



## **PLANNING COMMITTEE**

Tuesday 12 April 2022 at 6.00 pm

Council Chamber, Ryedale House, Malton

**For the purpose of public transparency and accountability, the meeting will be live streamed online. Details of how to access the live stream will be made available on the Council's website in due course. For health and safety reasons and in accordance with our risk assessment, members of the public are asked to follow the meeting via this method and cannot attend any physical meeting in person. Members of the public wishing to speak at the meeting will be able to do so remotely and details of how to do this will be provided after registrations to speak are received.**

### **Agenda**

**1 Apologies for absence**

**2 Declarations of Interest**

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

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

**3 Minutes**

(Pages 3 - 8)

**4 Urgent Business**

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

**5 Schedule of Items to be determined by the Committee**

(Pages 9 - 10)

**6 21/00794/73- Forge Cottages, Barugh Lane, Great Barugh, Malton**

(Pages 11 - 29)

- 7 **21/01661/MFUL- Wood House Farm To Acres Lane, Acklam, Malton** (Pages 30 - 54)
- 8 **22/00026/MFUL- Plots 11F To 13H, Malton Enterprise Park, Cherry Farm Close, Malton** (Pages 55 - 77)
- 9 **21/00284/FUL- The Lodge, Goose Track Lane, West Lilling** (Pages 78 - 98)
- 10 **21/00889/73A- 17, 18 And 19 Hillside Way, West Lutton, Malton** (Pages 99 - 112)
- 11 **21/00925/FUL- The Lodge, Goose Track Lane, West Lilling** (Pages 113 - 158)
- 12 **21/01252/FUL- Land At Malton Lane, Allerston, Pickering** (Pages 159 - 183)
- 13 **22/00052/OUT- Land Off Linkfoot Lane Access, Ashdale Road, Helmsley** (Pages 184 - 201)
- 14 **Any Other Business**
- 15 **List of Applications determined under delegated Powers.** (Pages 202 - 209)
- 16 **Appeals** (Pages 210 - 212)

## Planning Committee

---

Held at Council Chamber, Ryedale House, Malton  
Tuesday 15 March 2022

### Present

---

Councillors Paul Andrews (Chair), Bailey, Brackstone, Cleary, Graham (Substitute), Mason, Potter (Vice-Chair), Thackray and Windress

Substitutes: Councillor S M Graham

### In Attendance

---

Niamh Bonner, Alan Goforth, Eleanor Hardie, Alpha Love-Koh and Jill Thompson

### Minutes

---

#### 142 Apologies for absence

Apologies were received from Councillor Mackenzie, Councillor Graham substituted.

#### 143 Declarations of Interest

Councillor	Item
P Andrews	11, 16
Cleary	12, 13

#### 144 Minutes

##### Decision

That the minutes of the Planning Committee held on 18<sup>th</sup> January (reconvened 15<sup>th</sup> February) and meeting 15<sup>th</sup> February be approved and signed as a correct record.

145 **Urgent Business**

Councillor Andrews requested for the Local Plan Working Party minutes to be reported to future Planning Committees which was agreed by Officers

146 **Schedule of Items to be determined by the Committee**

The Service Manager Planning and Development submitted a list (previously circulated) of the applications for planning permission with recommendations thereon

147 **20/00328/FUL - The Basement The Cornmill Railway Street Malton**

**Decision**

**PERMISSION GRANTED** – Conditional Approval as recommended subject to an additional Condition and Informative.

Voting Record  
9 For  
0 Against  
0 Abstentions

148 **21/00963/HOUSE - 10 Hungate Pickering**

**Decision**

**PERMISSION GRANTED** – Conditional Approval as recommended.

Voting Record  
9 For  
0 Against  
0 Abstentions

- 149 **21/01443/MFUL - Fox Hill Touring Caravan And Camping Site Claxton To Harton Lodge Road Claxton Malton**

**Decision**

**PERMISSION GRANTED** – Conditional Approval as recommended.

Voting Record  
9 For  
0 Against  
0 Abstentions

- 150 **21/01496/FUL - Laburnum Cottage West End Sheriff Hutton**

**Decision**

**PERMISSION GRANTED** – Conditional Approval as recommended with the omission of the Condition restricting the number of workshop sessions.

Voting Record  
9 For  
0 Against  
0 Abstentions

- 151 **21/00794/73 - Forge Cottages Barugh Lane Great Barugh Malton**

**Decision**

**DEFERRED** – at Members request to allow the applicant the opportunity to consider scheme viability

Voting Record  
6 For  
3 Against  
0 Abstentions

152 **21/01046/HOUSE - 20 The Mount Malton**

**Decision**

**PERMISSION GRANTED** – Conditional Approval as recommended.

Voting Record

8 For

0 Against

1 Abstentions

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

Councillor Bailey left the meeting 20:12

153 **21/01499/FUL - Dogh Main Street Welburn Malton**

**Decision**

**PERMISSION PART GRANTED/ PART REFUSED** – Part Conditional Approval as Recommended/ Part Refusal subject to a condition to secure a scheme of safety measures associated with the use of the outdoor seating on the service road in consultation with the Local Highway Authority.

Voting Record

6 For

2 Against

0 Abstentions

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

154 **21/01590/73A - Dogh Main Street Welburn Malton**

**Decision**

**PERMISSION GRANTED**– Conditional Approval as recommended subject to an additional condition with regards to delivery hours.

Voting Record  
8 For  
0 Against  
0 Abstentions

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

155 **21/01594/FUL - Becksides Cottage Thorpe Lane Ampleforth**

**Decision**

**PERMISSION GRANTED**– Conditional Approval as recommended.

Voting Record  
7 For  
1 Against  
0 Abstentions

Councillor Brackstone left 21:31

156 **22/00067/HOUSE - 1 Thornton Heights Thornton-Le-Dale Pickering**

**Decision**

**PERMISSION GRANTED**– Conditional Approval as recommended

Voting Record  
7 For  
0 Against  
0 Abstentions

157 **22/00099/HOUSE - 1 Russett Road Malton**

**Decision**

**PERMISSION GRANTED**– Conditional Approval as recommended

Voting Record

7 For

0 Against

0 Abstentions

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

158 **Any other business**

There was no other business.

159 **Future Timetable of Meetings**

Members agreed the time table of meetings.

160 **List of Applications determined under delegated Powers**

The Service Manager Planning and Development submitted for information (previously circulated) a list which gave details of the applications determined by the Service Manager in accordance with the scheme of delegated decision.

**Meeting Closed 21:49**



## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 12/04/22

---

6

**Application No:** 21/00794/73

**Application Site:** Forge Cottages Barugh Lane Great Barugh Malton YO17 6UZ

**Proposal:** Variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow alterations to the internal layouts design of the dwellings and to change one of the single garages to a double garage

---

7

**Application No:** 21/01661/MFUL

**Application Site:** Wood House Farm Wood House Farm To Acres Lane Acklam Malton YO17 9RH

**Proposal:** Demolition of existing silage clamp and replacement of silage clamp with associated works including erection of agricultural shed over silage clamp structure (part retrospective.)

---

8

**Application No:** 22/00026/MFUL

**Application Site:** Plots 11F To 13H Malton Enterprise Park Cherry Farm Close Malton North Yorkshire

**Proposal:** Erection of a building comprising 14no. units for Class E, B2 and B8 Uses together with associated car park and landscaping

---

9

**Application No:** 21/00284/FUL

**Application Site:** The Lodge Goose Track Lane West Lilling YO60 6RR

**Proposal:** Erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights

---

10

**Application No:** 21/00889/73A

**Application Site:** 17, 18 And 19 Hillside Way West Lutton Malton North Yorkshire YO17 8TE

**Proposal:** Variation of condition 01 of planning approval 16/00264/REM dated 10.08.2017 to retain proposed single garages to 17 and 18 Hillside Way, inclusion of rooflights, amendments to access and repositioning of fence to 19 Hillside Way and omission of common parking to the east of no. 19 Hillside Way

---

**APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL**

**PLANNING COMMITTEE - 12/04/22**

---

**11**

**Application No:** 21/00925/FUL

**Application Site:** The Lodge Goose Track Lane West Lilling YO60 6RR

**Proposal:** Erection of 1no. detached six bedroom replacement dwelling

---

**12**

**Application No:** 21/01252/FUL

**Application Site:** Land At Malton Lane Allerston Pickering YO18 7PG

**Proposal:** Change of use and external alterations to agricultural building to form joiner's workshop

---

**13**

**Application No:** 22/00052/OUT

**Application Site:** Land Off Linkfoot Lane Access Ashdale Road Helmsley North Yorkshire

**Proposal:** Erection of 2no. dwellings (site area 0.175ha) - approval sought for access

---

# Agenda Item 6

**Item Number:** 6  
**Application No:** 21/00794/73  
**Parish:** Great & Little Barugh Parish Council  
**Appn. Type:** Material Amendment  
**Applicant:** Mr G Wagstaff  
**Proposal:** Variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow alterations to the internal layouts design of the dwellings and to change one of the single garages to a double garage  
**Location:** Forge Cottages Barugh Lane Great Barugh Malton YO17 6UZ

**Registration Date:** 25 May 2021  
**8/13 Wk Expiry Date:** 20 July 2021  
**Overall Expiry Date:** 14 October 2021  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

### *Initial consultation*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Objection
<b>Yorkshire Water</b>	No response received. Any response received will be reported in the late pages or at the meeting.

### *Re-consultation (re-levelling of the site and confirmation on foul & surface water drainage)*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Objection

### *Re-consultation (reduction in eaves & ridge height and footprint of double garage)*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Comments
<b>Building Conservation Officer</b>	No objection

**Representations (1):** Mrs Janet Hagger (objection)

---

## BACKGROUND:

The application is to be determined by Planning Committee as representations received in response to the consultation exercise have raised objections based on material planning considerations.

## SITE:

The application site is located on the eastern side of Great Barugh on the western side of Barugh Lane within the Development Limits of the village. The site is a mostly rectangular plot with an area of approximately 640m<sup>2</sup> and was previously occupied by a pair of semi-detached dwellings. The site has a frontage width of approximately 38 metres and depth of 18 metres. The site is currently grassland and there is an increase in level of the land of approximately 600mm from the front (east) to the rear (west).

The land immediately to the west of the application site is designated as a Scheduled Ancient Monument referred to in the listing as earthworks at Manor House Farm. The Old Forge (Grade II

listed) is a single storey dwelling to the north of the application site. Hill Brow Cottages are to the south of the site.

The detailed planning history for the site is set out below. The most recent permission (18/00429/FUL) for 2 no. 3 bedroom semi-detached dwellings has lawfully commenced. The approved plan as appended to this report. As currently approved each dwelling would measure 8m in depth, 7m in width, 4.4m to the eaves and 8.1m to the ridge. Each single garage would measure approximately 5.5m by 3m standing 2.2m to the eaves and 3.6m to the ridge. The approved external construction materials comprise clamp brick walls, pantile roofs and timber windows and doors.

Vehicular access is off Barugh Lane to the east. The 'as approved' plans show each dwelling having a single storey garage to the rear corner and parking and turning areas to the sides (north and south). Each dwelling would have gardens to the front and rear (east and west). The boundary treatments comprise 0.6m high hedgerow to the east (front), 1.2m high hedgerow to the southern boundary, 2.2m high hedgerow to the west (rear) and 1.6m high timber fencing to the north.

## **HISTORY:**

21/00728/COND- Discharge of Conditions 03, 04, 05, 06, 07, 13 and 14 of planning approval 18/00429/FUL dated 03/07/2018. APPROVED.

18/00429/FUL- Erection of 2 no. 3 bedroom semi-detached dwellings with detached single garages and formation of vehicular accesses. APPROVED 03.07.2018. Permission/development lawfully commenced.

15/00727/FUL-Erection of 2 no. three bedroom semi-detached dwellings with detached single garages and formation of vehicular accesses. APPROVED 14.07.2016. Expired unimplemented.

07/00081/FUL- Erection of 2 no. three bedroom semi-detached dwelling with parking/turning areas and formation of vehicular access to replace existing dwellings (revised details to refusal 06/01137/FUL dated 11.01.2007). APPROVED 22.03.2007. Expired unimplemented.

06/01137/FUL- Erection of 2 no. three bedroom semi-detached dwellings with parking/turning areas and formation of vehicular accesses to replace existing dwellings. REFUSED 11.01.2007.

## **PROPOSAL:**

Planning permission is sought the variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow alterations to the internal layouts, design of the dwellings and to change one of the single garages to a double garage.

The condition the subject of this application is the approved plans condition.

The proposed changes are as follows:-

- Increase in frontage width of each dwelling by 1.5 metres (8.5 metres)
- A double garage (instead of single garage) to serve the northern dwelling ('House 1') measuring 5.5m by 5.4m standing 2.2m to the eaves and 4.4m to the ridge
- An additional dormer window to front elevation of each dwelling
- Juliet balcony (revised to omit platform) to the rear of each dwelling
- No first floor windows in northern and southern gables end elevations
- Door on front (east) elevation repositioned (centred) for each dwelling
- Foul sewage – previously to public foul sewer now to package treatment plant (no change to surface water arrangements- soakaway)
- Re-levelling of the site- the plans indicate an existing level change of approx. 600mm from the front (east) of the site to the rear (west).

For completeness there are no changes to the following:-

- Number and type of dwellings to be constructed
- Siting and orientation of the dwellings and garages
- Ridge and eaves height of the dwellings
- Gable depth of the dwellings
- Access arrangements and location of parking areas
- Siting and size of single garage to southern dwelling ('House 2')
- External construction materials and finishes
- Number/size/position of rooflights
- Boundary treatments

It should be noted that during the course of processing the application the proposal has been amended in response to Officer concerns and comments raised by consultees and the occupants of the Old Forge.

The planning application initially proposed a larger double garage with dimensions of 6.4m by 5.6m standing 2.8m to the eaves and 5.2m to the ridge. The garage was also to include loft space. The size of the double garage has been reduced to that described above omitting the loft space. In addition the initial drawings which accompanied this application included a rear balcony for each dwelling with platforms projecting approximately 500mm from the west elevation. In response to concerns of potential overlooking/loss of privacy to neighbours the drawings have been amended to show those openings being limited to Juliet balconies (no projecting platform).

#### **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 SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and mix of new housing

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

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

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

#### Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

#### **REPRESENTATIONS:**

An objection has been received from the occupants of The Old Forge to both the initial submission and the subsequent amended plans. The reasons for objection are summarised below:

- The ridge height of the double garage with loft would be higher than the ridge of the Old Forge and would be overbearing and result in loss of light to the garden

- The size of the garage would be out of character and would not in keeping with the Grade II listed Old Forge
- Close proximity of garage and parking area to bedroom window of the Old Forge
- The height of the dwellings would overwhelm the single storey Old Forge
- The dwellings are out of proportion/ not in keeping with surrounding homes
- Construction may increase drainage towards the Old Forge due to change in level
- The erection of the garage may damage the pipework associated with the sewage treatment plant
- The proposed dwellings may overload the sewage treatment plant

In response to the most recent re-consultation the occupants of The Old Forge acknowledge the reduced size and height of the double garage but raise objections stating the following concerns:-

- The impact of excavations on existing soakaways
- The proposed dwellings may overload the sewage treatment plant and detailed design of the entire proposed sewerage/waste removal from the two dwellings is required
- The construction materials to be used will be out of character with the area and not in keeping with the Old Forge a Grade II Listed building
- The balconies shown on the plans appear to be a balcony which projects from the doors and could be sat or stood on giving a full view into our currently private back garden/patio which we consider would be an invasion of our privacy. (N.B. the drawings have since been amended to show balconies as Juliet balconies only)

The Parish Council has also objected to both the initial consultation and subsequent re-consultation in relation to amended plans. The reasons for objection are:

- The scale of the proposed double garage will cause significant loss of light and aspect to the occupants of The Old Forge.
- The proposed dwellings are larger and now 2 metres closer to the boundary with the Old Forge.
- The waste water demands of the proposed dwellings may overwhelm the sewage treatment plant
- The proposed soakaway may not work due to ground conditions

In their most recent response the Parish Council welcome the reduced ridge height and the reduced footprint of the double garage and the confirmation that the balconies will be limited to Juliet balconies. The Parish Council confirm that their main concern remains the sewerage and waste water disposal and request a site meeting with all interested parties.

It should be noted that the above responses also referred to the following matters which are not material planning considerations:

- Agreements in relation to rights of connection to private treatment system.
- Rights of access for inspection and maintenance of drainage systems and boundary fence.
- Communication between neighbours
- The earlier (now expired/unimplemented) planning permissions ref's. 07/00081/FUL & 15/00727/FUL.

## **APPRAISAL:**

### Principle of development

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary the approved plans condition (Condition 16) in order to replace approved plan drawings with amended

versions. It seeks material amendments to the elevations and the footprints of the dwellings and the replacement of one of the approved detached single garages with a detached double garage.

t

The application site is within the development limits of Great Barugh and there is an extant planning permission for residential development at the site that has been lawfully commenced but has not been built out.

The extant planning permission represents a realistic ‘fall-back’ position and is a significant material consideration that weighs in favour of granting planning permission for the proposed development in principle. The extant permission (ref. 18/00429/FUL, dated 03.07.2018) was determined under the current Local Plan Strategy and there has been no material change in circumstances in terms of other development in the vicinity or planning policy. The Local Needs Occupancy condition, which applies to both dwellings, would be carried forward unchanged in compliance with Policies SP2 and SP21.

It is considered that the principle of the proposed development is established and aligns with Policies SP1 and SP2 of the Local Plan Strategy.

#### Design, character and form

As confirmed by the submitted drawings there would be no change to the siting and orientation of the dwellings and garages and no change to the ridge and eaves height and gable depth of the dwellings. In addition the dwellings would be constructed from materials approved as part of the earlier application (extant permission) namely clamp bricks; clay pantiles and painted timber windows.

It is considered that the additional frontage width of the dwellings can be accommodated without unacceptable encroachment on the site boundaries or overdevelopment of the plot. The spacing between the existing and proposed dwellings on both sides of the site is considered to be acceptable and would not detract from the streetscene.

The double garage (previously approved as a single garage) in the north western corner of the site has given rise to concern from the neighbour to the north and also the Parish Council. In response the footprint and height of the double garage has been reduced which has been welcomed by the neighbour and the Parish Council. The eaves have been lowered to that of the single garage and the apex is 800mm higher than that previously approved. The length of the garage is unchanged from that previously approved. The low eaves and pitched roof combine to reduce the overall bulk and dominance of the double garage. The eaves and ridge height of the double garage sit comfortably below those of the single storey dwelling (The Old Forge) to the north and when combined with its siting to the rear of the plot it is considered that the additional built form would not be visually intrusive or disrupt the existing building hierarchy in the locality.

The number, arrangement, proportions and detailing for window and door openings in the front and rear elevations (as amended) are sympathetic and unify the appearance of the dwellings allowing for an appropriate level of symmetry.

Overall the scale and nature of the material amendments result in a development which is not substantially different from the one which has been approved and the proposed development can be accommodated within the plot without adversely affecting neighbouring buildings, the streetscene or the character of the settlement. In light of this it is considered that the development complies with Policies SP16 and SP20.

#### Residential amenity

The only change to the dimension of the dwellings is the frontage width (additional 1.5 metres for each dwelling). As a result the dwellings would be closer to the northern and southern boundaries. This has been raised as a concern by the neighbour and Parish Council. At its closest point the northern dwelling (‘House 1’) would be approximately 18 metres from the Old Forge and 6.8m from the boundary which is considered to be an acceptable separation distance.

The siting of the garage to serve the northern dwelling ('House 1') is unchanged and it would be positioned adjacent to the northern boundary shared with the Old Forge.

The applicant proposes to level the site, as currently the rear of the site is approximately 600mm higher than the front. The occupant of the Old Forge previously raised concerns that the double garage would sit higher than their house and result in an overbearing impact and also loss of light to external areas.

In response to the concerns raised the applicant has revised the plans to show a reduction in the eaves and ridge height of the double garage. The eaves now match those of the single garage (2.2 metres) and the ridge height is 4.4 metres which is 800mm lower than the initial proposal. The ridge height is 800mm higher than that of the single garage. The footprint has also been reduced.

Overall, taking account of the pitched roof of the double garage and the unchanged eaves height, it is considered that the building dimensions and apex height (as amended) would not result in materially greater impact than previously approved in relation to overbearing impact or loss of light to the Old Forge.

The occupant of the Old Forge also raised potential overlooking/loss of privacy concern in relation to the balconies off the rear elevation which included platforms. In response the plan have been revised to confirm the openings as Juliet balconies only (no platform and inward opening doors) and, in the interest of amenity, this shall be secured by planning condition. There would be no material increase in overlooking from previously approved.

It is considered that due to the separation distances between the proposed new dwellings and the neighbouring Hill Brow Cottages to the south the development will not have a material adverse impact upon neighbouring amenity.

In order to further protect residential amenity and also ensure no overdevelopment of the plots conditions are considered necessary to remove permitted development rights and also to prevent any further windows openings. Furthermore a condition shall be imposed to require a Construction Management Plan for the construction phase to ensure works can proceed without disturbance to occupants of the neighbouring properties on either side of the site.

Overall, it is considered that the proposed buildings, as amended, would not result in unacceptable impacts on living conditions of neighbours and the proposed development therefore complies with the relevant part of Policy SP20.

#### Heritage impacts

The application site is within the setting of the Old Forge which is a Grade II listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority, when considering whether to grant planning permission for development which affects a listed building or its setting, has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Building Conservation Officer has been consulted on the application and has considered the amendments to the scheme specifically the proposed double garage nearest the listed building. In addition to the reduced height and dimensions the revised plans also removed the ridge line feature which gave a fussy appearance to the garage. The Building Conservation Officer is satisfied with the revised drawings and has raised no objections. It is considered that the proposed development would not result in harm to the setting of the listed building and complies with Policy SP12 and the NPPF.

The field immediately to the west of the application site is a Scheduled Ancient Monument, known as Earthworks at Manor House Farm, Great Barugh (National Heritage List for England reference 1003686). Historic England has previously stated that these archaeological remains are of national importance and it is likely that archaeologically remains relating to the scheduled site will extend in to the area of the proposed development. These remains are likely to be Medieval and may also include



earlier Roman archaeology. The Historic Environment Team at NYCC has previously advised that a scheme of archaeological mitigation recording is undertaken in response to the ground-disturbing works associated with this development.

The LPA consulted the County Archaeologist in relation to an Archaeological Written Scheme of Investigation submitted under the terms of the relevant planning condition on the extant permission. The scheme was subsequently approved and shall be the subject of a condition brought forward on any permission granted to require compliance with the scheme throughout the construction phase followed by appropriate analyses, reporting and archive preparation.

### Highway safety

The proposed site layout continues to make sufficient provision for onsite parking and turning. The Local Highway Authority has no objections and the previous conditions will be carried forward but amended to reflect details approved under condition. The development would not result in conditions detrimental to highway safety and complies with Policy SP20.

### Drainage

The approved scheme directed foul drainage to the mains public sewer. However, the public sewer serving the village does not extend to the dwellings along the western side of Barugh Lane. It is now proposed that the foul drainage from the new dwellings is directed to the package treatment plant on neighbouring land which the applicant states was installed to serve the three dwellings (Old Forge and the 2no. new builds the subject of the extant permission and current application). There would be no change to surface water arrangements which would utilise a soakaway system as shown on the proposed site plan.

The foul drainage arrangements relate to a private system. Any responsibilities, rights or legal agreements in relation to connection and access for inspection and maintenance of the sewage treatment system are civil matters between the two parties.

In terms of surface and groundwater sensitivity the application site is not within or adjacent to any environmentally sensitive receptors or designations or groundwater source protection zones (SPZs). An Environmental Permit will not be required in this instance and the applicant has confirmed that the foul drainage arrangements will meet the requirements of the Environment Agency's 'general binding rules' for small sewage discharge to the ground.

The foul drainage discharge would also require the necessary building regulations approval. Any permission granted would include the standard conditions to control and approve the drainage arrangements as the development progresses. Yorkshire Water have been consulted and any response will be reported in the late pages or at the Planning Committee meeting.

It is considered that subject to conditions satisfactory surface water and foul drainage arrangements can be implemented to serve the proposed dwellings without risk of pollution in compliance with Policy SP17.

### Conditions

Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. For the purpose of clarity the conditions imposed on the earlier approval continue to have an effect and are relevant and as a result are carried forward taking account of details submitted under the terms of condition which have been deemed acceptable.

### Conclusion

The site is within the development limits of the village and there is an extant and part implemented

permission for housing development on the land. The proposed development, as amended, would result in a housing development sympathetic to the character and appearance of the village. The layout, siting and appearance of the proposed development is not fundamentally different to that covered by the extant permission. There is no change to the number, siting, type or scale of dwellings proposed and there would be no adverse impacts on neighbours which cannot be controlled by conditions.

There are no insurmountable issues in respect of drainage and no objections have been raised in respect of highways or heritage matters.

The development of this partially progressed site for residential purposes is supported and would make a modest contribution towards local housing supply in the area. This benefit weighs in favour of the approving the application.

It is considered that the proposal is acceptable and the recommendation to Members is one of conditional approval.

**RECOMMENDATION:**                      **Approval** subject to no objections being raised by Yorkshire Water

1            The dwellings hereby approved shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:

- Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
- Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving military service; or
- Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason: To satisfy the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

2            Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, further details of finished floor levels of the buildings in relation to a measurable datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels details and site re-levelling works shall be completed prior to aboveground construction.

