevant] enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside.

- 7.3 The local and national policy approach above is wholly geared towards the provision of tourism facilities or facilities that will benefit the rural economy. Given that the outbuildings are a Listed Heritage asset and require a viable future use, it is also important to consider how the NPPF supports the promotion of a viable use for heritage assets. In terms of open market housing paragraph 79 states that consideration should be given to the provision of isolated homes in the countryside and the following exceptional circumstance should be considered: *b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets*. Similarly paragraph 192 is stating that local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.4 Both the local and national position on tourism is robustly positive. There is an underlying recognition of the importance of promoting the diversity of sustainable

tourism within Ryedale through the re-use of existing buildings that will not adversely impact the landscape setting, and at the same time support development that represents an optimal viable use for a heritage asset through any necessary alteration that protects its architectural significance. The type of accommodation that is being proposed is well aligned with the policy requirements of this 'other settlement' and it is therefore considered that in principle the works are acceptable.

- 7.5 It is acknowledged that this scheme presented for consideration by the Council does not just comprise tourism accommodation. It is also proposing the provision of private equestrian facilities for use by the occupiers of Stonegrave House in association with their land holding and existing equestrian facilities within the site. Due to the close relationship of the stables and barn to the main dwelling, the use of the structures for private and not commercial purposes, and the land holding which would complement the use, and command the need for the storage barn accommodation it is considered that the principle of these buildings on site is acceptable. The justification for the size of the building was a matter that was raised at the pre-application stage. Aside from the need for the building to accommodate up to 300 bales of hay, a list of the machinery required to maintain the land holding can be provided to the Council on request. The numbers of horses which can be grazed on the applicant's blue lined land holding can extend to 15, hence the need for the size of stabling proposed.
- 7.6 It is acknowledged that the storage barn and equestrian stables, and all-weather horse walker would be positioned with Flood Zones 2 and 3. The use of the building and structure is considered to be in the 'less vulnerable' category of development as set out by the Environment Agency, and therefore the presence of these structures in these flood risk areas should not present a reason for the principle of development to be resisted. It is acknowledged that a flood risk assessment will be required at the formal application submission stage. In any event the updated section drawing has demonstrated that the finished floor level of the stable/agricultural building would be set at the level of the manege which is positioned within Flood Zone 1.
- 7.7 Whilst this appraisal looks at the policy wording to advise on the acceptability of the principle of the development it is acknowledged that the merits of the development themselves feed into whether or not the scheme is acceptable in principle. These matters will be assessed in the proceeding paragraphs.

Impact on Neighbour and Visual Amenity

- 7.8 The approach of policy SP20 is broken down into four main categories of assessment; specifically: character, design, amenity and safety, and access, parking and servicing. The following assessment will identify the alignment of the proposal with each of these policy criteria, and the policies that they individually link to.

- 7.9 New development must respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses. The proposed alterations to the outbuildings adjacent to Stonegrave House recognise the positive visual contribution that these buildings make to the street scene and the character of public viewpoints in the locality from within the Area of Outstanding Natural Beauty. The storage barn, equestrian stables and all-weather horse walker have also been closely grouped to the existing ménage area on the back drop of existing established boundary and within-site vegetation to aid its visual assimilation in the locality. Consequently the proposed works 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 residential land uses.
- 7.10 The design of the new development ably follows the principles established in policy SP16. The alterations to the outbuildings adjacent to Stonegrave House, and the agricultural/equestrian facilities are considered to be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials, and do not undermine but raise the standard of design which is associated with the structures. The scheme reinforces the local distinctiveness of this part of Stonegrave and is able to protect amenity and promote well-being.
- 7.11 The overall design of the alterations proposed, plus the location of the outbuildings and proposed agricultural/equestrian facilities at Stonegrave House and their proximity to neighbouring land uses (including the main dwelling of Stonegrave House) and sensitive receptors ensures that the development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.
- 7.12 Due to the existing high quality of access arrangements and that no changes to this are proposed, it is considered that the 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.
- 7.13 The works at Stonegrave House sit comfortably with the overarching approach of policies SP20 and SP16. The NPPF reflects the specific local criteria relating to amenity and design in its section 12. In this regard, the development is considered to be able to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, maintains a strong sense of place within Stonegrave, responds to the local character and history, particularly by reflecting the identity of local surroundings and materials, and is visually attractive due to the good architectural detailing introduced.

Impact on Heritage Asset

- 7.14 This proposal's overarching vision is to protect the architectural merit of the heritage asset and its setting at Stonegrave House. The design of the scheme has been prepared in conjunction with advice from ELG Heritage to deliver a future viable use for the buildings whilst minimising the extent of alterations to the fabric of the structure to allow this to happen.
- 7.15 Local planning policy SP12 directs how Ryedale's historic environment will be conserved and enhanced. Section 16 of the NPPF offers further policy support for sustaining and enhancing the significance of the heritage asset, recognising that the greater the significance of the heritage asset, the greater weight should be given to its conservation.
- 7.16 The Heritage Statement submitted in support of this scheme correctly notes that policy SP12 encourages the sensitive re-use and adaptation of historic buildings. Assets, including their settings will be conserved and where appropriate, enhanced. Development proposals which would result in less than substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset. The Heritage Statement concludes that this proposal seeks a sensitive re-use and adaptation of the existing buildings which does not result in harm to the significance of the Listed Buildings and is considered compliant with policy SP12 of the Ryedale Plan – Local Plan Strategy and the provisions of section 16 of the NPPF.

Sustainable Development

- 7.17 As is previously identified, the NPPF identifies the three dimensions to sustainable development as being economic, social and environmental. These are considered in turn, whilst recognising that these roles are mutually dependent and should not be considered in isolation. At a local level policy SP19 confirms that in regard to sustainable development *the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.*

Economic Role

- 7.18 The NPPF explains that the government is committed to securing economic growth in order to create jobs and prosperity and is committed to ensuring that planning does everything it can to support sustainable economic growth. In recognition of this

objective, significant weight should be placed on the need to support economic growth through the planning system.

- 7.19 The proposed development comprising the alteration of the outbuildings adjacent to Stonegrave House and the expansion of the private equestrian facilities would bring about direct and indirect benefits to the local economy through the construction phase of the development. As such the proposed development is wholly consistent with the Framework's guidance in promoting sustainable economic growth.
- 7.20 Local businesses will also benefit from trade linkages established through the running of the tourism accommodation and local spend by tourists occupying the accommodation, along with suppliers of equestrian equipment, feed and bedding, meaning that a large proportion of the indirect jobs would be supported locally from the future use of the proposed development.
- 7.21 The development will deliver economic benefits to local economy through increased spend and will meet the Government's economic objectives of sustainable development.

Social Role

- 7.22 The re-development of the outbuildings and construction of the equestrian facilities would assist in creating a high quality built environment, accessible to local services, and which would support the health, social and cultural well-being of the community. The development would promote a viable use for the heritage assets on site and preserve their architectural merit for the future whilst at the same time providing for private equestrian facilities, which as with the tourism accommodation, is wholly compatible with the adjacent residential and agricultural land uses.

Environmental Role

- 7.23 The proposed development would ensure that views from the public viewpoints in the locality are safeguarded not just insofar as the good design of the works to the outbuildings and new equestrian structures, but the improvement that will be brought about through the continued maintenance of the property, and protection of the heritage assets for future enjoyment.
- 7.24 The respect that the overall high quality design of the works pay to the important heritage assets, their setting and the immediate locality would serve to positively protect and enhance the natural, built and historic environment for the future.
- 7.25 Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration of some substance. The proposal is in compliance with the criteria and thrust of the NPPF.

