



## **PLANNING COMMITTEE**

Tuesday 19 January 2021 at 6.00 pm

Virtual Meeting

### **Agenda**

**1 Apologies for absence**

**2 Declarations of Interest**

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

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

**3 Minutes of the Planning Committee held on 8 December 2020** (Pages 3 - 4)

**4 Minutes of the Planning Committee held on 15 December 2020** (Pages 5 - 7)

**5 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.

**6 Schedule of items to be determined by the Committee** (Page 8)

**7 20/00967/HOUSE - 5 Wold View Village Street High Hutton** (Pages 9 - 34)

**8 20/01104/FUL - Greengate Centre Greengate Malton** (Pages 35 - 43)

**9 Any other business**

10	<b>List of applications determined under delegated powers</b>	(Pages 44 - 48)
11	<b>Appeals</b>	(Pages 49 - 55)

## Planning Committee

---

Held at Virtual Meeting  
Tuesday 8 December 2020

### Present

---

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

### In Attendance

---

Rachael Balmer, Alan Goforth, Gary Housden, Glen McCusker, Lizzie Phippard and Jill Thompson

### Minutes

---

18 **Apologies for absence**

No apologies were received

19 **Declarations of Interest**

<b>Councillor</b>	<b>Item</b>
Cleary	5, 6
Mason	5, 6
Potter	5, 6
Andrews	5, 6
Goodrick	5, 6
Hope	6
Mackenzie	6
Bailey	6
Windress	6
Thackray	5, 6

20 **Urgent Business**

There was no urgent business

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

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

22 **19/01263/MFULE - Land Adj to River Foss Lilling Low Lane West Lilling**

**Decision**

**PERMISSION GRANTED** – subject to conditions as recommended including the amendment of condition 17 to include details of the use of the access track to be submitted to the LPA.

Voting Record

9 For

1 Against

0 Abstentions

In accordance with the members Code of Conduct Councillors Cleary, Mason, Potter, Andrews, Goodrick and Thackray declared a personal non pecuniary but not prejudicial interest.

23 **20/00770/OUT - Land at Sutton Grange Langton Road Norton**

**Decision**

**PERMISSION GRANTED** – subject to conditions as recommended

Voting Record

9 For

0 Against

1 Abstention

In accordance with the members Code of Conduct Councillors Cleary, Mason, Potter, Andrews, Goodrick, Hope, Mackenzie, Bailey, Windress and Thackray declared a personal non pecuniary but not prejudicial interest.

24 **Any other business**

There was no other business.

**Meeting closed 20:54**

## Planning Committee

---

Virtual Meeting  
Tuesday 15 December 2020

### Present

---

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

### In Attendance

---

Rachael Balmer, Niamh Bonner, Alan Goforth, Eleanor Hardie, Gary Housden and Glen McCusker

### Minutes

---

25 **Apologies for absence**

Apologies were received from Councillor Mackenzie, there was no substitute

26 **Declarations of interest**

Councillor	Item
Thackray	6

27 **Minutes**

**Decision**

That the minutes of the Planning Committee held on 24<sup>th</sup> November 2020 be approved and signed as a correct record

Voting Record

8 For

0 Against

0 Abstentions

28 **Urgent Business**

There was no urgent business

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

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

Councillor Mason joined the meeting at 18:20

30 **20/00714/OUT - 26 Scarborough Road Rillington**

**Decision**

**PERMISSION GRANTED** – subject to conditions as recommended and an additional condition to specify the type of dwelling to be constructed on each plot.

Voting Record  
8 For  
0 Against  
1 Abstention

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

31 **20/00751/OUT - Pickering Clinic Train Lane Pickering**

**Decision**

**APPLICATION WITHDRAWN**

32 **20/00752/OUT - Pickering Clinic Train Lane Pickering**

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended

Voting Record  
9 For  
0 Against  
0 Abstentions

33 **20/00876/FUL - Greystones Cafe 126 Eastgate Pickering**

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended

Voting Record  
9 For  
0 Against  
0 Abstentions

34 **20/01014/FUL - Studley House Farm 67 Main Street Ebberston**

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended

Voting Record  
9 For  
0 Against  
0 Abstentions

35 **Any other business**

There was no other business

36 **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

37 **Appeals**

Members were advised of the following Appeal Decisions:

Appeal ref: APP/Y2736/W/20/3257199 – 25 Becks Church Lane Settrington

Appeal ref: APP/Y2736/Y/20/3257203 – 25 Becks Church Lane Settrington

**Meeting closed 19:50**

# Agenda Item 6

## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 19/01/21

---

7

**Application No:** 20/00967/HOUSE

**Application Site:** 5 Wold View Village Street High Hutton Malton YO60 7HL

**Proposal:** Erection of part two storey/part single storey rear and side extension, together with the formation of new parking area on land to the front of dwelling (part-retrospective).

---

8

**Application No:** 20/01104/FUL

**Application Site:** Greengate Centre Greengate Malton North Yorkshire YO17 7EN

**Proposal:** Change of use of part of ground floor office space to use as a dog day care and boarding facility

---



**Item Number:** 7  
**Application No:** 20/00967/HOUSE  
**Parish:** Huttons Ambo Parish Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr Thomas Holmes  
**Proposal:** Erection of part two storey/part single storey rear and side extension, together with the formation of new parking area on land to the front of dwelling (part-retrospective).  
**Location:** 5 Wold View Village Street High Hutton Malton YO60 7HL

**Registration Date:** 26 October 2020  
**8/13 Wk Expiry Date:** 21 December 2020  
**Overall Expiry Date:** 12 January 2021  
**Case Officer:** Ellie Thompson **Ext:** 43326

## CONSULTATIONS:

<b>Paul Jackson AONB Manager</b>	Serious concerns
<b>Huttons Ambo Parish Council</b>	Objection
<b>Highways North Yorkshire</b>	No objection
<b>Huttons Ambo Parish Council</b>	Object
<b>Paul Jackson AONB Manager</b>	Concerns
<b>Highways North Yorkshire</b>	No response received
<b>Paul Jackson AONB Manager</b>	
<b>Huttons Ambo Parish Council</b>	Objection

**Representations:** Mrs Sue Kershaw, Mr And Mrs Wallis,

---

## SITE:

The property is a 20<sup>th</sup> Century, two-storey, semi-detached property, fronting Back Lane in High Hutton. It is located within the Howardian Hills Area of Outstanding Natural Beauty, and is within the High Hutton Development Limits. A public footpath runs through a field to the north of the property.

The property is constructed from red brick under a red tile roof, and features white uPVC windows and doors. The property benefits from a relatively large rear garden, which extends in a north easterly direction by approximately 36 metres. The end of the garden dog-legs in an easterly direction away from the property. The rear garden runs behind the rear gardens of the neighbouring properties 1-4 Wold View, which are located to the north on Village Street. There is an existing, flat-roofed, attached outbuilding to the rear of the property.

The front elevation of the property faces Back Lane although unusually, the entrance to the dwelling is on the side (north-western) elevation. A small section of front garden/ domestic curtilage is located between the house and the proposed car parking area.

The proposed car parking area is located behind a mature native hedge which bounds Back Lane. It was previously used as allotment/scrub land and is understood to be owned by the local Estate. The applicant leased this plot of land from the Estate, and has since partially constructed an off road parking area on this area of land. This covers an area approximately 10m by 14m. The parking area is accessed using an existing access on Back Lane which is used to serve the property and its attached neighbour.

## PLANNING HISTORY:

There is no relevant planning history for this site.

### **PROPOSAL:**

The application originally sought permission for a much larger flat-roofed, two storey rear extension, together with a flat-roofed, single-storey rear and side extension, and a large flat-roofed box dormer window on the rear (north-eastern) roof slope, to allow for the conversion of the loft space. The original scheme received two neighbour objections, an objection from the Parish Council and an objection from the AONB Manager. In addition, Officers had significant concerns relating to the original design of the scheme. It also became apparent that the land to the front of the property had previously been used as an allotment garden and that the applicant would require planning permission to use this area as a parking area. Officers relayed their concerns to the applicant's agent, and the scheme was subsequently revised to significantly reduce the scale of the proposed extension and to include the car parking area.

As it now stands, this application now seeks permission for the erection of a part two storey/part single storey rear and side extension, together with the formation of a new parking area on land to the front of dwelling (that part being retrospective).

The two-storey section of the rear extension is proposed to have a hipped roof, cross wing form. It is proposed to have a depth of approximately 3.3 metres, and a width across the rear elevation of the property of approximately 5.7 metres. The overall ridge height of the two-storey extension is proposed to be approximately 7 metres, with an eaves height of approximately 5.1 metres to match the existing dwelling. The extension is proposed to be constructed from matching brick under a red tile roof, and will feature uPVC windows on its north-eastern (rear) elevation.

The single storey section of the rear extension is also proposed to be constructed from matching brick, under a flat grp constructed roof, featuring a rooflight. This section of the extension is proposed to feature a parapet wall, with a resulting overall height of approximately 3.1 metres, with a footprint of approximately 7.1 square metres. The overall footprint of the entire rear extension will be approximately 25.9 square metres.

The single storey side extension is proposed to be constructed on the north-west (side) elevation of the existing property and the proposed rear extension. It is also proposed to have a flat-roof, block form, to align with the proposed single-storey section of the rear extension. The side extension has been designed to better connect the property to its unusually shaped plot, and as a result has an angled northern elevation which faces into the rear garden. The extension is proposed to have a white/cream rendered finish under a grp roof, and will feature a rooflight and a parapet wall. The overall height of the side extension is proposed to be approximately 3.1 metres, with a footprint of approximately 23 square metres. As a result, the overall, collective additional footprint of the proposed works will be approximately 48.9 square metres.

The application also seeks to install a new, obscure glazed, top-hung window in the side (north-western) elevation of the existing dwelling, to serve a new study space. It is also proposed to install a set of uPVC French doors on the front elevation of the dwelling, to replace an existing ground-floor window.

### **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 relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy – Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

### Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

### **REPRESENTATIONS:**

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 in full on the public access webpage, and referred to in the report accordingly.

A summary of the representations received from neighbours and the Parish Council in response to the initial application is as follows.

Two objections were received from the occupiers of neighbouring properties (Nos. 3 and 4 Wold View on Village Street). They raised the following concerns:

- Loss of Privacy/Overlooking of neighbouring properties 1-4 Wold View on Village Street.
- Impact on the amenity of neighbouring properties; as a result of visual impact, light disturbance; the potential for significantly increased noise nuisance; and overshadowing and loss of direct sunlight.
- Overbearing impact and unneighbourly form of development: Proximity to no.4 Wold View will create a sense of enclosure for the occupiers of the neighbouring property.
- Loss of Light: the development will reduce daylight from the south-east.
- Design: the scale and mass of the development will result in an over-development of the plot. The proposed scheme does not take account of the local vernacular, and will have a major detrimental impact on the visual amenity of neighbouring properties.
- Impact on the Howardian Hills AONB: as a result of an inappropriate and unsympathetic design on the environment and green space. The development will be visible from a public right of way, the front street and the York-Malton train line and will have a detrimental impact on the wider community.
- The design is not sympathetic to the iconic 1930s/40s former council house style and shape, and would architecturally imbalance the pair of semi-detached properties.
- Scale and angle of proposed dormer; multiple flat-rooves are at odds with the style of the main dwelling.
- The parapet wall might appear too much in design and encroach/be overbearing on the neighbouring property (no.4).
- The proposed mixture of materials will appear at odds with the existing property and the surrounding locality.
- The proposed works would re-configure the daytime living space to the side and rear of the property, with increased light and noise disturbance.
- Loss of/Impact on the View from neighbouring properties.
- The area is used as a flight path for bats.

Huttons Ambo Parish Council also objected to the proposed scheme, and raised a number of concerns, including:

- The proposed alterations are excessive, large in scale and will result in an over-development of the plot, and will be visible for miles around. The development is out of keeping and potentially obtrusive to the neighbours.
- The 3 levels of flat roof would be obtrusive and out of keeping with the locality.
- Loss of privacy/overlooking for properties 1-4 Wold view.
- Impact of Light Pollution on neighbouring properties.
- Impact of noise pollution from the angle and positioning of the proposed bi-fold doors.
- The proposed dormer window would be an unsightly protuberance for the locality, and will be visible from the main road.
- It is important that any development on Wold View is sympathetic, due to the positioning of the properties on top of the hill. The proposed works are not considered to be sympathetic.

The AONB Manager objected to the scheme raising the following concerns:

- Wold View is visually prominent in the landscape, with views from the lower ground to the north, and the public road from Low Hutton to the A64.
- The proposed development is a significant over-development of the site and should be reduced.
- There is no concern with the principle of extending the property but the proposed single storey extension is excessive in size and sits poorly with the proposed two-storey extension.
- The proposed dormer is of an incongruous and unsympathetic design and would be visually intrusive into the AONB landscape.
- Concern was raised relating to the need for more off-street parking.

A summary of the comments received in response to revisions to the design of the scheme is as follows.