Reason: In the interests of amenity and to ensure a satisfactory appearance of the development and to accord with Policies SP16 and SP20 of the Local Plan Strategy.

- 3 Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Details of site working hours;
2. Measures to control construction noise; and
3. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in compliance with Policy SP20.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, the external construction materials shall be in accordance with the details approved under application ref. 21/00728/COND.

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

- 5 Unless otherwise agreed in writing with the Local Planning Authority, all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be in accordance with the details approved under application ref. 21/00728/COND.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Unless otherwise agreed in writing with the Local Planning Authority, all means of enclosure, including hedging shall be in accordance with the details approved under application ref. 21/00728/COND. Thereafter these shall be erected/planted prior to the occupation of any dwelling to which they relate.

Reason: To ensure that the development does not prejudice the appearance of the locality and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 The 2no. balconies as shown on the elevation drawing (Rev D, dated 24.02.2022) hereby approved shall be limited to Juliet balconies only (no platform & inward opening doors).

Reason: In the interests of amenity and to ensure that the appearance of the buildings are not prejudiced in accordance with Policies SP16 and SP20.

- 8 Unless otherwise agreed in writing with the Local Planning Authority, the development shall proceed in accordance with the programme of archaeological works set out in the written scheme of investigation approved under application ref. 21/00728/COND. No development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF as the site is of archaeological interest.

- 9 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Policy SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF as the site is of archaeological interest.

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

(ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the details approved under application ref. 21/00728/COND and/or Standard Detail number E50 Rev A.

(vi) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

- 11 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility to the extremities of the application site frontage in both directions along the major road of Barugh Lane from a point measured 2.4 metres down the centre line of the access road serving each dwelling. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purposes at all times.

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

- 12 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number WAG/371/02/101 Rev D, dated 24.02.2022 for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

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

- 13 Unless otherwise agreed in writing with the Local Planning Authority, the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways shall be in accordance with the details approved under application ref. 21/00728/COND. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

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

safety.

- 14 Unless otherwise agreed in writing with the Local Planning Authority, the contractors on-site parking and materials storage areas shall be in accordance with the details approved under application ref. 21/00728/COND. The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

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

- 15 Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, details of the proposed means of disposal of foul and surface water drainage, including details of any off-site works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be properly drained and to satisfy the requirements of Policy SP17.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the dwellings, all surface water discharge shall be dealt with as follows:

1) The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology. If soakaways are feasible, surface water shall be directed to a soakaway in accordance with the British Standard requirements to the satisfaction of the approved Building Control Inspector.

If soakaways are not feasible, the prior written approval of the Local Planning Authority for an alternative means of surface water disposal must be sought with any approved scheme to be installed prior to the occupation of the dwellings.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

- 17 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to completion of approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved works for disposal and treatment of sewage to the satisfaction of the approved Building Control Inspector.

Reason: To ensure that the development is properly drained and no foul or surface water discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policy SP17.

- 18 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls, doors or roof of the dwelling or garages hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: In the interests of amenity and to ensure that the appearance of the buildings are not prejudiced by the introduction of unacceptable materials and/or structure(s) in accordance with Policies SP16 and SP20.

- 19 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any Order revoking, re-enacting or amending that Order), the garages shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In accordance with Policy SP20 of the Ryedale Local Plan and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

- 20 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Reason: To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s), and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 21 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing & Proposed Drawings- Plans, Elevations, Block & Location Plans, ref. WAG/371/02/101, Rev D, dated 24.02.2022.

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

**From:** Paul Nicholas  
**Sent:** 30 March 2022 09:25  
**To:** Alan Goforth  
**Subject:** RE: 21/00794/73 - Forge Cottages, Great Barugh

Good morning Alan

The applicant has got back to me and they would like to proceed as is, without requesting the removal of the local occupancy clause.

Please can you confirm that the application will be on the agenda for the next committee meeting.

I look forward to hearing back from you.

Regards

**Paul Nicholas**  
Architectural Technician





Great and Little Barugh Parish Council

Draft response to Planning Application No. 21/00794/73 Mr Wagstaff

To Alan Goforth

[alan.goforth@ryedale.gov.uk](mailto:alan.goforth@ryedale.gov.uk)

[development.planning@ryedale.gov.uk](mailto:development.planning@ryedale.gov.uk)

Dear Alan,

Our Parish Council met last night to consider the latest amendments to the above application and our response is as follows:

- We welcome the reduced ridge height and the reduced footprint of the double garage.
- We welcome the clarification regarding the balconies, which are to be Juliet balconies, but we are concerned that in the drawing the original outline for the previous overhanging balconies is still evident as a faint outline. We would like to know why this is.
- Our biggest concern is still the sewerage and waste water disposal. The Parish Council wish to reiterate our previous response in October. We note that the drawings show that the existing manhole and pipework will be capped with the soakaway for the Old Forge being covered by the new garage building. The drawings show that the sewage and waste water from the Old Forge and the two new properties will all be linked to the existing Klargester treatment plant.

The Klargester plant is 16 years old and was installed to deal with waste from 12 people. The original plans were for 2no two-bedroom cottages. We now have 2 buildings that are more akin to town houses with a total of 8 toilets, 4 showers, 2 baths, and 12 sinks.

The new soakaway would not cope with such a large amount of water; the site is on clay with a very high-water table.

We would question as to whether a site survey of the water table has been undertaken to ascertain how quickly or if, water will drain away at a fast enough rate to prevent flooding?

The existing Klargester plant is clearly not suitable to deal with the sewage and waste water from the proposed buildings along with the Old Forge. We ask the question, where would a treatment plant and soakaway be sited that would cope with the waste from all 3 buildings?

Of great importance; Mr and Mrs R Hagger, the owners of the Old Forge, have never been contacted to gain permission to have access and use of their Klargester plant.

We feel there has been a lack of communication with the neighbours, Mr and Mrs Hagger and a lack of information/clarification on the detail of how the sewage will be dealt with. We therefore respectfully request that a site visit be arranged with Building Control, Planning, the Architect, Drainage Engineer, Mr Richard Hagger and Great and Little Barugh Parish Council at the earliest possible date.

We look forward to hearing from you and do not consider that this application is at a stage where it could be passed.

Yours sincerely,

Susan Gough

Clerk, Great and Little Barugh Parish Council.

From: sue.l.gough

Sent: 16 June 2021 13:59

To: Alan Goforth

Cc: Sarah Houlston

Subject: Planning Application No: 21/00794/73

Dear Alan,

Please find attached the objection to this application, with our reasons.

I would very much appreciate it if you would acknowledge receipt of this information for my own peace of mind.

Best wishes,

Susan Gough

Acting Clerk and Councillor

Great and Little Barugh Parish Council

Great and Little Barugh Parish Council

**Response to Planning Application No: 21/00794/73, Mr G Wagstaff**

FAO Alan Goforth, Planning department, RDC

According to our records, planning documents for this site were first submitted in 2007, with modifications following in 2015, 2018 and 2021.

The current application states it is, "Variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow for alterations to the internal layouts design of the dwellings and to change one of the single garages to a double garage with loft space".

The first application of 2007 was for 2no. semi-detached houses with no garage, just a simple turning space. The revised application of 2015 included an attic bedroom, 2 single garages and 4 dormer windows on each house.

After a lengthy discussion regarding this application at our meeting of Tuesday 12<sup>th</sup> October 2021, the council would wish to raise the following points:

- There is no proper, planned evidence for the disposal of sewage or waste water in this plan. The owner of The Old Forge, which adjoins the site, Mr Richard Hagger has a Klargestor sewage treatment plant which is in the corner of his property and pumps out clean water onto land at the rear. No proper approach has been made to him regarding the use of this, nor would this be satisfactory because the stated 4 WCs in each of the proposed new builds would simply overwhelm Mr Hagger's system.

It would appear that, from the notes on the supplied drawing concerning use of the Klargestor and from the lack of detail in any drawings for the proposed development, that a drainage engineer has yet to be consulted. This is a significant omission as whilst the Parish Council would need expert advice on possible solutions, the lack of evidence that a solution has been considered leads us to believe that it is a significant risk in this proposal. We also believe a pumped sewer would be required to reach the sewer in Great Barugh from the proposed development.

This council fears that assumptions have been made regarding sewage treatment without any proper planning or discussions having taken place.

We would refer the planning officers back to the Council's original response in 2007 regarding sewage disposal for Great Barugh and the difficulties experienced by residents.

- The plan does appear to indicate that the existing soakaway attached to Mr Hagger's Klargestor would be removed with a run to the front of the proposed properties, turning west and ending in a new soakaway to the rear of the southern property. Any removal of Mr Hagger's soakaway could stop toilets and sewage treatment for The Old Forge from working.
- A soakaway as proposed would, in our view, quite possibly not work. The land is heavy clay and the proposed soakaway would need to be at considerable depth in order to achieve the required falls of the considerable distance proposed. We would require expert drainage opinion but our concern is that such a soakaway could back up

causing localised flooding and ultimately could back up through the waste systems of both the Old Forge and the proposed properties.

- The double garage and its proximity to the boundary of The Old Forge is unacceptable, given the access Mr Hagger needs to maintain his boundary fence and pipeworks. The height of this proposed building will impact severely on available sunlight into Mr Hagger's garden. This height is not necessary unless the roof space is planned to be an office or living accommodation, the staircase would indicate this. Normal storage spaces in roofs do not require staircases.
- The ridge line of the buildings may need to be higher than in original plans to enable full use as living space. This added to the fact that the property is now c. 2m closer to the northern boundary will impact The Old Forge property and the occupant's enjoyment of it. There are now 2 additional dormer windows totalling 6 at the front. The Juliet balconies to the rear have not been included outline of the amendments. To suggest the application is for internal alterations appears disingenuous in light of these significant external changes.
- We have reviewed the current application and the previous application 18/00429/FUL. The footprint of the proposed building appears to be considerably larger. Scaling from the drawing would suggest an increase in frontage of c. 4m. This is hardly 'internal changes'. The 2018 renewal states that both dwellings would measure 8m in depth, 7m in width, 4.4m to the eaves and 8m to the ridge.
- The scales on the drawings appear to be inconsistent. The 'streetscape' is designated as 1:200, the elevations 1:100, yet the height of the building measured on the drawing is the same. This does not encourage us to have confidence in the drawings supplied.

We would welcome clarification on the points we have raised regarding this application. On the basis of our concerns, outlined above, Great and Little Barugh Parish Council object to this application.

Susan Gough  
Clerk, Great and Little Barugh Parish Council.

# Agenda Item 7

**Item Number:** 7  
**Application No:** 21/01661/MFUL  
**Parish:** Acklam Parish Meeting  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Inman (R Inman & Sons)  
**Proposal:** Demolition of existing silage clamp and replacement of silage clamp with associated works including erection of agricultural shed over silage clamp structure (part retrospective.)  
**Location:** Wood House Farm Wood House Farm To Acres Lane Acklam Malton YO17 9RH

**Registration Date:** 11 January 2022  
**8/13 Wk Expiry Date:** 12 April 2022  
**Overall Expiry Date:** 13 April 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

<b>Environmental Health</b>	No objection
<b>Highways North Yorkshire</b>	No objection
<b>Acklam Parish</b>	
<b>Public Rights Of Way</b>	
<b>Flood Risk</b>	Comments
<b>Representations:</b>	

---

## SITE:

Wood House farm is an existing long established farmstead, located to the west of Acklam farmed by R Inman and Sons. The site by virtue of its position outside of Development Limits is located within the wider open countryside, as defined in The Ryedale Local Plan and it also falls within an Area of High Landscape Value.

It had previously been confirmed as part of an application considered in 2021 that that the farm comprises at least 700 acres, this includes 400 acres of owner occupied land and a further 300 acres which is farmed on agricultural tenancies.

The Design and Access Statement confirms that they are currently milking 340 cows.

## PROPOSAL:

This application seeks permission for the demolition of existing silage clamp and replacement of silage clamp with associated works including erection of agricultural shed over silage clamp structure (part retrospective.

This was updated following a site visit, the original proposal related to a building to cover (and an extension to) the existing silage clamp. During the visit it was noted that the existing silage clamp had been removed. However previous photographs, including those provided by the Agent and those available to the Case Officer from previous site visits illustrate that this silage clamp was historically open to the elements, covered with what appears to be tarpaulin and tyres.

The Applicant had advised the Case Officer during the site visit that the removal of the silage clamp was

undertaken following advice from a Natural England Officer who confirmed that the existing structure would require replacement due to its age and form. The Agent latterly confirmed in an email dated 10th March *“I believe the clamp was removed over the last two weeks. Rebuilding the clamp will result in a higher quality silage storage solution.”* The design and access statement notes *“They are currently milking approximately 340 cows which are mainly New Zealand Friesians. New Zealand Friesians thrive on a grass based diet and accordingly over the winter months, high quality silage is essential to ensure a healthy herd and high quality milk....In order to provide feed for the winter months, the applicants harvest a substantial amount of silage. The proposed shed will help ensure high quality and longer lasting silage. The higher quality fodder the dairy cows consume, the higher quality the milk that they produce.”*

The building over the new silage clamp would incorporate an ‘L’ shaped form. The larger section would span 54.8m from east to west x 13.85m from north to south. The smaller section directly to the north would span 36.6m from east to west x 13.55m from north to south. The eastern elevation which would span the two sections would therefore have a total span of 27.4m. The two sections would each have a pitched roof form, creating a dual pitch building. This would include a maximum height of 9.2m and an eaves height of 7.72m. Concrete panels would be present at the base to a height of 4.2m, with Yorkshire boarding above. The roof would be completed with graphite profiled fibre cement sheets. The plans indicate that solar panels would be positioned on the southern roof slope.

This would span approximately 10.5m further westwards than the new agricultural building to the south/south east. The building would also be surrounded by agricultural buildings to the north/north west and north/north east with agricultural land to the west.

It is noted that due to the revised description and the new site and press notices, the publicity will expire on the 13th April at midnight. Therefore members are asked to delegate final determination of this application to the Planning and Development Manager following review of any further consultation responses. To date, no third parties have made any comments. Further consultation is ongoing with the Lead Local Flood Authority which will be detailed below.

This is before Members of Planning Committee solely due to the scale of the development.

#### **POLICY:**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy  
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

#### **HISTORY:**

The site has a lengthy site history, but the most relevant applications are considered to be the following:

91/00329/OLD: 3/1/41/FA Erection of a dutch barn and lean-to. Approved 06.06.91  
94/00339/OLD: 3/1/41A/FA Erection of a foldyard shed. Approved 11.07.94  
96/00221/OLD: 3/1/41B/FA Erection of milking parlour, dairy & collecting yard. Approved 15.10.96  
97/00149/FUL: Erection of a steel frame agricultural livestock building. Approved.  
04/01056/FUL: Erection of circular slurry store. Approved.  
06/00582/FUL: Construction of 500,000 litre capacity earth banked slurry lagoon with safety fencing. Approved.  
10/00625/FUL: Erection of roof covering over cattle feeding yard. Approved.  
21/00452/MFUL: Erection of agricultural building for dairy cubicle housing. Approved

## APPRAISAL:

The main considerations within the determination of this application are:

- i. The principle of development
- ii. Character, Form and Impact upon Area of High Landscape Value
- iii. Impact upon Amenity
- iv. Drainage
- v. Other matters, including consultation responses.

### i. The Principle of Development

Policy SP1 (General Location of Development and Settlement Hierarchy) notes that in all other villages, hamlets and in the open countryside development will be restricted to that 'which is necessary to support a sustainable, vibrant and healthy rural economy and communities.'

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy is supportive of new buildings that are necessary to support land-based activity and a working countryside, including farming. Furthermore the National Planning Policy Framework is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

In this instance given that this is an existing and established farm, the principle of new buildings and replacement structures to support the agricultural activity is acceptable in principle. The supporting information notes the replacement silage clamp and new building to cover this will help support the business and will serve to improve the standards at Wood Farm which consequently will improve the welfare of the herd.

This proposal is therefore considered to be in accordance with Policy SP9 of the Ryedale Plan, Local Plan Strategy, subject to the assessment of the other identified main considerations.

### ii. Character, Form and Impact upon Area of High Landscape Value

The proposed agricultural building is well located within the farmstead, it would be adjoined by development to the north/north west, east/north east and south/south east so consequently would appear strongly grouped and not isolated.

The development site is located within an Area of High Landscape Value. Policy SP13 Landscapes, of the Ryedale Plan - Local Plan Strategy seeks to protect both national and locally designated landscapes. It states that *"The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities."*

This protection does however need to be balanced against the support for the land based economy contained within Policy SP9 of the Ryedale Plan - Local Plan Strategy. The farm is located in a slightly elevated position when viewed from the main road, located approximately 150 metres to the south. However, the closely grouped nature of buildings and distance from public views, together with strong landscaping along the highway would mean that where occasional views of the proposed buildings could be obtained, they would be seen in the context of the existing farmstead, grouped with existing buildings. Furthermore, in this area of the Wider Open Countryside, the land is characterised by intermittent farmsteads with a variety of agricultural buildings.

Following a site visit, it is not considered appropriate to seek the use of anthracite grey roof sheets in this instance, which is a common approach undertaken within farm developments in the Area of High Landscape Value. It is considered that the proposed continued use of graphite cement fibre roof sheets would provide a visual continuity of development in this farmstead and may help the building to



assimilate from wider views.

It is therefore considered that the proposed building is acceptable and will not detract from the character of the locality or the Area of High Landscape Value. It is considered that the proposal satisfies the requirements of Policy SP13 (Landscapes) SP16 (Design) and SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

### iii. Impact upon Amenity

The application site is in an area of open countryside, to the west of the village of Acklam. The nearest dwelling (in separate ownership) is Nether Garth, located approximately 233 metres south east of the proposed new building on the western edge of the village on Main Street. The other nearest properties are those located also located along Main Street. Acklam Lodge the nearest residential property, located to the west at a distance of approximately 440 metres.

These distances are considered to be significant and it is considered that any surrounding residential properties are unlikely to be materially affected by the proposed new building within this long established farmyard which will essentially provide a covered silage clamp. This is considered to be an improvement upon the existing arrangement.

The Council's Environmental Health Officer has confirmed no objection.

### iv. Drainage

The proposed building is larger than the original silage clamp (by approximately 317 square metres) and the Lead Local Flood Authority have been consulted on this application. It was not considered appropriate to consult any drainage boards as this falls outside the designated board controlled area. It was also not appropriate to consult the Environment Agency on this application.

The Lead Local Flood Authority have requested additional information in an email dated 30th March, where they noted: *"The existing drainage features are unknown, and it is unknown if these currently discharge to soakaways or nearby water features. No drawings have been provided to show what the proposed features are associated with existing drainage features or require new drainage connections. A Drainage Strategy is required to determine how the existing site drainage functions and how the proposals will be incorporated and formally drained."*

The Agent had confirmed on the 10th March 2022 that *"Effluent will be reduced by not allowing rain water onto the silage. The new clamp will be stronger and have less chance of run off. Effluent will be directed to the slurry lagoon. Surface water will be harvested for dairy use – washdown etc in due course."* The Agent further confirmed on the 31st March *"The Inmans intend to harvest surface water from the proposed development for use on the farm. Any surplus surface water will go through the existing field drainage system. It is worth bearing in mind that the existing surface water run off from the clamp is not harvested so the proposals represent a net betterment."*

Following review of this, the LLFA continued to request the full suite of information and Members will be updated on the progress of this point when an update is available. However it is noted that broadly, this does present a significant improvement upon the historic silage storage which does not incorporate surface water runoff provision.

### v. Other Matters, including consultation responses

The Parish Council have not responded to the scheme. No further third party representations have been made to date. As noted the formal consultation period runs until the 13th April 2022 and Members will be updated of any further response at the meeting.

North Yorkshire Highways have confirmed no objection to the proposed development.

It is therefore considered that this proposal, subject to the recommended conditions will satisfy the relevant policy criteria outlined within Policies SP1, SP9, SP13, SP16, SP17 and SP20 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework and Members are asked to delegate the final decision to the Planning and Development Manager, for approval pending conclusion of the publicity period and satisfaction of the Lead Local Flood Authority.

**RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be begun on or before .

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

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

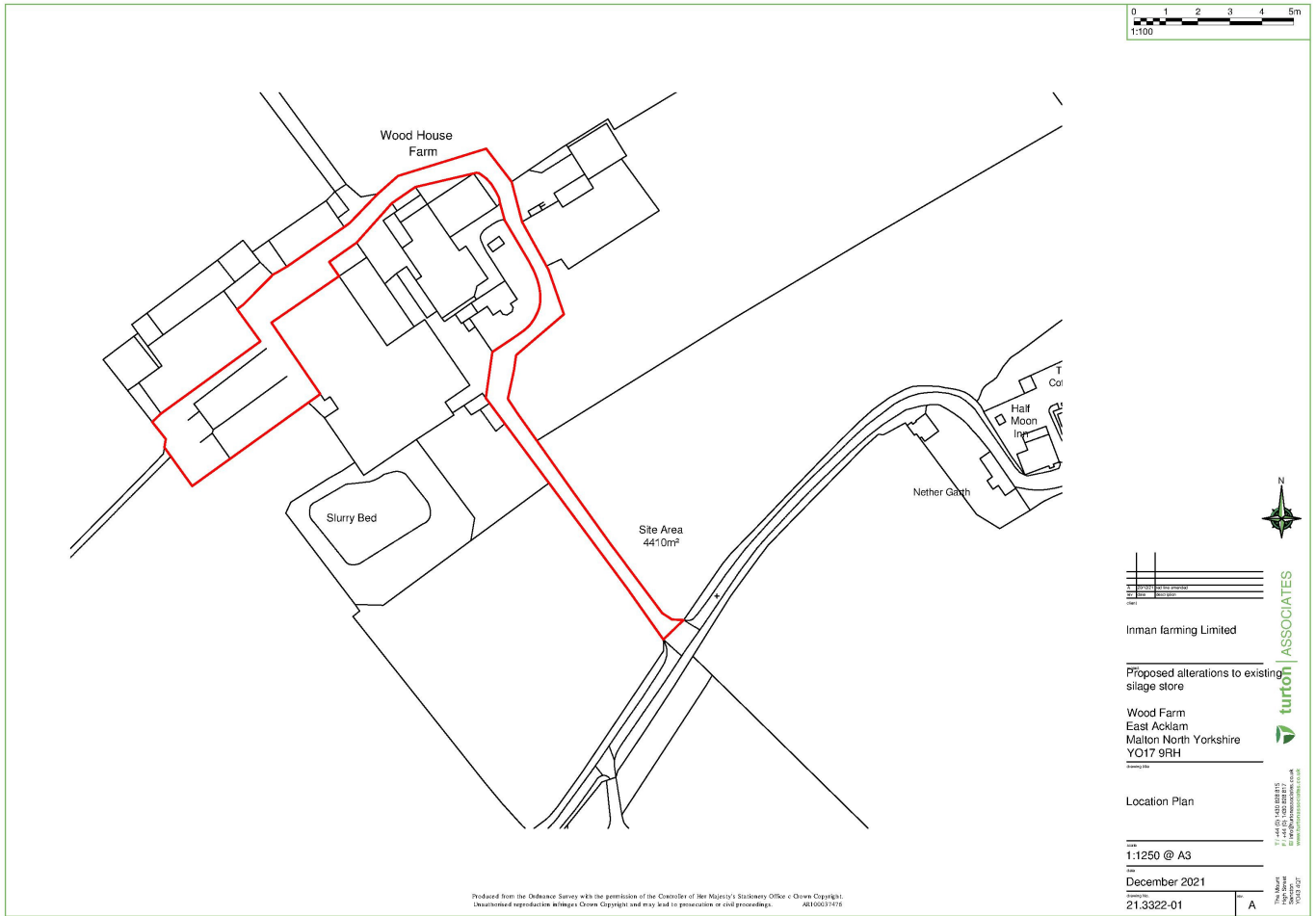
Site Location Plan (Drawing no. 21.3322-01 Rev A)