- 7.26 In terms of the overall planning balance, the social, economic and environmental benefits of the proposed scheme are notable and sufficient to outweigh any perceived adverse impact. The proposed development would comply with the development plan in all relevant aspects, and with the policies of the NPPF taken as a whole. In light of the above, the proposed development is considered to be sustainable development.

8.0 Conclusion

8.1 The key conclusions arising from this planning statement, in regard to the assessment of the development proposals are summarised below:

(a) This statement has shown that the development proposals are in accordance with the specific paragraphs and sections within the NPPF, particularly in regard to the optimum viable re-use of a heritage asset, the protection of heritage assets, but most crucially in terms of its support for a prosperous rural economy through the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

(b) The proposals are able to comply with the specific criteria of the Council's adopted Ryedale Plan – Local Plan Strategy policies relating to the promotion of the tourism economy, protecting the heritage within the district, promoting good design and sustainable development, and protecting amenity.

(c) The proposals would not result in significant adverse impacts that would otherwise outweigh the benefits of granting planning permission for the proposed development in compliance with the NPPF.

(d) The proposals are sustainable, accessible and capable of being accommodated without risk to highway safety and without harmful flood risk or significant adverse drainage effects.

(e) The proposals are designed to achieve a high quality living environment ensuring the privacy and safety of existing and future residents both within the development site and adjacent to it.

(f) The development would bring notable economic benefits to the area.

(g) The development crucially would identify, maintain and enhance the whole of the existing heritage assets at Stonegrave House in compliance with section 16 of the NPPF and in doing so would enhance the contribution of the property to public viewpoints in the locality.

(h) The position of the alterations and proposed structures to adjacent dwellinghouses in relation to neighbouring residential property, and their overall design and orientation are such that there would not be a harmful loss of neighbour amenity.

8.2 For the above reasons we respectfully request that the applications for full planning permission and Listed Building Consent be granted.



Item Number: 14
Application No: 19/00628/LBC
Parish: Stonegrave Parish Meeting
Appn. Type: Listed Building Consent
Applicant: Mr & Mrs A Newbould
Proposal: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping
Location: Stonegrave House Main Street Stonegrave Helmsley YO62 4LJ
Registration Date: 4 June 2019
8/13 Wk Expiry Date: 30 July 2019
Overall Expiry Date: 3 July 2019
Case Officer: Niamh Bonner Ext 43325

CONSULTATIONS:

Building Conservation Officer	No objection
Stonegrave Parish Meeting	No response
Neighbour responses:	Mrs Nicola Macauley, Mr Blenkin

SITE:

The application site relates to Stonegrave House, a Grade II Listed dwelling with associated Grade II Listed stone built outbuildings to the west and open paddocks to the south of the site, including a manege. This site is located to the south of the B1257.

The dwelling and the majority of outbuildings fall within the village development limits and the entire site falls within the Howardian Hills Area of Outstanding Natural Beauty. A section of the site entrance falls within a visually important undeveloped area and a public right of way runs from east to west at this point.

PROPOSAL:

This application seeks listed building consent for the physical alterations and extensions to facilitate the change of use of domestic outbuildings to form 4no. holiday lets.

HISTORY:

The following planning history is considered to be most relevant:

00/00352/FUL: Change of use of outbuilding to form residential annex
00/00353/LBC: Internal and external alterations to outbuilding to form residential annex
01/00355/FUL: Erection of stables
01/00618/FUL: Formation of manege

This application should be read in conjunction with the pending application:

19/00627/FUL: Change of use, conversion, alterations and extensions to domestic outbuildings to form 4no. holiday lets with associated parking and landscaping and the construction of equestrian facilities comprising storage barn, stables and all-weather horse walker. Pending consideration.

POLICIES

Local Plan Strategy - Policy SP12 Heritage
National Planning Policy Framework
National Planning Practice Guidance
The Planning (Listed Building and Conservation Areas) Act 1990

REPRESENTATIONS:

A letter of objection was received from the occupier of Church Farm to the west in relation to the associated full application. This is summarised within the Committee Report for that proposal. Whilst that response was not specifically forwarded in relation to this Listed Building Consent application, it did raise concerns over the suitability of proposals noting: *“Stonegrave house is a distinguished Grade II Listed building the former home of Sir Herbert Read. I regard the proposed holiday cottages and equestrian development as an inappropriate commercial additional to the quiet, rural/residential nature of this part of Ryedale, itself within the Howardian Hills AONB.”*

A further response was received on behalf of this neighbouring resident. This referenced both the full application and listed building consent applications however no specific concerns were raised in relation to the proposed alterations to the listed outbuildings.

APPRAISAL:

The Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority to give special regard to the desirability of preserving the Listed Building or its setting or any features that it possesses.

The Committee Report associated with 19/00627/FUL includes a full assessment on all aspects of this development including the setting of surrounding listed buildings. This current Listed Building Consent application relates solely to consideration of the impact of the alterations upon the significance on the listed building in terms of its historical and architectural fabric. It is therefore not considered the points raised by the neighbour are relevant in the determination of this proposal, but have been fully considered within the associated full report.

The proposed alterations to the listed outbuildings to form holiday accommodation (Units 1-3) were detailed fully in the associated report 19/00627/FUL, together with a review of the Heritage Assessment prepared on behalf of the applicants by ELG Planning. Members are referred to this report.

The Conservation Officer who also visited during the preapplication process confirmed *“I have read the submitted Heritage Statement and concur with its details and findings. I have no objection to the principle of the proposal. I note that there is reference in the Design and Access Statement relating to the poor condition of the diamond pane leaded window which we sought to be retained as part of pre-application discussions. To my knowledge no information regarding the condition of the window has been submitted with the application and I would urge that was either added as a planning condition or addressed as part of this application.”*

The agent confirmed in an email dated 24th July 2019 that *“The heavily leaded window will be retained and repaired.”* This will be subject to a condition to prevent its removal unless otherwise agreed in writing with the Local Planning Authority.

Other recommended conditions as part of the full application (insofar as they are relevant to the listed building consent application) will also be attached to this proposal if permission is granted. These include details of new external joinery, ventilation and extraction, the use of black anodised flues, samples of materials and further details of roof repairs if necessary.

In light of the above, the proposal is considered to meet the relevant policy criteria outlined within the National Planning Policy Framework, with particular focus on Section 12 regarding Conserving and Enhancing the Historic Environment and Policy SP12 (Heritage) of the Ryedale Plan - Local Plan

Strategy. It is therefore recommended that listed building consent should be granted.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 18(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

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

Site Location Plan (Drawing no. RYDC/5125/06)
Plans and Elevations As Proposed (Units 1, 2 and 3) (Drawing no. RYDC/5125/02 Rev D)
Proposed Site Plan and Section (Drawing no. RYDC/5125/05 Rev B)
Plans and Elevations as Existing and Proposed (Unit 4) (Drawing no. RYDC/5125/07)

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

3 Notwithstanding the submitted details, prior to their installation, details of all new/replacement windows, doors and roof lights within the Units 1-3 of the holiday accommodation hereby approved, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority. These shall be shown on a 1:10 scale drawing.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

4 Notwithstanding the submitted details, prior to the commencement of the conversion of the outbuildings for holiday accommodation, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the proposed holiday Units 1 - 3 the subject of this consent shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

5 Notwithstanding the submitted details, all new flues for use within the holiday accommodation Units 1 - 3 hereby approved, shall be completed in an anodised black finish.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

6 In line with best practice building conservation principles, localised structural repairs to the existing roof structure of the listed outbuildings within which holiday accommodation is hereby approved should be undertaken where possible, with replacement works only undertaken where found to be structurally necessary. Traditional repairs should be undertaken where possible, eg splicing and laying new timber alongside old, including any salvageable original timbers.