Two objections were received from the occupiers of neighbouring properties (Nos. 3 and 4 Wold View on Village Street). They raised the following concerns:

- Loss of Privacy and Overlooking: the revised scheme reduces over-looking but the proposed ground-floor bi-fold doors and obscure glazed 1<sup>st</sup> floor window face directly towards the neighbouring properties 1-4 Wold View and significantly impact on privacy.
- The positioning and scale of the bi-fold doors, together with the rearrangement of the primary living space towards the rear/side of the property, would result in increased light and noise disturbance.
- Loss of Light; the removal of the dormer is welcomed, but concern was raised relating to the increased depth and height of the two-storey extension may still result in a loss of light.
- Inappropriate and unsympathetic design and materials; resulting in the over-development of the plot.
- Concerns were raised over the potential prominence of the parapet wall.
- The proposed design would not be in keeping with the locality, and would be of a scale that would adversely affect the amenity of neighbours.
- The design would not be sympathetic to the iconic 1930s/40s former council house style and shape, and would architecturally imbalance the pair of semi-detached properties.
- Proximity of the side extension to the boundary with no.4 Wold View, which will result in an over-bearing impact and a sense of enclosure for the occupiers of the neighbouring property.
- Concern was raised relating to the potential impact on the boundary hedge.
- Loss of/Impact on the view from neighbouring properties.
- 

The Parish Council requested that their previous objections to stand for the revised plans.

The AONB Manager made the following comments on the revised scheme:

- The proposed rear two-storey extension is a significant improvement.
- The new shape of the ground floor extension is more significant when viewed from the north, due to the wall façade extending further into the garden. Together with the parapet wall feature the extension is significant in terms of height and extent, and will have an adverse impact on the AONB landscape.

In response to consultation on further revisions to the application which incorporated the inclusion of the area for car parking, two objections further objections were received from the occupiers of neighbouring properties (Nos. 3 and 4 Wold View on Village Street). These reiterated earlier concerns/objections relating to the proposed extensions and raised the following concerns in response to the proposed parking area:

- Size: the parking area is very large and stark for a domestic parking area, and is disproportionate for the size of the dwelling, and is more civic in its proportions.
- The parking area is only for the use of the applicant and visitors to no.5 Wold View.
- Loss of privacy: some native hedge had been removed to create the parking area, resulting in no.4 Wold View to be visible from Back Lane. Light from cars now shines onto no.4 at night.
- Ground Levels and Drainage: The parking area is on a lower land level than Back Lane and there is no indication as to what materials will be used or how drainage will be managed.
- The parking area has been used for commercial/construction vehicles since its creation in the summer of 2020. It has also been used to the temporary storage of building materials, which are visually unpleasant and create excessive traffic activity.
- There is concern that the area will be used as a builder's yard at times.
- The parking area is visible from the public highway which detracts from the visual amenity of arriving into High Hutton.

The Parish Council maintained their previous objections to the scheme in relation to the extensions, and raised the following comments relating to the parking area:

- The proposed parking area is welcomed, but there is concern that it will be used as a builder's yard. The parish council recommend a condition ensuring the parking area will only be used for vehicle parking.

The AONB Manager was consulted on the third revision of the scheme but did not respond to the consultation.

The Local Highway Authority were consulted and raised no objections to the proposed scheme.

### **APPRAISAL:**

The main issues relating to this application are considered below.

#### Design

The existing property is a relatively modern brick built semi-detached dwelling, with a simple, pitched roof form. The new, two-storey section of the rear extension is proposed to have a hipped, cross-wing form, which will extend out from the rear roofslope of the existing dwelling. The eaves height of the extension will match the eaves of the existing property at a height of approximately 5.1 metres. The ridge height of the extension will be approximately 7 metres, which will be set down from the overall ridge height of the dwelling by approximately 1.2 metres. On this basis, the proposed two-storey section of the extension is considered to be subservient in scale to the host dwelling. The single-storey section of the rear extension is proposed to have a flat-roof form, and is limited in scale (3.1m in height and 2m in width). The form of this element of the rear extension reflects the form of the existing rear attached outbuilding, and it is considered to be acceptable.

The rear extension is proposed to be constructed from materials to match the existing dwelling, which is considered to be appropriate. However, as part of the extension will be two-storey and visible from public vantage points, it is considered that a condition should be imposed on any permission given, to ensure that a good quality matching brick and roof tile will be used.

The proposed single-storey side extension is proposed to have a flat-roof, block form, featuring a parapet wall. The parapet wall will ensure that the proposed rooflights will not be visible from ground level, and it is considered that it will result in a neat and simple appearance. The parapet wall increases the height of the building by approximately 0.3 metres, resulting in an overall height of approximately 3.1 metres. Notwithstanding this, the single-storey side extension will be subservient in scale to the host dwelling, and is considered to be acceptable in design terms. The existing dwelling is not considered to be of any particular architectural merit and the proposed flat roof/parapet design is not considered to compete with or undermine the appearance of the property.

The shape of the single storey side extension has been designed to better enable connectivity between the dwelling and the rear garden. It has an unusual, angled shape on its northern elevation in order to reflect the orientation of the main house and the garden. However, from Back Lane, the extension will have a simple, modern, block form. It is not considered that the form of the side extension will appear incongruous with the host dwelling, particularly when the shape of the overall plot is taken into account. It is considered that it is acceptable in terms of its scale and form.

The single storey side extension is proposed to have a white/cream rendered finish under a flat gyp roof. While render is not been predominantly used within the locality, it is considered that render can often look attractive when paired with a brick built building, particularly if the proposed development is of a modern form and design. The use of render will also visually demarcate the single-storey, modern extension from the existing dwelling, and the proposed, more traditionally styled two-storey extension. On this basis, it is considered that the use of render on the single-storey side extension is acceptable in terms of design, however a condition is proposed in order to ensure an appropriate colour and finish of render will be used.

The proposed works will result in an overall additional footprint of approximately 48.9 square metres. It is considered that the collective appearance of the property as a result of the proposed works will not be unsympathetic to the character and appearance of the host dwelling. On this basis the proposed works are considered to comply with Policy SP16 (Design) of the Local Plan Strategy.

The proposed car parking area is adjacent to Back Lane. The existing native hedge between the site and the road helps to screen and soften the appearance of the proposed gravel area. A condition is recommended to ensure that the area is only used to provide for the domestic parking requirements of the occupiers of the property.

#### Landscape Impact

The property is located within the Howardian Hills Area of Outstanding Natural Beauty. Views of the western side elevation of the proposed development will be achieved across the adjacent allotment land into the rear garden of the property from the main street. Views of the proposed development will be achieved from a public footpath in a field to the north of the site.

The host property is not considered to be of such architectural or historic merit or character for it to make a positive contribution to the character, appearance or special qualities of the designated landscape. The proposed extensions will be readily visible as domestic extensions to a dwelling. In design terms the extensions are subservient to the host dwelling. They will be visible within the context of a residential grouping of buildings and garden land and in the context of a range of other extension styles to dwellings in the locality including two storey flat roof side extensions, hipped roof side extensions, conservatories and garden structures including poly-tunnels.

From Back Lane, limited views of the side extension and proposed parking area will be achieved. From the public footpath to the north, intervening distance, hedgerows and garden trees limit views of

the proposed development. It is considered that the two storey section will be the element of the development that will be most readily visible from the public footpath.

The proposed extensions are not considered to be of an unacceptable design and are proportionate in scale to the host dwelling. They will not appear so visually dominant or unattractive so as to undermine or adversely impact upon the natural beauty and special qualities of the protected landscape. The proposal is not considered to conflict with Policy SP13 (Landscape) of the Local Plan Strategy.

#### Impact on Neighbouring residential amenity

The host dwelling is surrounded on two sides by neighbouring properties and gardens and is a semi-detached property with an attached neighbour to the south-east. The rear elevations of properties 1-4 Wold View on Village Street are located to the north-west of the property. The designed/planned layout of the grouping of houses is such that the garden of the application site runs immediately behind the gardens of these neighbouring properties. Boundary garden landscaping has been generally well maintained which may be so as to maintain the large and expansive view over Malton and Norton to the Wolds that is achieved from the elevated position of these properties in High Hutton. The configuration and juxtaposition of dwellings and gardens, combined with the well maintained garden and boundary planting means that there is a high degree of existing intervisibility between the rear of the dwellings and their gardens.

The proposed two storey extension will extend 5.7 metres across the rear of the property to a height of 5.1 metres to the eaves and 7 metres to the ridge, with a width of 3.3m. It is not proposed to run to the boundary with the semi-detached neighbouring property, but will be 2.5 metres from the boundary, separated by the single-storey section of the rear extension and a small gap. This will result in a section of flank wall that will be visible from the attached neighbouring property. However, the extension is limited in depth and coupled with generous garden space and the open and spacious setting of the properties, it is considered that the extension will not result in an unacceptable overbearing impact on the occupiers of the attached property. It should be noted that the occupiers of the attached property (Number 6 Wold View) have not objected to the application.

The two storey extension will have a view of the attached neighbours' rear garden from first floor level, due to the orientation of the two plots. However, while the north-eastern elevation of the extension will be closer to the neighbouring boundary, it is considered that the view of the neighbouring garden will be no different to the view which is currently achieved from the existing property. There is no increase in the amount of first floor glazing, and the orientation of the extension is the same as the existing property. As a result it is not considered that the two-storey extension will have a detrimental impact on the amenity of the occupiers of the attached neighbouring property (No.6 Wold view).

Concerns have been raised that the proposed extensions and in particular the parapet wall of the single-storey side extension will have an overbearing impact on the occupiers of the neighbouring property to the north-west (No. 4 Wold View). As previously discussed, the parapet wall feature adds approximately 0.3 metres to the height of the extension, resulting in an overall height of approximately 3.1 metres. At its closest point the proposed extension will be approximately 16.5 m from the rear elevation of No. 4 Wold View, with intervening garden land. In addition this neighbouring property is on slightly elevated ground above the location of the proposed side-extension. Whilst the proposed extensions will be readily visible from No 4 and other properties on Wold View, it is considered that neither the single-storey nor two storey extension will result in any over-bearing effects on the occupiers of any of the neighbouring properties to the north-west.

Concerns have also been raised regarding the potential for loss of privacy and increased noise and light disturbance, which could potentially arise from the reconfiguration of the ground floor layout. Particular concern was raised over the installation of the proposed bi-fold doors on the angled, northern elevation of the single-storey side extension. The bi-fold doors are proposed to be installed to

provide a direct view down the rear garden of the property. The proposed bi-fold doors and their orientation would decrease the distance between the properties. Whilst oblique views to neighbouring properties and gardens may be achieved, this would not result in a level of increased direct overlooking over and above the inter visibility that is currently experienced between the dwellings and their gardens.

The application site is on a lower ground level than the neighbouring properties on Village Street, and there is a mature boundary hedge which runs along the rear boundaries of Nos. 4 and 3 Wold View. It is considered that due to the land levels and the position and height of the hedge, views into the neighbouring properties at ground floor level will be limited and could be avoided if boundary landscaping was higher or if the applicant decided to erect boundary fencing under permitted development rights.

The proposed works include the installation of a new, obscure glazed, top hung window in the northern elevation of the existing property. Concerns have been raised that this window will result in a loss of privacy for the occupiers of the neighbouring properties to the north-west. As the window is proposed to be obscure glazed and top hung, it is considered that the window will not result in any direct overlooking of the neighbouring properties. A condition will be added to ensure that a high level (Pilkington Glass grade 5 or equivalent) of obscurity is achieved and thereafter maintained in the new window opening, to protect the amenity of neighbours.

Objections have been raised in relation to the impact on surrounding residential amenity from increased light pollution arising from the proposed extensions. As a result of the juxtaposition of the properties, the proposed extensions will change the outlook from neighbouring properties. The application site is however, a residential property with associated residential curtilage and garden immediately in front of neighbouring gardens and forming part of a wider area which is residential in its character. Whilst the impact of internal illumination is normally controlled with the use of window coverings, it would be considered to be unreasonable to restrict the internal illumination of the dwelling. The applicant could also already utilise permitted development rights to extend the property or erect garden outbuildings which would be light generating in the locality. The suggestion has also been made that external lighting should be controlled by condition. Given that this is not something that currently applies to surrounding neighbouring residential properties, this is not considered to be a reasonable condition to impose in these circumstances.

On this basis, the proposed development is not considered to conflict with the requirements of Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy.

### Conclusion

The proposed development is considered to comply with the relevant policy criteria set out in Policies SP13, SP16 and SP20 of the Ryedale Local Plan Strategy and the NPPF. On this basis conditional approval is recommended.

### **RECOMMENDATION:                      Conditional 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, drwg. no. YB666-001 (scanned to file 27.10.2020)



Proposed Site Layout Plan, drwg. no YB666-008 Rev D (scanned to file on 18.12.20)  
Proposed Elevations Plan, drwg. no. YB666-007 Rev B (scanned to file on 20.11.20)  
Proposed Ground Floor Plan, drwg. no. YB666-004 Rev A (scanned to file on 20.11.20)  
Proposed First Floor Plan, drwg. no. YB666-005 Rev B (scanned to file on 20.11.20)  
Proposed Roof Plan, drwg. no. YB666-006 Rev B (scanned to file on 20.11.20)

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 Prior to works of above ground construction, details and samples of the render, brick and roof tile to be used on the exterior of the extensions 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 SP16 and SP20 of the Local Plan Strategy.