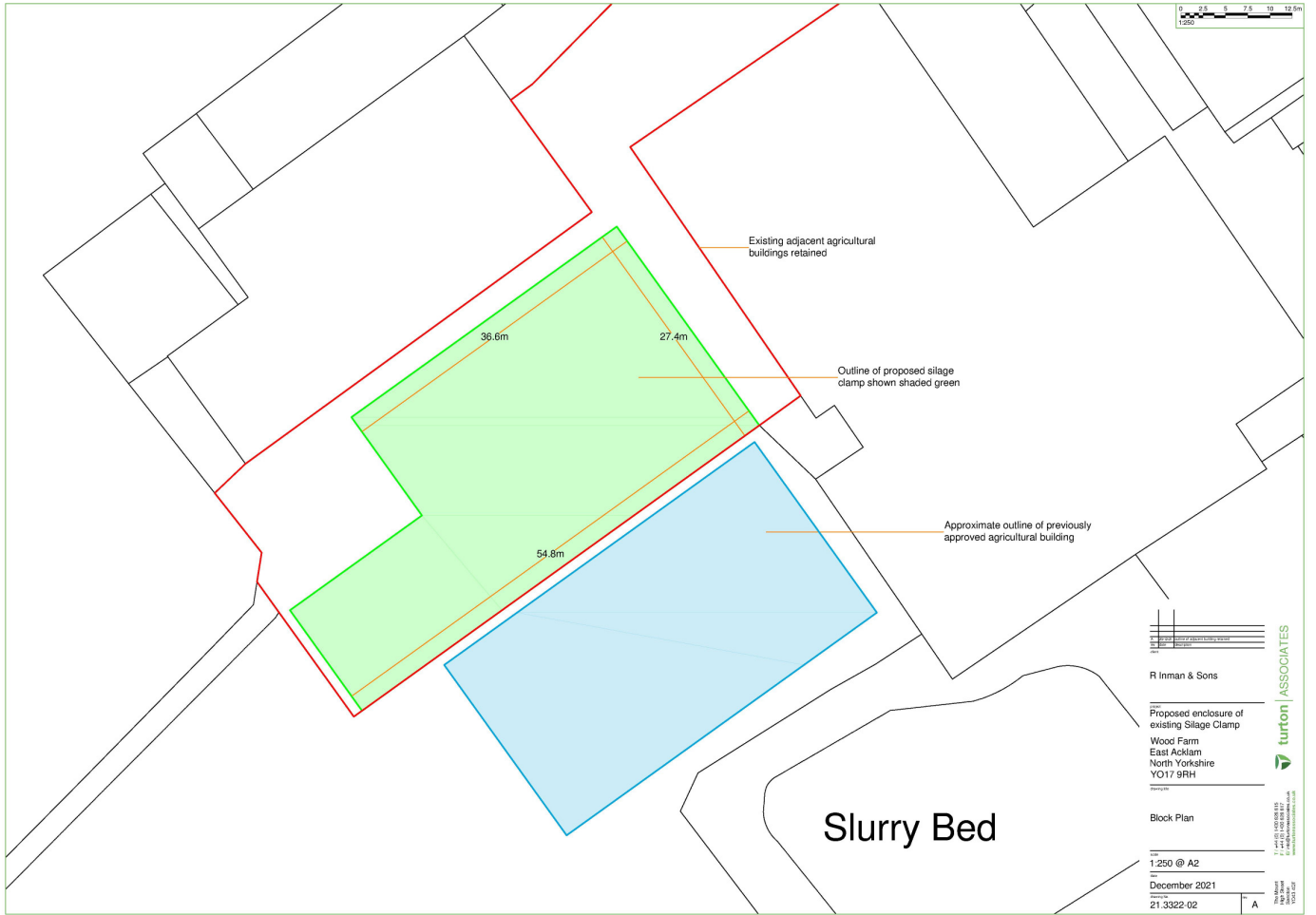
Proposed Block Plan (Drawing no. 21.3322.02 Rev A)

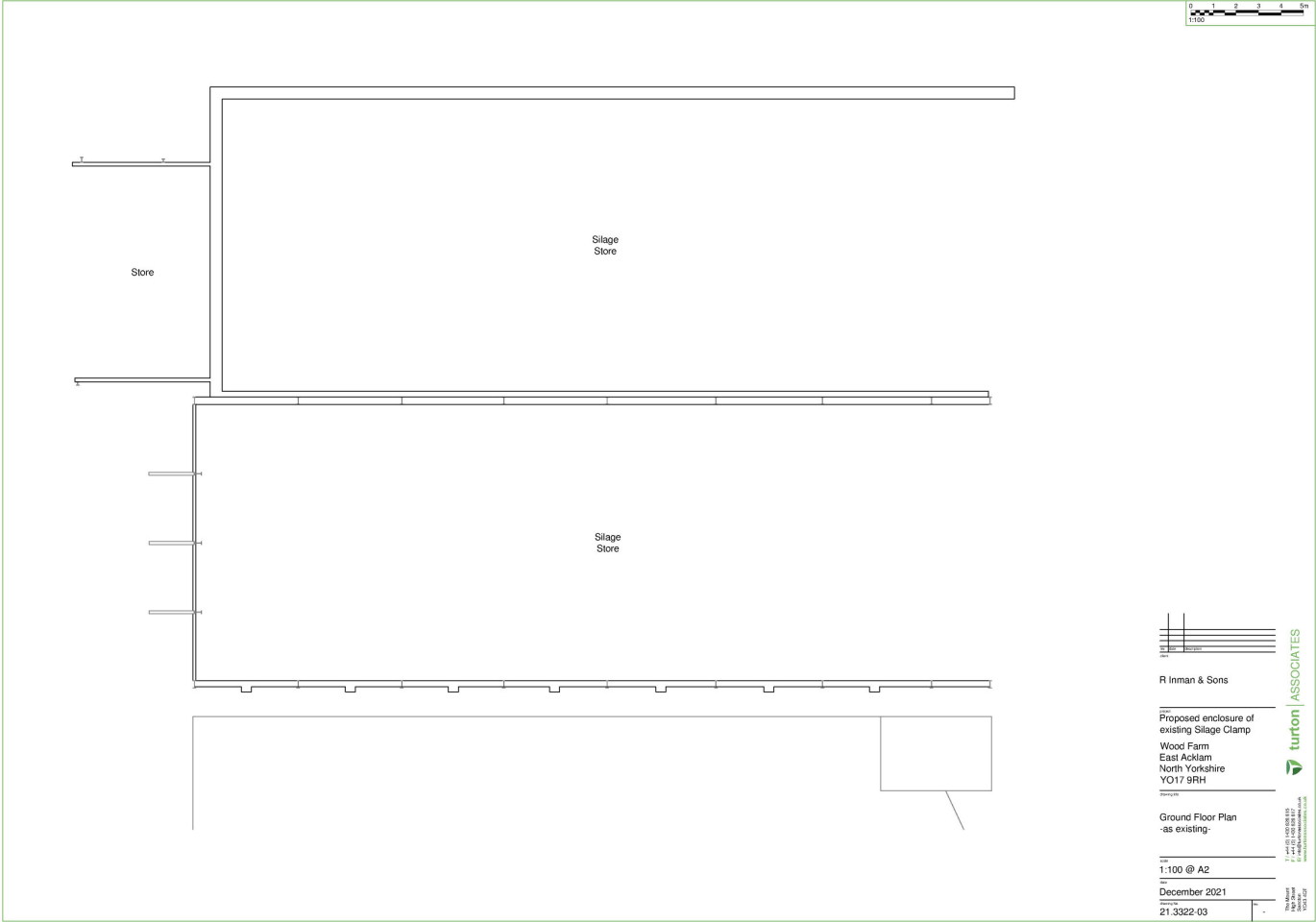
Elevations As Proposed (Drawing no. 21.3322.06 Rev B)

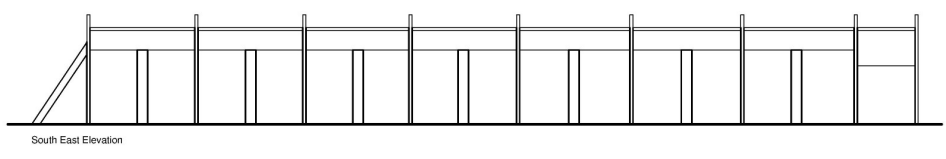
Ground Floor Plan As Proposed (Drawing no. 21.3322.05 Rev A)

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

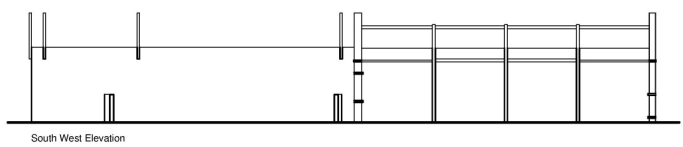




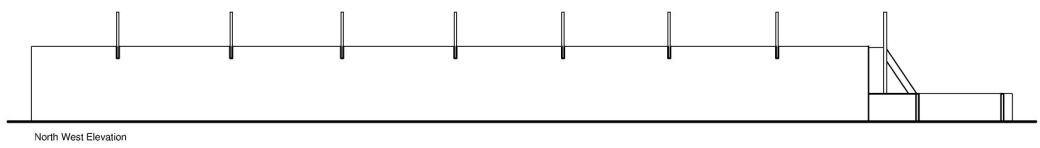




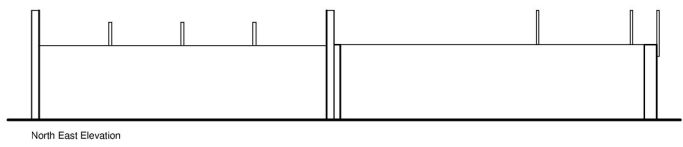
South East Elevation



South West Elevation



North West Elevation



North East Elevation



R Inman & Sons

Proposed enclosure of  
existing Silage Clamp  
Wood Farm  
East Acklam  
North Yorkshire  
YO17 9RH



Elevations - as existing

1:100 @ A2

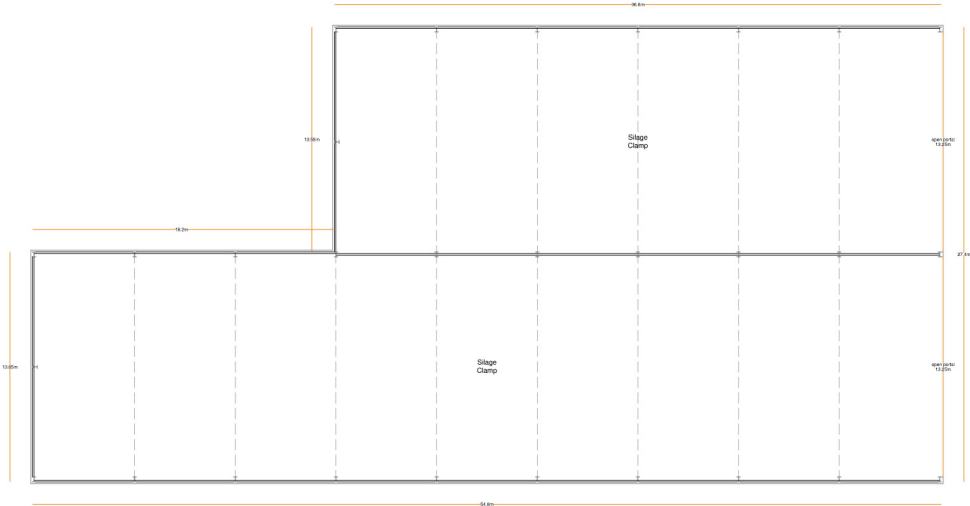
December 2021

21.3322-04

Architect  
R Inman & Sons  
100-102 The Arcade  
Leeds LS1 6PL  
Yorkshire  
YO1 1AA



THIS COPY HAS BEEN MADE BY OR UNDER THE AUTHORITY OF THE ORIGINAL PROJECT CONSULTANT AND IS NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE. ANY REPRODUCTION OR ALTERATION OF THIS COPY MUST BE APPROVED BY THE PROJECT CONSULTANT. THE PROJECT CONSULTANT ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THIS COPY.



1	Proposed enclosure of existing Silage Clamp
2	Ground Floor Plan
3	As proposed

R Inman & Sons

Proposed enclosure of existing Silage Clamp  
 Wood Farm  
 East Acklam  
 North Yorkshire  
 YO17 9RH

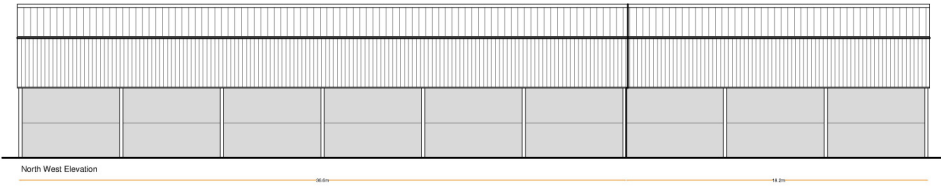
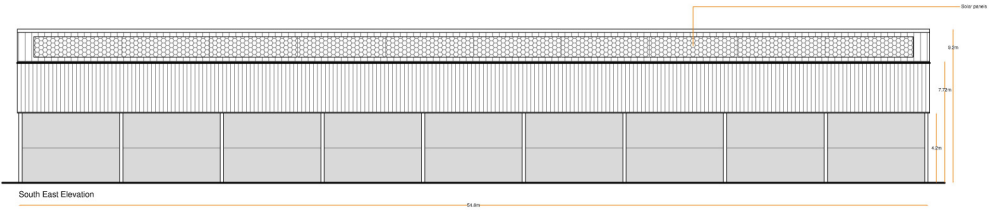
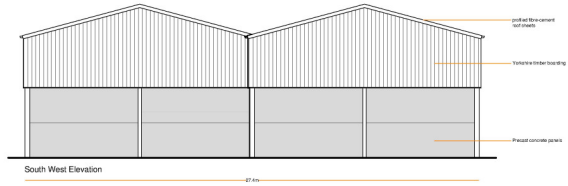
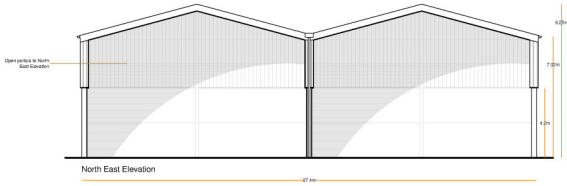
turton ASSOCIATES

Ground Floor Plan  
 -as proposed-

Scale: 1:100 @ A1  
 Date: December 2021  
 Drawing No: 21.3322-05

21.3322-05  
 Proposed enclosure of existing Silage Clamp  
 Ground Floor Plan  
 -as proposed-  
 December 2021

THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RUSSELL DISTRICT COUNCIL PURSUANT TO SECTION 47 OF THE COPYRIGHT ACTS 1988 AND SHOULD NOT 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 EXPRESS PERMISSION OF THE COPYRIGHT OWNER.



1	Proposed enclosure of existing Silage Clamp
2	Wood Farm East Acklam North Yorkshire YO17 9RH
3	1:100 @ A1
4	December 2021
5	21.3322-06

R Inman & Sons

Proposed enclosure of existing Silage Clamp  
Wood Farm  
East Acklam  
North Yorkshire  
YO17 9RH

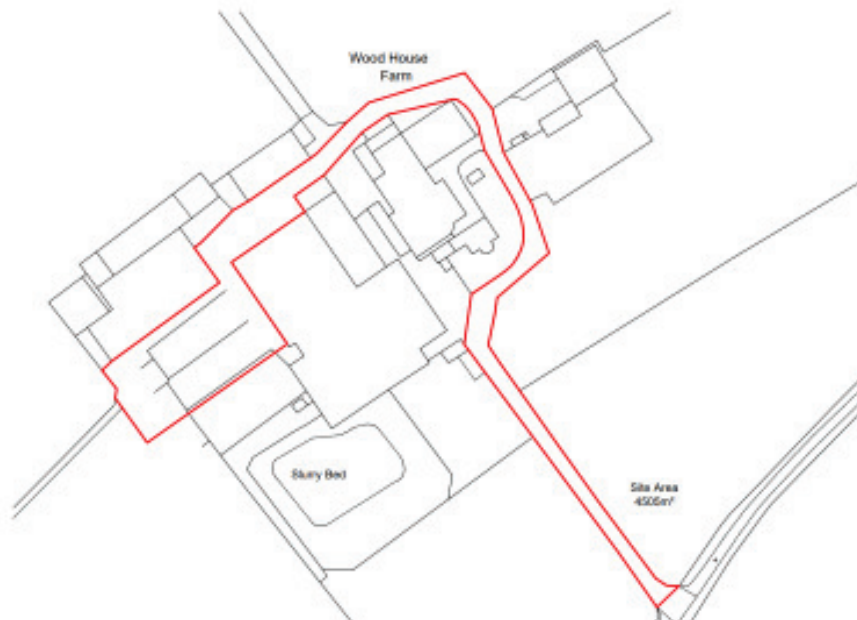
Elevations  
-as proposed-

Scale  
1:100 @ A1  
Date  
December 2021  
Drawing No.  
21.3322-06

turton ASSOCIATES  
The Office  
100-102  
100-102  
100-102  
100-102



# PLANNING STATEMENT



**Erection of Agricultural Shed Over an Existing Silage Clamp**

**At**

**Wood Farm  
East Acklam  
North Yorkshire  
YO17 9RH**

**R Inman & Sons**

**December 2021**



## CONTENTS

1.0	Introduction .....	1
2.0	Description of Site and Proposed Development.....	2
3.0	Planning History .....	5
4.0	Planning Policy.....	7
5.0	Planning Considerations .....	9
6.0	Conclusion .....	12

## 1.0 Introduction

- 1.1 This planning application has been submitted on behalf of R Inman & Sons. The site of the application is on land at Wood Farm, Acklam. The site boundary is identified below in Image 1. The proposed development is the erection of an agricultural shed over an existing silage clamp.

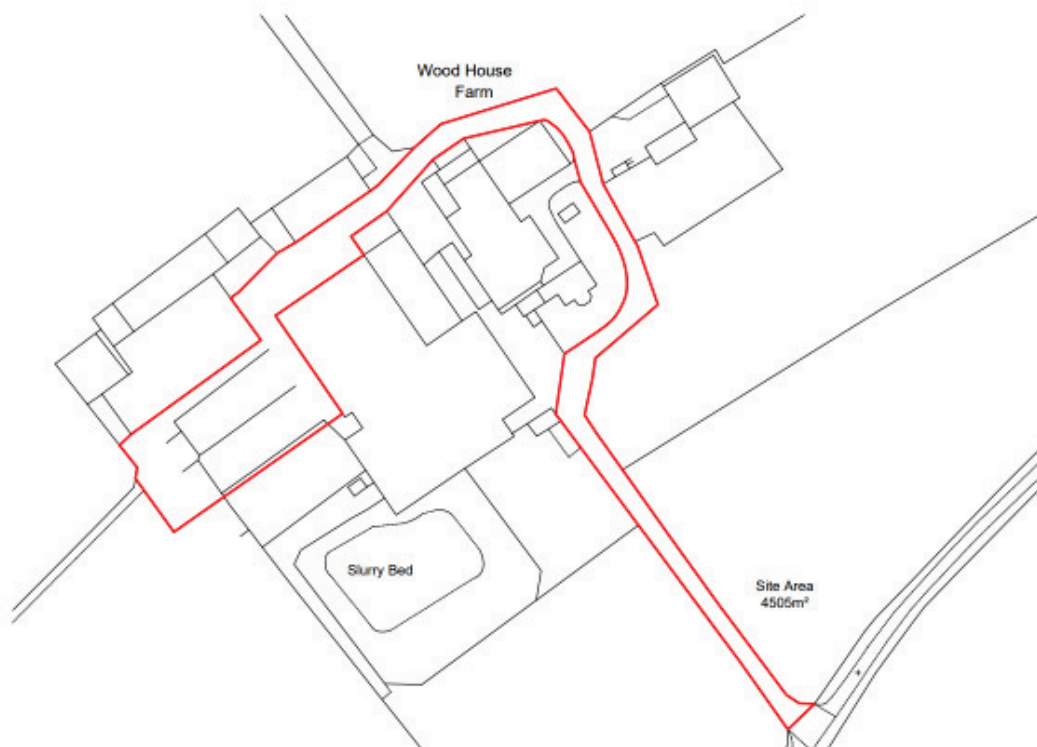


Image 1: Site location plan

- 1.2 The application is accompanied by a full set of planning drawings prepared by Turton Associates.

## 2.0 Description of Site and Proposed Development

- 2.1 Wood Farm is a long-established dairy farm, located just west of the village of Acklam. The approximate National Grid Reference for the site is SE 77885 61706
- 2.2 Image 2 below shows the site and its immediate context. The site is surrounded by agricultural fields on all sides with the village of Acklam to the East.



Image 2: Aerial photograph of site and immediate context (Source: Google Earth)

- 2.3 As mentioned above, this proposal is for the erection of an agricultural shed over an existing silage clamp (silage clamp shown in Image 3 below).



Image 3: Photograph of existing silage clamp

2.4 Image 4 below shows the proposed site layout:



Image 4: Proposed site layout

### **3.0 Planning History**

3.1 Based on information available on Ryedale Council's website a planning history search of the application site has been carried out. The following applications are the known planning history for this site.

- Ref No: 97/00149/FUL – Erection of a steel frame agricultural livestock building – Application Approved
- Ref No: 04/01056/FUL – Erection of circular slurry store – Application Approved
- Ref No: 91/00329/OLD – 3/1/41/FA Erection of a dutch barn and lean-to. Approved 06.06.91 – Application Approved
- Ref No: 94/00339/OLD – 3/1/41A/FA Erection of a foldyard shed. Approved 11.07.94 – Application Approved
- Ref No: 96/00221/OLD – 3/1/41B/FA Erection of milking parlour, dairy & collecting yard. Approved 15.10.96 – Application Approved
- Ref No: 06/00582/FUL – Construction of 500,000 litre capacity earth banked slurry lagoon with safety fencing – Application Approved
- Ref No: 10/00625/FUL – Erection of roof covering over cattle feeding yard – Application Approved
- Ref No: 21/00452/MFUL – Erection of agricultural building for dairy cubicle housing – Application Approved

#### **4.0 Farm Business & Background**

4.1 R Inman & Sons is a leading North Yorkshire dairy farm. They are currently milking approximately 340 cows which are mainly New Zealand Friesians. New Zealand Friesians thrive on a grass based diet and accordingly over the winter months, high quality silage is essential to ensure a healthy herd and high quality milk.

4.2 Wood Farm comprises a large network of livestock and dairy buildings as follows:

- Silage Clamp x2
- Collecting Yard
- Dairy Parlour
- General Purpose Dairy Store & Office Feeding Yard
- Fold Yard x2
- Loose Yard x2
- Cubicle Shed x2
- Slurry Lagoon x2
- Slurry Store
- Feed Store x2
- Pole Barn
- Calf Shed

4.3 The appearance of these buildings are all modern agricultural in character. The proposed shed which will be erected over the existing silage clamps will be in keeping with the established character of the site.

4.4 The entirety of the land is farmed by the applicant and most of the land is laid to grass. The rest of the land is included within an arable rotation of cereals mainly being wheat, barley and oats.

4.5 In order to provide feed for the winter months, the applicants harvest a substantial amount of silage. The proposed shed will help ensure high quality and longer lasting silage. The higher quality fodder the dairy cows consume, the higher quality the milk that they produce.



## 5.0 Planning Policy

5.1 Applications are to be determined in accordance with the policies in the Development Plan. In this case, the Development Plan for the area comprises the Ryedale Local Plan 2013.

5.2 The policies relevant to this proposal are:

- Policy SP1 – General Location of Development and Settlement Hierarchy
- Policy SP9 – The Land Based and Rural Economy
- Policy SP13 – Landscapes
- Policy SP16 – Design

5.3 The National Planning Policy Framework (NPPF) (July 2021) is a material consideration and is the Government’s overarching framework for planning policy. The NPPF identifies those applications that should be considered in the context in favour of sustainable development (paragraph 10).

5.4 Proposals that accord with the development plan should be approved without delay and where it is silent or relevant policies are out of date, permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific policies within the NPPF indicate that development should be restricted (Paragraph 11).

5.5 Paragraph 84 of the NPPF states that planning policies and decisions should enable:

- “a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside...”*

- 5.6 Paragraph 85 recognises that *'sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport...it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads...sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.'*

## 6.0 Planning Considerations

### Principle of Development

6.1 The application site lies outside the development limits of any settlement and is considered to lie within the Countryside.

6.2 Policy SP9 in part states:

*Ryedale's land-based economy will be sustained and diversified with support for:*

- *New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes*

6.3 As this proposal is for an agricultural shed over an existing silage clamp, this would be supportable under this policy as the proposed shed is necessary to support the farming enterprise.

### Design and Impact on Character of the Area

6.4 One of the core planning principles of the NPPF is that planning should seek to secure high-quality design and a good standard of amenity for existing and future occupants of land and buildings. National planning policy recognises the role that high-quality design plays in creating sustainable places. Good design is a key aspect of sustainable development and should contribute positively to making places better for people. The NPPF advises that in the assessment of design, consideration where appropriate should be given to layout, form, scale, detailing and materials.

6.5 Policy SP16 (Design) of the Local Plan relates to creating high quality durable places that are accessible, well integrated with their surroundings.

6.6 This proposed development has been designed by Turton Associates. It is a well-designed agricultural shed which has been designed to integrate itself in the character of the surrounding area as it uses similar materials to the neighbouring buildings on the farm.

6.7 The materials include, graphite coloured plastisol coated profile roof sheets, Yorkshire timber boarding panels for the upper sections of the walls, pre cut concrete panels for the lower sections of the walls and solar panels on the roof. The image below shows the proposed south-western (rear) elevation with annotated materials.