Unless otherwise agreed in writing, prior to undertaking any replacement of timbers within the outbuildings hereby approved for conversion, details of the sections to be replaced should be submitted for the prior written approval of the Local Planning Authority.

Reason: To preserve the historic fabric of the listed building and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

- 7 Unless otherwise agreed in writing the diamond pane leaded window on the southern elevation of the outbuilding at first floor level shall be retained and repaired. This shall not be removed without the prior written approval of the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

- 8 Notwithstanding the submitted details, prior to commencement of the development hereby permitted, the precise details of any new mechanical extraction or ventilation for use within the listed outbuildings within which holiday accommodation is hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF.

Item Number: 15
Application No: 19/00735/CLEUD
Parish: Kirkbymoorside Town Council
Appn. Type: Cert Lawful exist use or develop
Applicant: D E & R A Cussons (Mr Richard Cussons)
Proposal: Certificate of Lawfulness in respect of the works to install the 121 kw biomass boiler and external flue subject of this application within the building as shown in red on the submitted site location plan were substantially completed more than four years before the date of this application
Location: High Hagg Farm Hagg Road Kirkbymoorside North Yorkshire YO62 7JF
Registration Date: 27 June 2019
8/13 Wk Expiry Date: 22 August 2019
Overall Expiry Date: 31 July 2019
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Kirkbymoorside Town Council No comment

Neighbour responses: No response received

BACKGROUND

The applicant is related to an elected Member of the Council and as a result the application is outside of the Council's Scheme of Delegation and is reported to Planning Committee for determination.

SITE:

The farm is located approximately 2km north-west of Kirkbymoorside. Access is gained off Hagg Road to the south.

HISTORY:

06/00242/FUL- Change of use, alteration and extension of agricultural buildings to form 2 no. two bed and 1 no. one bed holiday cottages, 2 no. holiday letting rooms, reception/office and 1 no. three bed owners dwelling with associated parking areas. APPROVED 10.05.2006.

PROPOSAL:

A certificate of lawfulness is sought in respect of works to install the 121kw biomass boiler and external flue within the building shown in red on the submitted site location plan.

The application is made on the basis that the building works were substantially completed more than four years before the date of this application.

The applicant states that the building works (installation of biomass boiler and external flue within existing agricultural building) were substantially completed on 7 April 2015. The biomass boiler provides heat to the farm house and the holiday cottages.

The applicant seeks to ascertain that the existing biomass boiler and external flue is lawful for planning purposes under Section 191 of the Act. The applicant requires the certificate to comply with Ofgem Renewable Heat Incentive (RHI) requirements.

POLICIES:

Planning policies contained in the Ryedale Local Plan (2013) and other material considerations such as impact on residential and visual amenity are not applicable in this case as the assessment of whether to grant a certificate of lawfulness is dependent on the facts of the case and relevant planning law.

Section 191 of the Town & Country Planning Act 1990 provides for anyone to apply to the Local Planning Authority for a Lawful Development Certificate (LDC). A Certificate is a statutory document certifying in the case of an application under Section 191, the lawfulness of existing operations on, or use of land.

Development or other activity on land is lawful for planning purposes if it is within one of a number of categories including:-

1. "the time for taking enforcement action has expired"

TIME LIMITATION PERIODS FOR TAKING ENFORCEMENT ACTION:

The time limits for taking enforcement action in respect of a breach of planning control are specified in section 171 B of the Town and Country Planning Act 1990 as follows:-

- (i) For operational development, the period of four years from the date operations were substantially completed - section 171 B (1);
- (ii) For change of use of any building to use as a single dwelling house, the period of four years beginning with the date of breach - section 171 B (2);
- (iii) In the case of any other breach of planning control, the period of ten years beginning with the date of breach - section 171 B (3).

National Planning Practice Guidance (NPPG) - LAWFUL DEVELOPMENT CERTIFICATES

The National Planning Practice Guidance (NPPG) provides guidance on planning matters including Lawful Development Certificates. In answer to the question "who is responsible for providing sufficient information to support an application?" the guidance states that:

"The applicant is responsible for providing sufficient information to support an application"

Accordingly, the onus of proof in an application for a Lawful Development Certificate is firmly on the applicant. The standard of proof defines the degree of persuasiveness which the evidence in support of an applicant, must attain before a certificate can be granted. The relevant standard of proof in this application is "the balance of probability". This simply means that the applicant must prove that in this case, it is more likely than not to be true.

APPRAISAL:

To clarify the nature of this type of application, this is a certificate of lawful development application and for the avoidance of doubt, the planning merits of the development referred to in this application for a certificate of lawfulness are not relevant, and are not therefore an issue to consider in the context of this application.

The decision is based on the 'balance of probability' and rests on the evidence submitted, the facts of the case, and on relevant planning law and takes account of the facts presented both in support of the application and against but is not assessed in relation to its principle, location, design, environmental impact or compliance with current planning policies.

The applicant states that the current boiler, which was installed over 4 years ago, was a replacement for a boiler than had been installed approximately 10 years ago. The application is accompanied by invoices from April and May 2015 and dated photographs from the same period showing the

installation of the boiler. The application is also accompanied by an emissions certificate dated 30 March 2015.

The Local Planning Authority has no specific evidence of its own, there has been no response to the site notice and the Town Council have confirmed that they have no comments to make on the application.

It is considered that the substance of the information submitted, demonstrates that the operational development comprising the installation of a biomass boiler and external flue within existing agricultural building was substantially completed in excess of 4 years before the date of this application.

The evidence is significant and on the balance of probabilities more likely to be true than not. It is therefore considered that the identified operational development comprising the installation of a biomass boiler and external flue within the existing agricultural building is lawful.