- 4 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 eastern or north-western (side) elevations of the extension hereby approved at first and ground floor level.

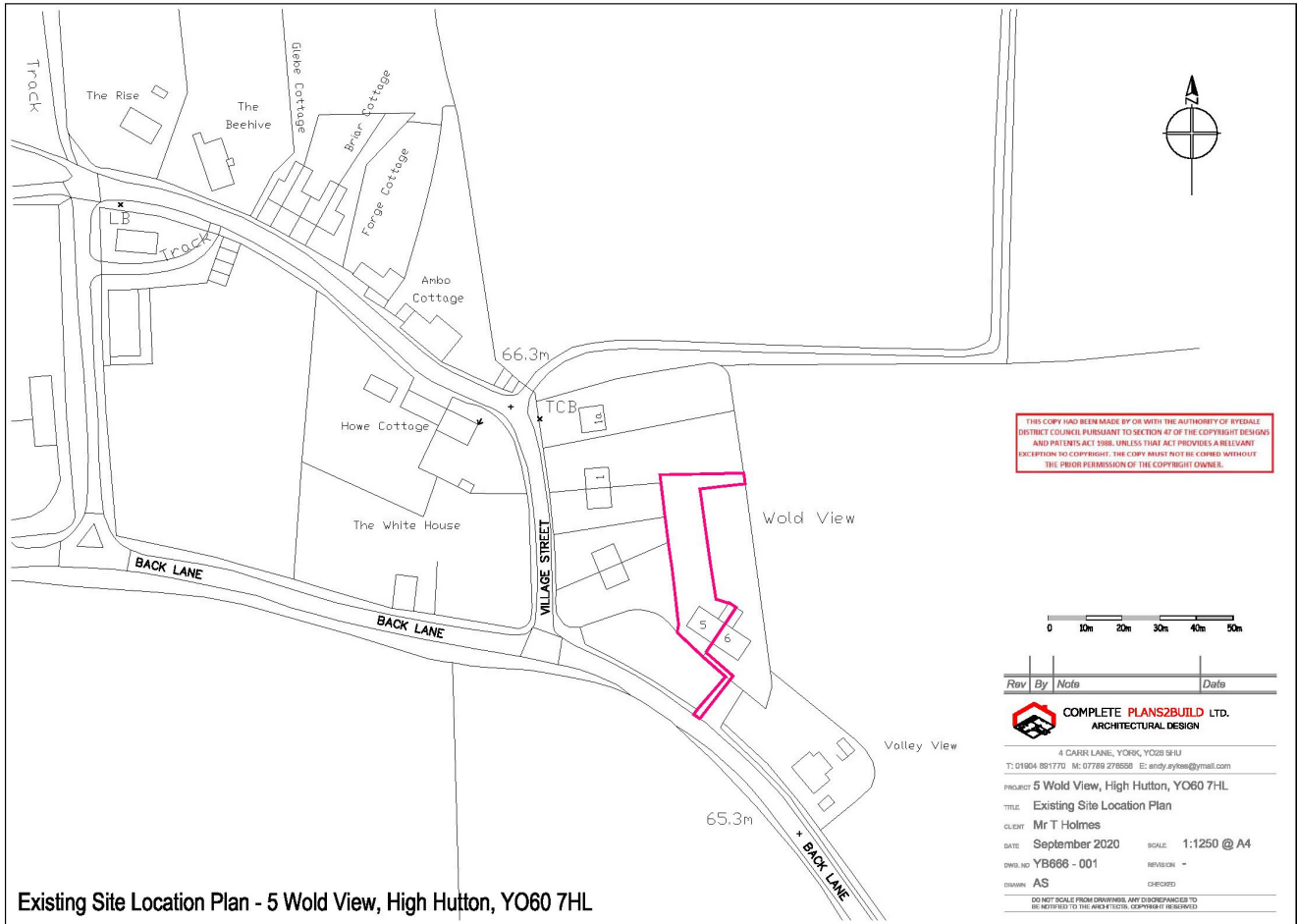
Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the first floor level window to be located to the north-western (side) elevation of the property hereby approved shall be obscured to the highest level of obscuration (Pilkington Glass Level 5 or equivalent). Unless otherwise agreed in writing with the Local Planning Authority, this window shall be top hung only 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.

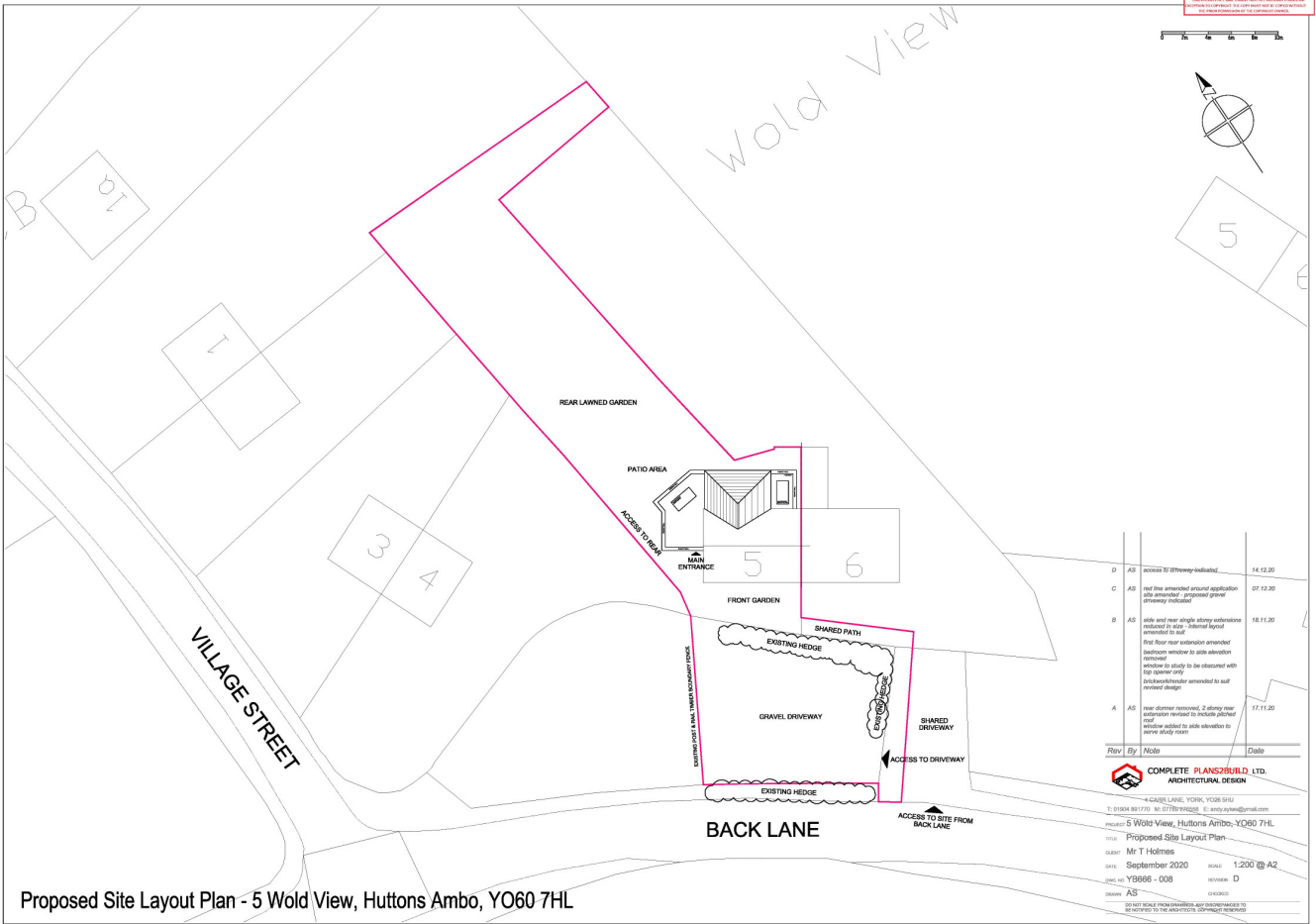
- 6 The proposed parking area must only be used as an area for domestic parking, in association with the occupancy and use of No. 5 Wold View. The area must be maintained clear of any storage or obstruction and retained for its intended purpose at all times.

Reason: To provide for the satisfactory provision of off-street accommodation for vehicles in the interest of the general amenity of the development, and in accordance with policy SP20 of the Ryedale Local Plan.



Existing Site Location Plan - 5 Wold View, High Hutton, YO60 7HL

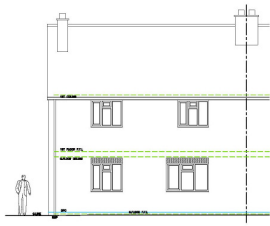
THIS DOCUMENT IS VALID FOR THE PROPOSED DEVELOPMENT ONLY. IT IS NOT TO BE USED FOR ANY OTHER DEVELOPMENT OR FOR ANY OTHER PURPOSE. ANY CHANGES TO THE DEVELOPMENT OR FOR ANY OTHER PURPOSE MUST BE APPROVED BY THE ARCHITECTURAL DESIGNER.



Proposed Site Layout Plan - 5 Wold View, Huttons Ambo, YO60 7HL

date valid 20/11/2020

THIS DRAWING IS THE PROPERTY OF COMPLETE PLANS/BUILD LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF COMPLETE PLANS/BUILD LTD.



Existing Front Elevation



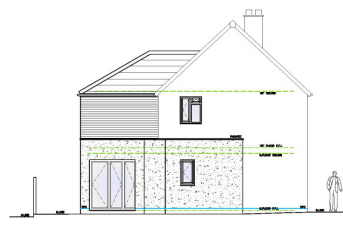
Existing Side Elevation



Existing Rear Elevation



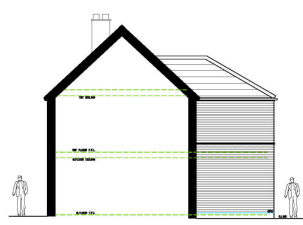
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

B	AS	side and rear single storey extensions reduced in gable, internal layout amended to suit	18.11.20
		rear four storey extension amended bedroom window to side elevation removed window to study to be obscured with tall screen only	
		brickwork/render amended to suit revised design	
A	AS	rear garage removed, existing rear extension reduced to include pitched roof window added to side elevation to same study screen	17.11.20

Rv By: AS Date:

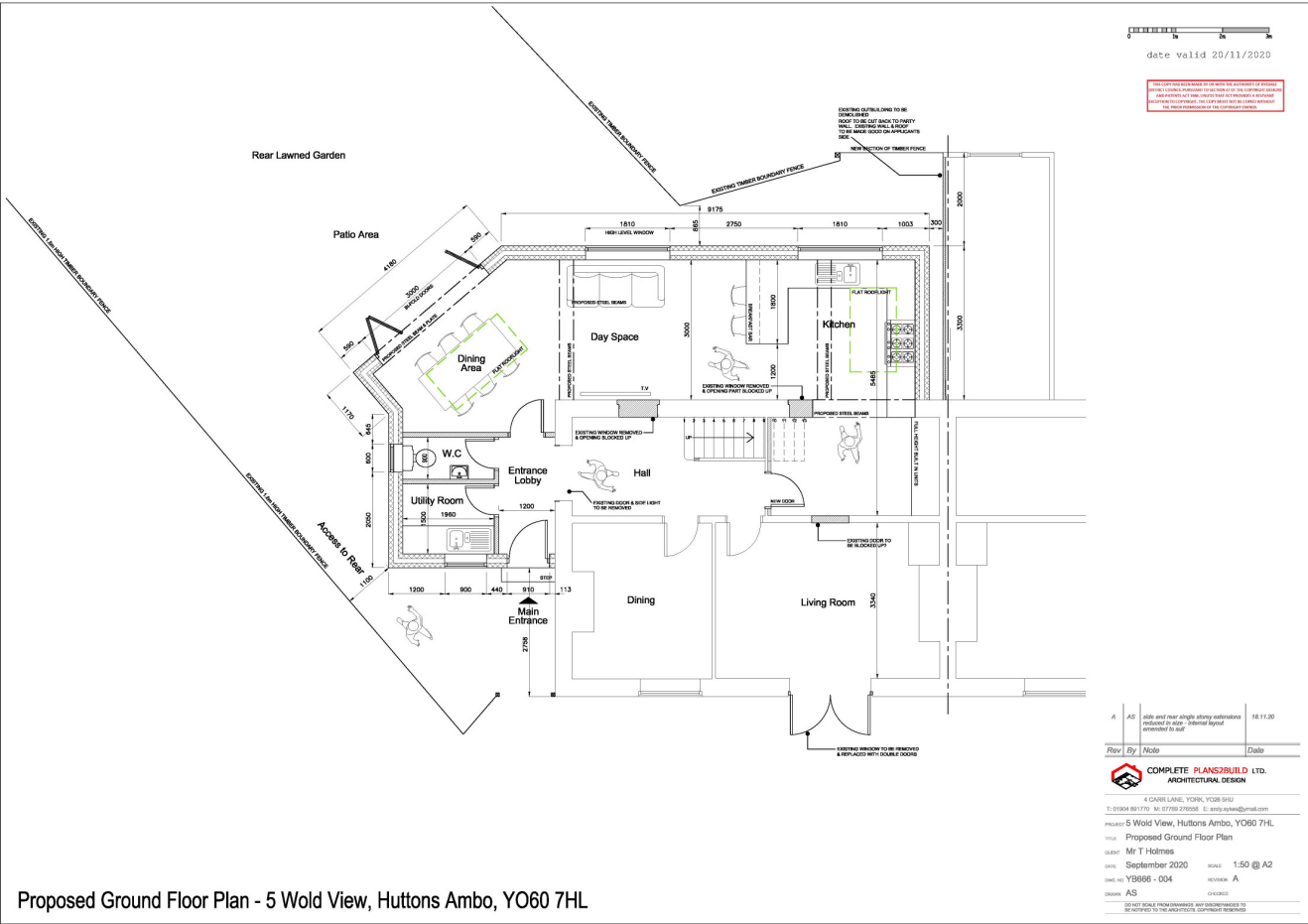
**COMPLETE PLANS/BUILD LTD.**  
 ARCHITECTURAL DESIGN  
 4 CARR LANE, YORK, YO8 9BQ  
 T: 01904 881770 M: 07789 270508 E: info@plansbuild.com  
 PROJECT: 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE: Existing & Proposed Elevations  
 CLIENT: Mr T Holtmes  
 DATE: September 2020 SCALE: 1:100 @ A2  
 DATE NO: YB886 - 007 REVISION: B  
 DRAWN: AS CHECKED:  
 DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE ACCORD TO THE ARCHITECT'S SUPPLEMENTARY INFORMATION

Existing & Proposed Elevations - 5 Wold View, Huttons Ambo, YO60 7HL

DATE 18.11.20

date valid 20/11/2020

THIS DOCUMENT IS THE PROPERTY OF COMPLETE PLANS/BUILD LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF COMPLETE PLANS/BUILD LTD.