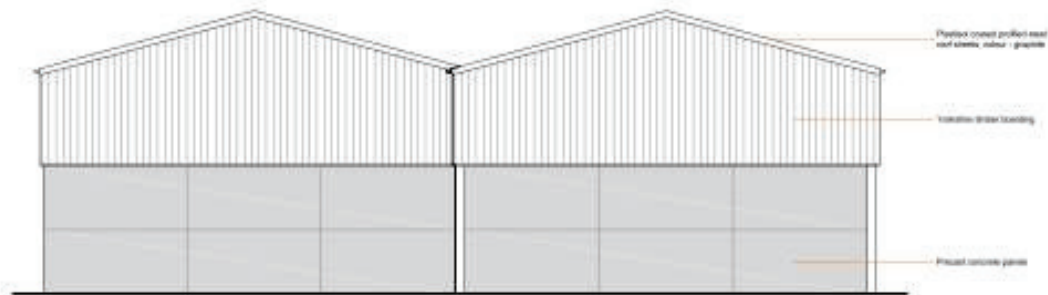


Image 5: Proposed south-west elevation

6.8 Image 6 below, shows the north east (front) elevation of this proposal:

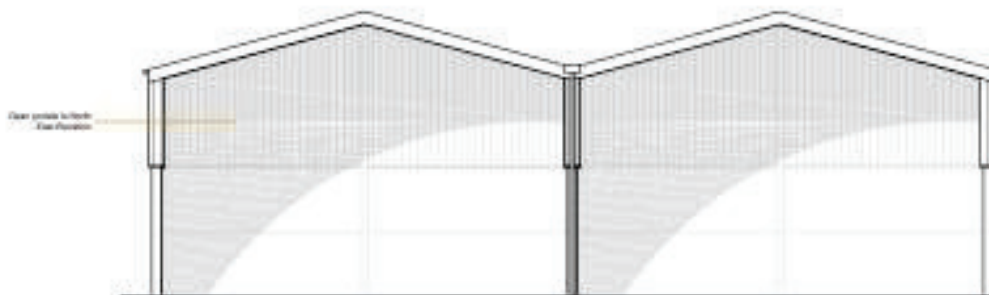


Image 6: Proposed northeast (front) elevation

6.9 The proposed agricultural shed has been designed in order to integrate into the surrounding area. As a result, this development would not have an adverse effect or detract from the beauty of the landscape of the area.

6.10 It is therefore considered that the design of the proposal will form an appropriate relationship with the existing character and amenity of the surrounding area, in accordance with policy SP16 Design. Furthermore, the proposal is sensitively integrated into the existing landscape and will not have a detrimental impact on its character, appearance or setting in accordance with policy SP13 Landscapes.

## Flood Risk

- 6.11 Policy SP17 of the Local Plan seeks to manage environmental hazards such as flood risk to ensure that development does not result in unacceptable consequences to its users, the wider community and the environment.
- 6.12 The site is situated in Flood Risk Zone 1 (see Image 7 below), as a result, flooding is very unlikely.

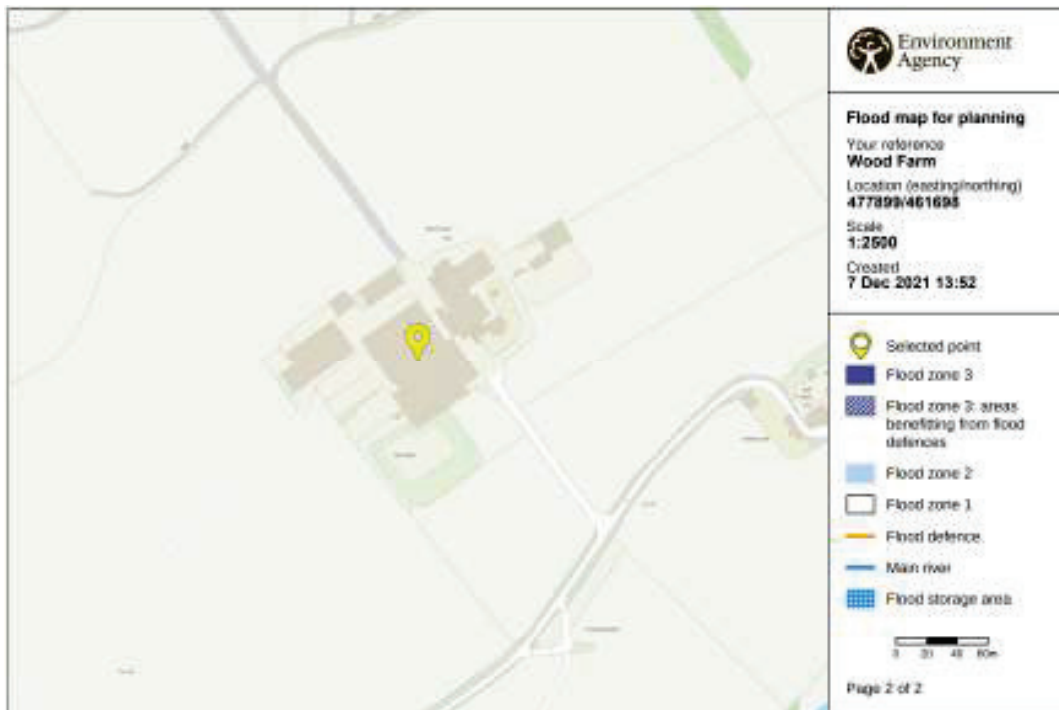


Image 7: Flood map for planning (Source: Environment agency)

## **7.0 Conclusion**

- 7.1 The principle of the development is in accordance with Policy SP9 of the Local Plan as it is a new building that is necessary to support land-based activity and a working countryside.
- 7.2 The design of this proposed development is sensitive to the character of the area and would be well integrated with surrounding buildings on the farm due to the use of similar materials.
- 7.3 The policies in the Local Plan are consistent with the planning merits of this proposal. In summary, it has been demonstrated that there are no policies or other material considerations which would suggest that planning permission should not be granted.
- 7.4 We confirm that we represent the applicants with respect to this planning application. We will be in touch with the appointed planning officer in the coming weeks to discuss the proposed development.

**Item Number:** 8  
**Application No:** 22/00026/MFUL  
**Parish:** Huttons Ambo Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Sean Harrison (DH Group)  
**Proposal:** Erection of a building comprising 14no. units for Class E, B2 and B8 Uses together with associated car park and landscaping  
**Location:** Plots 11F to 13H Malton Enterprise Park Cherry Farm Close Malton North Yorkshire

**Registration Date:** 7 January 2022  
**8/13 Wk Expiry Date:** 8 April 2022  
**Overall Expiry Date:** 2 March 2022  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

<b>Yorkshire Water Land Use Planning</b>	Recommend conditions
<b>Lead Local Flood Authority</b>	Recommend conditions
<b>Ellie Hook AONB Manager</b>	No response received
<b>Public Rights of Way</b>	Recommend informative
<b>Huttons Ambo Parish Council</b>	No response received
<b>Highways North Yorkshire</b>	Recommend conditions

## Representations:

---

## BACKGROUND:

The application is to be determined by Planning Committee as a major development because the floor area of the building exceeds 1,000 square metres.

## SITE:

The application site is within the development limits of Malton within part of the western extension to York Road Industrial Estate (Malton Enterprise Park). The application site is employment land committed or under construction since 2012 (Policy SD12 of the LPSD).

Access is gained from the north via York Road and Cherry Farm Close. The application site amounts to approximately 3,500m<sup>2</sup> and relates to plots 11 & 13. There is open countryside in agricultural use to the south, the sewage treatment works to the east and existing employment land (industrial estate) to the north and west (plots 7 & 9 and 14 & 17 respectively).

Public Footpath no. 25.51/3/1 takes a south-westerly course through the industrial estate and passes the application site on its northern side at a distance of approximately 40 metres. The site is located within Flood Zone 1, being the lowest flood risk classification. A water mains crosses the industrial estate. The boundary of the Howardian Hills AONB is approximately 450 metres to the north west of the site.

## HISTORY:

10/00150/MOUT- Mixed use development of Business (B1), General Industrial (B2), Storage and Distribution (B8) - site area 6.8ha. APPROVED 22.12.2010. Work has commenced and a number of industrial units have been developed.

## **PROPOSAL:**

Planning permission is sought for the erection of a building comprising 14no. units for Class E, B2 and B8 Uses together with associated car park and landscaping.

The mixed use building would comprises a series of small ‘start up’ units for Class E (Commercial, Business and Service), B2 (General Industrial) and B8 (Storage and Distribution) uses.

The application supporting statement makes reference to further diversification of uses/businesses within Malton Enterprise Park. The applicant has confirmed that the application is speculative with no end users/tenants identified at this stage.

## **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 SP7 Town Centres and Retailing  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues

### Local Plan Sites Document (LPSD)

Policy SD12- New Employment Land Provision

Employment Land – Commitments:

York Road Industrial Estate, Malton 6.8ha B1, B2, B8 uses

### Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

## **APPRAISAL:**

### Principle of the development

The National Planning Policy Framework (NPPF), at paragraph 81, advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It states that “*Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*”.

The site is within the town development limits and Policy SP1 (General Location of Development and Settlement Hierarchy) supports new development within Malton, as one of the principle towns it is the primary focus for growth.



Policy SP6 (Delivery and Distribution of Employment/Industrial Land and Premises) relates to employment/industrial land and the site falls within the York Road Industrial Estate which is allocated for that purpose (Policy SD12 of the LPSD). Policy SP6 supports expansion land and new buildings for major employers/established businesses in this location.

The site benefits from outline planning permission ref. 10/00150/MOUT for mixed use development of Business (B1), General Industrial (B2), Storage and Distribution (B8) granted in December 2010. Work has progressed with the estate road, site infrastructure, landscaping and the build out of plots within the extended estate. In principle the proposal would enhance economic activity and create employment that would comply with the aims of Policy SP6 of the Local Plan Strategy.

It should be noted that on 1 September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (2020 No. 757) came into effect. As a result Use Class B1 ('Business'- light industrial; research & development; and office uses) was subsumed within the new Use Class E (Commercial, Business and Service). Use classes B2 (General Industrial) and B8 (Storage and Distribution) are unchanged. The full wording for Use Class E is set out below:

*'Class E. Commercial, Business and Service*

*Use, or part use, for all or any of the following purposes—*

*(a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,*

*(b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,*

*(c) for the provision of the following kinds of services principally to visiting members of the public—*

*(i) financial services,*

*(ii) professional services (other than health or medical services), or*

*(iii) any other services which it is appropriate to provide in a commercial, business or service locality,*

*(d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,*

*(e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,*

*(f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,*

*(g) for—*

*(i) an office to carry out any operational or administrative functions,*

*(ii) the research and development of products or processes, or*

*(iii) any industrial process,*

*being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit'.*

The new Use Class E aims to allow greater flexibility for the high street and town centres allowing businesses the ability to diversify and adapt to changes (a change of use within one and the same Use Class does not require planning permission). Clearly Use Class E (Commercial, Business and Service) is a broad use class which encompasses some 'main town centre uses' and other uses which are not defined as 'main town centre uses'.

The NPPF (2021) defines 'main town centre uses' as '*Retail development (including warehouse clubs*

*and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)'.*

A consequence of Use Class E is that main town centre uses could be located in out of centre sites contrary to planning policy objectives of maintaining and enhancing town centres.

Section 7 of the NPPF (Ensuring the vitality of town centres) highlights that planning decisions should support the role that town centres play at the heart of local communities. The NPPF (paragraph 87) also requires that local planning authorities apply a sequential test to planning applications for main town centre uses not located within town centres. Out-of-centre sites should be considered only if suitable sites are not available there or on the edge of the centre. Within the Local Plan Strategy Policy SP7 supports proposals which maintain and enhance the vitality and viability of the Town Centre.

The proposal includes an unspecified amount of Class E floor space although the applicant envisages that the two storey end units are likely to lend themselves to Class E uses (units 11F & G and 13A & B totalling approximately 500m<sup>2</sup> floorspace) with the majority of the other units being B2 (General Industrial) and B8 (Storage and Distribution) uses. In light of the proposal being speculative the applicant is unable to specify the proposed end users with reference to the sub-classes of uses within Use Class E. The application is not accompanied by any evidence to demonstrate that it would satisfy the sequential test or a town centre impact assessment (paragraph 90 of the NPPF & Policy SP7).

In light of the policy objective which seek to maintain and enhance the vitality and viability of the Town Centre and due to the speculative nature of the proposal, should permission be granted, it is considered reasonable and necessary to impose a condition restricting the use of the building to specific use classes and sub-classes consistent with the outline permission, the site allocation, the NPPF and adopted policy of the Development Plan. It is recommended that the condition is worded so to allow Class E(g) uses (offices; research and development facilities; and industrial processes suitable for residential areas) but prohibit all other sub-classes within Use Class E. Policy SP7 and Section 7 of the NPPF provide a sound planning basis for imposing such a condition.

#### Design, character and form

The proposed building will provide small 'back to back' units (14 in total) ranging from 1,250 square foot (116m<sup>2</sup>) to 1,500 square foot (140m<sup>2</sup>) in size. There would be access and parking on both sides (north & south) of the building to serve units 11F-11N and 13A-13H. The rectangular building would have a maximum length of 65.2 metres and maximum span of 28.2 metres. The building would have a shallow pitched roof with a ridge height of 7.7m and eaves height of 6.4m. There would be units provided across two storeys on the western (road fronting) end of the building (Units 11F & G and 13A & B).

Externally the building would be completed with composite cladding, with RAL 9007 (aluminium grey) to the walls on a brick plinth with the roof being completed with trapezoidal cladding (merlin grey). There would be a series of roller shutter doors and single personnel doors in both long sides of the building. The two storey units at the western end of the building would benefit from additional curtain wall glazing to the end and side elevations and fair faced blockwork (Florentine ivory) would be used in the central part of the gable end elevation (road facing side) with composite cladding below the eaves.

The proportions, materials and openings of the proposed building represent a continuation of those of adjacent buildings within the Enterprise Park albeit there would be added visual interest to the frontage units. Overall the proposed design will assimilate with the existing developments in the wider site in compliance with Policies SP16 and SP20.

### Impact on amenity

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

There are no proximal residential properties that would be impacted by the proposed development. It is considered that the proposed building is compatible with the existing land use and it is not anticipated that the proposed development would give rise to any unacceptable visual intrusion or any pollution or disturbance and as a result there would not be an adverse impact upon residential amenity in compliance with Policy SP20.

### Highways

Paragraph 111 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

Policy SP20 (Generic Development Management Issues) 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”*.

The building would be accessed via the internal estate road off York Road to the north. The estate road meets the current LHA standards and is considered appropriate to serve the type and volume of traffic likely to be generated by the proposals and the level of car parking is appropriate.

The existing public footpath would not be obstructed by the development and the standard informative shall be imposed. There are no objections from the highways officer subject to conditions in relation to road construction, access, parking and turning areas and a construction management plan. It is not anticipated that the proposed development would result in an unacceptable increase in traffic levels or any adverse impacts on the local highway network and the design encourages the use of sustainable transport in compliance with Policy SP20.

### Drainage

The site operates a sustainable urban drainage design to discharge excess surface water run off through a site wide masterplan approved under the outline consent. All surface water drainage run off will discharge into a holding pond which will then be discharged at a controlled rate into a watercourse.

The plans takes account of the drainage easements required by Yorkshire Water. Yorkshire Water have confirmed no objections and recommend the standard drainage conditions. The LLFA has confirmed that the application demonstrates a reasonable approach to the management of surface water and request standard conditions to secure the detailed design of the drainage arrangements including maintenance.

It is considered that the proposal would be served by suitable surface water drainage arrangements in compliance with Policy SP17.

### Conclusion

The proposed development of this site within an area allocated as employment land within the town development limits aligns with the principle aims of Policies SP1 and SP6 of the Local Plan Strategy and the NPPF in relation to growth, productivity and employment.

It is acknowledged that the proposal is speculative with no end users identified at this stage. The proposals for B2 and B8 uses aligns with the outline permission, the site allocation and adopted policy. However, in light of Use Class E allowing a broad range of uses which includes some ‘main town centre

uses' the LPA is mindful of the town centre first principle set out in the NPPF and the aims of Policy SP7 in relation to maintaining and enhancing the vitality and viability of town centres. In response it is considered reasonable and necessary to impose a condition (Condition 12) restricting the use of the units to specific use classes and sub-classes consistent with the outline permission, the site allocation, the NPPF and adopted policy of the Development Plan.

In conclusion, subject to the aforementioned conditions, the proposed development can be accommodated without resulting in material harm to the vitality and viability of the town centre, the setting of the AONB, visual or residential amenity or highways safety and complies with Policies SP1, SP6, SP7, SP13, SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

In light of the above 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 plan(s):

- Plot 11 & 13 Proposed Site Location Plan ref. 950 Rev C, dated 07.12.21
- Plot 11 & 13 Proposed Site Plan ref. 951 Rev D, dated 24.02.22
- Plot 11 & 13 Proposed Ground Floor GA Plan ref. 955 Rev C, dated 07.12.21
- Plot 11 & 13 Proposed First Floor GA Plan ref. 956 Rev C, dated 07.12.21
- Plot 11 & 13 Proposed GA Elevations ref. 958 Rev C, dated 07.12.21

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

3            Unless otherwise approved in writing all external constructional materials and colour finishes to be used for the building shall be in accordance with those identified in the application as shown on the approved elevation drawing.

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

4            No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users in compliance with Policy SP20.

5            No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Plots 11F to 13H Malton Enterprise Park have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained

for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in compliance with Policy SP20.

- 6 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
3. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. details of site working hours;
7. details of the measures to be taken for the protection of trees; and
8. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in compliance with Policy SP20.

- 7 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

- 8 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in compliance with Policy SP17.

- 9 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in compliance with Policy SP17.

- 10 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 21 litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate

change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in compliance with Policy SP17.

- 11 Unless otherwise agreed in writing with the Local Planning Authority all external lighting associated with the development hereby approved shall be limited to that shown on the approved Proposed Site Plan ref. 951 Rev D, dated 24.02.22. All lighting shall be installed and maintained in accordance with the approved details. Any additional lighting associated with the development hereby approved shall be agreed in writing by the Local Planning Authority prior to installation.

Reason: In the interests of the reduction of light pollution and to protect the setting of the AONB in compliance with Policies SP13 and SP20.

- 12 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order, the use of the building hereby approved shall be restricted to Use Classes E(g), B2 and B8 only and shall not be used for any other use whatsoever including any use within Class E without express planning consent from the Local Planning Authority first being obtained.

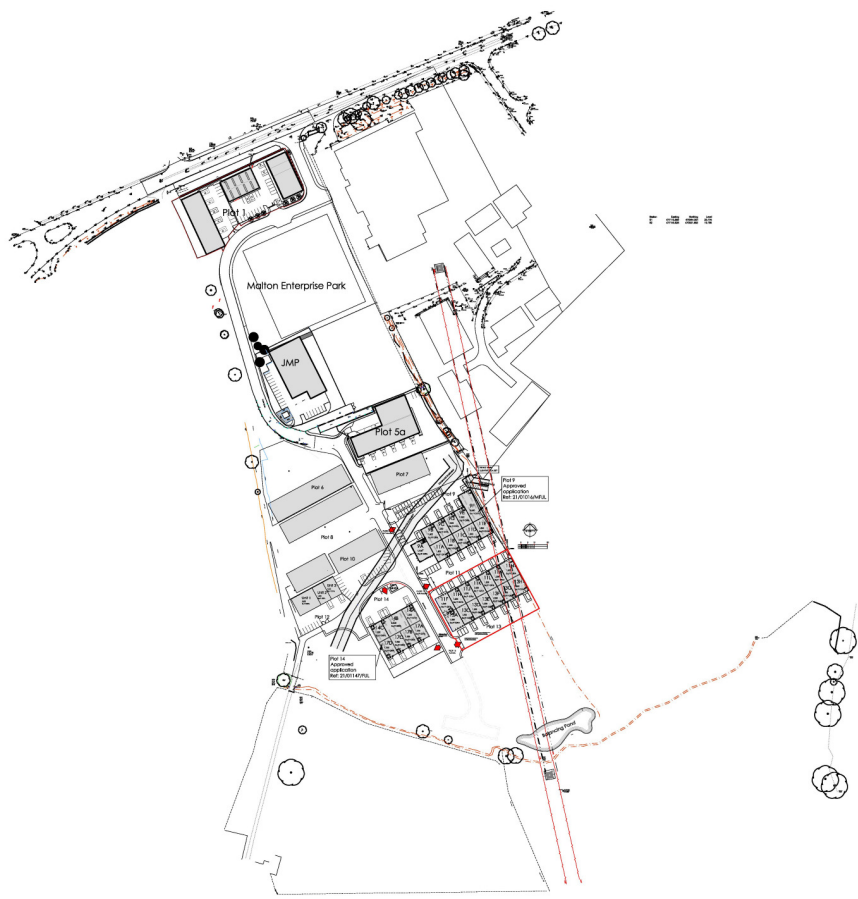
Reason: In order to maintain and enhance the vitality and viability of the Town Centre in compliance with Section 7 of the NPPF and Policy SP7 of the RPLPS.

## INFORMATIVE

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.





All work to be carried out in accordance with Building Regulations and the requirements of the Local Authority. The Contractor must check all dimensions on site before commencement of work. No dimensions to be taken off the drawing.

This copy has been issued as an A3 print for the convenience of the client. It is not to be used for construction purposes. All dimensions must be taken from the original drawing. No dimensions to be taken from this copy. The client must ensure that the dimensions of the construction are in accordance with the original drawing.

C 07.12.21 Planning Submission. BUH BAH

NAME: BUH BAH  
 DRAWN BY: BUH BAH  
 DATE: 07.12.21

2H Architecture Limited  

 RIBA  
 01323 202214  
 info@2h-architecture.co.uk  
 www.2h-architecture.co.uk

**MALTON ENTERPRISE PARK**  
**PLOT 11 & 13**  
 Plot 11 & 13  
 Proposed Site Location Plan

PLANNING			
DATE:	13.09.21	SCALE:	1:500
PROJECT:	1802	DATE:	08.11.2021
CLIENT:	BUH BAH	PROJECT:	950
SCALE:	1:500	DATE:	C







Plot 11 & 13  
Ground Floor Plan  
Units 11 F-N & 13 A-H  
1:100

**COPYRIGHT RESERVED**

All work to be carried out in accordance with Building Regulations and the requirements of the Local Authority. The Contractor shall check all dimensions on site before commencing work. No dimensions to be taken of the building.

© 2011 2H Architecture Limited. All rights reserved. No part of this document may be reproduced without the prior written permission of 2H Architecture Limited. This document is the property of 2H Architecture Limited and is to be used only for the project for which it is prepared. It is not to be used for any other project without the prior written permission of 2H Architecture Limited.

C 07.12.21 Planning Submission. BLH BAH

DATE: 08/11/2021 DRAWN: LINDSEY LINDSEY

ISSUED BY: BLH BAH

REFER TO: BLH & CONTRACTOR 10/1/21

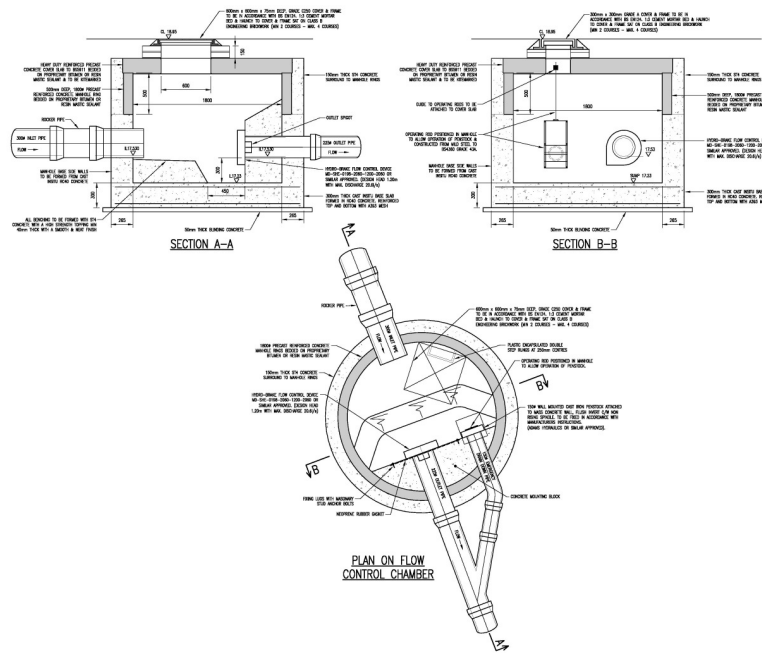
**2H Architecture** 2H Architecture Limited  
**RIBA** RIBA Chartered Architect  
 11/11/2021  
 076094@2harchitecture.co.uk  
 www.2harchitecture.co.uk

MALTON ENTERPRISE PARK			
PLOT 11 & 13			
Plot 11 & 13 Proposed Ground Floor GA Plan			
DATE: 08/11/2021			
DRAWN: LINDSEY LINDSEY			
CHECKED: BLH BAH			
SCALE: 1:100			
1802	955	C	





A1



DO NOT SCALE.

Only P/D/W issues of this drawing are valid. All other forms (e.g. PDF, AutoCAD, etc.) are unauthorised and are void of any value.

This drawing is copyright © it is sent to you in confidence and must not be copied, used or disclosed to any third party without the permission of the copyright owner. It remains the property of 3E and must be returned as requested.

**Note for Contractors**

This drawing should be considered along with the risk information contained in the CDM Pre-Construction Information. The information will include details of the CONTRACTOR tasks which 3E have identified as high risk activities. Contractors should design work on the drawings in accordance with the design and be aware of the typical risks associated with doing this work.

**Note for Workers**

DO NOT START YOUR WORK unless you know the risks and controls identified in the work on this drawing (including SPEC SEQUENCES OF WORK AND EQUIPMENT).

Do not issue copies of parts of this drawing without the above Note for Workers (unless you are sure that the Workers can undertake the work safely).

- REVISIONS**
1. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  2. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  3. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  4. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  5. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  6. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  7. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  8. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  9. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  10. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  11. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  12. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  13. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  14. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  15. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  16. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  17. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  18. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  19. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.
  20. REVISIONS WILL BE MADE AS PART OF A REVISIONS WITH "WORK FOR APPROVAL" TO BE MADE BY THE DESIGNER. REVISIONS WILL BE MADE BY THE DESIGNER AND APPROVED BY THE DESIGNER.