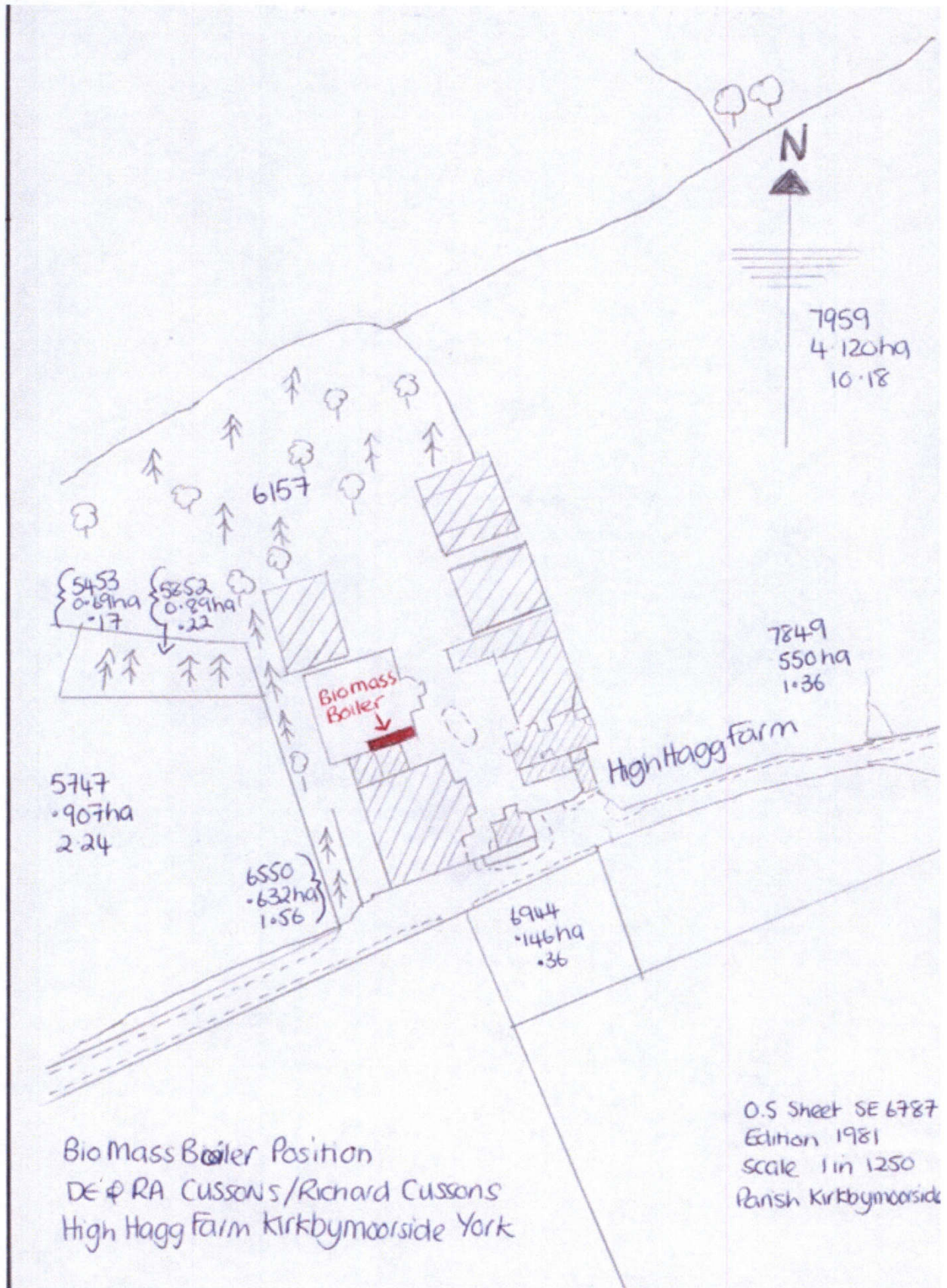
Conclusion

Having reviewed and carefully considered all the available evidence, and, in the absence of any contradictory evidence, it is concluded that on the balance of probabilities there has been a breach of planning control in relation to the biomass boiler and external flue for the identified period of more than four years.

The applicant's evidence is considered to be sufficiently precise and unambiguous to allow the granting of a certificate of lawful development.

RECOMMENDATION: Approval

Reason: On the balance of probabilities, after carefully considering all the available evidence, the Local Planning Authority is satisfied that the operational development comprising the installation of a biomass boiler and external flue within the existing agricultural building was substantially completed in excess of 4 years before the date of this application.



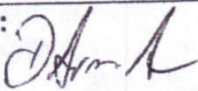
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date used 27/06/2019

Renewable Heat Incentive

Emissions Certificate

In order to accredit any biomass boiler or stove applications received for the domestic or non-domestic Renewable Heat Incentive (RHI) schemes, Ofgem must be satisfied that a valid emissions certificate exists for the specific model in the application (or alternatively for the non-domestic RHI, an environmental permit for the site). This template incorporates all information required to demonstrate that the tested plant meets the air quality requirements of the RHI. It must be fully completed and issued by a testing laboratory in order to be a valid certificate.

1. TEST HOUSE	
a) Name and address of the testing laboratory that has carried out the required tests and issued this certificate * <i>*if different, include details of both</i>	Environmental Scientifics Group Limited Unit 5 Crown Industrial Estate Kenwood Road Stockport SK5 6PH
b) Name and signature of the person authorised by the testing laboratory to issue the certificate	Name: Dave Armitage
	Signature: 
c) Date of issue of this certificate, together with certificate reference number for this certificate <i>*Please see Note A</i>	Date: 30/03/2015
	Certificate reference number: LNO 12326/V1
d) If the testing laboratory that has carried out the required tests is accredited to BS EN ISO/IEC 17025:2005, date of accreditation and accreditation number <i>(if testing conducted on or after 24 September 2013, the testing laboratory must be BS EN ISO/IEC 17025:2005 accredited at the time of testing)</i>	Date: 11/12/1992
	Accreditation number: 1015

2. PLANT - Please see Note B	
a) Name of the plant tested	GEJS 70 kW Biomass Boiler
b) Model of the plant tested* <i>*Please ensure this is the same as in the manufacturer's documentation and boiler nameplate</i>	GEJS 3A70
c) Manufacturer of the plant tested	GEJS
d) Installation capacity* of the tested plant in kilowatts (kW) <i>*The total installed peak heat output capacity</i>	70kW

e) Is the plant a <u>manually stoked, natural draught</u> plant? (without a fan providing forced or induced draught)	No
f) (i) Date the plant was tested* (ii) Please confirm that NOx and PM have been tested on the same occasion <i>*This is in reference to the emissions testing for PM and NOx, not any wider range of tests. A specific date is required. Please provide the date of test performed at ≥85% of the installation capacity. If more than one model has been tested or testing has been conducted on different dates for different fuels, please list each date with details.</i>	26/02/2015 Yes
g) Please list all the plants in the type-testing range* of the tested plants to which the certificate applies, if any. ¹ Please include the installation capacity of each model. <i>*This must follow the ratio rules: If the smallest plant in the range is 500kW or less, the largest plant in the range can't be more than double the smallest. If the smallest plant in the range is over 500kW, the largest plant in the range can't be more than 500kW greater than the smallest.</i>	* GEJS 125 (121kW) GEJS K100 (100kW) GEJS 3A70 (70kW)

3. FUELS	
a) Types of fuels used when testing (where relevant, this should include how the fuel has been processed and based if relevant on classifications from EN14961 or EN303-5. eg. wood pellets/compressed wood, wood chip. We don't expect broader categories such as 'beech', 'wood'.)	Chipped Wood Pallets Class B2 (Based on classification from EN 14961-4)
b) Based on the testing, list the range of fuels that can be used in compliance with the emission limits of 30 grams per gigajoule (g/GJ) net heat input for particulate matter (PM), and 150 g/GJ net heat input for oxides of nitrogen (NOx) (where relevant, this should include how the fuel has been processed and based if relevant on classifications from EN14961 or EN303-5. eg. wood pellets/compressed wood, wood chips. We don't expect broader categories such as 'beech', 'wood')	Clean, chemically untreated Woodchip to EN14961-4:2011 - Origin A1, A2, B1 and B2.
c) Moisture content of the fuel used during testing	19.1%
d) Maximum allowable moisture content* of fuel that can be used with the certified plant(s) that ensures RHI emission limits are not exceeded. <i>*This value may be obtained from ranges specified in EN 303-5 based on the fuel type(s) tested</i>	19.1%

¹ The type-testing approach enables testing laboratories to provide assurance that all boilers in a given range meet the air quality requirements, without needing to specifically test each boiler.