A	AS	plan and rear single storey extension modified to show internal layout amended to suit	18.11.20
Rev	By	Note	Date

**COMPLETE PLANS/BUILD ARCHITECTURAL DESIGN**  
 4 CARR LANE, YORK, YO8 5HQ  
 T: 01904 817770 M: 07788 276558 E: info@plansbuild.com  
 PROJECT 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE Proposed Ground Floor Plan  
 CLIENT Mr T Holmes  
 DATE September 2020 SCALE 1:50 @ A2  
 DRAWING NO. YB886 - 004 REVISION A  
 DRAWN AS CHECKED

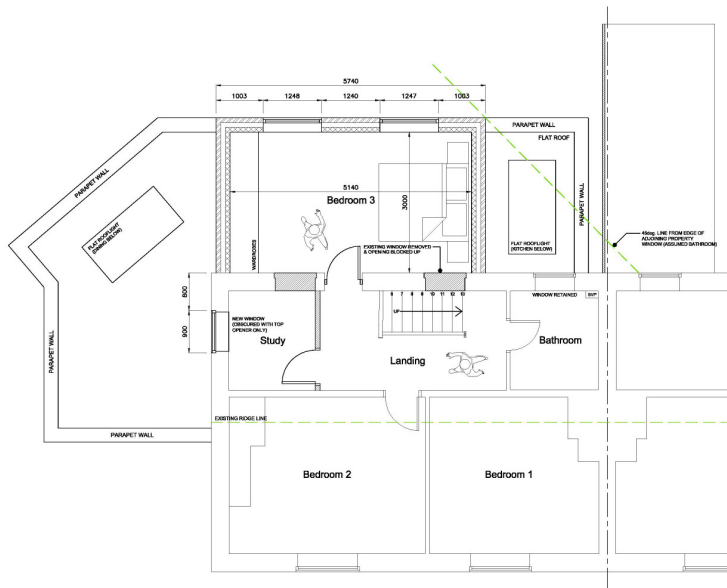
DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE TAKEN FROM THE DIMENSIONS LISTED.

Proposed Ground Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

DATE 20/11/2020

date valid 20/11/2020

THIS DOCUMENT IS VALID FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE. ANY CHANGES TO THE DESIGN OR SPECIFICATION SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE ARCHITECT ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND ARISING FROM THE USE OF THIS DOCUMENT.



B	AS	side and rear single glazing alterations reduced to suit external layout amended to suit first floor elevation amended bedroom window to side elevation removed window to study to be obscured with full glazing only	18.11.20
A	AS	rear glazing removed, existing rear partition removed to include pitched roof window added to side elevation to serve study space	17.11.20
Rev	By	Note	Date

**COMPLETE PLANS/BUILD LTD.**  
 ARCHITECTURAL DESIGN

4 CARR LANE, YORK, YO8 9JW  
 T: 01904 881770 M: 07789 276558 E: info@plansbuild.com

PROJECT: 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE: Proposed First Floor Plan  
 CLIENT: M T Holmes  
 DATE: September 2020 SCALE: 1:50 @ A2  
 DRAWING NO: YB886 - 005 REVISION: B  
 DRAWN: AS CHECKED:

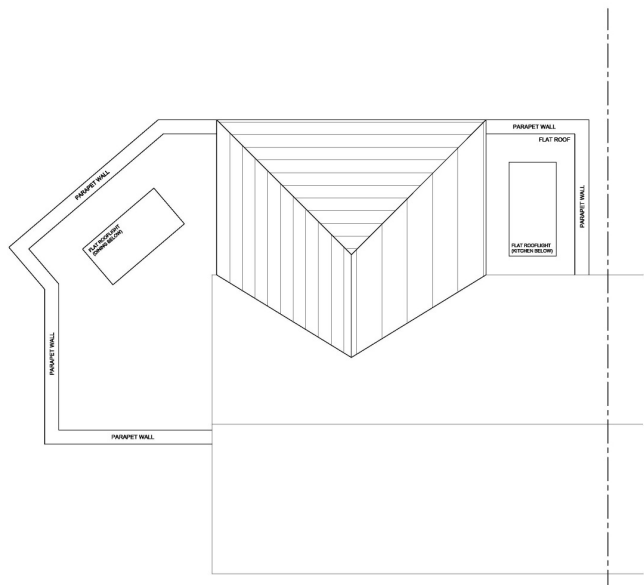
DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE AS SHOWN TO THE ARCHITECT'S OFFICIAL RECORDS.

Proposed First Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

DATE 20/11/2020

date valid 20/11/2020

THIS DRAWING IS THE PROPERTY OF COMPLETE PLANS/BUILD LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF COMPLETE PLANS/BUILD LTD.



B	AS	side and rear slope gable alterations indicated by notes internal layout amended to suit first floor rear extension amended bedroom window to side elevation removed window to study to be obscured with 200 glazing only	18.11.20
A	AS	rear gable removed, existing rear extension removed to include pitched roof window added to side elevation to serve study space	17.11.20

Rvw By Note Date

**COMPLETE PLANS/BUILD LTD.**  
ARCHITECTURAL DESIGN

4 CARR LANE, YORK, YO26 5HQ  
T: 01904 881770 M: 07789 276558 E: info@plansbuild.com

PROJECT 5 Wold View, Huttons Ambo, YO60 7HL

TITLE Proposed Roof Plan

CLIENT Mr T Holmes

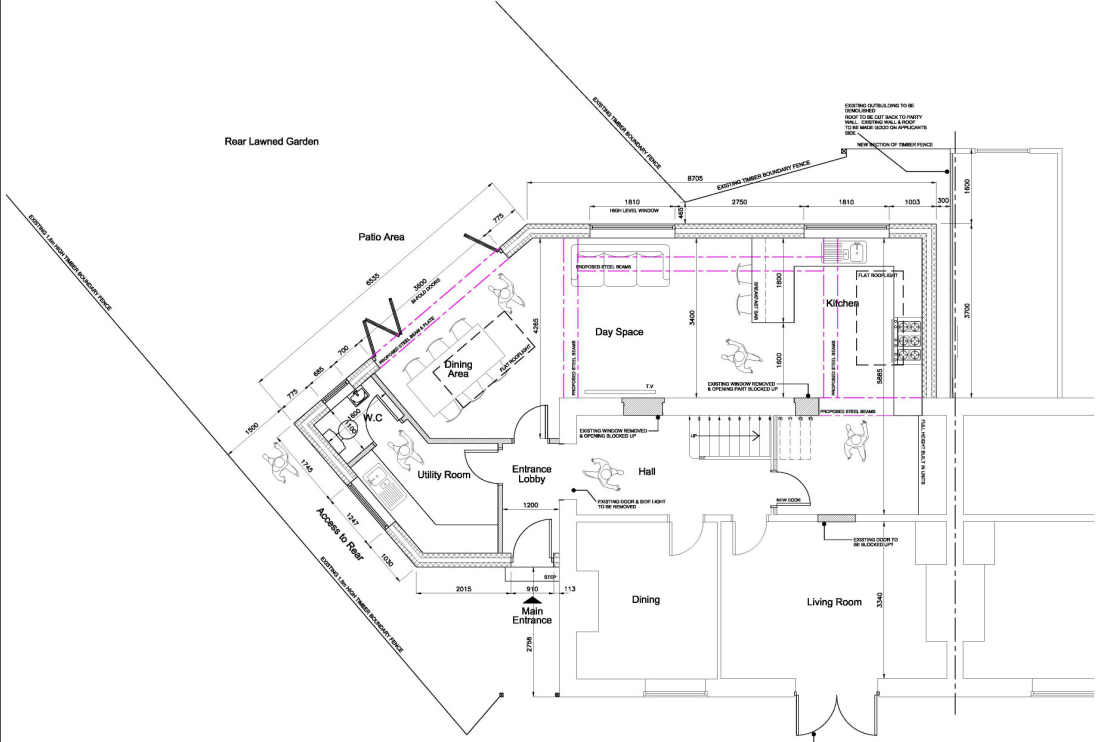
DATE September 2020 SCALE 1:50 @ A2

DRAWN BY YB666 - 006 REVISION B

DRAWN AS CHECKED

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE GIVEN TO THE ARCHITECTS' CONTRACT DOCUMENTS

Proposed Roof Plan - 5 Wold View, Huttons Ambo, YO60 7HL



THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF EVEDALE DISTRICT COUNCIL PURSUANT TO SECTION 51 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THIS COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.

Rev	By	Note	Date

**COMPLETE PLANS&BUILD LTD.**  
 ARCHITECTURAL DESIGN  
 4 CARRS LANE, YORK, YO26 5HZ  
 T: 01904 881770 M: 07789 276558 E: info@plansandbuild.com

PROJECT: 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE: Proposed Ground Floor Plan  
 CLIENT: M T Holmes  
 DATE: September 2020 SCALE: 1:50 @ A2  
 DRAWING NO: YB886 - 004 REVISION: -  
 DRAWN: AS CHECKED:

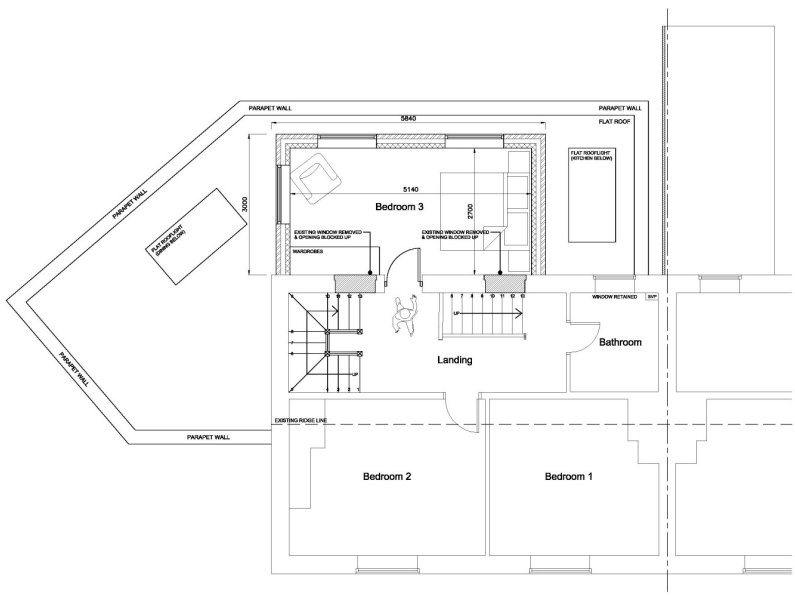
DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE GIVEN TO THE ARCHITECTS' CONTRACT NUMBER.