SUBJECT TO THE APPROVAL OF ALL RELEVANT AUTHORITIES

DATE	DESCRIPTION	BY	CHKD
18/11/11	FOR INFO	NA	NA
07/12/11	MANHOLE DESIGN REVISIONS TO BE CURRENT PROPOSAL	NA	NA
08/01/12	FOR INFO	NA	NA
08/01/12	FOR INFO	NA	NA
08/01/12	FOR INFO	NA	NA

3E CONSULTING ENGINEERS

1, 1981-2002

www.3econsulting.com

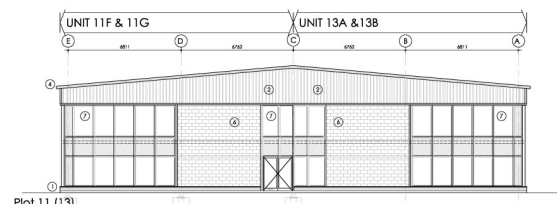
HARRISON DEVELOPMENTS (MALTON) LLC  
MALTON ENTERPRISE PARK  
MALTON

Flow Control Manhole Details

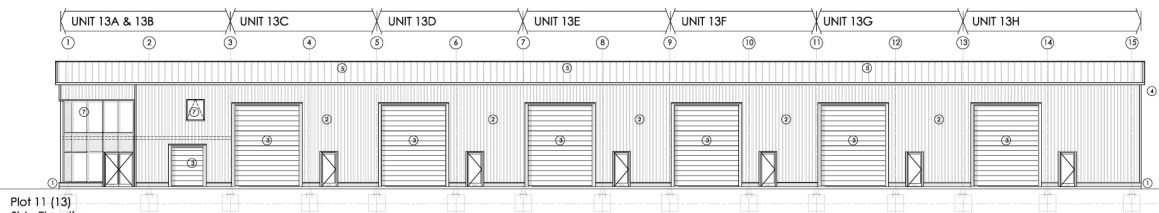
Scale	1:20	Date	NA	Checked	JM	Date	FEB 19
Drawing/Issue	PRELIMINARY						
3E Number	018-380-3E-00-XX-DR-C-1108-P4	Scale	1:20	Date	NA	Checked	JM

THIS COPY HAS BEEN MADE BY MEANS OF THE AUTOMATIC REPRODUCTION PROCESS AND IS NOT TO BE USED FOR THE CONSTRUCTION OF THE BUILDING. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND ALL INFORMATION ON THIS DRAWING AND SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS.

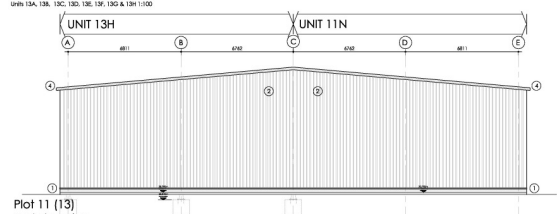
© COPYRIGHT RESERVED  
 All work to be carried out in accordance with Building Regulations and the requirements of the local authority. The Contractor shall check all dimensions and all information on this drawing and shall be responsible for any discrepancies or omissions.



Plot 11 (13)  
 End Elevation  
 Units 11F & 11G & 13A & 13B GL15 1:100

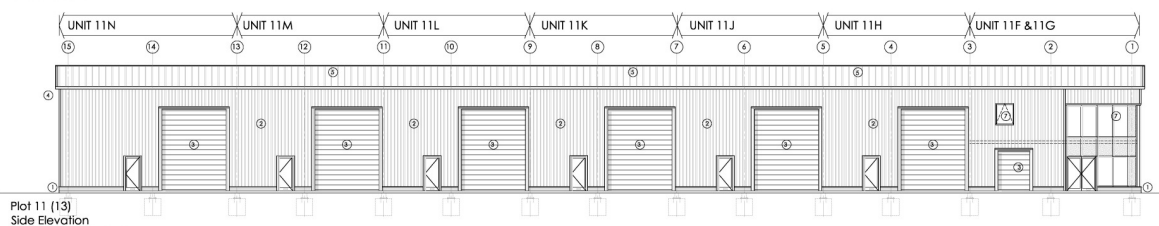


Plot 11 (13)  
 Side Elevation  
 Units 13A, 13B, 13C, 13D, 13E, 13F, 13G & 13H 1:100



Plot 11 (13)  
 End Elevation  
 Units 13H & 11N GL15 1:100

- Materials Legend:
1. Facing Brick Wienerberger Tercor Titanium Grey
  2. Kingspan K1000 horizontal panel cladding (vertical) Colour: RAL 9007
  3. PFC Roller Shutter Doors
  4. PFC Tins Roofing and rainwater goods Colour: RAL 9007
  5. TATA Insulated PVC Roof Cladding Meriv Grey
  6. Forticrete architectural masonry fair faced blockwork
  7. PFC Aluminium Windows/CW
  8. 2 Course Feature Facing Brick



Plot 11 (13)  
 Side Elevation  
 Units 11M, 11L, 11K, 11J, 11I, 11H, 11G & 11F 1:100

C: 07.12.21 Planning Submission. BH, RAH

Scale: 1:100  
 Date: 07.12.21  
 Drawn by: RAH & Contractor 10/1/21

**2H Architecture** 2H Architecture Limited  
**RIBA** RIBA Chartered Architect  
 0123 200221  
 info@2h-architecture.co.uk  
 www.2h-architecture.co.uk

MALTON ENTERPRISE PARK  
 PLOT 11 & 13

Plot 11 & 13  
 Proposed  
 GA Elevations

PLANNING			
Application No:	1558	Date:	10.11.2021
Drawn:	RAH	Checked:	RAH
Scale:	1802	Area:	958
Sheet:		Total Sheets:	C

# Application for Full Planning Consent

For the Construction of 1 No 20,900 sq ft unit –  
Use Class E, B2, B8.

At Plot 11 & 13, Malton Enterprise Park, York Road, Malton  
(Units 11F-N & 13A –H)

On Behalf of  
**DH Group**



## DESIGN and ACCESS STATEMENT

November 2021    Revision 0 10.11.2021

Revision A 03.12.2021

Contents:

- 1.0 Introduction
- 2.0 Location and Description
- 3.0 Use
- 4.0 Amount
- 5.0 Layout
- 6.0 Scale
- 7.0 Appearance
- 8.0 Access
- 9.0 Policy
- 10.0 Summary

design@2Harchitecture.co.uk

[www.2Harchitecture.co.uk](http://www.2Harchitecture.co.uk)

2H Architecture Limited

Page 1 of 7

1802, Malton Enterprise Park Plot 13, Design and Access Statement

0113 350 2291



## 1.0 Introduction

- 1.1 We are instructed by DH Group, the Applicant, to submit an application for full planning permission to erect a newbuild unit on Plot 11 & 13 at Malton Enterprise Park.
- 1.2 The applicant has previously secured various consents for other accommodation on the wider site for a variety of business uses and associated car parking (B1, B2 & B8 uses).
- 1.3 There remains extant a consent for the wider site development of which this application forms a part together with the previously consented and developed plots including plots 1, 5a, 6, 7, 8, 9, 10, 11A-E, 12, 14 & 17.
- 1.4 Plot 9 (Units 9A-9F & 11A-11E) was recently approved by the authority Ref: 21/01016/MFUL dated 15.11.2021
- 1.1 The detailed layout and appearance of the proposed buildings is illustrated on the supporting drawings.
- 1.2 Other consultants supporting the application include, Structural Engineers, Highways Consultants & Flood Risk/Drainage Assessors who have all provided co-ordinated design, reports and information.
- 1.3 The purpose of this statement is to support the full planning application.

## 2.0 Location and Description

- 2.1 The site is located off the B1248 York Road and nearby A64 in Malton, a Market Town North East of York within the Ryedale District Council area.
- 2.2 Public transport bus services and the nearby rail network link the site to Malton, Scarborough and York.
- 2.3 The transport links and accessibility to the road network make the site an excellent location for business development as recognised with the established consent to develop the wider site.

design@2Harchitecture.co.uk

**www.2Harchitecture.co.uk**

2H Architecture Limited



- 2.4 The previous outline consent prior to use class re-classification on 01 September 2020 established the principle of B1, B2 and B8 uses on the site.
- 2.5 The masterplan for the wider site has been established with the estate road and services in place.
- 2.6 The application site for Plot 11&13 sits to the East of the estate road South of Plot 9 and East of Plots 14 and 17 which is currently under construction.
- 2.7 The site will co-ordinate with the wider site drainage strategy and design which accompany this application. The proposal will create two new highway access points to serve both sides of the building separately.
- 2.8 The site area is 3457 sq m (0.85 Acres).

### 3.0 Use

- 3.1 The existing site is cleared for development.
- 3.2 The proposed use will be speculative units for E, B2 and B8 uses with potential for the frontage units (Unit 11F&G and 13A&B) to house a start up business giving diversity to the site in a similar manner to the philosophy of plot 9 and Unit 9A (Nursery-Use Class E).



**Fig 2: Proposed Site Plan (Dwg 1802.951)**



- 3.3 Under the proposed new use the site will be maintained and sustained as business premises complementing and in context with the wider site and surroundings.
- 3.4 The site operates a sustainable urban drainage design to discharge excess surface water run off through a site wide masterplan. All surface water drainage run off will discharge into a holding pond which will then be discharged at a controlled rate into a watercourse. The drainage philosophy has been designed as part of the masterplanning of the whole project and the updated design for the whole site drainage scheme has been included in the application documents.

#### **4.0 Amount**

- 4.1 The proposed development will sit within the wider site context providing 'back to back' accommodation for local businesses comprising small units ranging between 1250 sq ft and 1500 sq ft footprints to facilitate a range of differing small businesses.
- 4.2 The philosophy of the development remains within the original framework of the wider site whilst addressing the demands of the market for a variety of unit sizes making efficient and sustainable use of the available site.
- 4.3 The design recognises the requirement for a mix and balance of unit types and supports a wide variety of local businesses.

#### **5.0 Layout**

- 5.1 The proposals seek to reflect the setting out of the established site with dual access enabling each unit a dedicated access and servicing.
- 5.2 The layout has been designed to maximise the use of the proposed buildings as efficiently as possible whilst respecting the site restrictions and providing sufficient serviced external space to all units in line with the

principles established on previously constructed phases of the development.

- 5.3 The developer intends to provide sustainable electric car charging facilities powered by Photovoltaic panels maintained for the sustainable future of the development.



## **6.0 Scale**

- 6.1 The scale of the development is in keeping with the established strategy for the whole site.
- 6.2 The proposal addresses the road with the two storey frontage unit featuring architectural masonry and curtain wall glazing on the end elevation presenting a reduced scale to the estate road and adjacent sites.

## **7.0 Appearance**

- 7.1 The external spaces and hardscape around the buildings are designed to meet planning policy and highways constraints whilst taking account of the business units practical uses and separating the units external spaces where required.
- 7.2 The contemporary aesthetic has been derived from the established previously constructed units on site and building features and materials are used to punctuate the elevations with common features and themes.
- 7.3 Metal cladding, brick, glazing and feature architectural masonry sections have been used to bring commonality to the wider development whilst differentiating between the business uses and the scale of the frontage unit.

## **8.0 Access**

- 8.1 The site is accessed via the estate road which is off the B1248 York Road which links Malton with the nearby A64 trunk road.

design@2Harchitecture.co.uk

**www.2Harchitecture.co.uk**

2H Architecture Limited



- 8.2 The site is easily accessed by local bus routes which also link to the rail network via Malton.
- 8.3 The site has excellent local highway links and so is easily accessed by car.
- 8.4 The intention is to provide car parking in line with Ryedale Council policy for B2 Units for both servicing and parking in ratio to gross floor space. The developer intends to provide sustainable electric car charging facilities powered by sustainable Photovoltaic panels.
- 8.5 The site will be equally accessible to cyclists and this will be encouraged by the provision of a secure cycle stand per each unit securely located internally.
- 8.6 The development seeks to encourage a sustainable development and transportation /access philosophy.
- 8.7 Level Access will be provided to the principle entrance of each unit and all internal layouts will be compliant with Part M of the building regulations.

## 9.0 Policy

- 9.1 In accordance with the NPPF (National Planning Policy Framework) the proposed design will improve the quality and character of the site and maintain its functionality sustainably for it's whole lifetime.
- 9.2 The context and appropriate design and landscaping will complement the surroundings and add to the distinctive local achitecture in form and function.
- 9.3 The Commission for Architecture and the Built Environment (CABE) set out objectives for urban design and public space in England. These principles have been adhered to in the planning and masterplanning of the site to ensure the character and identity of the site is maintained through a cohesive design approach and philosophy.

design@2Harchitecture.co.uk

**www.2Harchitecture.co.uk**

2H Architecture Limited

## 10.0 Summary

- 10.1 Approval is sought to develop the site in accordance with the established business use in the Ryedale District Council Development Plan (site 21) with a variety of sizes of business starter units.
- 10.2 The intent of the proposal is to provide accommodation for businesses both within the local area and to attract new commerce to the region.
- 10.3 The bus, road and rail network links provide accessibility both locally, regionally and nationally.
- 10.4 The design of the proposed units will sit in context with the wider site development and blend with the established previously constructed plots providing an appropriate buffer between the approach from the A64 and the larger industrial units beyond to the North East of the site.
- 10.5 The access and site highways are designed to provide a proposed adoptable standard access and site servicing in accordance with council Policy.
- 10.6 The proposed scale, massing and materials align with the previously approved plots and will continue the development of a coherent site and identifiable business unit aesthetic.
- 10.7 The proposals integrate all of the above advice and design to allow the site to be maintained to the highest standard and quality into the future as a viable sustainable development contributing to the local economy, community and to the social and economic prosperity of the area.



design@2Harchitecture.co.uk

**www.2Harchitecture.co.uk**

2H Architecture Limited

# Agenda Item 9

**Item Number:** 9  
**Application No:** 21/00284/FUL  
**Parish:** Lillings Ambo Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr and Mrs Try  
**Proposal:** Erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights  
**Location:** The Lodge Goose Track Lane West Lilling YO60 6RR  
**Registration Date:** 12 March 2021  
**8/13 Wk Expiry Date:** 7 May 2021  
**Overall Expiry Date:** 30 March 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

**Lillings Ambo Parish Council** Support  
**Highways North Yorkshire** Recommend condition

**Representations:** Mr Paul Wreglesworth, Professor Yvonne Birks, Evelyn Peterson, Diane Morse, Elizabeth Hudson, Stuart Smith, Andrew Morse, Peter Burnett, Claire Wesley, Mr And Mrs McBurney, Donna Evans, Graham Evans, Richard Birks, Dr Tom Milligan, Mrs Elaine Magee, David Sked, Lloyd Parsons, Nigel Verity, Parry Rex, Paul Hurley, Mr Alan Plews, Mrs Michelle Plews, Phillip Marsden, Valerie Marsden, Karina Milligan, Mr Nick Edwards,

---

## SITE:

The Lodge is a two and a half storey dwelling, set in expansive grounds, to the north of the village of West Lilling, accessed via Goose Track Lane. The site falls within outside of the village development limits, therefore in land which would be considered as the 'Wider Open Countryside' in the Ryedale Plan, Local Plan Strategy. The site is considered to be highly visible within the street scene.

The dwelling is of a significant scale, with the original main dwelling incorporating an attractive traditional form. Ordinate Survey Maps indicate the date of this dwelling to be from the latter part of the 19th Century, not shown as present on the 1851 maps but present on the 1891 map.

This dwelling, whilst attractive has however been unsympathetically extended over time, with a flat roof dormer to the principle southern roofslope. The two storey side extension is set down and set back from the host dwelling to appear subservient and relates well in scale and form, however the first floor level has been completed with hanging tiles which does not assimilate well with the traditional property. There is also a flat roof extension running almost the full length of the rear of the property, which whilst significant in span is modest in depth and does not appear highly visible from public views.

The main original dwelling spanned c11.30 metres from east to west and c9.6 metres in depth. The two storey addition to the east spanned c7.25 metres from east to west and c7.5 metres in depth, set back from the principle elevation by c2 metres, with the ridge height set down by c1.4 metres with a pitched roof mirroring the main roof form. The single storey element to rear spans c17.3 metres along the rear of

the dwelling c2 metres in depth from the rear elevation.

Functional amenity space is located to the rear of the property where parking is undertaken and garaging is present. The existing garage spans c6.5 metres x 11.9 metres in footprint, with a maximum height of 3.84 metres to the ridge and c2.25 metres to the eaves. More formal garden space is present to the west and south including a high status approach to the dwelling via an avenue style driveway and a tennis court. A traditional former stable building is also present to the north west of the dwelling within the garden space. Agricultural land also falls within the ownership of the site to the north and west.

West Lilling is characterised by traditional residential development, with a strong pattern of traditional roadside cottages. The Lodge, sited to the north of the village represents in architectural terms a higher status dwelling within the village.

### **PROPOSAL:**

This proposal seeks planning permission for the erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights

A significant level of negotiation has been undertaken with the Planning Agent on the concurrently pending scheme (21-00925-FUL) and amendments have been submitted for both applications.

This has been subject to formal reconsultation with the Parish Council. In advance of formal neighbour reconsultation a number of letters of correspondence were received. All neighbours who had not made comments by that stage on the revised plans were then formally reconsulted on the scheme in March of 2022 and this period has concluded.

The amendments to this application include the repositioning of the proposed garage/annex building and limited amendments to its appearance. The proposed garage annex building would span 7.988 metres x 13.5 metres in footprint, with a pitched roof design with an overall roof height of 6.665m. This would be completed with brick and slate roof tiles. The building would now be positioned so that the principle front elevation is orientated south eastwards, at a distance of c3.8 metres and c13.35 metres from the northern and eastern boundaries of the domestic curtilage respectively. The plans indicate the proposed garage/annex in the context of the scheme for the replacement dwelling proposed for the separate application (21/00925/FUL.)

The proposed stable building to be converted would no longer include a proposed dormer window at first floor level and the shower room has been omitted, but mezzanine storage would remain above and a WC would be present. This would incorporate the installation of new rooflights.

On the 4th April 2022, a request for a minor amendment to the description has been made to the Planning Agent/Architect, to better reflect the amendments made to the proposed office building, omitting the dormer and including 4no. rooflights on the proposed home office building. No response has been received in advance of the agenda being published and Members will be updated on this point. This relates to only a very minor amendment to tally with the submitted plans and would not require any readvertisement.

### **HISTORY:**

21/00925/FUL: An application for the erection of 1no. detached six bedroom dwelling following the removal of 1no. detached six bedroom dwelling is currently under consideration.

21/00561/FUL: Erection of steel framed building for storage of garden equipment following demolition of existing timber shed. Approved.

3/78/18/PA Extension to dwelling to form additional study and utility room areas, toilet and breakfast room at The Lodge, Gilling. Approved.

3/119/54/PA Alterations and demolition of existing outbuildings, construction of 2 garages and the erection of a brick wall at, The Lodge, Lilling, York. Approved

## **POLICIES**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

National Planning Policy Framework

National Planning Practice Guidance

## **REPRESENTATIONS:**

The Parish Council did not respond to the original consultation request dated 17th March 2021.

The Parish Council confirmed they recommend approval of the scheme in a consultation response dated 23rd March 2022 in which they noted “The Parish Council supports this planning application.”

26 Letters of support have been received in relation to the scheme between 17th February 2022 and 7th March 2022. These are available for Members to review in full on the planning file on the Public Access. These incorporate the following summarised points and each of the 26 responses specifically referenced both this application and 21-00925-FUL. Therefore some of these responses relate more specifically to the application for the replacement dwelling.

- Support the demolition of the existing house and replacement with the proposed scheme, including new garage and home office
- House requires updating to modern standards in an economic way, was built at a time where no thought to sustainability was given. This will provide a sustainable family home.
- I have been in the home and seen the extent of the deterioration especially the damp throughout the property and in my opinion starting again is the only option....Such is the state of the property, I cannot understand how you expect a family with young children to continue to live in.
- Current extension is poorly executed and not in keeping with the main house. The interior has no redeeming features. No other family would buy that house on that plot without having the wish to write again. The mismatch between the quality of the house and the setting unusual.
- The property is not in a Conservation Area, nor listed.
- The proposal due to its form, design and scale would not change the character of the village nor look out of place, but would result in an enhancement of the immediate setting, whilst respecting the past.
- The design would be visually unobtrusive, unpretentious and appropriate to the nature of the village, as well as respectful and characteristic. It would also fit with the local architecture of Sheriff Hutton.
- Continued use of distinctive white colour commended.
- The proposal will result in more energy efficient design.
- The village has suffered from planning agreeing to other structures not in keeping for the village.
- The plans would ensure that a similar buildings of stature would continue the landmark at that very important corner of the village known as the ‘Lodge, the big White House.’
- Request outside lighting is not intrusive due to dark sky location.
- Request large trees are preserved as much as possible.
- Would provide a long term home for a member of the community and local business man.
- Cannot understand the delay
- Strongly opposed to the property been replaced with contemporary, modern design....something out of keeping with the village like the unit referenced on application 20/01120/MFUL (Cornborough Road) which I understand you are pushing as an example of what you wish to see any replacement dwelling for the Lodge to take reference from... Struggle



to see why the Council is advocating for ultra modern architecture...(These) plans suggest an extremely modern building that looks more like industrial units than a dwelling. Whilst it might be possible to get away with that at Cornborough - where almost all of the houses are remote and screened from the road - but in Lilling this would be a totally inappropriate eyesore and completely at odds with the rest of the village.

- (Case Officer Note: The referenced Paragraph 80 application Cornborough application was discussed with the Architect and Planning Agent as a design that was reflective of high quality contemporary architecture, responsive to its surroundings. This was not recommended as a design to be simply reproduced in this location. Alternative traditional rural vernacular design was also discussed and detailed advice was provided on this also.)
- Would not support an ultra modern property within our village of older more traditional homes as it would appear out of character.
- Mr Try canvassed me prior to submitting any proposal to planning and in the proposals he has submitted has captured everything we discussed.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Form and Character
- iii. Impact upon neighbouring amenity
- iv. Other matters, including consultation responses.

- i. Principle

The Design and Access Statement confirms “The owner’s intentions are to renovate the garage and create living accommodation for the duration of the build. The gate and access closest to the property is not currently used, and will not be used in the future, with no intention of the annexe being separated from the house. “

Policy SP21 of the Ryedale Plan, Local Plan Strategy notes: “Where further residential accommodation within the curtilage of an existing dwelling is proposed to complement the existing living arrangements, such as to provide a ‘granny annexe’ the proposed development shall remain ancillary to the existing house and shall not be separately occupied. Accommodation that has a separate access and the ability to be fully self-contained is discouraged.”

The proposed annex would incorporate approximately 86.6 square metres of usable domestic accommodation floor space at first floor level and could be entirely self-contained. It is however noted that the garage/annex would incorporate a close relationship with the host dwelling, both the current existing dwelling and that proposed (under 21-00925-FUL) would utilise this as the main area of garaging. There are two accesses to the site however due to their positioning, it is not considered likely that formal subdivision would occur. It is Officer’s view that that subject to the standard annex conditions, a proposed annex use in this location could in principle align with the spirit and requirements of Policy SP21 of the Ryedale Plan, Local Plan Strategy. However this would be subject to full assessment of the character and form of the proposed design which will be undertaken below.

The proposed home office is also considered acceptable in principle, as this would make use and retain a traditional building associated with this property. The self limiting floor space and omission of the shower room will aid in ensuring that this remains ancillary to the host dwelling.

## ii. Form and Character

Policy SP16 (Design) of the Ryedale Plan Local Plan Strategy notes:

*Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being*

*To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:*

- *The type, texture, and colour of materials, quality and type of building techniques and elements of architectural detail*
- *Topography and landforms*
- *The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

Policy SP20 also requires that *"New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses"*.

Paragraph 126 of the NPPF notes: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

Paragraph 130 of the NPPF notes. *"Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)"*

Concern was originally raised with the Planning Agent on the 4th May 2021 with the proposed scheme, most critically, the overall scale, form, massing and design of the proposed garage/annex building.

Concern was also raised that this may be of a scale that could reasonably function as a separate dwelling particularly should the ground level garage be converted. However on balance, Officers are now satisfied that this would be unlikely to be the case for the reasons outlined in Section i above. The concern over the overall scale, form and massing of the development in terms of design and the form and character of the site remain.

It was advised by the Case Officer within this email that (prior to the formal submission of 21-00925-FUL) *"If you were considering a new replacement dwelling ...it may be logical to consider potentially including any necessary annexed accommodation within the footprint. You could possibly alternatively consider converting the stable to an annex and accommodating office provision within the dwelling?"*

It was also highlighted that the proportions of the proposed two storey building, including a substantial footprint and overall roof height of c6.6m would result in resulting in significant massing of development that would appear disproportionate and not subservient in comparison to the scale of the

overall original dwelling. It was also noted that this continues to remain a concern to Officer's whether in relation to the existing or proposed dwelling.

It was also highlighted that the proposed design failed to appear sensitive to the traditional character and form of the host dwelling, it was noted that this proposed scheme would appear very prominent in and out of character with the streetscene. It was highlighted that this is considered to be in discordance with Policy SP16 of the Ryedale Plan which notes that *"to reinforce local distinctiveness, the location, siting, form, layout, scale, and detailed design of new development should respect the context provided by its surroundings including... the density, size and scale of buildings...and elements of architectural detail."*

It was advised that the principle of annexed accommodation in this location could potentially be supported if it were of a more appropriate scale, footprint and design and the Agent was asked to reconsider this proposal.