4. TESTS	
Confirm which requirements the emissions of NOx and PM have been tested in accordance with. Either 4a or 4b must be confirmed to be a valid RHI certificate.	
a) Was the testing carried out in accordance* with all of the provisions relevant to emissions of PM and NOx in either BS EN 303-5:1999 or BS EN 303-5:2012? <i>*It is not a requirement that the tested plant must be within the scope of one of these standards, as long as the test lab can confirm that all of the relevant provisions were followed appropriately</i>	N/A
b) Was the testing carried out in accordance with <u>all</u> of the following requirements? (i) - EN 14792:2005 in respect of NOx emissions - EN 13284-1:2002 or ISO 9096:2003 in respect of PM emissions ³ (ii) emissions of PM represent the average of at least three measurements of emissions of PM, each of at least 30 minutes duration (iii) the value for NOx emissions is derived from the average of measurements made throughout the PM emission tests.	Yes Yes Yes
c) Please confirm the plant was tested at ≥85% of the installation capacity of the plant.	Yes
d) Please confirm the test shows that emissions from the plant were no greater than 30 g/GJ PM and 150 g/GJ NOx.	Yes
e) Measured* emissions of PM in g/GJ net heat input <i>*This average value should be from the test confirmed in 4c. Results from partial load tests are not required. This value must be in the specified units.</i>	22.4 g/GJ
f) Measured* emissions of NOx in g/GJ net heat input <i>*This average value should be from the test confirmed confirmed in 4c. Results from partial load tests are not required. This value must be in the specified units.</i>	92.1 g/GJ

Note A: If details from a previously issued certificate or an original test report are being transferred to this RHI emission certificate template, please note that this document must be **issued by the testing laboratory** as a separate certificate. The issue date and certificate reference number should be in relation to *this* certificate produced using the RHI template, not the issue date and reference number of the original certificate or test report.

Note B: If you are including multiple tested plants on one certificate, please ensure that all sections are completed for each tested plant, and are laid out such that it is clear which details relate to which tested plant. If a type-testing range is included as well, please show clearly which type-testing range relates to which tested plant(s), following the type-testing range ratio rules outlined in 2g.

² BS EN303-5:1999 and 2012 explain what should be measured and when.

³ These standards explain how to make the PM and NOx measurements.

From: Town Clerk
Sent: 16 July 2019 12:44
To: Development Management
Subject: Kirkbymoorside Town Council Planning Committee Observations

Please be advised of the following observations made by the Kirkbymoorside Town Council Planning Committee at the meeting dated 15th July 2019.

P19014 The following planning applications were reviewed:

a) 19/00638/73A | Variation of Condition 25 of approval of 17/00832/73 dated 02.11.2017 - formation of bedsits within the Pool House and Leisure Building to include installation of 4no. conservation roof lights on the Pool House | Ravenswick Swineherd Lane Kirkbymoorside YO62 7LR
Members of the Planning Committee have been unable to access the planning documents associated with the application and are therefore unable to comment. Clarification is requested from the Planning Authority as to the details of the variation of condition 25 and details of the additional accommodation to be permitted as the inclusion of installation of conservation roof lights appears to be indicative of additional semi-residential accommodation.

b) 19/00683/TPO | Crown lift of Lime Tree by 4 metres above footpath of TPO 229/1997 | Land To The West Of Ancoates Piercy End Kirkbymoorside North Yorkshire No Comment.

c) 19/00673/FUL | Change of use of first and second floor flat (Use Class C3) to additional cafe seating area and staff office (Use Class A3 and B1) (no external or internal alterations) | The Flat 2 West End Kirkbymoorside YO62 6AF.

No Comment.

d) 19/00721/FUL | Alterations to bed and breakfast farmhouse to provide self-contained first floor owners accommodation to include the installation of external staircase and formation of terraced area following part removal of pitched roof | Brickfields Farm Kirby Mills Road Kirkby Mills Kirkbymoorside North Yorkshire YO62 6NS No Comment.

e) 19/00735/CLEUD | Certificate of Lawfulness in respect of the works to install the 121 kw biomass boiler and external flue subject of this application within the building as shown in red on the submitted site location plan were substantially complete more than four years before the date of this application | High Hagg Farm Hagg Road Kirkbymoorside YO62 7JF

No Comment. However, it was noted that it is reprehensible for a District Councillor to fail to adhere to planning protocol as demonstrated by the retrospect of this certificate of lawfulness.

f) 19/00747/HOUSE | Installation of double glazed timber Yorkshire sliding sash windows to front elevation | 20 Piercy End Kirkbymoorside YO62 6DF

No Comment.

g) 19/00759/HOUSE | Erection of a two storey side extension (revised scheme of approval 19/00426/HOUSE dated 29.05.2019) | 9 Parkers Mount Kirkbymoorside North Yorkshire YO62 6JB
No Comment.

h) 19/00763/HOUSE | Erection of single storey part rear/part side extension | Datum House Old Road Kirkbymoorside North Yorkshire YO62 6LP No Comment.

Please would you clarify how to access details of application 19/00638/73A | Variation of Condition 25 of approval of 17/00832/73 dated 02.11.2017 - formation of bedsits within the Pool House and Leisure Building to include installation of 4no. conservation roof lights on the Pool House | Ravenswick Swineherd Lane Kirkbymoorside YO62 7LR

Regards

Lisa

--

Lisa Bolland
Town Clerk to Kirkbymoorside Town Council

Agenda Item 16

**RYEDALE
DISTRICT
COUNCIL**



PART B: RECOMMENDATIONS TO COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: 13 AUGUST 2019

**REPORT OF THE: HEAD OF PLANNING AND REGULATORY SERVICES
GARY HOUSDEN**

TITLE OF REPORT: NOTICE OF MOTION – THE RYEDALE PLAN

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For members to consider the Motion and to recommend a response to Council.

2.0 RECOMMENDATION

2.1 It is recommended to Council that:

- (i) The Motion is rejected for the reasons outlined in this report.
- (ii) The policies proposed in the Motion are considered and tested through the development plan review process.

3.0 REASON FOR RECOMMENDATION

3.1 As written the motion is considered to be unlawful and presents a number of significant risks to the Council. The motion would pre-empt and pre-determine the Local Plan review process. It also proposes an unlawful delegation.

4.0 SIGNIFICANT RISKS

4.1 The Council would be unable to demonstrate that the proper plan making process had been followed. This would give rise to a serious risk of revisions to the plan being found unsound by a planning inspector, resulting in significant costs and delay to the lawful review and adoption of the development plan. It could also result in reputational damage to the Council as a whole.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The Motion has been considered within the context of the legislation and national policy covering the plan-making process and the Council's constitution.

PLANNING COMMITTEE

13 AUGUST 2019

6.0 REPORT DETAILS

6.1 The Notice of Motion was submitted to Full Council on 27 June 2019. The Motion relates to the review of the Local Plan and was automatically referred to this Committee by Council.

6.2 The details of the Motion are included in Appendix 1 to this report. The Motion seeks the appointment of a planning consultant whose instruction would be to do all necessary work to advise on and to secure so as far as is practicable, ten policy revisions to the Ryedale Plan. The motion raises issues relating to the:

- Development Plan process
- Council's appointment procedure

Development Plan process

6.3 Any review of the Ryedale Plan needs to follow the statutory process which is in place to ensure that plans are prepared on an objective and transparent basis. This demands that technical evidence, sustainability appraisal and consultation with stakeholders are used to identify and test policy options and, to inform and justify policy choices.