Proposed Ground Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL





THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988, UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT. THE COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



Rev	By	Note	Date


**COMPLETE PLANSBUILD LTD.**  
 ARCHITECTURAL DESIGN  
 4 CARL LANE, YORK, YO26 5HQ  
 T: 01904 881770 M: 07789 276558 E: info@plansbuild.com

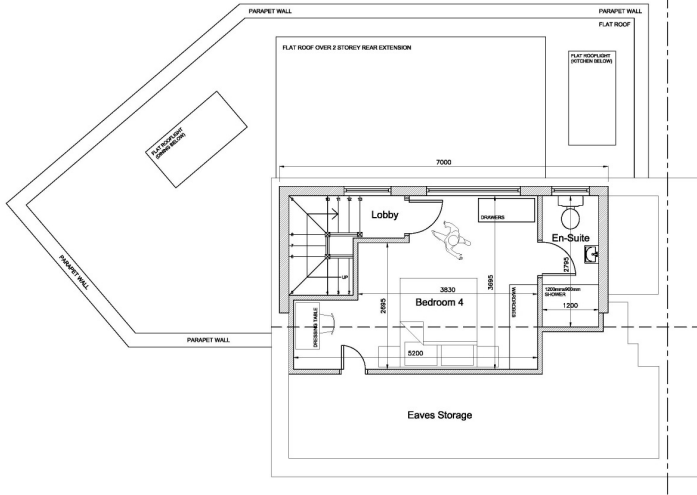
PROJECT 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE Proposed First Floor Plan  
 CLIENT Mr T Holmes  
 DATE September 2020 SCALE 1:50 @ A2  
 DRAWN BY YB886 - 005 REVISION -  
 DRAWN AS CHECKED

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE GIVEN TO THE ARCHITECTS. COPYRIGHT RESERVED

Proposed First Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

0 5 10 15 20

THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 41 OF THE COPYRIGHT DESIGN AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



Proposed Attic Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

Rev	By	Note	Date


**COMPLETE PLANS & BUILD LTD.**  
 ARCHITECTURAL DESIGN  
 4 CARL LANE, YORK, YO26 5HQ  
 T: 01904 861770 M: 07789 276558 E: info@plansandbuild.com

PROJECT 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE Proposed Attic Floor Plan  
 CLIENT M T Holmes  
 DATE September 2020 SCALE 1:50 @ A2  
 DRAWING NO. YB666 - 006 REVISION -  
 DRAWN AS CHECKED  
DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE ACCORD TO THE ARCHITECT'S COPYRIGHT RESPONSE



Existing Front Elevation



Existing Side Elevation



Existing Rear Elevation



Proposed Front Elevation

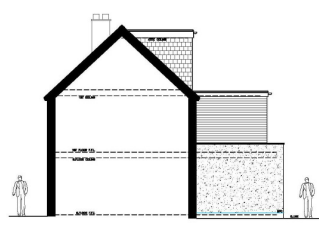


Proposed Side Elevation

THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF BYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT THE WRITTEN PERMISSION OF THE COPYRIGHT OWNER.



Proposed Rear Elevation



Proposed Side Elevation

Rev	By	Note	Date

**COMPLETE PLANS/BUILD**  
ARCHITECTURAL DESIGN

4 CARLE LANE, YORK, YO8 9HQ  
T: 01904 881770 M: 07789 276558 E: info@plansbuild.com

PROJECT 5 Wold View, Huttons Ambo, YO60 7HL

TITLE Existing & Proposed Elevations

CLIENT Mr T Holmes

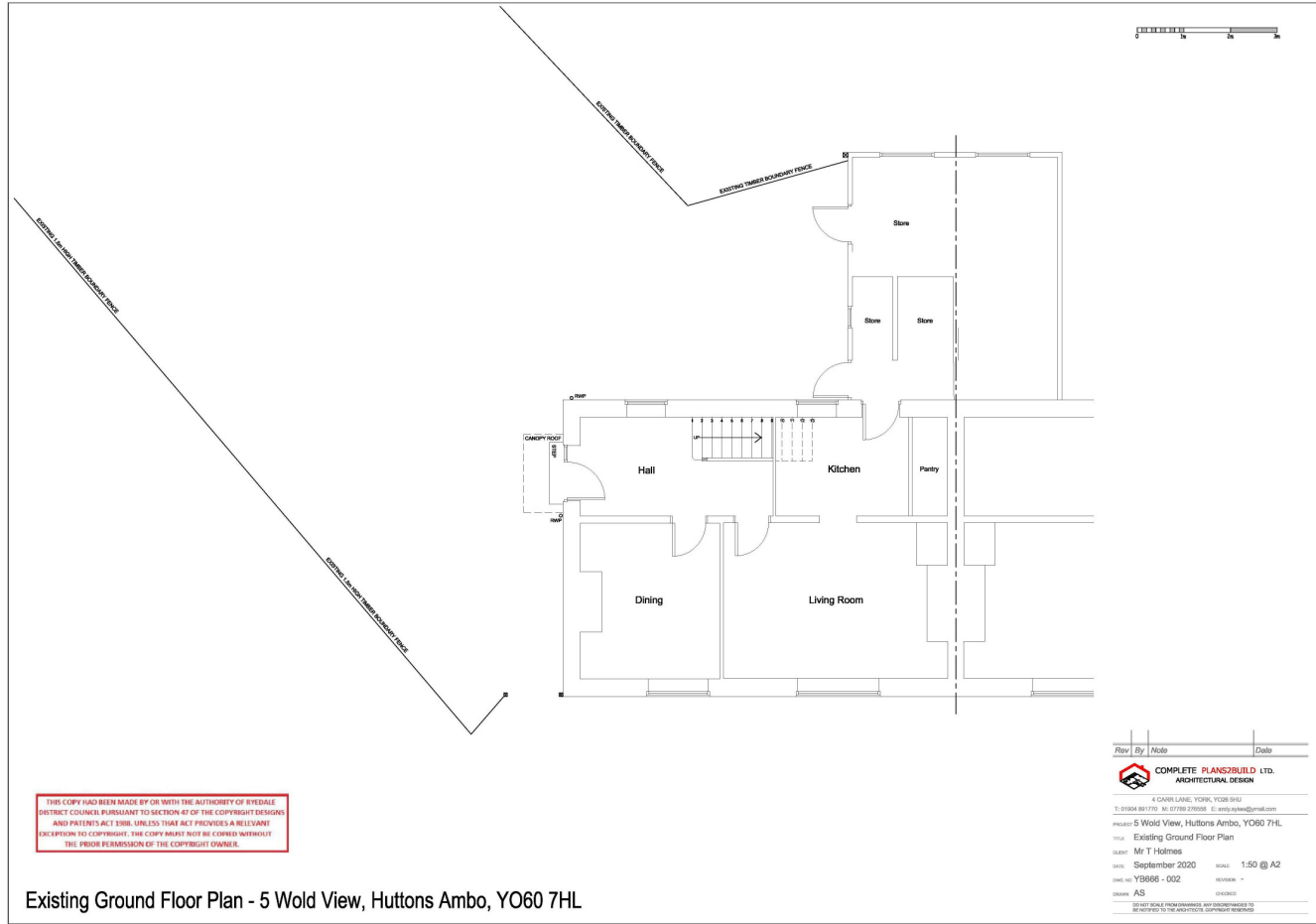
DATE September 2020 SCALE 1:100 @ A2

DRAWN BY YB886 - 007

CHECKED BY AS

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE REFERRED TO THE ANNOTATED DIMENSION LINES.

Existing & Proposed Elevations - 5 Wold View, Huttons Ambo, YO60 7HL



THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF EYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THIS COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.

Existing Ground Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

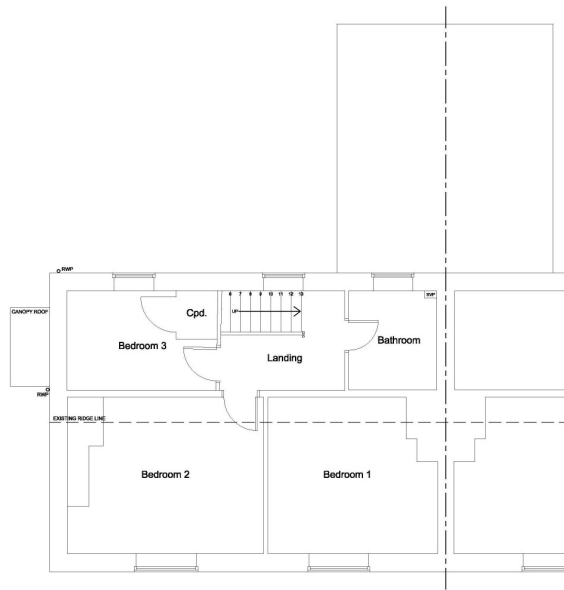
Rev	By	Note	Date

**COMPLETE PLANS/BUILD LTD.**  
 ARCHITECTURAL DESIGN  
 4 CARL LANE, YORK, YO26 5HG  
 T: 01904 881770 M: 07789 276558 E: info@plansbuild.com

PROJECT: 5 Wold View, Huttons Ambo, YO60 7HL  
 TITLE: Existing Ground Floor Plan  
 CLIENT: Mr T Holmes  
 DATE: September 2020 SCALE: 1:50 @ A2  
 DRAWING NO: YB666 - 002 REVISION: -  
 DRAWN: AS CHECKED:

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE TAKEN FROM THE ARCHITECT'S COMPLETE RECORDS

THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988 UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT. THE COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



Rev	By	Note	Date
<p><b>COMPLETE PLANS/BUILD LTD.</b> ARCHITECTURAL DESIGN</p> <p>4 CARLE LANE, YORK, YO26 5HQ T: 01904 881770 M: 07789 276558 E: andy@plansandbuild.com</p> <p>PROJECT 5 Wold View, Huttons Ambo, YO60 7HL</p> <p>TITLE Existing First Floor Plan</p> <p>DESIGNER Mr T Holmes</p> <p>DATE September 2020 SCALE 1:50 @ A2</p> <p>DRAWING NO. YB666 - 003 REVISION -</p> <p>DRAWN AS CHECKED</p> <p><small>DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE TAKEN FROM THE ARCHITECT'S CONTRACT DOCUMENTS</small></p>			

Existing First Floor Plan - 5 Wold View, Huttons Ambo, YO60 7HL

**From:** HAPC  
**Sent:** 23 December 2020 11:13  
**To:** Development Management  
**Subject:** 20/00967/HOUSE - 5 Wold View - Objection

Thank you for the sight of the further amended plans for 5 Wold View.

The Parish Council welcome the amended to create a designated parking area feel they should insist that the parking area is just that and does not slowly become the builders yard of scaffolding, skips and other building equipment. Should this application be approved the Parish Council insist that this is a condition of approval.

The Parish Council still maintain their objection to this application as the further amended plans still do not address the issues and concerns raised in their responses to the previous two applications.

The parish councillors still wish for their objection to stand for amended plans for the 5 Wold View planning application due to the following reasons:

- a) the intrusive nature of the extensions
- b) the light pollution from the re- oriented accommodation (the main focus of the living accommodation would move to the rear of the property)
- c) as in b) for noise pollution.
- d) the "out of character" size of the extension to a standard rural house, which brings No.5 much closer to the boundary with No's. 3 & 4 ( particularly No. 4).
- e) this closeness is exacerbated by the presence of "sideways facing" windows added to a previously (for good reason) end elevation without windows.

as previously stated the following reasons for objection have not been significantly reduced by the amended plans:

- the proposed alterations to an acceptably-sized property are excessive.
- The 3 levels of flat roof would be obtrusive and out of keeping with the rest of High Hutton.
- The fact that the garden is at an angle of about 45 degrees to the back wall of the property means that any windows (and especially the "sideways facing" ones in the side extension ) would produce an intrusive aspect to the gardens and rear sections of 4,3,2 and 1 Wold View - especially No's. 4 and 3.

- effects of light pollution for neighbouring properties, the new ground floor section is only 1 to 2 metres from the boundary
- noise pollution by virtue of the fact that the bi-fold doors in the plan are set at an angle of about 45 degrees to the neighbours gardens
- The total height of the attic level addition would produce an unsightly protuberance for any sighting from the rest of High Hutton and particularly for the view from the road when approaching from the A64 High Hutton junction direction.
- The application is out of keeping and potentially obtrusive to the neighbours.
- The plot will be an over-development and is not in keeping with the surroundings or the neighbouring properties. This development is also large and visible for miles around.

Kind regards

Anne Lealman

Huttons Ambo Parish Clerk

**From:** HAPC  
**Sent:** 02 December 2020 16:59  
**To:** Development Management  
**Subject:** Planning Application 20/00967/HOUSE Amended

Good afternoon

The parish councillors still wish for their objection to stand for amended plans for the 5 Wold View planning application due to the following reasons:

- a) the intrusive nature of the extensions
- b) the light pollution from the re- oriented accommodation (the main focus of the living accommodation would move to the rear of the property)
- c) as in b) for noise pollution.
- d) the "out of character" size of the extension to a standard rural house, which brings No.5 much closer to the boundary with No's. 3 & 4 ( particularly No. 4).
- e) this closeness is exacerbated by the presence of "sideways facing" windows added to a previously (for good reason) end elevation without windows.

as previously stated the following reasons for objection have not been significantly reduced by the amended plans:

- the proposed alterations to an acceptably-sized property are excessive.
- The 3 levels of flat roof would be obtrusive and out of keeping with the rest of High Hutton.
- The fact that the garden is at an angle of about 45 degrees to the back wall of the property means that any windows (and especially the "sideways facing" ones in the side extension ) would produce an intrusive aspect to the gardens and rear sections of 4,3,2 and 1 Wold View - especially No's. 4 and 3.
- effects of light pollution for neighbouring properties, the new ground floor section is only 1 to 2 metres from the boundary
- noise pollution by virtue of the fact that the bi-fold doors in the plan are set at an angle of about 45 degrees to the neighbours gardens
- The total height of the attic level addition would produce an unsightly protuberance for any sighting from the rest of High Hutton and particularly for the view from the road when approaching from the A64 High Hutton junction direction.
- The application is out of keeping and potentially obtrusive to the neighbours.
- The plot will be an over-development and is not in keeping with the surroundings or the neighbouring properties. This development is also large and visible for miles around.