Following these concerns amended garage/annex and home office plans were submitted on the 28th June 2021) with additional site photographs as the Agent's view was that this was *"screened significantly by the mature trees visible from Goose Track Lane."* This included the garage/annex building being reduced by c0.55 metres in width and c0.19 metres in height.

It was confirmed by the Case Officer that this had not overcome the identified issues in a response on the 5th August 2021. It was noted *"In my view the photos you have provided serve to emphasize the prominence the proposal (if enlarged in height by 2.5 metres and further increased in width as proposed) will have, particularly when considering how it would affect the setting of the original building. I appreciate there is another separate application relating to that at the moment, however whether it is this building or another, this would not represent a subservient ancillary building. I have attached a couple of my own photos from the end of April which in my view clearly illustrate its prominence within the street scene."*

*My advice in the previous email dated 4th May still remains, you may wish to consider including annexed living accommodation within the existing/proposed main dwelling or by considering a more appropriate scale, footprint and design."*

It was confirmed that the LPA would be obliged to proceed to a decision of a part refusal/part refusal.

The most recent revised plans (submitted on the 25th November 2021) on which the application is currently being considered relate to the dimensions as laid out in the proposal section, with a maximum height of 6.665 metres and a footprint of 7.988 metres x 13.5 metres. This has increased marginally in footprint and height beyond the previously submitted schemes and would now be completed in brickwork. The positioning of this proposed building has now been amended to a positioned at a greater distance from Goose Track Lane and it has been reorientated so that the principle elevation faces south east.

The positioning away from Goose Track Lane and reorientation of the dwelling would allow for a more open remaining view of the existing dwelling, which is an improvement, as is the use of brick instead of the originally proposed render.

However notwithstanding these improvements, the scale of this building and its design detailing does not relate to the traditional character, form and design of the host dwelling, or reinforce local distinctiveness, nor does it relate to contemporary high quality architecture. The scale of the building remains in design terms at odds with the host dwelling as it does not reflect the proportions of what would be expected as an ancillary building. The repositioning, whilst further away from the streetscene would not sufficiently reduce the prominence of the building so as to overcome the issues with the scale, form and design. The proposed building appears functional in form and design, with little architectural merit beyond the appropriate materials.

It is not considered that this relates to high quality design. It is also considered that this would fail to be subservient to or respect the character of the original property, in conflict with Policies SP16 (Design)

and SP20 (Generic Development Management Issues) of the Ryedale Plan, Local Plan Strategy.

In an email dated 14th January 2022, the Case Officer wrote to the Agent to confirm *“I would also note that in relation to the proposal for the annex, I had sought confirmation on whether you could reconsider the height of the proposed building as had been indicated before. I note that the submitted plans incorporate its repositioning, an update to confirm brickwork and the amendment to the roof pitch. I appreciate this may make the roof appear more proportionate, but it actually has again slightly increased its overall height. Was lowering the overall height of the building – which is only a garage/plant room/lobby at ground floor level not possible?”* No specific response was received on this point.

Officers provided detailed advice on the two concurrent schemes and following this, a virtual meeting was undertaken on the 8th February 2022 with Ryedale District Council’s Planning and Design Manager, the Case Officer, the Architect and the Planning Agent. The advice relating to the main dwelling (application 21-00915-FUL) was given and this is important context for this separate application under consideration.

The LPA had previously advised the Agent and Architect that they potentially gain Officer support for this replacement dwelling if they proceeded one of two ways. The first would be approaching this in design terms to achieve a scheme that better reflects the rural village context and the village’s predominant built character with its strong local vernacular. The Case Officer had made reference to the Council’s Rural Design Guide to try and assist in this matter. The discussed alternative to this would be a very high quality contemporary design approach and it was confirmed In our view the current scheme would not accord with either of these two approaches. The LPA Officers then during this meeting noted that whichever way the Applicant chose to proceed, the garage/annex building should take its design cues from that approach. Discussions around attached designs occurred, including stepped down outrigger style elements.

Following this meeting, the Agent and Architect sought input on an alternative Georgian/Victorian Style scheme for the replacement dwelling. This was positively received following further input from the Council’s Building Conservation Officer. It was latterly confirmed that the Agent/Architect wished to proceed with the present scheme for both the dwelling and the garage/annex building.

The Case Officer responded on the 17th February to note the following on this alternative scheme *“I think this indicated design would present a positive potential way forward in terms of design and in principle, subject to final plans, scale, positioning and detailing, we could be broadly supportive of a scheme with this form. It presents a higher status building, which would be commensurate with the plot and it would incorporate Georgian and Victorian style elements, appearing to present a building that has evolved over time, with the benefits of a classic design.*

*However, in terms of render, which could be acceptable in principle, I think we would encourage you to move away from a stark white render in this location and opt for a more muted, tonal colour. We can provide advice on this at a later point. Imperatively, as we discussed in the meeting, the detailing will be of critical importance, particularly windows and other openings. Careful consideration will also need to be given to an appropriately designed annex/garage building to accord with this alternative design approach.”*

On Friday 11th March the Planning Agent representing the Applicant confirmed that they wished this to proceed to Planning Committee with the current plans.

Consequently, it remains our view that a high quality scheme for the garage/office building has not been submitted. Therefore, whilst the principle of annexed accommodation in this location can be supported, the present scheme is not considered to meet with the design requirements of Policies SP16 or SP20 of the Ryedale Plan, Local Plan Strategy, nor the NPPF.

It is considered that the revised home office plans are acceptable and can be supported in terms of form and design.

iii. Impact upon neighbouring amenity

The proposed development would not result in any harm to neighbouring amenity.

iv. Other matters, including consultation responses.

It is not considered that this proposal would have any impact upon access nor highway safety due to the continued use of the existing accesses and significant parking areas within the site.

It is noted that the North Yorkshire Highways Team commented to confirm no objection subject to the imposition of a construction management plan condition relevant for small sites. However, given this proposal will be recommended for part refusal/part refusal, the Case Officer will check with the Highways Officer if they believe this would be necessary for the limited works associated with the garage conversion.

In conclusion, it is acknowledged that this proposal for a garage/annex building is acceptable in principle. However, fundamentally for the reasons outlined above, this proposal is not considered to accord with the requirements of policies SP16 (Design) and SP20 (Generic Development Management Issues) of the Council's Local Development Framework Development Policies Document and the National Planning Policy Framework (NPPF). For the reason outlined below, Officer's recommend that this proposal is refused.

**RECOMMENDATION: Partial Approve/Refuse**

1 **CONDITION FOR APPROVAL - Conversion of existing stable to proposed home office building.**

The development hereby permitted shall be begun on or before (insert date)

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

2 **CONDITION FOR APPROVAL - Conversion of existing stable to proposed home office building.**

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

Existing Site Location Plan and Proposed Block Plan (Drawing no. 200 Rev D) Only insofar as it relates to the Stable Conversion hereby approved.

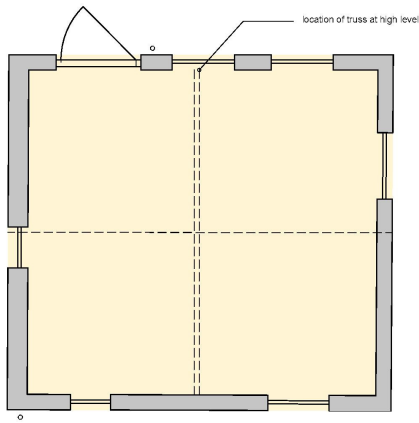
Stable Conversion Proposed (Drawing no. 221 Rev C)

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

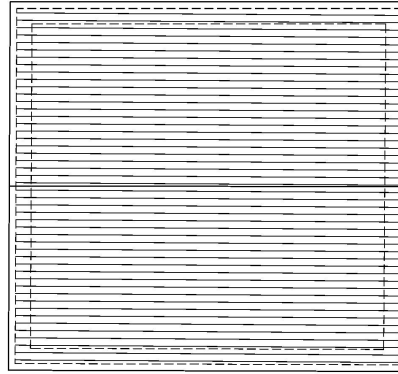
3 **REASON FOR REFUSAL – Proposed Garage/Annex**

The proposed garage/annex development by virtue of its scale, positioning, massing, design and detailing would fail to be subordinate or sympathetic to the traditional character of the host property or commensurate as an appropriately scaled ancillary building, whilst also impacting the character of the streetscene in which it would appear prominently. The proposal is therefore contrary to policies SP16 (Design) and SP20 (Generic Development Management Issues) of Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework (NPPF).

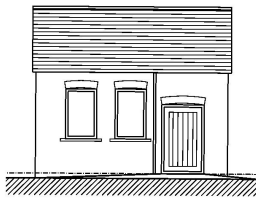




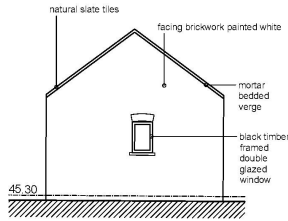
EXISTING STABLE GROUND FLOOR PLAN  
Scale 1:50@A3



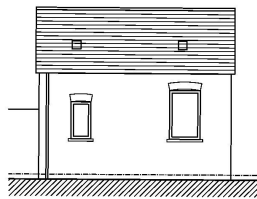
EXISTING STABLE ROOF PLAN  
Scale 1:50@A3



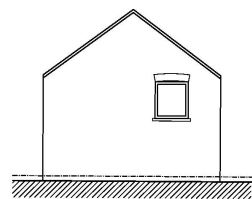
EXISTING FRONT ELEVATION  
Scale 1:100@A3



EXISTING SIDE ELEVATION  
Scale 1:100@A3



EXISTING REAR ELEVATION  
Scale 1:100@A3



EXISTING SIDE ELEVATION  
Scale 1:100@A3

**PRELIMINARY**  
**FEASIBILITY**  
**STAGE**

THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND SHOULD NOT BE USED AS A CONSTRUCTION DOCUMENT. IT IS SUBJECT TO CHANGE WITHOUT NOTICE AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF CRESCENT ARCHITECTS LTD.

NO.	DESCRIPTION	DATE	DR BY
B.	PLANNING	21.02.2021	SF
A.	CLIENT ISSUE	16.02.2021	SF

50mm ORIGINAL SHEET SIZE: A3

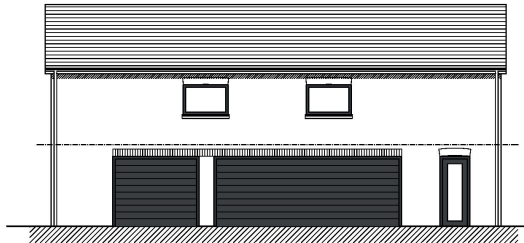
**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND RECHECKED TO BE WITHIN 5% OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN ANY MANNER WITHOUT PRIOR WRITTEN AUTHORITY.  
NOT NEARLY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

**CLIENT**  
MR AND MRS TRY  
**PROJECT**  
THE LODGE  
WBST LLL LN  
**DWG TITLE**  
STABLE CONVERSION EXISTING  
BLOCK PLAN AND ELEVATIONS  
**DATE** JAN 2021 **SCALE** 1:50@A3  
**JOB NO:** 150 **DRAWN BY:** SF  
**ISSUED NO:** 220 **VERSION:** B **CHECKED:** SF

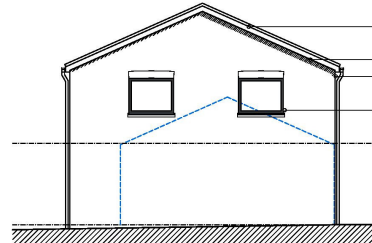


6 The Crossart, Riccall, North Yorks, YO19 9PL  
www.crescent-architects.co.uk  
1 01757 248183 or enq@crescent-architects.co.uk  
RIBA CHARTERED ARCHITECT  
Mark S Foster RIBA, ARB  
Drawings are subject to copyright.

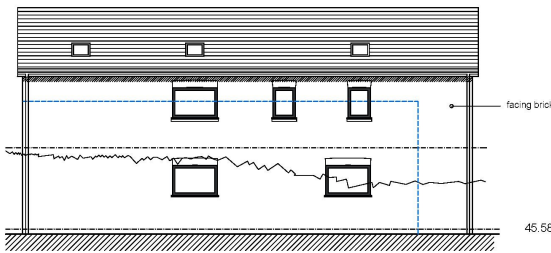
**PRELIMINARY**  
 THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND  
 MUST NOT BE USED AS A CONSTRUCTION GUIDE. IT AND  
 IT'S CONTENTS SHALL BE SUBJECT TO AMENDMENT WITHOUT NOTICE.  
**PLANNING  
 STAGE**



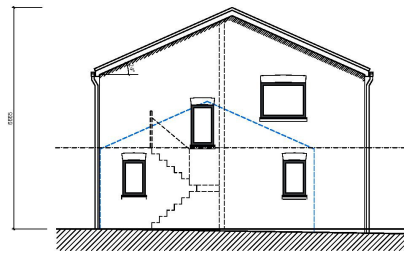
**PROPOSED FRONT ELEVATION**  
 Scale 1:100@A3



**PROPOSED SIDE ELEVATION**  
 Scale 1:100@A3



**PROPOSED REAR ELEVATION**  
 Scale 1:100@A3



**PROPOSED SIDE ELEVATION**  
 Scale 1:100@A3

- roof tiles to be manley slate or similar
- white fascias and soffits
- galvanised steel rainwater goods
- double glazed, anthracite grey framed windows

NO.	DESCRIPTION	DATE	DR BY
E.	PLANNING	20.11.2021	SF
D.	PLANNING	11.10.2021	SF
C.	PLANNING	28.08.2021	SF
B.	PLANNING	21.02.2021	SF
A.	CLIENT ISSUE	18.02.2021	SF

REVISIONS  
 50mm  
 ORIGINAL SHEET SIZE: A3

**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND  
 ARCHITECT TO BE ADVISED OF ANY  
 DISCREPANCIES PRIOR TO WORK  
 COMMENCING  
 THIS DRAWING REMAINS THE PROPERTY &  
 COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN  
 ANY FORM OR BY ANY MEANS WITHOUT PRIOR WRITTEN  
 AUTHORITY.  
 NOTIFICATION WILL BE ACCORDED FOR  
 ALTERATIONS MADE BY OTHERS.

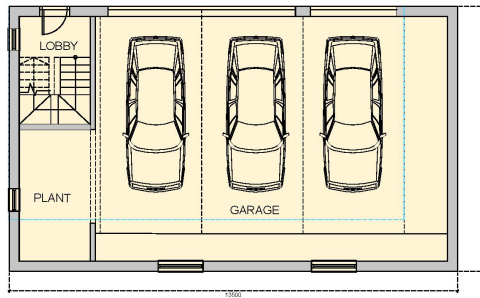
**CLIENT**  
 MR AND MRS TRY  
**PROJECT**  
 THE LODGE  
 WEST LLLND  
**DWG TITLE**  
 GARAGE BUILDING  
 PROPOSED ELEVATIONS  
**DATE** JAN 2021 **SCALE** VAR@A3  
**JOB NO.** 150 **DRAWN BY** SF  
 DRAWING NO. 204 **REVISION** E **CHECKED** SF

**CRESCENT**  
 ARCHITECTS LTD.  
 6 The Crossant, Rocall, North York, YO19 9PL  
 www.crescent-architects.co.uk  
 01757 248183 e: enq@crescent-architects.co.uk  
 RIBA CHARTERED ARCHITECT  
 Mark S Fowler RIBA, ARB  
 Drawings are subject to copyright.



**PRELIMINARY**  
 THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND  
 MUST NOT BE USED AS A CONSTRUCTION DOCUMENT AND  
 IT REMAINS SOLELY THE PROPERTY OF CRESCENT ARCHITECTS LTD.

**PLANNING  
 STAGE**



**PROPOSED GROUND FLOOR PLAN**  
 Scale 1:100@A3

E. PLANNING	20.11.2021	SF
UPDATE		
D. PLANNING	11.10.2021	SF
UPDATE		
C. PLANNING	28.08.2021	SF
AMENDS		
B. PLANNING	21.02.2021	SF
ISSUE		
A. CLIENT ISSUE	16.02.2021	SF

NO.	DESCRIPTION	DATE	DR BY
REVISIONS			

50mm  
 ORIGINAL SHEET SIZE: A3

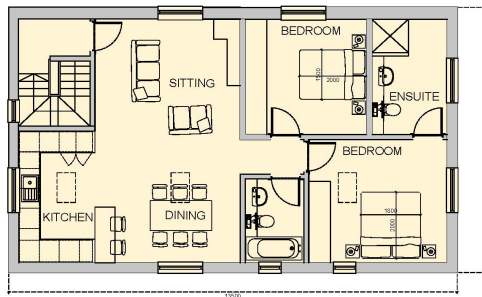
**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND  
 ARCHITECT TO BE NOTIFIED OF ANY  
 DISCREPANCIES PRIOR TO WORK  
 COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY &  
 COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN  
 ANY MANNER WITHOUT PRIOR WRITTEN  
 AUTHORITY.  
 NOTIFICATION WILL BE ACCORDING FOR  
 ALTERATIONS MADE BY OTHERS.

**CLIENT**  
 MR AND MRS TRY  
**PROJECT**  
 THE LODGE  
 WEST LLL LN  
**DWG TITLE**  
 GARAGE BUILDING PROPOSED  
 FLOOR PLANS AND ELEVATIONS  
**DATE** JAN 2021 **SCALE** VAR@A3  
**JOB NO.** 150 **DRAWN BY** SF  
 DRAWING NO. 203 **REVISION** E **CHECKED** SF

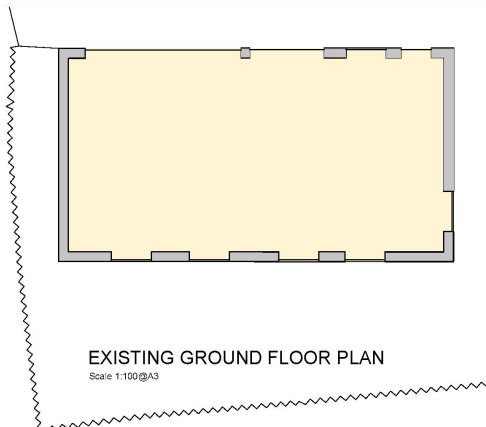


6 The Crossart, Rye, East Sussex, TN39 3PL  
 www.crescent-architects.co.uk  
 t: 01757 248183 e: enq@crescent-architects.co.uk

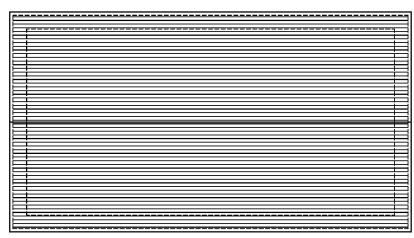
RIBA CHARTERED ARCHITECT  
 RIBA 3 FLOOR RIBA, 40B  
 Drawings are subject to copyright.



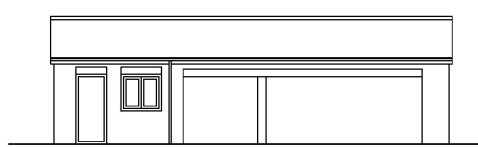
**PROPOSED FIRST FLOOR PLAN**  
 Scale 1:100@A3



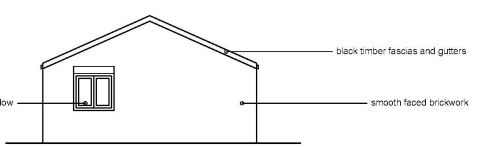
**EXISTING GROUND FLOOR PLAN**  
Scale 1:100@A3



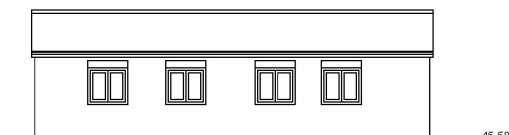
**EXISTING ROOF PLAN**  
Scale 1:100@A3



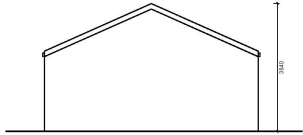
**EXISTING FRONT ELEVATION**  
Scale 1:100@A3



**EXISTING SIDE ELEVATION**  
Scale 1:100@A3



**EXISTING REAR ELEVATION**  
Scale 1:100@A3



**EXISTING SIDE ELEVATION**  
Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND  
MAY NOT BE USED AS A CONSTRUCTION DOCUMENT  
IT MUST BE REVISIONED PRIOR TO BE SUBJECT TO  
APPROVED DESIGN FINAL DESIGN DEVELOPMENT

**PLANNING  
STAGE**

NO.	DESCRIPTION	DATE	DR BY
D.	PLANNING UPDATE	25.11.2021	SF
C.	PLANNING UPDATE	11.10.2021	SF
B.	PLANNING UPDATE	21.02.2021	SF
A.	CLIENT ISSUE	16.02.2021	SF

50mm ORIGINAL SHEET SIZE - A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND  
RECORDED TO BE NOTIFIED OF ANY  
DISCREPANCIES PRIOR TO WORK  
COMMENCING  
THE DRAWING REMAINS THE PROPERTY &  
COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN  
ANY MANNER WITHOUT PRIOR WRITTEN  
AUTHORITY.  
NOTIFICATION WILL BE ACCORDING FOR  
ALTERATIONS MADE BY OTHERS.

**CLIENT**  
MR AND MRS TRY

**PROJECT**  
THE LODGE  
WBST LLLND

**DWG TITLE**  
GARAGE BUILDING

**EXISTING PLANS AND ELEVATIONS**

**DATE** JAN 2021 **SCALE** VAR@A3

**JOB NO.** 190 **DRAWN BY** SF

**DRAWN BY** SF **CHECKED BY** D

6 The Crossant, Rickall, North Yorks, YO19 9PL  
www.crescent-architects.co.uk  
t:01757 248183 e: enq@crescent-architects.co.uk

RIBA CHARTERED ARCHITECT  
Mark S Fowler RIBA, ARB  
Drawings are subject to copyright.

**PRELIMINARY**  
 THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND  
 MUST NOT BE USED AS A CONSTRUCTION GUIDE. IT IS SUBJECT TO  
 AMENDMENT DURING FINAL DESIGN DEVELOPMENT.

**PLANNING  
 STAGE**

D. PLANNING	25.11.2021	SF
C. PLANNING	11.10.2021	SF
UPDATE		
B. PLANNING	21.02.2021	SF
ISSUE		
A. CLIENT ISSUE	16.02.2021	SF
NO. DESCRIPTION	DATE	DR BY

REVISIONS

50mm  
 ORIGINAL SHEET SIZE: A3

**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND  
 ARCHITECT TO BE NOTIFIED OF ANY  
 DISCREPANCIES PRIOR TO WORK  
 COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY &  
 COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN  
 ANY MANNER WITHOUT PRIOR WRITTEN  
 AUTHORITY.  
 NOTIFICATION WILL BE ACCORDED FOR  
 ALTERATIONS MADE BY OTHERS.

**CLIENT**  
 MR AND MRS TRY  
**PROJECT**  
 THE LODGE  
 WEST LILLING  
**DWG TITLE**  
 GARAGE BUILDING  
 EXISTING PLAN FOR  
**DATE** JAN 2021 **SCALES** VAR@A3  
**JOB NO.** 150 **DRAWN BY** SF  
 DRAWING NO. 201 **REVISION** D **CHECKED** SF



6 The Crossart, Riccall, North Yorks, YO19 9PL  
 www.crescent-architects.co.uk  
 t:01757 248183 e: enq@crescent-architects.co.uk

RIBA CHARTERED ARCHITECT  
 Mark S Fowler RIBA, ARB  
 Drawings are subject to copyright.





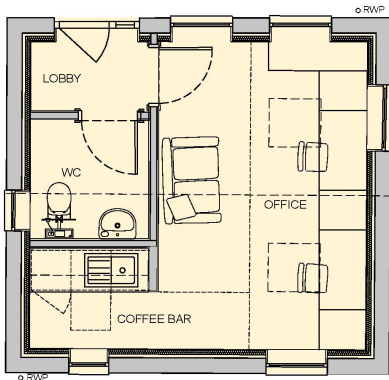
date valid 21/07/2021

THIS DRAWING IS THE PROPERTY OF CRESCENT ARCHITECTS LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF CRESCENT ARCHITECTS LTD.

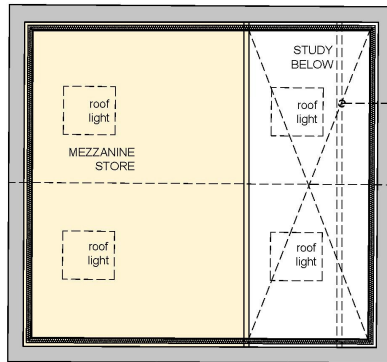
**REVISED PLAN**

**PRELIMINARY**  
 THIS DRAWING IS THE PROPERTY OF CRESCENT ARCHITECTS LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF CRESCENT ARCHITECTS LTD.