6.4 As written, the Motion pre-empts the plan review process. An instruction that seeks to revise the plan to include ten changes to policy appears to pre-determine the approach to the identification and assessment of future policies. Review of the development plan is a statutory process that begins with using evidence to inform future policy choices. It is not about identifying policies and then finding the evidence to support the policies and to justify retrospectively why those policies are proposed.

6.5 If the Council fails to follow the statutory process for reviewing a development plan, it would be acting unlawfully. Moreover, the process by which these policies in the Motion have been selected could not be justified or rigorously defended. Failure to follow the proper plan making process would mean that a revised plan would fail to meet the tests of 'soundness' applied as part of the examination process. The Council would not be in a position to adopt the new policies and time and resources would have been wasted.

Council's appointment procedure

6.6 The text of the motion includes the following proposal:

"An independent planning consultant be appointed by the Council Chair in consultation with the Deputy Chief Executive"

6.7 The proposal is unlawful because a single Councillor does not have legal authority under Section 101 of the Local Government Act 1972 (as amended) to take action under the Council's powers. The Council's Contract Procedure Rules also prohibit a single member from entering into a contract (Rule 27.1.1) The District Council may delegate to a committee, a sub-committee or an Officer and relies on Officers to instruct planning consultants having followed appropriate procedures. An unlawful delegation has the potential to render void any action taken in pursuance of it.

6.8 Members are also reminded that where a consultant's fee is likely to be above the

threshold of £50,000, this would trigger procurement process.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

There is a limited existing budget for plan-making work. A budget for a review of the Local Plan is not yet agreed.

b) Legal

The motion is considered to be unlawful for the reasons outlined in the report. The Council's solicitors have provided advice in response to the Motion and external legal advice has also been sought. Legal advice has informed the recommendations of the report.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

The motion has direct implications for planning and the Council's ability to maintain an up to date development plan.

8.0 NEXT STEPS

8.1 The forthcoming review of the plan will ensure that a range of future policy options are identified and tested through the statutory process. A timetable for the forthcoming review of the plan will be brought to members in the autumn. There is no reason why the process cannot be used to consider and test the policies proposed in the Motion.

Gary Housden

Head of Planning and Regulatory Services

Author: Jill Thompson, Planning and Development Manager
Telephone No: 01653 600666 ext: 43327
E-Mail Address: jill.thompson@ryedale.gov.uk

Background Papers:

National Planning Policy Framework

The Town and Country Planning (Local Planning) (England) Regulations 2012

Ryedale District Council. Council Constitution.

Background Papers are available for inspection at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<http://www.legislation.gov.uk/uksi/2012/767/made>

<https://www.ryedale.gov.uk/your-council/strategies-plans-policies/constitution.html>

Notice of Motion

*Next
Council
meeting*

In view of the increase in traffic congestion at Malton/Norton likely to be generated by the imminent increase in the number of trains using the Level Crossing at Norton and other matters and the increase and/or likely increase in congestion in Malton/Norton resulting from new development and planned new development; and

In view of the impact or potential impact of new development on the quality of air within the Air Quality Management Area on and around Butcher Corner; and

In view of the adverse impact of the Ryedale Plan on the number of sites available for development by small local builders,

An independent planning consultant be appointed by the Council Chair in consultation with the Deputy Chief Executive; and

the consultant be given immediate and urgent instructions to do all necessary work (including public consultation and reference to any public examination) to advise on and to secure, so far as is practicable, the following:

The Ryedale Plan be revised as follows:

- 1. To restrict the percentage of land to be allocated in Malton and Norton for residential development to zero for the rest of the plan period, following the grant of permission for 1,800 houses for the period commencing 1st April 2012;**
- 2. To reduce to zero the future proportion of employment land directed to Malton and Norton following the allocation of sites in the allocations document;**
- 3. To reduce the future proportion of employment and housing land directed to other Ryedale towns following the allocation of sites in the allocations document;**
- 4. To remove the requirement for a local occupancy condition for dwellings built or to be built in village envelopes;**
- 5. To expand the existing village envelopes and town development limits, initially to the areas which were included in village envelopes and town development limits prior to the last Ryedale Local Plan (dated 2002);**
- 6. In order to accommodate demand for development in excess of the numbers currently prescribed in the Ryedale Plan, to expand all village envelopes so as to accommodate at least 60% of all new development for the remainder of the plan period of the Ryedale Plan.**
- 7. To abolish service villages;**
- 8. The current local plans allocation document be revised to include a requirement that no land for new development shall be allocated in Malton/Norton unless it has direct access to a four-way intersection with the A64;**
- 9. The land allocated for development at Ryedale House be de-allocated;**

10. Such other modifications as may be necessary to deal with the above points and to ensure that the villages and country areas of Ryedale take their fair share of new development ."

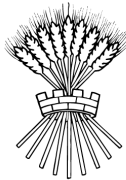
NB. Members will see that (with the exception of the Ryedale House site) the above proposals will not stop the allocation of sites already identified, but will protect Malton, Norton and other towns from any major developments which may come forward after the land currently identified is exhausted - as the plan now stands Malton and Norton will have to take 50% of all new development after the completion of the current district wide requirement of permissions for 3,000 houses plus 20%

In the meantime, the liberalisation of the restrictions for development in the villages will take the pressure off Malton and Norton and other towns

Signed:




He Raine



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	PLANNING COMMITTEE
DATE:	13 AUGUST 2019
REPORT OF THE:	HEAD OF PLANNING AND REGULATORY SERVICES GARY HOUSDEN
TITLE OF REPORT:	NYCC CONSULTATION: PLANNING APPLICATIONS BY THIRD ENERGY. VALE OF PICKERING
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To agree this Council's response to the planning applications which are currently being considered by the Minerals and Waste Planning Authority.

2.0 RECOMMENDATION

- 2.1 It is recommended that:
(i) The response at paragraph 6.9 of this report

3.0 REASON FOR RECOMMENDATION

- 3.1 To ensure that this Council's comments are considered in the determination of the applications.

4.0 SIGNIFICANT RISKS

- 4.1 The report covers a response to a consultation. There are no specific risks associated with the recommendation.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 North Yorkshire County Council is the authority which determines planning applications for minerals and waste development in North Yorkshire. NYCC consults neighbouring local planning authorities on the planning applications it receives for minerals and waste development within their areas.

6.0 REPORT

6.1 NYCC has consulted this Authority on eight planning applications that have been submitted by Third Energy. The applications can be viewed on NYCC's web-site <https://onlineplanningregister.northyorks.gov.uk> and the relevant reference numbers are listed below.

NY/2018/0108/73A – KM-A (“Kirby Misperton 1/3”) Wellsite
NY/2018/0112/73A – KM-B (“Kirby Misperton 2”) Wellsite
NY/2018/0113/73A – Pipeline network to Knapton Generating Station
NY/2018/0114/73A – Malton A Wellsite
NY/2018/0116/73A – Malton B Wellsite
NY/2018/0117/73A – Pickering Wellsite
NY/2018/0118/73A – Marishes Wellsite
NY/2019/0079/FUL – KM-A Extension Wellsite

6.2 Each of the ‘73A’ applications listed below are applications which, in essence seek to vary conditions on existing permissions to extend the operating period of each existing well-site to continue consented activities for a further 17 year period. (2018-2035).

6.3 The ‘FUL’ application seeks to continue the use of the extension to the Kirby Misperton A well site for operations associated with gas production, including the production of gas from the existing production borehole; the drilling and testing of one additional production borehole, followed by subsequent production of gas and the maintenance of the well site and boreholes.