Kind regards

Anne Lealman  
Huttons Ambo Parish Clerk



**From:** HAPC  
**Sent:** 05 November 2020 15:24  
**To:** Development Management  
**Subject:** Planning Application 20/00967/HOUSE - Objection

Good afternoon

The Huttons Ambo Parish Council wish to object to the planning application 20/00967/HOUSE for the following reasons:

- the proposed alterations to an acceptably-sized property are excessive.
- The 3 levels of flat roof would be obtrusive and out of keeping with the rest of High Hutton.
- The fact that the garden is at an angle of about 45 degrees to the back wall of the property means that any windows (and especially the "sideways facing" ones in the side extension ) would produce an intrusive aspect to the gardens and rear sections of 4,3,2 and 1 Wold View - especially No's. 4 and 3.
- effects of light pollution for neighbouring properties, the new ground floor section is only 1 to 2 metres from the boundary
- noise pollution by virtue of the fact that the bi-fold doors in the plan are set at an angle of about 45 degrees to the neighbours gardens
- The total height of the attic level addition would produce an unsightly protuberance for any sighting from the rest of High Hutton and particularly for the view from the road when approaching from the A64 High Hutton junction direction.
- The application is out of keeping and potentially obtrusive to the neighbours.
- The plot will be an over-development and is not in keeping with the surroundings or the neighbouring properties. This development is also large and visible for miles around.

These council/ housing association properties were called Wold View when they were built because they have a prominent location on the top of the hill, looking over the fields towards Malton and the old East Riding boundary. They are visible from large stretches of the Low Lane and beyond. It is therefore important that any development of Wold View properties is sympathetic. This is definitely not.

The parish council would want to see a significant revision of the plans before it would be able to change it's opinion on this application.

Kind regards

Anne Lealman

Huttons Ambo Parish Clerk

# Agenda Item 8

**Item Number:** 8  
**Application No:** 20/01104/FUL  
**Parish:** Malton Town Council  
**Appn. Type:** Full Application  
**Applicant:** Miss Louise Arundale  
**Proposal:** Change of use of part of ground floor office space to use as a dog day care and boarding facility  
**Location:** Greengate Centre Greengate Malton North Yorkshire YO17 7EN

**Registration Date:** 2 December 2020  
**8/13 Wk Expiry Date:** 27 January 2021  
**Overall Expiry Date:** 30 December 2020  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

<b>Malton Town Council</b>	Recommend refusal based on close proximity to residences, members concerned about noise and disruption
<b>Highways North Yorkshire</b>	No objection
<b>Environmental Health</b>	No objection
<b>Representations:</b>	Rev John Waller, Ms Alex White, Mr Graeme England, Mrs Sarah Cook, Miss Rebecca Cross, Mr Roy Milner (all objection).

---

## SITE:

The application site relates to the ground floor of the Greengate Centre which is a substantial two storey building in the centre of Malton. The building was previously a Church and community space but was granted permission for change of use to commercial office space in 2015. The first floor is a flat occupied by the applicant. The site is within the town development limits in a mixed use area. The nearest residential properties are numbers 6- 16 (even) and number 24 Greengate immediately to the north of the site. To the south of the site is a delivery/service yard and parking area associated with businesses on Wheelgate. Public footpath number 25.60/28/1 passes the site to the east and south and links Greengate to Wheelgate. The site is within the Conservation Area although the application does not involve any building works.

## HISTORY:

15/00268/FUL- Change of Use of community building (Use Class D1) to commercial office space (Use Class A2). APPROVED 21.05.2015.

## PROPOSAL:

Planning permission is sought for the change of use of part of ground floor office space to use as a dog day care and boarding facility.

The applicant states that this would be a very small scale home care/boarding business with a maximum of four dogs at any one time. The applicant explains that the dogs would be cared for as though they were their own domestic pets and the numbers of dogs involved are within the boundaries of normal pet ownership.

The dogs would be accommodated in the ground floor of the existing building. Internal alterations and fitting out would be necessary to meet the requirements of the Animal Welfare Act. There would be no external alterations to the building and at no stage will any dogs be accommodated outside or any kennels constructed in the outdoor area. The dogs would be allowed in the outdoor area to the east of the building for short periods but would not be left unsupervised.

The majority of dogs will be full day care dogs and would usually be brought to the site on foot and dropped off between 07:00- 08:00 hours and collected between 17:00-18:00 hours with owners parking on Greengate or Wentworth Street car park. The dogs arriving for boarding are usually brought later in the day.

## **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 SP6 Delivery and Distributing of Employment Land and Premises  
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)

## **REPRESENTATIONS:**

The application is subject to six objections from the occupants of numbers 6, 12, 14, 16 and 24 Greengate and also Elim Ryedale Church. The objections relate to noise disturbance from dogs in unfamiliar surroundings; barking which may upset neighbours dogs and increase noise further; odour from dog waste; dogs fouling in the surrounding area; flea infestation and dogs escaping from the site and also access/parking concerns and that the site is within a Conservation Area.

The concern that the change of use will result in a decrease in property values in the area is not a material consideration and cannot be taken into account in the determination of this application.

In addition to the concerns raised by local residents the Town Council recommend refusal due to close proximity to residences and concerns about noise and disruption.

## **APPRAISAL:**

### Principle of the development

The site is located within the town development limits where the principle of a small scale business operation associated with an existing dwelling (in this case a first floor flat) is considered to be acceptable, subject to all other planning matters being considered.

### Impact on residential amenity

The detached building stands within a rear yard off Greengate. The surrounding area is characterised by mixed use which includes residential development to the north.

The terrace of dwellings immediately to the north of the application site have rear gardens which back onto the application site boundary. The outdoor area associated with the proposed use is enclosed by a horizontal lap timber panel fence along the northern side and railings along the east and southern sides.

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

Policy SP20 also requires that the proposed development would need to be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses.

The Town Council recommends refusal of the application on the basis of close proximity to residences and concerns about noise and disruption. Furthermore, the objections from neighbours raise concerns in relation to noise disturbance and odour.

The concerns in relation to noise disturbance from dog barking is noted. However, the proposed business is a relatively small, single person venture which will cater for a maximum of four dogs at any one time. All accommodation would be provided within the building and any dogs using the enclosed outdoor area to the east of the building would be supervised at all times. These matters shall be controlled by conditions if planning permission is granted. The applicant has explained that the substantial detached building has predominantly thick walls. The applicant states that she has simulated multiple barking dogs inside the property at extremely high volumes using recordings and almost no noise escapes.

If permission is granted a planning condition shall also require the operator of the business to maintain an up-to-date register/diary of appointments which shall be made available for inspection by an officer of the Local Planning Authority upon request.

The abovementioned restrictions should limit the operation of the business to a relatively domestic scale that would not involve large numbers of dogs at the premises at any one time or the introduction of a significant level of additional traffic in the area with the majority of dogs collected by the applicant or brought to site on foot. Public footpath number 25.60/28/1 passes the site to the east and south and links Greengate to Wheelgate. The site is centrally located within the town and is easily accessible on foot and public footpath number 25.60/28/1 passes the site to the east and south and links Greengate to Wheelgate. In terms of the other concerns raised by neighbours there are no issues anticipated in relation to flea infestation or the dogs escaping from the site given the existing boundary treatment.

The Environmental Health Officer has considered the potential impacts and has no objections to the proposal. The EHO has also advised that a condition on any licence given under Animal Welfare legislation would require the operator to conduct familiarisation sessions with new dogs and assess whether their interactions with the other dogs is likely to be an issue, particularly in terms of barking. The maximum number of dogs will also be determined by the licence (see Informative at the end of this report).

The ventilation of the ground floor of the building would be via a high-capacity extractor fan into the brickwork in the main room with a vent on the southern elevation.

In terms of waste management the applicant has confirmed that all animal waste will be collected in sealed heavy duty bio-degradable refuse bags and disposed of in the business waste bin each day. With regard to bedding the applicant has advised that some owners will supply their own bedding which is taken home when the dog is collected. For those that do not, the applicant will use veterinary bedding which is fully machine washable.

All areas within the building used by dogs would be cleaned using veterinary grade disinfectant which kills 99.9% of bacteria, fungi and viruses whilst being fully safe for use on all water washable surfaces. The cleaning product can be disposed of safely using normal drainage facilities.

There are no issues anticipated in terms odour and disposal of associated waste would be a matter for the operator/clients. The concern about dog fouling in the surrounding area is not a matter of planning control being a responsibility of individual dog owners and is covered by other legislation. It is considered that the nature and scale of the business would not give rise to any concerns in relation to pollution or waste management.

It is not anticipated that the business use would have any significant detrimental impact on the amenities of neighbours in terms of overlooking/loss of privacy impacts.

Overall, subject to the business operating in compliance with planning conditions and any conditions imposed as part of an Animal Welfare Licence, it is not anticipated that this proposed use would give rise to any unacceptable pollution or disturbance in compliance with the relevant parts of Policies SP16 and SP20.

### Highway impact

Policy SP20 advises that *“Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads”*. There have been concerns raised by neighbours in relation to access and parking.

The building benefits from one vehicular parking space within the private shared yard. The applicant has confirmed that occasionally they may collect dogs in their van and use the allocated space. The applicant expects that clients will use the town's municipal car parks and deliver and collect their dog(s) on foot.

The highways officer states that given the proposal involves the re-use of an existing building, located within a town centre, with long stay municipal parking close at hand there are no objections to the proposed development.

The change of use relates to a small scale business that would be limited to a maximum of 4 dogs at any time. It is not anticipated that the use would result in highway conditions prejudicial to highway safety in compliance with the requirements of Policy SP20.

### Conclusion

The recommendation of the Town Council and the concerns raised by neighbours have been noted, however, in the absence of objections from the Environmental Health Officer, it is not considered reasonable to refuse the application on matters of residential amenity.

It is considered that the applicant has demonstrated that this small scale home business can be operated from the premises without harm to the residential amenity of neighbouring properties and conditions can be imposed to limit the scale of the use and restrict the use of the outdoor area.

In light of the above assessment it is considered that, on balance, the proposal is acceptable and complies with Policies SP1, SP6, 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:

Location Plan  
Ground Floor Layout

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

3 There shall be no more than 4 dogs accommodated within the building comprising the dog day care and boarding facility at any one time.

Reason: To protect the amenities of surrounding properties and to satisfy Policy SP20 of the Local Plan Strategy.

4 The facility shall only be operated with a prior appointment booking system. The owner/operator shall maintain an up-to-date register/diary of bookings which shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: To protect the amenities of surrounding properties and to satisfy Policy SP20 of the Local Plan Strategy.

5 No dog(s) shall be left unsupervised in the garden/outdoor area to the east of the building as shown on the Location Plan at any time.

Reason: To protect the amenities of surrounding properties and to satisfy Policy SP20 of the Local Plan Strategy.

6 No dog(s) shall be accommodated (kennels) in the garden/outdoor area to the east of the building as shown on the Location Plan at any time.