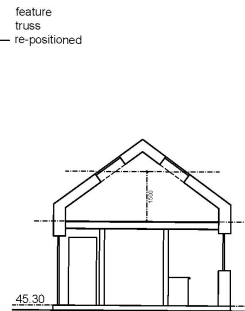
**PLANNING STAGE**



**OFFICE GROUND FLOOR PLAN**  
 Scale 1:50@A3



**OFFICE MEZZANINE FLOOR PLAN**  
 Scale 1:50@A3



**SKETCH SECTION**  
 Scale 1:100@A3

NO.	DESCRIPTION	DATE	DRY/BY
1	PLANNING UPDATE	28.05.2021	SF
2	DRAWING COMMITTED	21.02.2021	SF
3	PLANNING ISSUE	16.02.2021	SF
4	CLIENT ISSUE	16.02.2021	SF

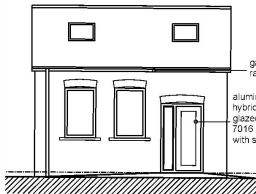
**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN ANY FORM WITHOUT PRIOR WRITTEN PERMISSION.  
 NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	MRS MRS TRY
<b>PROJECT</b>	THE LOOGE
<b>WEST LULLING</b>	
<b>DWG TITLE</b>	STABLE CONVERSION PROPOSED
<b>ELEVATIONS</b>	
<b>DATE</b>	JAN 2021
<b>SCALE</b>	1:50@A3
<b>JOB NO.</b>	120
<b>DRAWN BY</b>	SF
<b>DRAWING NO.</b>	221
<b>REVISION</b>	C
<b>CHECKED</b>	SF

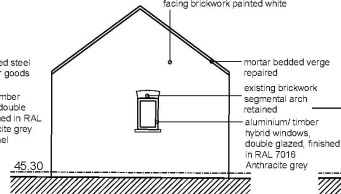


6 The Crescent, Riccall, North Yorks, YO19 9PL  
 www.crescent-architects.co.uk  
 01757 281030 e: info@crescent-architects.co.uk

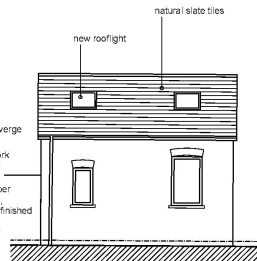
**RIBA** CHARTERED ARCHITECT  
 Miss S Fowler RIBA, ARB  
 Drawings are subject to copyright



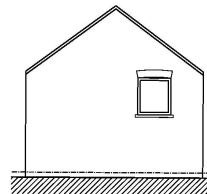
**PROPOSED FRONT ELEVATION**  
 Scale 1:100@A3



**PROPOSED SIDE ELEVATION**  
 Scale 1:100@A3



**PROPOSED REAR ELEVATION**  
 Scale 1:100@A3



**PROPOSED SIDE ELEVATION**  
 Scale 1:100@A3

## **PLANNING DESIGN AND ACCESS STATEMENT**

### **1. PROJECT:**

The Lodge, West Lilling – Garage demolition and new annexe, and outbuilding renovation to home office.

### **2. Design Principles and Concepts**

The existing garage building is a brick built single storey building which houses three cars and some storage. The proposal is to demolish this building and to rebuild it as a two-storey annexe. There will be space for three cars at ground floor level and a plant area. There is a staircase to living accommodation above.

There are two bedrooms, an en-suite and family bathroom, open plan living and dining area.

The proposal is to provide living accommodation for a live-in nanny or support staff, and to be connected to the use of the main house.

The outbuilding due to be renovated is to provide a home office, with kitchenette and ground floor WC.

The key design principles are:

- a. considered use of natural light to all new rooms,
- b. ensuring privacy for inhabitants and well as neighbouring properties,
- c. considering the energy use and environmental aspects of materials to be used through use of cladding, highly efficient glazing and insulation.

The materials to be used for the new annexe are intended to reflect the style of the existing house, incorporating the style of existing brickwork. The outbuilding will remain as existing appearance, with the addition of a small dormer to provide light to the mezzanine floor.

### **3. Context of Proposal**

The proposed garage annexe is to be located within the existing residential plot, on the former position of the garage. The site is located well in the village, with good access to local amenities and facilities.

The current owner of the property is working towards a self-build proposal and seeks to propose a scheme that sits well on the site.

### **4. Consultation**

No current applications have been submitted by our company and no pre-application enquiry has been made in relation to the scheme.



## 5. Existing Photographs



## 6. Flood Risk Assessment

According to the Environment Agency records the site is at a low risk of flooding.

Parish comments

**From:**  
**Sent:** 13 April 2021 07:38  
**To:** Development Management  
**Subject:** Comments for Planning Application 21/00284/FUL

#### Comments summary

Dear Sir/Madam,

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

Comments were submitted at 13/04/2021 7:37 AM from Ms Lillings Ambo Parish Council.

#### Application Summary

Address: The Lodge Goose Track Lane West Lilling YO60 6RR

---

Proposal: Erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights

---

Case Officer: Niamh Bonner

---

[Click for further information](#)

#### Customer Details

Name: Ms Lillings Ambo Parish Council

---

Address: The Byre, Thornton Field House, Thornton Le Clay, Malton YO60 7QA

---

#### Comments Details

Commenter Type: Neighbour

---

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

---



Reasons for comment:

Comments: Lillings Ambo Parish Council has No Objections.

---

Kind regards

Please scan PARISH response on 21/00284/FUL

## Comments summary

Dear Sir/Madam,

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

Comments were submitted at 23/03/2022 2:34 PM from Ms Lillings Ambo Parish Council.

### Application Summary

Address: The Lodge Goose Track Lane West Lilling YO60 6RR

---

Proposal: Erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights

---

Case Officer: Niamh Bonner

---

[Click for further information](#)

### Customer Details

Name: Ms Lillings Ambo Parish Council

---

Address: The Byre, Thornton Field House, Thornton Le Clay, Malton YO60 7QA

---

### Comments Details

Commenter Type: Neighbour

---

Stance: Customer made comments in support of the Planning Application

---

Reasons for comment:

Comments: The Parish Council supports this planning application

---

Kind regards

**Item Number:** 10  
**Application No:** 21/00889/73A  
**Parish:** Luttons Parish Council  
**Appn. Type:** Non Compliance with Conditions  
**Applicant:** Mr A Pickard  
**Proposal:** Variation of condition 01 of planning approval 16/00264/REM dated 10.08.2017 to retain proposed single garages to 17 and 18 Hillside Way, inclusion of rooflights, amendments to access and repositioning of fence to 19 Hillside Way and omission of common parking to the east of no. 19 Hillside Way  
**Location:** 17, 18 And 19 Hillside Way West Lutton Malton North Yorkshire YO17 8TE  
**Registration Date:** 16 August 2021  
**8/13 Wk Expiry Date:** 11 October 2021  
**Overall Expiry Date:** 7 January 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

**Highways North Yorkshire** Recommend conditions  
**Luttons Parish Council** Concerns

**Representations:** Mr Robert Harling, Michael Barker,

---

## SITE:

The application site relates to three domestic properties, no's 17, 18 and 19 Hillside Way, West Lutton. These are located towards the farthest part of the cul-de-sac at Hillside Way.

17 and 18 Hillside way are a pair of semi-detached bungalows and no. 19 Hillside Way is a detached chalet bungalow. All are constructed of brick and roof tile, with off street parking available for all.

The application site is located within the development limits of West Lutton.

## PROPOSAL:

These three dwellings were approved under outline application 12/01227/OUT and reserved matters application 16/00264/REM. The three properties are now under separate ownership and it appears that there were some discordances with the original permission, this application has been requested by the LPA in order to regularise the three properties.

This application seeks approval for the variation of condition 01 of planning approval 16/00264/REM dated 10.08.2017 to continue to have the right to create single garages at 17 and 18 Hillside Way (which were previously approved, but have not as yet been built) the inclusion of rooflights, amendments to access and repositioning of fence to 19 Hillside Way and omission of common parking to the east of no. 19 Hillside Way.

The proposed plans also show a more limited domestic curtilage to plots 17 and 18 than originally approved. This has resulted in a larger garden area being under the ownership of no. 20 Hillside Way. It has been advised that this sale of land was undertaken prior to these properties being sold to the current owners. The concrete apron to the front of no's 17 and 18 is now proposed for retention, rather than for

removal to facilitate the installation of a section of new pavement as previously indicated. The proposed site plan indicates the “existing concrete apron to be retained for parking and turning.” This is separated from the domestic curtilage of no’s 18 and 19 by a boundary fence.

The rooflights installed at no. 19 serve an additional first floor level which is clearly shown on the proposed plans including a bedroom and bathroom, with an escape rooflight indicated. This is considered acceptable to include within this Section 73 application as this property was not indicated as a bungalow in the description of either the original outline nor reserved matters application. This has been facilitated via a small increase in the overall roof height, by c500mm. It also involves the amendment of the approved pitched roof porch canopy to a flat roof porch canopy. The originally approved common parking space to the east of no. 19 Hillside Way has been omitted on these plans and a vehicle access to serve no. 19 is present in this location.

The proposal was readvertised during the application period to indicate the proposed retention of the right to build the single garages are no’s.17 and 18 as this has previously been indicated as being ‘omitted’ from the scheme in the original description. The occupiers of these properties are keen to retain the right to build these out in the future.

## **HISTORY:**

12/01227/OUT: Erection of three dwellings (site area 0.138ha). Approved.

16/00264/REM: Erection of 3 no. two bedroom dwellings with detached single garages and individual vehicular accesses (Outline approval 12/01227/OUT dated 21.02.2013 refers) Approved.

## **POLICIES**

Local Plan Strategy - Policy SP1 General Local of Development and Settlement Hierarchy  
Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
Local Plan Strategy - Policy SP21 Occupancy Restrictions  
National Planning Policy Framework  
National Planning Practice Guidance

## **REPRESENTATIONS:**

The Parish Council made the following comments on the 21st September 2021:

*“The Parish Council does not object to the omission of actual garage structures for 17 and 18 Hillside Way, provided that there remains a requirement for parking hard standing/space on each property to ensure that off road parking is provided for these properties.*

*The Parish Council does not have any comments or observations regarding the inclusion of roof lights, amendments to access and repositioning of the fence to 19 Hillside Way.*

*The Parish Council is very concerned about the omission of common parking. Currently if all residents of Hillside Way are parked on the street it causes difficulties for refuse collection vehicles and it would be extremely difficult for emergency services to access the properties. Whilst a common parking area would not solve the entire problem it would alleviate parking congestion. The Parish Council therefore request that the planning authority discusses with the applicant how common parking could be provided and does not agree to the removal of the condition for common parking.*

*( These comments, previously provided in respect of the original, invalid application, are made on the understanding that the planning application remains the same as before.)”*

The Parish Council made the following comments on the 6th January 2022:

*“The Parish Council remains concerned regarding the lack of pavement access to plots 1 & 2 (no 17 and 18?) and the build quality of the properties. The Parish Council strongly urges the planning authority and building control team to inspect what has been constructed on this site.”*

The points relating to the access and highway safety concerns will be further discussed below. A site visit was undertaken with the Case Officer and the North Yorkshire County Council Highway Improvement Manager on the 9th March 2022 who has been the Highways contact for this case.

The Planning Agent confirmed that an Approved Building Control Inspector was used for the construction of these properties. The Case Officer will contact this Inspector to seek confirmation on this point.

A response was received from the owner of no. 17 Hillside Way on the 16th December 2021:

*“Many thanks for sending me this letter. Everything looks good to me now I have my garage back. I have no objections.”*

A response was received from a third party on the 7th January 2022 (2 Thirkleby Rown, Malton Lane, West Lutton.)

*“As a resident and a parish Councillor who was unable to be present when the parish comment as submitted I would like to add some comments. The paths that the parish council are requesting have never been present nor were they on any previous plan nor comment so I feel this point is moot. Also large vehicles have managed to get up and down the street since the bungalows have been built. Parking is an issue on hillside way however the building has not made this worse, this is due to multi car households I believe at this stage in the planning and building process there is no reason to penalise the current occupants as they did not submit the original plans nor over see the build as a whole. Furthermore this current application appears to be addressing issues that should have been noted much earlier and the applicant is ensuring the site is compliant. He does not appear to be seeking any substantial changes.”*

Further responses from the owners of no. 17 and no. 18 Hillside Way have been received to confirm that they are willing to undertake the necessary limited works indicated as necessary by the Highways Officer and additional planting have been received. These will be further discussed below.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Form and Character
- iii. Impact upon neighbouring amenity
- iv. Access and Highway Safety
- v. Other matters, including consultation responses.

### **i. Principle of the development**

The principle of new residential development has been long established on this site and the dwellings constructed. This proposal continues to be compliant with policy requirements for new housing.

### **ii. Form and Character**

It is acknowledged as outlined above in the ‘Proposal’ section, that there has been a varied number of amendments to the originally approved scheme.

The changes to no. 17 and no. 18 Hillside way now include a significantly lower amenity space which was the basis on which these dwellings were purchased by their current owners. It is acknowledged that not all occupiers wish to have large gardens and on balance, as amenity space remains to the front and rear, this is considered acceptable.

The proposal to retain the right to build out the previously approved garages at these plots is also considered acceptable. These remain of the same traditional design with high quality materials. It is noted on the plans that these would be undertaken within 3 years, however this actually could be undertaken at the leisure of the occupiers of these properties, as any approved scheme will effectively have a lawful commencement. It is noted all three properties include off a suitable level of off street parking provision.

The proposed scheme includes new landscaping to the front of no's 17, 18 and 19 Hillside Way, which is welcomed with the planting of a beech hedge. It has been confirmed that this has been undertaken at no. 19 Hillside Way. This will be conditioned to be undertaken in the first available planting season (November 2022 – March 2023) and the condition will ensure that any plants that fail are replanted within a period of 5 years following planting.

The proposed amendments include the retention of the concrete apron to the south of no's 17 and 18 Hillside Way. This was originally proposed to be amended to form an extended footpath. This has been retained in situ and is forward of the defined domestic curtilage of these two properties. This has been discussed with the North Yorkshire County Council's Highways Improvement Manager during a site visit with the Case Officer on the 9th March 2022 and this will be outlined below, but they have no objection to its retention. In terms of form and design, it is noted that a footpath would have resulted in a higher quality section of streetscene, although it is acknowledged that this concrete apron can help to facilitate turning at this point in the cul-de-sac and does offer parking facilities. It is noted that the general highway at this point appears to be in a poor state of repair, but that the concrete apron appears relatively uniform and of a decent standard. It is not considered that its retention would result in material harm in terms of the character of the area.

The proposed amendments to no. 19 include the omission of a common parking space. This will be assessed separately in terms of access and highway safety, but in terms of form and character this is considered acceptable.

iii. Impact upon neighbouring amenity

The proposed scheme includes the retention of a habitable first floor level at no. 19 Hillside way. This has been facilitated with rooflights. Due to the positioning of the proposed building, is not considered that this proposal would result in any loss of privacy or instances of overshadowing of neighbouring dwellings.

No other element of the scheme would result in harm to neighbouring amenity.

iv. Access and Highway Safety

In an incoming letter dated 24th November 2021, the planning Agent noted "*Further to the above application and the concerns raised by the Parish Council my client(s) would confirm that the plans submitted will be adhered to in all respects as indicated on the submitted drawing.*"

*With regards to the comments regarding the parking the previous garages had a concrete apron which whilst being within the curtilage of the new bungalows has been left available for general parking and the turning area for the bin lorry as per the original approval.*

*The single parking area which was originally located within the boundary of No 19 has been omitted as the entrance to the property has been relocated due to the issue of limited access at the original point as a result of parking on the opposite side of the road."*

North Yorkshire Highways in their original response to this application recommended a number of conditions, on the basis they did not realise this was not a proposed development but retrospective.

The Case Officer and the North Yorkshire Highways Officer Improvement Manager undertook a joint site visit on the 9th March 2022. The concerns from the Parish Council were considered during that visit and the Highways Improvement Manager assessed the site and wider highway fully, with measurements undertaken.

They confirmed on balance they were satisfied broadly with the retrospective development in its current form. The loss of the single common parking space was considered acceptable. They did however recommend a condition to ensure that there are some improvements to the accesses at the two semi-detached properties in line with the standard requirement of E50. This includes kerbing between the domestic driveway and the concrete apron to prevent potential dragging of gravel onto the highways. It was confirmed that further kerbing beyond this nor the installation of drainage channels was necessary, due to the topography of the site. The draft condition was discussed with the Planning Agent in advance and allows for a 6 month time period for compliance which is considered generous but necessary given that this relates to works needing to be now undertaken by the separate property owners.

Written confirmation was sought from the occupiers of no. 17 and no 18 to confirm that this necessary upgrading will be adhered to and completed within this time frame.

A letter from Mr Barker (owner of no. 17 Hillside Way) was provided dated 30th March 2022. It noted *“I agree to do the works requested in the email showing the suggested condition requirements.*

*Specifically relating to the kerb that needs to be installed.*

*As I understand from our conversation all we need to do is install a 150mm x 50mm pin kerb between the existing concrete apron and our private driveway.*

*Also plant a small beech hedge along the frontage of our planting area as shown on the drawing 5675mm from the front of the property.*

*These are the only two things I am agreeing to, ie not the drainage channel or the bigger kerb between the apron and the main highway as shown on your standard driveway construction drawing.”* This confirms that the level of works sought by the Highways Officer would be completed.

A letter dated 26th March was received from Mr Chapman of no. 17 Hillside Way which noted *“I hereby give consent for the work to be carried out as agreed with highways at my property 18 Hillside Way West Lutton this work will be carried out within 6 months.”* This again is welcomed, but due to the wording of this, the Agent was asked to clarify for the avoidance of doubt that Mr Chapman was aware that this would be his responsibility. The Agent confirmed on the 3rd April that *“I have made it clear that it is his responsibility to undertake the work and both he and Mr Barker are happy to do this. I will get a further letter form him in line with your requirements.”* This again is welcomed however the further letter is considered pragmatic.

On the basis of this final letter of confirmation being received, it is considered that the further minor works will ensure that the development is undertaken to the satisfaction of the North Yorkshire County Council Highways Team. This will be checked via a planning compliance visit by officers of the Local Planning Authority. Therefore whilst the concerns of the Parish Council remain, it is considered that this loss of the common parking space originally proposed would not result in materially harmful impacts upon access or highway safety.

v. Other matters, including consultation responses.

The Parish Council response has been addressed above and it is considered that this proposal accords in principle with the relevant policies of the Ryedale Plan, Local Plan Strategy.

AS this is a variation of a reserved matters application, the full suite of conditions on the outline application remain relevant. Therefore only a limited number of conditions will be recommended. This will include approved plans, highways conditions including a condition to seek the necessary improvements and a condition to prevent the garages being turned into domestic accommodation. A further condition to ensure the new hedging is undertaken will also be recommended.

Therefore subject to the identified conditions we can be satisfied that this proposal conforms with Policies SP1, SP2, SP16 and SP20 of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

**RECOMMENDATION:                      Approval**

- 1            The development hereby permitted shall be carried out in accordance with the following approved plan(s):  
Site Location Plans  
Site Plans Existing/Proposed (Drawing no. WL/2021/03A)  
Proposed Plans and Elevations Drainage Layout (Drawing no. PH/2016/WL/02B)

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

- 2            Within 6 months of the date of decision notice, the crossing of the highway verge at Plots 17 and 18 Hillside Way must be constructed in accordance with the approved details and Standard Detail number E50 and the following requirements.

The final surfacing of any private access within two metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway. All works must accord with the approved details.

Informative: Further guidance can be provided by the NYCC Highways Team and in practical terms this will require an edging kerb to be installed along the driveway access point at these properties. No drainage channel is considered necessary in this location.

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

- 3            Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 4            Within the next available planting season (November 2022-March 2023) the new beech hedging proposed within no's 17 and 18 Hillside Way shall be installed as detailed in Drawing no. PH/2016/WL/02B.

Any new hedging plants within no's 17, 18 or 19 Hillside Way which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.



Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

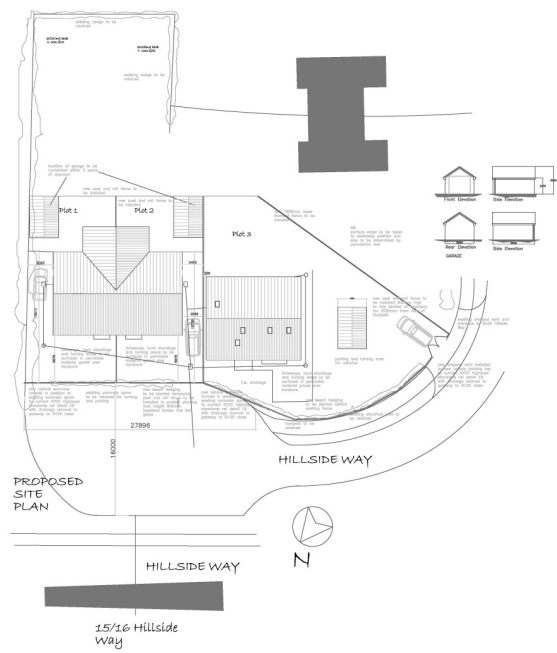
**SITE LOCATION PLAN  
AREA 2 HA  
SCALE 1:1250 on A4  
CENTRE COORDINATES: 493209, 469547**

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.



Supplied by Streetwise Maps Ltd  
[www.streetwise.net](http://www.streetwise.net)  
Licence No: 100047474  
16/02/2016 18:03

NB  
Do not scale from this drawing, use written dimensions only to be used  
any other dimension on it to be checked prior to work commencing  
Check of work shown does not indicate that an operative survey has  
been carried out and reference should be made to the latest for the  
information prior to work commencing.

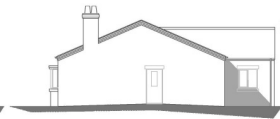


Revisions	
A	Series One Design Associates Architectural Design 21, Shalophorpe, York Tel: 07526182270 e-mail: r1@seriesone.co.uk
DRAWING TITLE	
ADJUSTMENT TO SITE PLAN LAND AT HILLSIDE WAY WEST LUTTON MALTON YO17 8TE	
SITE PLANS EXISTING/PROPOSED	
SCALE	DATE
1:200	APR 2021
DRAWING NUMBER	
WL/2021/03A	

**NB**  
 Do not scale from this drawing, use written dimensions and do not add any other dimension or to be checked prior to work commencing. Check of work shown does not indicate that an adequate survey has been carried out and reference should be made to the site for this information prior to work commencing.



Rear Elevation



Side Elevation

santofit old english pantile or similar approved  
 black gutter and up on rise and fall brackets on brick dentil detail  
 windows to be timber double glazed with minimum reveal of 50mm to external face

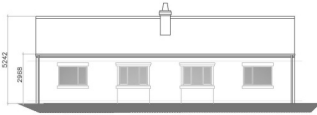


Rear Elevation



Side Elevation

santofit old english pantile or similar approved



Front Elevation



Side Elevation



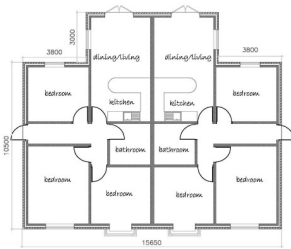
Front Elevation

green oak porch frame with rosemary tie



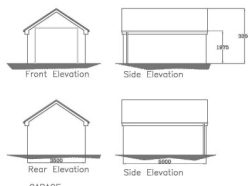
Side Elevation

black gutter and up on rise and fall brackets on brick dentil detail



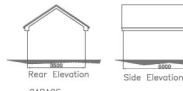
ground floor plan

Plot 1 & 2



Front Elevation

Side Elevation

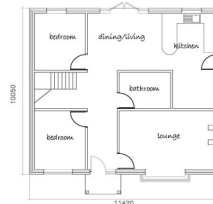


Rear Elevation

Side Elevation

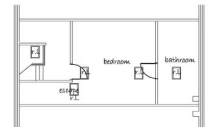
GARAGE

Garages to be constructed as follows:  
 Butt foundations to structural engineers design  
 walls to be batcock Arden Red or similar approved  
 timber doors  
 pantile roof to be - Santofit old english pantile natural red or similar approved



ground floor plan

AS PROPOSED



first floor plan

REVISIONS	
NO	DESCRIPTION
1	ISS 3 amended to include drawings etc
2	ISS 3 amended to include drawings etc
3	ISS 3 amended to include drawings etc
4	ISS 3 amended to include drawings etc

SERIES ONE DESIGN ASSOCIATES  
 Architectural Design  
 21, Shagbush Lane, York  
 Tel: 07956226053 e-mail: r1@seriesone.co.uk

**DRAWING TITLE**  
 PROPOSED NEW DWELLINGS  
 LAND AT HILLSIDE WAY  
 WEST LUTTON  
 MALTON  
 YO17 8TE

**PROPOSED PLANS AND ELEVATIONS DRAINAGE LAYOUT**

SCALE: 1:100 DATE: Nov 2016  
 DRAWING NUMBER: PH/2016/WL/02B

Please scan as PARISH response on 21/00889/73A

## Consultee comments

Dear Sir/Madam,

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

Comments were submitted at 06/01/2022 10:12 AM from Mrs Janice Robinson (on behalf of Luttons Parish Council).

### Application Summary

Reference: 21/00889/73A

---

Address: 17, 18 And 19 Hillside Way West Lutton Malton North Yorkshire YO17 8TE

---

Proposal: Variation of condition 01 of planning approval 16/00264/REM dated 10.08.2017 to retain proposed single garages to 17 and 18 Hillside Way, inclusion of rooflights, amendments to access and repositioning of fence to 19 Hillside Way and omission of common parking to the east of no. 19 Hillside Way

---

Case Officer: Niamh Bonner

---

[Click for further information](#)

### Comments Details

Comments: The Parish Council remains concerned regarding the lack of pavement access to plots 1 & 2 (no 17 and 18?) and the build quality of the properties. The Parish Council strongly urges the planning authority and building control team to inspect what has been constructed on this site.