6.4 The material supporting the ‘FUL’ application confirms that the new production borehole would target conventional gas bearing formations and that the well would be drilled to a maximum depth of 9,000 ft to access the conventional resources of gas in the Permian or Carboniferous formations. Drilling is predicted to last for a continual period of 6-12 weeks. (24 hours a day, 7 days a week). The maximum height of the drilling rig would be 50m.

6.5 All of the applications seek an extension of time in which to undertake consented activities – the exploitation of conventional gas resources for a further seventeen year period. On the basis of the description of the development proposed, it is considered that this would not raise significant issues of concern for this authority. Activity associated with conventional gas production within the Vale of Pickering since the 1990’s has not resulted in any significant level of complaints over noise, disturbance or other amenity issues.

6.6 It is understood that conventional gas production in the Vale of Pickering is declining. Against this context, the applicants’ justification for the development is summarised below.

- Permissions for consented activity expire in 2018. The application’s aim to seek a coherent and unified strategy for extending the lifetime of the planning permissions as the infrastructure forms a coherent network
- Allows continued production to 2035, supplying power across North Yorkshire and contributing to the local economy
- The applicant is committed under its Licences, to maximise the economic recovery of

gas

- The period of assessment of the potential exploitation of **unconventional** gas resources necessitates an extension of the lifetime of the existing infrastructure
- An extension of the lifetime of the existing infrastructure would support the increased production of conventional gas from bypass gas recovery, associated with conventional gas extraction, should trials of this technique prove successful.

6.7 It is clear that while the applications seek an extension of time in which to undertake consented activity, the justification for the applications does include reference to activity for which consent does not exist – notably the extraction of shale gas. It is considered that this does raise significant concerns for this authority and that this is reflected in this Council's response to the applications.

6.8 The operation of the proposed additional borehole for conventional gas extraction will be similar to existing active operations at the well sites, which currently do not have an unacceptable impact on the amenity of residents. However, the application for the additional borehole is also justified on the basis that it will help to ensure a coherent network of infrastructure which would support longer term gas production from the two 'projects' currently underway – bypass gas recovery and unconventional gas production through hydraulic fracturing, if these are taken forward.

6.9 A proposed response to the consultation is outlined below:

Ryedale District Council is strongly opposed to the exploitation of unconventional gas resources through hydraulic fracturing in the Vale of Pickering. The applications are, in part justified on the basis that the development proposed would ensure that a network of infrastructure is in place to support hydraulic fracturing in the future. This is not acceptable to this Authority and it objects to the applications on this basis.

The development should and can only be justified on the basis of what the applicant is applying for. In this instance this is for an extension of time to undertake existing consented activity. In this respect, it is considered that the only information that is required to support the application and which should be considered as part of the decision-making process, is information which is confined to conventional gas production. However, against a context of declining conventional gas production in the Vale of Pickering, it is considered that there is insufficient information to justify why a further extension of time of 17 years and a further borehole at the KM-A well site is required. There is insufficient information relating to or justifying the rate of production or anticipated levels/rate of continued exploitation of the conventional reserves. This Authority also objects to the applications on this basis and the lack of information provided to justify the development applied for.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
No direct implications associated with the recommendation
- b) Legal
No direct implications associated with the recommendation
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

No direct implications associated with the recommendation

8.0 NEXT STEPS

8.1 Once agree, this Council's response will be forwarded to NYCC.

Gary Housden
Head of Planning and Regulatory Services

Author: Jill Thompson, Planning and Development Manager
Telephone No: 01653 600666 ext: 43327
E-Mail Address: jill.thompson@ryedale.gov.uk

Background Papers:
Planning Applications listed in the report

Background Papers are available for inspection at:

<https://onlineplanningregister.northyorks.gov.uk>

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS 5th August 2019

1.

Application No: 19/00347/ADV **Decision: Approval**
Parish: Rillington Parish Council
Applicant: Coach & Horses Inns Ltd (Mr Stephen Kent)
Location: The Coach And Horses 1 Scarborough Road Rillington Malton North Yorkshire YO17 8LH
Proposal: Display of 2no. externally illuminated fascia signs at 4m above ground level, 3no. externally illuminated wall mounted signs, 1no. externally illuminated double sided swinging sign above southern entrance door, 1no. pole mounted externally illuminated double sided swinging sign adjacent to car park entrance and 4no. non-illuminated small door mounted signs (retrospective application)

2.

Application No: 19/00394/FUL **Decision: Approval**
Parish: Huttons Ambo Parish Council
Applicant: The Tofoo Co (Mr David Knibbs)
Location: 9 Rye Close Malton North Yorkshire YO17 6YD
Proposal: Installation in two phases of an effluent treatment plant consisting of double skinned tanks, a containerised treatment system and a screening unit to replace a temporary storage tank and tanker vehicle removal of effluent

3.

Application No: 19/00439/FUL **Decision: Approval**
Parish: Ampleforth Parish Council
Applicant: Mr Richard Pollock
Location: Lowlands Farm Back Lane Ampleforth YO62 4DE
Proposal: Erection of two storey side extension to dwelling, conversion of barn to 1no. three bedroom holiday let and demolition of outbuildings

4.

Application No: 19/00504/HOUSE **Decision: Refusal**
Parish: Foxholes Parish Council
Applicant: Mr Jamie Exley
Location: Grays Lodge Ganton Road Foxholes Driffield North Yorkshire YO25 3QL
Proposal: Erection of two storey rear extension

5.

Application No: 19/00487/FUL **Decision: Approval**
Parish: Welburn (Malton) Parish Council
Applicant: Mr & Mrs R Newton
Location: Northfield Church Lane Welburn Malton YO60 7EG
Proposal: Erection of single storey rear extension, installation of dormer window on rear elevation and erection of single storey extension to side/rear to form additional self contained annex accommodation.

6.
Application No: 19/00517/FUL **Decision: Approval**
Parish: Slingsby Parish Council
Applicant: Mr & Mrs David Critchley
Location: Tobys Cottage Railway Street Slingsby Malton YO62 4AH
Proposal: Change of use, alterations and extension to stables/store to form self-contained annexe/holiday let
-
7.
Application No: 19/00524/FUL **Decision: Approval**
Parish: Cropton Parish Council
Applicant: Mr And Mrs Smallwood
Location: White Cottage High Street Cropton Pickering North Yorkshire YO18 8HH
Proposal: Alterations and conversion of domestic outbuilding to form self-contained annexe accommodation
-
8.
Application No: 19/00568/73 **Decision: Approval**
Parish: Terrington Parish Council
Applicant: Mr Maxwell Reeves
Location: Thunder Ridge Terrington Bank Terrington YO60 6PD
Proposal: Variation of Condition 06 (Local Needs Occupancy) of approval 18/00359/73 dated 13.06.2018 to add an additional bullet point to state: The obligations contained in this condition shall not be binding or enforceable against any mortgagee or any receiver appointed by such a mortgagee or any person deriving title through such as mortgagee or receiver provided always that a successor in title of such a person shall be bound by the obligations contained in this condition
-
9.
Application No: 19/00574/FUL **Decision: Refusal**
Parish: Howsham Parish Meeting
Applicant: Mr & Mrs Charlton
Location: Land At The Rear Of Wychwood Village Street Howsham Malton
Proposal: Erection of a four bedroom dwelling with linked garage following demolition of existing buildings
-
10.
Application No: 19/00584/LBC **Decision: Approval**
Parish: Coneysthorpe Parish Meeting
Applicant: Mr Edwin Prest
Location: Village Hall The Green Coneysthorpe Malton North Yorkshire
Proposal: Installation of a defibrillator on front wall of hall
-
11.
Application No: 19/00593/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Zarafa Group Limited (Mr Daniel Armitage)
Location: 7 Hungate Pickering North Yorkshire YO18 7DL
Proposal: Erection of single storey rear extension following demolition of existing extension and installation of additional window to rear elevation
-

12.