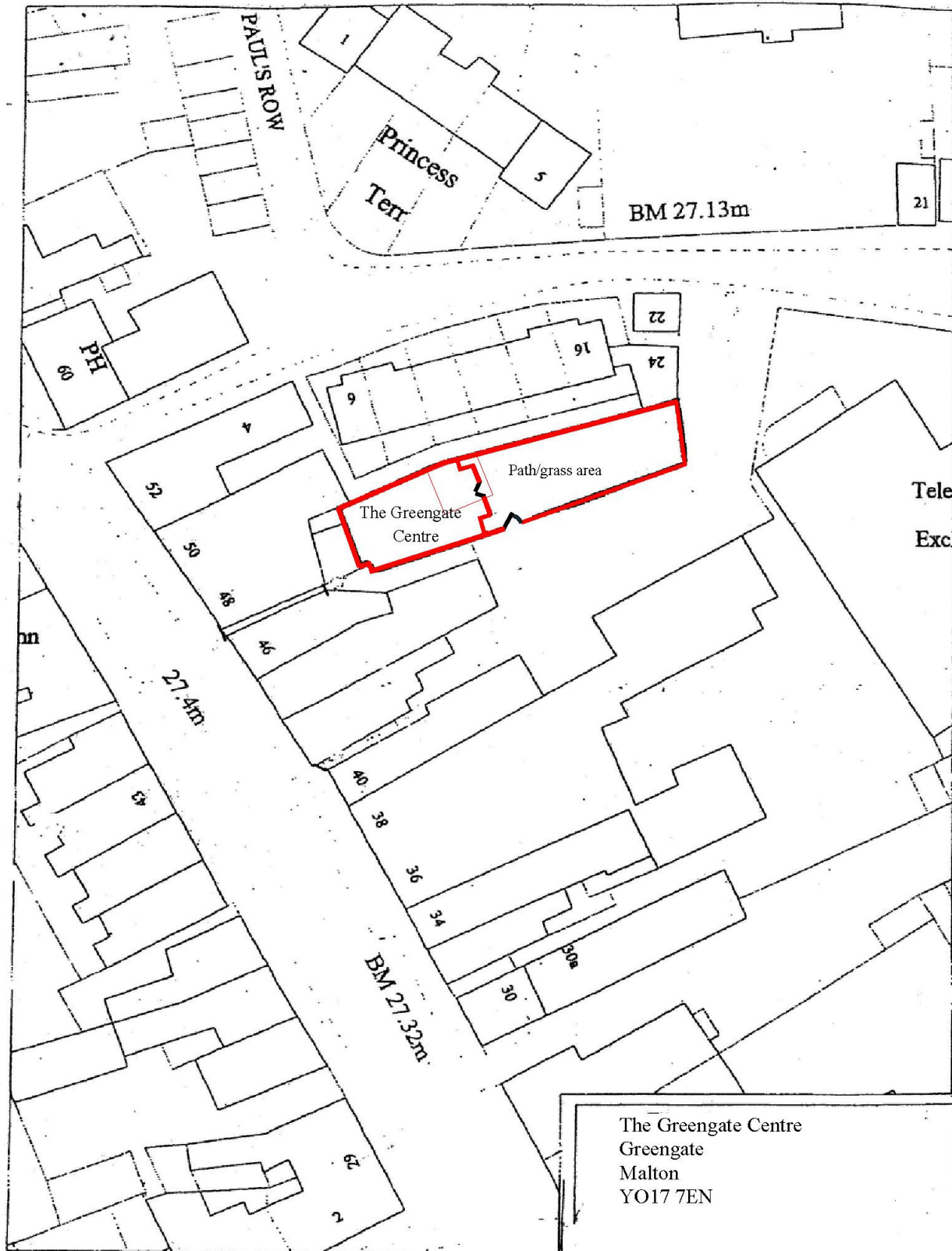
Reason: To protect the amenities of surrounding properties and to satisfy Policy SP20 of the Local Plan Strategy.

7 The dog day care and boarding facility hereby permitted shall remain ancillary to the use of the first floor flat currently known as Greengate Centre, Flat 1 and shall not be sold or let off separately from the flat.

Reason:- To protect the amenities of surrounding properties and to satisfy Policy SP20 of the Local Plan Strategy.

## **INFORMATIVE**

1 Condition 3- Subject to The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 which may restrict the number of dogs to less than 4.



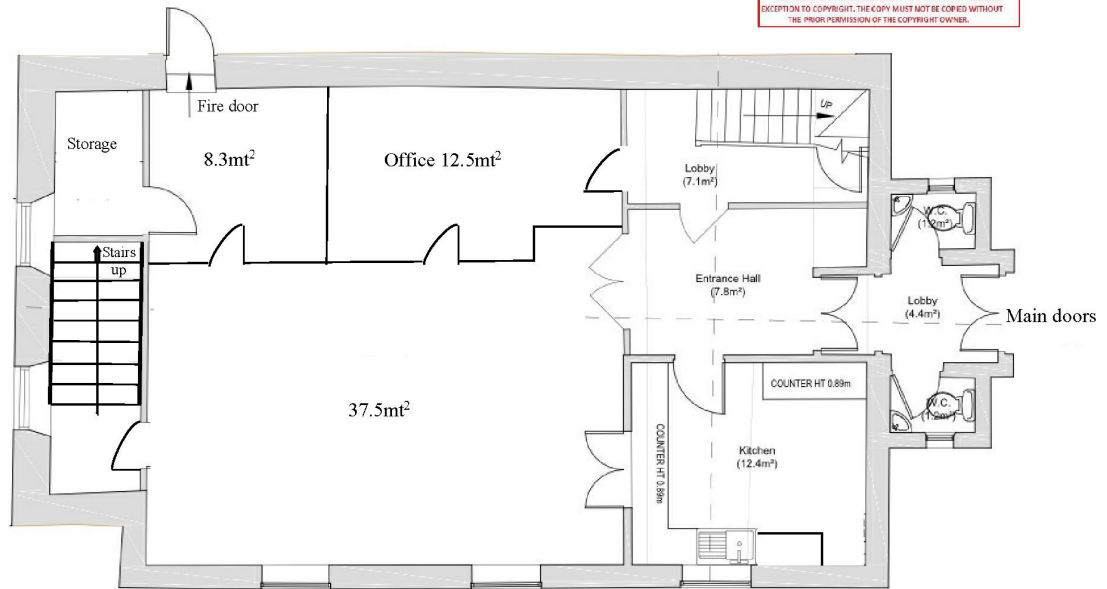
The Greengate Centre  
 Greengate  
 Malton  
 YO17 7EN

THIS COPY HAS BEEN MADE BY THE WHITE HOLE ARCHITECTURAL OFFICES  
 DISTRICT COUNCIL PURSUANT TO SECTION 42 OF THE COPYRIGHT DESIGNS  
 AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT  
 EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT  
 THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



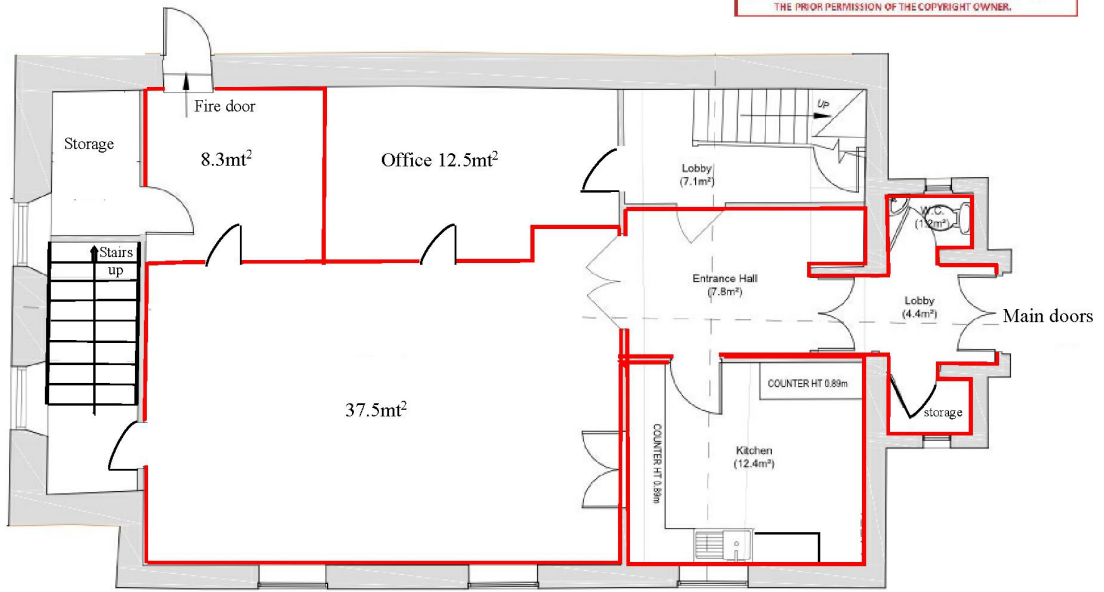
Greengate Centre, Greengate, Malton. YO17 7EN

"THIS COPY" HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYedale DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



Existing ground floor layout  
Scale 1:50

THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A RELEVANT EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT THE PRIOR PERMISSION OF THE COPYRIGHT OWNER.



Existing ground floor layout  
Scale 1:50

**Subject:** Consultee Comments for Planning Application 20/01104/FUL

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

Comments were submitted at 11:20 AM on 16 Dec 2020 from Mrs Gail Cook on behalf of Malton Town Council.

### **Application Summary**

**Reference:** 20/01104/FUL

**Address:** Greengate Centre Greengate Malton North Yorkshire  
YO17 7EN

**Proposal:** Change of use of part of ground floor office space to use  
as a dog day care and boarding facility

**Case Officer:** Alan Goforth

[Click for further information](#)

### **Comments Details**

**Comments:** Recommend refusal based on close proximity to  
residences, members concerned about noise and  
disruption.

# Agenda Item 10

## RYEDALE DISTRICT COUNCIL

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

---

1.  
**Application No:** 20/00668/HOUSE **Decision: Refusal**  
**Parish:** Slingsby Parish Council  
**Applicant:** Mr Thomas Norton  
**Location:** 12 Balksyde Slingsby Malton North Yorkshire YO62 4AG  
**Proposal:** Formation of a vehicular access to include installation of a dropped kerb extension with verge crossing together with the installation of an area of hardstanding
- 
2.  
**Application No:** 20/00721/TPO **Decision: Refusal**  
**Parish:** Malton Town Council  
**Applicant:** Mr Duncan Chapman  
**Location:** 8 West Lodge Gardens Malton North Yorkshire YO17 7YJ  
**Proposal:** Fell T2 Fagus sylvatica purpurea (Copper/Purple Beech) of TPO 133/1989
- 
3.  
**Application No:** 20/00803/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr & Mrs J Tyler  
**Location:** The Firs 64 Middlecave Road Malton YO17 7NE  
**Proposal:** Erection of single storey rear extension and upper floor 'picture window' following demolition of existing single storey utility room and garages.
- 
4.  
**Application No:** 20/00826/HOUSE **Decision: Approval**  
**Parish:** Amotherby Parish Council  
**Applicant:** Mr Smith  
**Location:** Down Yonder Main Street Amotherby Malton North Yorkshire YO17 6UN  
**Proposal:** Erection of two storey side extension
- 
5.  
**Application No:** 20/00875/HOUSE **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr & Mrs Shuttleworth  
**Location:** Nonsuch 1 Warwick Close Sheriff Hutton YO60 6QW  
**Proposal:** Alterations to dwelling to include the erection of first floor extension to side elevation, erection of single-storey extension to rear elevation to replace existing conservatory, replacement porch to front elevation and removal of dormer windows to front and rear elevations with replacement dormers to rear elevation
- 
6.  
**Application No:** 20/00898/FUL **Decision: Refusal**  
**Parish:** Swinton Parish Council  
**Applicant:** Sue Allen  
**Location:** Land Off West Street Swinton Malton  
**Proposal:** Erection of 2no. pairs of three bedroom semi detached dwellings with associated landscaping, parking and vehicular access

7.  
**Application No:** 20/00949/FUL **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr David Smith  
**Location:** West Mill Barns Stittenham Hill Bulmer North Yorkshire YO60 7TP  
**Proposal:** Change of use of holiday let to allow the incorporation into main dwelling to form 1no. four bedroom dwelling
- 
8.  
**Application No:** 20/00970/FUL **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr M A Hadfield  
**Location:** Land And Garages West Of Mill Street Norton Malton North Yorkshire  
**Proposal:** Erection of a pitched roof over a row of 6no. flat roofed garages to include raising the height of the front wall above the garage doors
- 
9.  
**Application No:** 20/00983/FUL **Decision: Approval**  
**Parish:** Gillamoor Parish Meeting  
**Applicant:** Mr And Mrs Hackett  
**Location:** Gales House Kirkby Lane Gillamoor Kirkbymoorside North Yorkshire YO62 7HT  
**Proposal:** Change of use of a holiday cottage known as Barley Cottage for on-site residential accommodation for a future manager of the existing holiday letting cottage business at the site
- 
10.  
**Application No:** 20/00989/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr Mike England  
**Location:** 28 Harvest Drive Malton YO17 7AX  
**Proposal:** Internal alterations to enlarge the dining area and form an entrance/utility space by internally extending into part of the existing attached garage
- 
11.  
**Application No:** 20/00996/HOUSE **Decision: Approval**  
**Parish:** Barton-le-Street Parish Meeting  
**Applicant:** Mr & Mrs Hide  
**Location:** The Haybarn Main Street Barton Le Street Malton YO17 6PL  
**Proposal:** Erection of single storey rear extension
- 
12.  
**Application No:** 20/01009/HOUSE **Decision: Approval**  
**Parish:** Settrington Parish Council  
**Applicant:** Mr & Mrs S Walker  
**Location:** 19 Cock Garth Settrington Malton YO17 8NS  
**Proposal:** Erection of a part two storey/part single storey rear extension
- 
13.  
**Application No:** 20/01016/LBC **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Miss Emma Myers  
**Location:** 25 Park Street Pickering North Yorkshire YO18 7AJ  
**Proposal:** Installation of air brick to front elevation and internal alterations to hearth to allow the installation of a

---

**14.**  
**Application No:** 20/01025/FUL **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mrs Gail Cook (Malton Town Council)  
**Location:** Outbuilding At Princess Road Malton North Yorkshire  
**Proposal:** Erection of garage/equipment store as replacement to existing 2no. garages

---

**15.**  
**Application No:** 20/01020/HOUSE **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Professor Daniel Victor Hoyland  
**Location:** 8 West End Kirkbymoorside YO62 6AF  
**Proposal:** Erection of a linking structure between the dwelling and adjacent detached barn used as a hobby studio to allow internal access between them

---

**16.**  
**Application No:** 20/01021/LBC **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Professor Daniel Victor Hoyland  
**Location:** 8 West End Kirkbymoorside YO62 6AF  
**Proposal:** External and internal alterations to allow erection of a linking structure between the dwelling and adjacent detached barn used as a hobby studio to allow internal access between them