Application No: 19/00594/HOUSE **Decision: Approval**
Parish: Sinnington Parish Council
Applicant: Mr & Mrs O Connor
Location: Holme House The Green Sinnington Pickering North Yorkshire YO62 6RZ
Proposal: Removal of glazed side utility room wall and replaced by stone wall with entrance door and 2no. windows

13.

Application No: 19/00601/FUL **Decision: Approval**
Parish: Kirby Misperton Parish Council
Applicant: Flamingo Land Resort
Location: Flamingo Land Ltd Main Street Kirby Misperton Malton North Yorkshire YO17 6XL
Proposal: Erection of a 34m high rollercoaster (Inversion) with a track length of 875m and associated works

14.

Application No: 19/00605/HOUSE **Decision: Approval**
Parish: Oswaldkirk Parish Meeting
Applicant: Mr And Mrs Thorp
Location: 2 St Oswald's Close Oswaldkirk North Yorkshire YO62 5YH
Proposal: Erection of single storey lean-to side extension

15.

Application No: 19/00606/HOUSE **Decision: Approval**
Parish: Barton-le-Street Parish Meeting
Applicant: Mrs Susan Brown
Location: Bridge Farm Boynton Lane Butterwick Malton North Yorkshire YO17 6PS
Proposal: Relocation of existing timber stable block and erection of detached garage with first floor office

16.

Application No: 19/00624/LBC **Decision: Refusal**
Parish: Welburn (Malton) Parish Council
Applicant: Mr Steve Newton
Location: Oak Tree Cottage Main Street Welburn Malton North Yorkshire YO60 7DX
Proposal: Installation of double glazed casement uPVC windows and replacement front door

17.

Application No: 19/00632/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr & Mrs McSharry
Location: Dudley Hill Farm Whenby Lane Sheriff Hutton YO60 6RU
Proposal: Erection of a single storey extension attached to the existing sun room to form a kitchen/dining room

18.

Application No: 19/00635/73 **Decision: Approval**
Parish: Wintringham Parish Council
Applicant: Mrs Cholmley
Location: Thorndale Farm Main Street Wintringham Malton North Yorkshire YO17 8HX
Proposal: Variation of Condition 07 of approval 18/01108/73 dated 17.12.2018 - alteration to width of lobby and reinstatement of door opening

19.
Application No: 19/00637/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr & Mrs Beal
Location: 12 Castle Howard Drive Malton North Yorkshire YO17 7BA
Proposal: Erection of first floor extension

20.
Application No: 19/00639/FUL **Decision: Approval**
Parish: Norton Town Council
Applicant: The Woodhams Stone Collection (Mr Stephen Croft)
Location: The Mayne Bookmaker 3 Commercial Street Norton Malton North Yorkshire YO17 9HX
Proposal: Change of use of former bookmakers (Sui Generis) to social history resource (Use Class D1) (no external alterations)

21.
Application No: 19/00641/HOUSE **Decision: Approval**
Parish: Newton Parish Council
Applicant: Mr & Mrs Taylor
Location: Old Post Office High Street Newton On Rawcliffe Pickering North Yorkshire YO18 8QA
Proposal: Increase in height of existing garage to allow formation of a first floor games room to include 3no. rooflights to the north elevation

22.
Application No: 19/00644/CLEUD **Decision: Approval**
Parish: Barton-le-Street Parish Meeting
Applicant: Mr P Leeson
Location: Buildings At Boynton Lane Butterwick Malton North Yorkshire
Proposal: Certificate of Lawfulness in respect of the works to erect the buildings subject of this application for general purpose agricultural storage were substantially completed more than four years before the date of this application

23.
Application No: 19/00662/FUL **Decision: Refusal**
Parish: Norton Town Council
Applicant: Mr Kemal Demir
Location: Express Grill 23 Church Street Norton Malton North Yorkshire YO17 9HP
Proposal: Installation of oyster white UPVC shiplap cladding over existing front brickwork (retrospective application)

24.
Application No: 19/00649/HOUSE **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr Stephen Mortimer
Location: West Mount Barn 23 West Street Swinton Malton North Yorkshire YO17 6SP
Proposal: Re-roofing of property and installation of 2no. conservation rooflights

25.

Application No: 19/00650/FUL **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Annie Richardson Sports Therapy (Mrs A Richardson)
Location: 2 Bondgate Helmsley North Yorkshire YO62 5BR
Proposal: Change of use of first and second floors of offices (Use Class A2) to sports physiotherapists (Use Class D1) (no internal or external alterations)

26.

Application No: 19/00651/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr Thomas Sealy
Location: 38 West End Kirkbymoorside North Yorkshire YO62 6AF
Proposal: Formation of 2no. dormer windows on front elevation, installation of 3no. rooflights to rear elevation and re-rendering of front elevation

27.

Application No: 19/00666/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr James Manley (Fitzwilliam Malton Estate)
Location: 14 Saville Street Malton North Yorkshire YO17 7LL
Proposal: External and internal alterations to include formation of double entrance doors to rear elevation, removal of first floor suspended timber floor and first floor tiered staging, installation of balustrading along the gallery, gallery seating and mezzanine, structural works to strengthen existing timber members below first floor gallery seating and increase load capacity, installation of additional toilets and replacement of existing ground floor timber floor with a limecrete floor (revised details to approval 19/00118/LBC dated 03.04.2019)

28.

Application No: 19/00678/ADV **Decision: Refusal**
Parish: Norton Town Council
Applicant: Mr Kemal Demir
Location: Express Grill 23 Church Street Norton Malton North Yorkshire YO17 9HP
Proposal: Display of 1no. externally illuminated wall mounted name sign on the gable end, 1no.internally illuminated fascia name sign and 1no. non-illuminated name sign above alley doorway (retrospective application)

29.

Application No: 19/00682/HOUSE **Decision: Refusal**
Parish: Settrington Parish Council
Applicant: Mr A Martin
Location: 25 Becksde Church Lane Settrington Malton YO17 8NP
Proposal: Erection of a fully glazed single storey lean-to extension to front (east) elevation

30.

Application No: 19/00683/TPO **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Co-op
Location: Land To The West Of Ancoates Piercy End Kirkbymoorside North Yorkshire
Proposal: Crown lift of Lime Tree by 4 metres above footpath of TPO 229/1997

31.

Application No: 19/00695/LBC **Decision: Refusal**
Parish: Settrington Parish Council
Applicant: Mr A Martin
Location: 25 Becks Church Lane Settrington Malton North Yorkshire YO17 8NP
Proposal: Erection of a fully glazed single storey lean-to extension to front (east) elevation

32.

Application No: 19/00713/FUL **Decision: Approval**
Parish: Cropton Parish Council
Applicant: Mr Robert Aconley (LW Aconley And Son)
Location: East Cawthorne Farm Cawthorne Lane Cropton Pickering North Yorkshire YO18 8EH
Proposal: Erection of a general purpose agricultural storage building (part retrospective)

33.

Application No: 19/00724/TPO **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mrs Joanne Trayner
Location: 2 Herisson Close Pickering North Yorkshire YO18 7HB
Proposal: Fell 1no. Horse Chestnut tree within TPO 66/00035