---

**17.**  
**Application No:** 20/01022/HOUSE **Decision: Approval**  
**Parish:** Wreton Parish Council  
**Applicant:** Charles Sagers (Brooke-Sagers Ltd)  
**Location:** Vinery Farm High Street To Bypass Wreton Pickering YO18 8PF  
**Proposal:** Works to farmhouse to include erection of single storey extension to south elevation, installation of 3no. rooflights to north elevation and photovoltaic panels to south elevation roofslope, erection of detached building forming carport/garage and shed on eastern boundary, new and altered walls and fences, widening of existing access to Vinery Farm and demolition of existing sheds and outbuildings

---

**18.**  
**Application No:** 20/01031/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr and Mrs Greg and Siobhan Gorman  
**Location:** Rysea Bungalow Whitby Road Pickering YO18 7NF  
**Proposal:** Erection of oak framed porch to front elevation

---

**19.**  
**Application No:** 20/01032/HOUSE **Decision: Approval**  
**Parish:** Lillings Ambo Parish Council  
**Applicant:** Mr & Mrs Fitzgerald  
**Location:** Minster View Goose Track Lane West Lilling YO60 6RP  
**Proposal:** Raising of roof height to allow formation of first floor living accommodation and erection of two storey rear extension

---

**20.**  
**Application No:** 20/01033/FUL **Decision: Approval**  
**Parish:** Middleton Parish Council

**Applicant:** Mr & Mrs Thompson  
**Location:** The Paddock Costa Lane Pickering North Yorkshire YO18 8LP  
**Proposal:** Erection of general purpose agricultural building to include housing of livestock

---

**21.**

**Application No:** 20/01037/HOUSE **Decision: Approval**  
**Parish:** Scrayingham Parish Council  
**Applicant:** Mr and Mrs Forrester  
**Location:** Church Cottage Main Street Scrayingham Malton YO41 1JD  
**Proposal:** Alterations to the hipped roof of the existing single storey rear extension to form additional living accommodation above

---

**22.**

**Application No:** 20/01054/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr & Mrs Skinner & Mawson  
**Location:** Eden House 11 Westgate Pickering YO18 8BA  
**Proposal:** Erection of single storey rear extension following removal of existing external stair well

---

**23.**

**Application No:** 20/01056/FUL **Decision: Approval**  
**Parish:** Rillington Parish Council  
**Applicant:** Mrs S Whitfield  
**Location:** Garthgate Rillington Fields Malton Road Rillington Malton North Yorkshire  
**Proposal:** Change of use and conversion of existing garage to form 1no. one bedroom holiday let with associated parking

---

**24.**

**Application No:** 20/01061/LBC **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Mr & Mrs Woolgar  
**Location:** Clay Hill House Village Street Keldholme Kirkbymoorside YO62 6NB  
**Proposal:** Internal alterations to remove existing loadbearing wall

---

**25.**

**Application No:** 20/01062/ADV **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr James McMillan  
**Location:** 16 Market Street Malton YO17 7LY  
**Proposal:** Display of 1no. non illuminated projecting hanging sign

---

**26.**

**Application No:** 20/01068/FUL **Decision: Approval**  
**Parish:** Great & Little Barugh Parish Council  
**Applicant:** Mr Ian Cooke  
**Location:** Long Meadow Farm Barugh Lane Great Barugh Malton YO17 6XD  
**Proposal:** Relocation of existing field access from Barugh Lane and construction of access track to Long Meadow Farm

---

**27.**

**Application No:** 20/01075/HOUSE **Decision: Approval**  
**Parish:** Warthill Parish Council  
**Applicant:** Mr And Mrs Alwyn Glover

**Location:** Agar Cottage Rudcarr Lane Warthill North Yorkshire YO19 5XL  
**Proposal:** Erection of a single storey flat roofed extension with roof lantern to replace the existing conservatory on the west (rear) elevation

---

**28.**

**Application No:** 20/01076/HOUSE **Decision: Approval**  
**Parish:** Welburn (Malton) Parish Council  
**Applicant:** Mr & Mrs Benham  
**Location:** Maple House Main Street Welburn Malton YO60 7EQ  
**Proposal:** Part demolition of existing conservatory and erection of a single storey rear extension to form sunroom and extended kitchen

---

**29.**

**Application No:** 20/01082/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Lynn Humpleby & Stephen Paylor  
**Location:** 25 Vine Street Norton Malton North Yorkshire YO17 9JD  
**Proposal:** Erection of single storey extensions to rear following removal of existing attached outbuildings

---

**30.**

**Application No:** 20/01099/HOUSE **Decision: Approval**  
**Parish:** Ampleforth Parish Council  
**Applicant:** Mrs Danielle Arkwright  
**Location:** Stonecroft The Orchard Ampleforth North Yorkshire YO62 4DA  
**Proposal:** Internal and external alterations to include the erection of a single storey side extension to south elevation, erection of a link single storey extension connecting the existing dwelling to the existing garage and erection of a single storey rear extension to the west elevation together with associated parking and landscaping

---

**31.**

**Application No:** 20/01130/DNO **Decision: Approval**  
**Parish:** Wrelton Parish Council  
**Applicant:** Mr Charles Saggars (Brook-Saggers Ltd)  
**Location:** Vinery Farm High Street To Bypass Wrelton Pickering YO18 8PF  
**Proposal:** Demolition of derelict agricultural stone barn (Barn 05)

---





The Planning Inspectorate

---

## Appeal Decision

Hearing Held on 28 October 2020

Site visit made on 16 November 2020

**by Chris Baxter BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 9 December 2020**

---

**Appeal Ref: APP/Y2736/W/20/3251627**

**Butterwick Whins, Butterwick, Weaverthorpe, Malton, YO17 8HF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Stuart Mason of Mason Farming against the decision of Ryedale District Council.
  - The application Ref 20/00052/FUL, dated 31 January 2020, was refused by notice dated 16 April 2020.
  - The development proposed is change of use of agricultural land to allow the siting of a two bedroom agricultural workers mobile home.
- 

### Decision

1. The appeal is allowed and planning permission is granted for change of use of agricultural land to allow the siting of a two bedroom agricultural workers mobile home at Butterwick Whins, Butterwick, Weaverthorpe, Malton YO17 8HF in accordance with the terms of the application, Ref 20/00052/FUL, dated 31 January 2020, subject to the conditions set out in the attached schedule.

### Applications for costs

2. An application for costs was made by Mr Stuart Mason against Ryedale District Council. This application is the subject of a separate Decision.

### Preliminary Matters

3. For the sake of brevity and clarity I have used the description of development from the Council's decision notice.
4. Although not detailed in the description of development, both parties confirmed at the Hearing that the proposal applied for was for a temporary permission. I have dealt with the appeal accordingly.

### Main Issue

5. The main issue is whether there is an essential functional need for the proposal.

### Reasons

6. The appeal site is located within open countryside, directly adjacent to a free-range egg production facility (the facility). This facility, which includes a new building<sup>1</sup>, has the capacity to accommodate 64,000 birds.

---

<sup>1</sup> Building approved under Local Planning Authority reference: 20/00128/MFUL

7. The National Planning Policy Framework (the Framework) states that isolated homes in the countryside should be avoided unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. This is also reflected in Policies SP1, SP2 and SP21 of the Ryedale Plan – Local Plan Strategy 2013 (LPS). The appellant has indicated that the proposal is required in connection with the operation of the facility.
8. From the evidence submitted, it is apparent that the welfare of the birds at the facility is the main contributing factor for the appellant requiring a worker near the site. The facility relies on automated systems for controls on things such as lighting, ventilation and feed. There are alarms attached to these systems which can alert workers immediately should there be a failure. The failure of these systems can be a threat to the welfare of the birds however, any problems with the system can be managed effectively if a failure is responded to quickly.
9. It is also noted that the automated systems cannot cope with every eventuality. Birds kept in a free-range buildings such as this are susceptible to smothering incidents which can occur when the birds get scared or agitated and group together. These smothering incidents can occur for a number of reasons including the presence of intruders or predators, or from an increase in noise level such as from stormy or adverse weather. A smothering incident can lead to a significant loss of birds which could in turn have substantial effect financially.
10. The proposed mobile home would be in close proximity to the facility with direct views to the buildings. Whilst not all elevations of the facility would be viewable from the appeal site, due to the positioning of the proposal, someone living at this location, would be best placed to see and hear any disturbance and respond to an emergency immediately.
11. The Council argue that the functional need could be met by a combination of split shift working with some accommodation provided within the facility. The appellant explained at the Hearing that having workers at the site on a 24 hour basis would be costly and not necessarily beneficial given emergency incidents are sporadic. The monitoring of weather forecasts for stormy/adverse weather would also not be totally reliable and would not necessarily be a true reflection of weather conditions at the location of the facility.
12. East End Farm (EEF) is one of the closest residential properties to the facility and is approximately a five minute drive along a well surfaced access track. The egg production facility manager, who is the son of the appellant, currently resides at EEF and the Council have argued that EEF is nearly as convenient and is a more sustainable option. EEF is around 1.5 kilometres away and due to the topography of the land there is no direct view of the facility. For this reason and those already given above, I am convinced that there is an essential need for a worker to be present within close proximity of the facility, and EEF does not provide this essential need.
13. Accordingly, I find that there is an essential functional need for the proposal. The proposal would comply with Policies SP1, SP2 and SP21 of the LPS and paragraph 79 of the Framework which allow isolated homes in the countryside where there is an essential need for a rural worker.

**Conditions**

14. The conditions imposed are those that were agreed by the appellant and the Council at the Hearing. In the interests of precision and clarity I have undertaken some minor editing and rationalisation where necessary.
15. Conditions relating to timeliness, restriction on length of the permission, and the identification of plans are necessary in the interests of proper planning and to provide certainty. To ensure the development does not compromise the character and appearance of the area, conditions are necessary in relation to materials and permitted development rights. To prevent undue risk to the local environment it is necessary to attach conditions relating to drainage. It is also necessary, given the justification for allowing the proposal, that the use of the mobile home to be restricted.
16. A condition relating to landscaping is not considered necessary in this instance given the permission is only for a temporary period.

**Conclusion**

17. For the reasons given above I conclude that the appeal should be allowed.

*Chris Baxter*

INSPECTOR

**APPEARANCES**

FOR THE APPELLANT:

Ian Pick	Planning Agent
Henry Mason	Appellant's son

FOR THE LOCAL PLANNING AUTHORITY:

Alan Goforth	Senior Planner - Ryedale District Council
--------------	---

**Schedule of conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Site Plan; Floor Plans and Elevations.
- 3) The mobile home hereby permitted shall be removed and the land reinstated to its former condition on or before the expiration of three years from the date when the mobile home is first occupied. The date of first occupation shall be confirmed in writing to the local planning authority within 7 days of occupation.
- 4) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall commence until details for the disposal of foul sewage and surface water from the development have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the approved details have been implemented.
- 6) The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, at the free range egg laying unit on land known as Butterwick Whins, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or alteration of the mobile home hereby approved shall be carried out.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no sheds, greenhouses or other buildings or structures ordinarily incidental to the enjoyment of residential properties shall be erected on the site.



## Costs Decision

Hearing Held on 28 October 2020

Site visit made on 16 November 2020

**by Chris Baxter BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 December 2020

---

### **Costs application in relation to Appeal Ref: APP/Y2736/W/20/3251627 Butterwick Whins, Butterwick, Weaverthorpe, Malton YO17 8HF**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr Stuart Mason of Mason Farming for a full award of costs against Ryedale District Council.
  - The hearing was in connection with an appeal against the refusal of planning permission for change of use of agricultural land to allow the siting of a two bedroom agricultural workers mobile home.
- 

### **Decision**

1. The applications for an award of costs are refused.

### **The submissions for Mr Stuart Mason**

2. The costs application was submitted orally at the Hearing.
3. The appellant considers that the single issue of essential functional need is a technical area, in which the Council should have sought expert advice on. The Council have been provided with overwhelming evidence in the form of seven appeal decisions of similar nature. In addition, the appellant considers that the Council did not properly assess the matter of alternative accommodation at East End Farm.

### **The response by Ryedale District Council**

4. The Council's response was made orally at the Hearing.
5. The Council acknowledge the submitted appeal decisions and noted that these were in other Authorities. It was explained that each case is determined on its own merits. The Council determined that an essential need was not demonstrated for the proposal when assessed against development plan policies and the National Planning Policy Framework (the Framework).

### **Reasons**

6. Paragraph 030 of the Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
7. It will be seen from my decision that I consider the proposal to be in accordance with the relevant policies of the development plan and the Framework. Nevertheless, the main issue of the appeal, which includes

---

<https://www.gov.uk/planning-inspectorate>

functional need and alternative accommodation, is a subjective matter and the Council's report as well as evidence presented at the Hearing clearly discuss why they consider the proposals are unacceptable in relation to the development plan and national policies, as well as discussing the relevance of the submitted evidence.

8. Council's do sometimes use consultants to gain expertise advice on matters however, there is no requirement to do this and ultimately the Council are the decision making body at the application stage.
9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

*Chris Baxter*

INSPECTOR