---

Kind regards

This email has been checked for viruses by AVG antivirus software.  
[www.avg.com](http://www.avg.com)

From: Development Management

Sent: 10 September 2021 11:49

To: Development Management

Subject: Consultee Comments for Planning Application 21/00889/73A

#### Consultee comments

Dear Sir/Madam,

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

Comments were submitted at 10/09/2021 11:48 AM from Mrs Janice Robinson (clerkluttonspc@hotmail.co.uk) on behalf of Luttons Parish Council.

#### Application Summary

Reference: 21/00889/73A

Address: 17, 18 And 19 Hillside Way West Lutton Malton North Yorkshire YO17 8TE

Proposal: Variation of condition 01 of planning approval 16/00264/REM dated 10.08.2017 to allow omission of garages to 17 and 18 Hillside Way, inclusion of rooflights, amendments to access and repositioning of fence to 19 Hillside Way and omission of common parking

Case Officer: Niamh Bonner

[Click for further information](#)

#### Comments Details

Comments: The Parish Council does not object to the omission of actual garage structures for 17 and 18 Hillside Way, provided that there remains a requirement for parking hard standing/space on each property to ensure that off road parking is provided for these properties.

The Parish Council does not have any comments or observations regarding the inclusion of roof lights, amendments to access and repositioning of the fence to 19 Hillside Way.

The Parish Council is very concerned about the omission of common parking. Currently if all residents of Hillside Way are parked on the street it causes difficulties for refuse collection vehicles and it would be extremely difficult for emergency services to access the properties. Whilst a common parking area would not solve the entire problem it would alleviate parking congestion. The Parish Council therefore request that the planning authority discusses with the applicant how common parking could be provided and does not agree to the removal of the condition for common parking.

( These comments, previously provided in respect of the original, invalid application, are made on the understanding that the planning application remains the same as before.)

Kind regards



**Item Number:** 11  
**Application No:** 21/00925/FUL  
**Parish:** Lillings Ambo Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr and Mrs P Try  
**Proposal:** Erection of 1no. detached six bedroom replacement dwelling  
**Location:** The Lodge Goose Track Lane West Lilling YO60 6RR

**Registration Date:** 26 July 2021  
**8/13 Wk Expiry Date:** 20 September 2021  
**Overall Expiry Date:** 30 March 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

<b>Foss Internal Drainage Board</b>	Recommend conditions
<b>Lillings Ambo Parish Council</b>	Supports

**Representations:** Professor Yvonne Birks, Mr Paul Wreglesworth, Mr Alan Plews, Paul Hurley, Mrs Elaine Magee, Mrs Michelle Plews, David Sked, Lloyd Parsons, Nigel Verity, Karina Milligan, Andrew Morse, Rex Parry, Stuart Smith, Evelyn Peterson, Diane Morse, Elizabeth Hudson, Peter Burnett, Claire Wesley, Mr And Mrs McBurney, Donna Evans, Graham Evans, Richard Birks, Mr Nick Edwards, Dr Tom Milligan, Phillip Marsden, Valerie Marsden,

---

## SITE:

The Lodge is a two and a half storey dwelling, set in expansive grounds, to the north of the village of West Lilling, accessed via Goose Track Lane. The site falls within outside of the village development limits, therefore in land which would be considered as the 'Wider Open Countryside' in the Ryedale Plan, Local Plan Strategy. The site is considered to be highly visible within the street scene.

The dwelling is of a significant scale, with the original main dwelling incorporating an attractive traditional form. Ordinate Survey Maps indicate the date of this dwelling to be from the latter part of the 19th Century, not shown as present on the 1851 maps but present on the 1891 map.

This dwelling, whilst attractive has however been unsympathetically extended over time, with a flat roof dormer to the principle southern roofslope. The two storey side extension is set down and set back from the host dwelling to appear subservient and relates well in scale and form, however the first floor level has been completed with hanging tiles which does not assimilate well with the traditional property. There is also a flat roof extension running almost the full length of the rear of the property, which whilst significant in span is modest in depth and does not appear highly visible from public views. The majority of the dwelling is completed with white painted bricks and slate roof tiles.

The main original dwelling spanned c11.30 metres from east to west and c9.6 metres in depth. The two storey addition to the east spanned c7.25 metres from east to west and c7.5 metres in depth, set back from the principle elevation by c2 metres, with the ridge height set down by c1.4 metres with a pitched roof mirroring the main roof form. The single storey element to rear spans c17.3 metres along the rear of the dwelling c2 metres in depth from the rear elevation.

A functional amenity space is located to the rear of the property where parking is undertaken and garaging is present. More formal garden space is present to the west and south including a high status approach to the dwelling via an avenue style driveway and a tennis court. Agricultural land also falls within the ownership of the site to the north and west.

West Lilling is characterised by traditional residential development, with a strong pattern of traditional roadside cottages. The Lodge, sited to the north of the village represents in architectural terms a higher status dwelling within the village.

## **PROPOSAL:**

This proposal seeks planning permission for the erection of 1no. detached six bedroom replacement dwelling

A significant level of negotiation has been undertaken with the Planning Agent and a scheme with a limited range of amended design details has been submitted received by the Local Planning Authority on the 25th November 2021.

This has been subject to formal reconsultation with the Parish Council. In advance of formal neighbour reconsultation a number of letters of correspondence were received. All neighbours who had not made comments by that stage on the revised plans were then formally reconsulted on the scheme in March of 2022 and this period has concluded.

This scheme would incorporate a replacement 2.5 storey building. This would incorporate one central 2.5 storey section that would span c19m from east to west with a depth of 12 metres from north to south. A further single storey element is proposed to the west with a pitched roof design resulting in the property incorporating a maximum span of c24 metres. This main 2.5 storey section would include an overall maximum height of c9.1 metres, with an eaves height of c5.15 metres and would incorporate a hipped roof form, with a central flat roof section on which solar panels would be positioned. The northern elevation is indicated as the front elevation on the proposed plans, with a centrally placed set of French doors, covered by a timber framed canopy present to form the main access. The southern rear elevation incorporates a centrally placed feature window, spanning from ground to first floor within a pitched roof section. This relates to a reversal of the current principle and rear elevations.

As part of revised plans, the fenestration has been altered to appear more consistently positioned, with an originally proposed Georgian style porch omitted along the northern elevation, a pitched roof element to the northern elevation at first floor level omitted and a band of blue engineering brick between ground and first floor level removed.

This replacement dwelling would be located in the existing footprint of the existing dwelling which as noted, incorporates a main original section, with subservient extensions added over time.

The dwelling would be constructed with natural slate roof tiles and white render, on a brick base, with 'blue engineering brick' or similar indicated on the proposed plans. The dwelling would be completed with Anthracite Grey aluminium framed doors and windows.

## **HISTORY:**

21/00284/FUL: Erection detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights. Pending Consideration.  
21/00561/FUL: Erection of steel framed building for storage of garden equipment following demolition of existing timber shed. Approved.

3/78/18/PA Extension to dwelling to form additional study and utility room areas, toilet and breakfast room at The Lodge, Gilling. Approved.

3/119/54/PA Alterations and demolition of existing outbuildings, construction of 2 garages and the

erection of a brick wall at, The Lodge, Lilling, York. Approved

## **POLICIES**

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPG)

## **REPRESENTATIONS:**

The Parish Council did not respond to the original consultation request dated 30th July 2021.

The Parish Council confirmed they recommend approval of the scheme in a further consultation response dated 11th March 2022 in which they noted: *“The proposed house is to be of similar size, height and colour of the original. It will be well insulated and include modern technology such as solar panels and possibly air or ground source heating. It will be a large property set in a substantially large plot, surrounded by fields and adjacent to Goose Track Lane. The neighbours have no objection to the proposed plans. Lillings Ambo Parish Council will, therefore, support this application.”*

26 Letters of support have been received in relation to the scheme between 17th February 2022 and 7th March 2022. These are available for Members to review in full on the planning file on the Public Access. These incorporate the following summarised points and each of the 26 responses relates to both this application and 21-00284-FUL.

- Support the demolition of the existing house and replacement with the proposed scheme, including new garage and home office
- House requires updating to modern standards in an economic way, was built at a time where no thought to sustainability was given. This will provide a sustainable family home.
- I have been in the home and seen the extent of the deterioration especially the damp throughout the property and in my opinion starting again is the only option....Such is the state of the property, I cannot understand how you expect a family with young children to continue to live in.
- Current extension is poorly executed and not in keeping with the main house. The interior has no redeeming features. No other family would buy that house on that plot without having the wish to write again. The mismatch between the quality of the house and the setting unusual.
- The property is not in a Conservation Area, nor listed.
- The proposal due to its form, design and scale would not change the character of the village nor look out of place, but would result in an enhancement of the immediate setting, whilst respecting the past.
- The design would be visually unobtrusive, unpretentious and appropriate to the nature of the village, as well as respectful and characteristic. It would also fit with the local architecture of Sheriff Hutton.
- Continued use of distinctive white colour commended.
- The proposal will result in more energy efficient design.
- The village has suffered from planning agreeing to other structures not in keeping for the village.
- The plans would ensure that a similar buildings of stature would continue the landmark at that very important corner of the village known as the ‘Lodge, the big White House.’
- Request outside lighting is not intrusive due to dark sky location.
- Request large trees are preserved as much as possible.
- Would provide a long term home for a member of the community and local business man.
- Cannot understand the delay
- Strongly opposed to the property been replaced with contemporary, modern design....something out of keeping with the village like the unit referenced on application

20/01120/MFUL (Cornborough Road) which I understand you are pushing as an example of what you wish to see any replacement dwelling for the Lodge to take reference from... Struggle to see why the Council is advocating for ultra modern architecture...(These) plans suggest an extremely modern building that looks more like industrial units than a dwelling. Whilst it might be possible to get away with that at Cornborough - where almost all of the houses are remote and screened from the road - but in Lilling this would be a totally inappropriate eyesore and completely at odds with the rest of the village.

- (Case Officer Note: The referenced Paragraph 80 application Cornborough application was discussed with the Architect and Planning Agent as a design that was reflective of high quality contemporary architecture, responsive to its surroundings. This was not recommended as a design to be simply reproduced in this location. Alternative traditional rural vernacular design was also discussed and detailed advice was provided on this also.)
- Would not support an ultra modern property within our village of older more traditional homes as it would appear out of character.
- Mr Try canvassed me prior to submitting any proposal to planning and in the proposals he has submitted has captured everything we discussed.

## APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Design, Form and Character
- iii. Impact upon neighbouring amenity
- iv. Other matters, including consultation responses.

- i. Principle

The Ryedale Local Plan Strategy is the Development Plan and includes a settlements hierarchy. Policy SP1 (General Location of Development and Settlement Hierarchy) states that development in the non-service villages will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities.

Policy SP2 (Delivery and Distribution of new housing) supports the principle of replacement dwellings in the Wider Open Countryside.

The proposed replacement dwelling will involve the demolition of the existing dwelling and its replacement with a new house. The Design and Access Statement indicated that the existing dwelling “does not retain heat, it requires care and renovation and does not suit modern day family living.” The Design and Access Statement also notes the property was “*Rated on a recent EPC as Grade F, the property is not holding heat. In fact, according to current usage estimates the property required over 2000 litres of oil a week...this energy usage is not sustainable and demonstrates a property in need of renovation.*” The proposed scheme would be proposed due to the poor design and energy efficiency of the existing dwelling. The Design and Access Statement continues to note “*The new house is to be well insulated, with an emphasis on energy efficiency to all elements. The proposed scheme will look to integrate a renewable energy system, which is yet to be determined.*”

The current state of repair of the dwelling is acknowledged and the Case Officer has been able to appreciate this during an internal site visit.

The principle of a replacement dwelling in this location is considered to be acceptable subject to consideration of the following matters. As a replacement dwelling, if approved, this would not be subject to a Local Needs Occupancy Condition.

## ii. Design , Form and Character

Policy SP16 (Design) of the Ryedale Plan Local Plan Strategy notes:

*Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- *The type, texture, and colour of materials, quality and type of building techniques and elements of architectural detail*
- *Topography and landforms*
- *The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density , size and scale of buildings.*

Policy SP20 also requires that *"New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses"*.

Paragraph 126 of the NPPF notes: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

Paragraph 130 of the NPPF notes. *"Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);"*

Concern was originally raised with this scheme on the 15th September 2021 when the Case Officer noted the following in an email to the Planning Agent:

*"Following detailed review, whilst we are accepting in principle of a replacement dwelling in this location, we have very strong concerns in terms of the proposed design. The original building is a highly attractive and high status building in West Lilling and if it was not unsympathetically extended, it is likely that this would have been considered a non-designated heritage asset. However following a visit inside the house with the Applicant, I do appreciate and accept the rationale behind seeking a new build.*

*However, whilst a new build may be acceptable in principle, this must still accord with the Council's Local Plan Policies in relation to design and character, Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy (copied below.) Following detailed review, the LPA conclude that the proposed dwelling is at odds with traditional vernacular design in Ryedale, as detailed in the Council's Rural Design Guide. This document is available to review at the following link: [https://www.ryedale.gov.uk/content/uploads/2021/07/Ryedale\\_Rural\\_Design\\_Guide\\_Consultation\\_Draft-1.pdf](https://www.ryedale.gov.uk/content/uploads/2021/07/Ryedale_Rural_Design_Guide_Consultation_Draft-1.pdf) Nor in our view does the proposal achieve a high standard of contemporary architecture which could also potentially be supported.*

*In its current form we could not support the design. The proposed form and proportions of the building, with a significant monolithic two storey element and sizeable flat apex to the hipped roof, fenestration which appears nondescript in terms of its design and disproportionate, together with certain aspects of the materials, including the significant use of blue engineering brick in our view does not 'reinforce local distinctiveness' as required by Policy SP16 of the Ryedale Plan, Local Plan Strategy. It is very much a mix of architectural styles, including nods of Georgian detailing which ultimately in our view results in a design of poor quality. There would no longer be the 'sense of arrival' or clear demonstration of the principle elevation with the grand feature entrance which the current property incorporates. The site is also in a very prominent position in the village and therefore in our view, an inappropriate design would have a harmful streetscene impact.*

*At present, in its current form, we would have no option but to refuse this application due to its discordance with Policies SP16 (Design) and SP20 (Generic Development Management Issues) of the adopted Ryedale Plan, Local Plan Strategy due to design, form and character, including the resultant impact upon the streetscene. I would urge you to reconsider a high quality traditional design in this location, that is reflective of the traditional village vernacular as I think this would be a more appropriate design response in this location."*

Further advice was given in a further email dated 29th September 2021 and the offer made to informally review any sketches should that be of assistance to the Agent.

Revised plans were received on the 25th November 2021 which incorporated limited amendments to the overall scheme. These included:

- The porch on northern elevation no longer incorporating a Georgian style design on the dwelling which is not of an overall Georgian Style. This has been replaced with a oak framed canopy. The previous unusual window above this has regularised.
- An oak frame element to the single storey section to the southern elevation has been introduced.
- The brick course of blue engineering brick between the ground and first floor level has been omitted, this remains on the base of the property.
- The windows to the east were enlarged, providing a better solid to void ratio.

However, following careful review with colleagues including the Planning and Development Manager and the Council's Building Conservation Officer, it was considered that whilst some limited improvement were made, these did not overcome the fundamental issues with the proposed design outlined above.

It is acknowledged that the site is large, with expansive grounds and has the capacity to absorb a significantly scaled dwelling and in principle, a larger replacement dwelling is not of significant concerns to Officers. However the execution of this needs to be carefully considered and a high quality scheme secured. The proposed form and proportions of the building remained monolithic and this has created a significantly scaled, 19 metre long 2.5 storey uniform central section, which includes a hipped roof form that is forced to incorporate an awkward flat apex.

It is considered that the overall design is more reflective of an anonymous and rather bland modern building in a town location, with a monolithic form, fenestration detailing, materials (including white render and anthracite windows), roof form and feature glazing to the south akin to approach to design which are regularly found in office, apartment or motel buildings in any town/built up locations. Indeed, it is not immediately clear from the proposed aesthetic that the building is indeed a dwelling. It is not considered that the proposed design is reflective of the local distinctiveness referenced in Policy SP16 Design, nor fitting within a highly visible site within the village that presently incorporates a dwelling of a higher design status, albeit with some unsympathetic later extensions. The character of many of Ryedale's rural villages, including West Lilling, is comprised of traditional vernacular architecture. Whilst officers and members have acknowledged that high quality contemporary architecture can add to the visual interest and character of a place, the proposed design, in officers view, the proposed design neither reinforces traditional local vernacular and local distinctiveness nor does it propose a modern building of a high quality of design. In officers view, the proposed design would

detract from and undermine the built character and qualities of West Lilling in clear conflict with SP16 of the Development Plan.

Officers provided detailed advice on the two concurrent schemes and following this, a virtual meeting was undertaken on the 8th February 2022 with Ryedale District Council's Planning and Design Manager, the Case Officer, the Architect and the Planning Agent. The advice relating to the main dwelling (application 21-00915-FUL) was given and this is important context for this separate application under consideration.

The LPA had previously advised the Agent and Architect that they potentially gain Officer support for this replacement dwelling if they proceeded one of two ways. The first would be approaching this in design terms to achieve a scheme that better reflects the rural village context and the village's predominant built character with its strong local vernacular. The Case Officer had made reference to the Council's Rural Design Guide to try and assist in this matter.

The discussed alternative to this would be a very high quality contemporary design approach and it was confirmed in our view the current scheme would not accord with either of these two approaches. As detailed in the Case Officer notes, this was not a recommendation to 'copy' another design recently approved at Cornborough Road, as this would be highly unlikely to receive Officer support in this very different edge of village context. For clarity, this advice related to seeking a high quality contemporary style that could fit the site specific context of The Lodge, should the Applicant not wish to pursue a high quality traditionally styled building.

The LPA Officers then during this meeting noted that whichever way the Applicant chose to proceed, the garage/annex building should take its design cues from that approach. Discussions around attached designs occurred, including stepped down outrigger style elements.

Following this meeting, the Agent and Architect sought input on an alternative Georgian/Victorian Style scheme for the replacement dwelling. This was positively received by the LPA following further input from the Council's Building Conservation Officer.

The Case Officer responded on the 17th February 2022 to note the following on this alternative scheme *"I think this indicated design would present a positive potential way forward in terms of design and in principle, subject to final plans, scale, positioning and detailing, we could be broadly supportive of a scheme with this form. It presents a higher status building, which would be commensurate with the plot and it would incorporate Georgian and Victorian style elements, appearing to present a building that has evolved over time, with the benefits of a classic design.*

*However, in terms of render, which could be acceptable in principle, I think we would encourage you to move away from a stark white render in this location and opt for a more muted, tonal colour. We can provide advice on this at a later point. Imperatively, as we discussed in the meeting, the detailing will be of critical importance, particularly windows and other openings. Careful consideration will also need to be given to an appropriately designed annex/garage building to accord with this alternative design approach."*

On Friday 11th March the Planning Agent representing the Applicant confirmed that they wished this to proceed to Planning Committee with the current plans.

Consequently, it remains our view that a high quality scheme for the replacement dwelling has not been submitted. Therefore, whilst the principle of a replacement dwelling in this location can be supported, the present scheme is not considered to meet with the design requirements of Policies SP16 or SP20 of the Ryedale Plan, Local Plan Strategy, nor the expectations of national policy which requires the planning system to create high quality, beautiful and sustainable buildings.

It is therefore considered as outlined above that this proposed development is inappropriate in terms of design. The building is not visually attractive as a result of good architecture, the proposed design is concluded to be unacceptable in terms of overall cumulative massing, design, positioning and detailing. It is not considered that this scheme is sympathetic to local character or that it reinforces local

distinctiveness nor relates well with the higher status character of The Lodge, resulting in development that will detract from and harm the character and streetscene of the village. It is therefore considered to be in discordance with Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework. Members are reminded that the NPPF is very clear that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

iii. Impact upon neighbouring amenity

The proposed development would not result in any harm to neighbouring amenity.

iv. Other matters, including consultation responses.

It is not considered that this proposal would have any impact upon access nor highway safety due to the continued use of the existing accesses and significant parking areas within the site. It is noted that the North Yorkshire Highways Team were consulted on the other scheme which included garaging and they recommended a construction management plan condition. A view from the North Yorkshire Highways Team as to whether this should be replicated on this permission if Members are minded to recommend approval will be sought.

The Internal Drainage Board recommended a condition in relation to this scheme.

In conclusion, it is acknowledged that this proposal for a replacement dwelling is acceptable in principle and this could be undertaken without undue impacts upon access and highway safety, neighbouring amenity, drainage, etc. it is also acknowledged that this would undoubtedly result in a better standard of accommodation for the current occupiers and would be a more sustainable dwelling. However, fundamentally for the reasons outlined above, this proposal is not considered to accord with the requirements of policies SP16 (Design) and SP20 (Generic Development Management Issues) of the Council's Local Development Framework Development Policies Document and the National Planning Policy Framework (NPPF). For the reason outlined below, Officer's recommend that this proposal is refused.

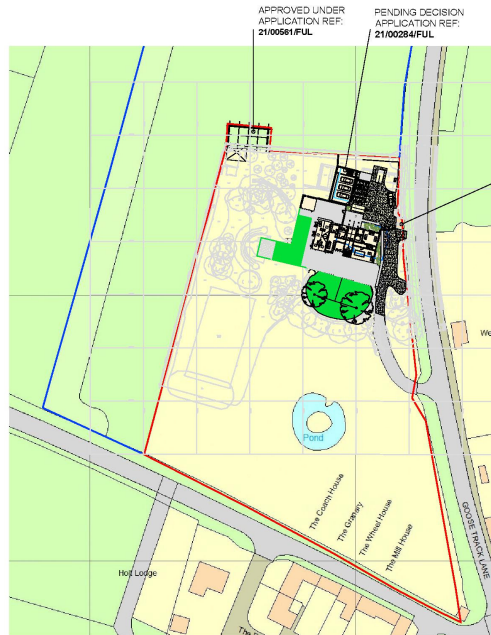
**RECOMMENDATION: Refusal**

- 1 The proposed development by virtue of its overall design, including cumulatively, the form, mass, positioning, fenestration detailing and materials is not a high quality design and fails to respect the context provided by its surroundings. It does not reinforce local distinctiveness, or relate to the higher status character of The Lodge within the attractive, traditional village setting of West Lilling. As such, the proposed development would result in unacceptable harm to the character and appearance of the village and its streetscene. The proposal is therefore contrary to Policies SP16 (Design) and SP20 (Generic Development Management Issues) of the Council's Local Development Framework Development Policies Document and the National Planning Policy Framework (NPPF).





**EXISTING SITE LOCATION PLAN**  
Scale 1:2500@A3



**PROPOSED BLOCK PLAN**  
Scale 1:1250@A3



**PRELIMINARY**  
SUPPLIED UNDER LICENSE BY  
OAKWOOD LAND SURVEYS

**PLANNING STAGE**

TOPOGRAPHICAL SURVEY  
SUPPLIED UNDER LICENSE BY  
OAKWOOD LAND SURVEYS  
ORDNANCE SURVEY MAPS  
SUPPLIED UNDER LICENSE BY  
STREETWISE

Indicative site boundary line

G	PLANNING UPDATE	25.11.2021	SF
F	PLANNING UPDATE	11.10.2021	SF
E	PLANNING	20.02.2021	SF
D	APPROVALS ISSUE	26.05.2021	SF
C	PLANNING UPDATE	19.09.2021	SF
B	CLIENT ISSUE	26.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

NO.	DESCRIPTION	DATE	DRY/BY
REVISIONS			

50mm  
ORIGINAL SHEET SIZE: A3

**NOTES:**

ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.

THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.

THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	
MR AND MRS TRY	
<b>PROJECT</b>	
THE LODGE	
<b>WEST LILLING</b>	
<b>DWG TITLE</b>	
EXISTING HOUSE SITE PLAN AND PROPOSED HOUSE BLOCK PLAN	
<b>DATE</b>	JAN 2021
<b>SCALE</b>	VARIOUS
<b>JOB NO.</b>	108
<b>DRAWN BY</b>	SF
<b>CHECKED BY</b>	SF



© The Crescent, Riccall, North Yorks, YO19 6PL  
www.crescentarchitects.co.uk  
01757 261536 e: info@crescentarchitects.co.uk

RIBA CHARTERED ARCHITECT  
Miss S Foster RIBA, ARB  
Drawings are subject to copyright

**PRELIMINARY**  
 THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS SUBJECT TO APPROVED CONTRACT CONDITIONS.  
**PLANNING STAGE**

NO.	DESCRIPTION	DATE	DR BY
J	PLANNING UPDATE	25.11.2021	SF
H	CLIENT UPDATE	11.10.2021	SF
G	CLIENT UPDATE	03.10.2021	SF
F	PLANNING UPDATE	26.09.2021	SF
E	CLIENT AMENDS	21.09.2021	SF
D	PLANNING ISSUE	26.08.2021	SF
C	GENERAL UPDATE	19.08.2021	SF
B	CLIENT ISSUE	26.07.2021	SF
A	CLIENT ISSUE	22.07.2021	SF

REVISIONS  
 50mm  
 ORIGINAL SHEET SIZE - A3

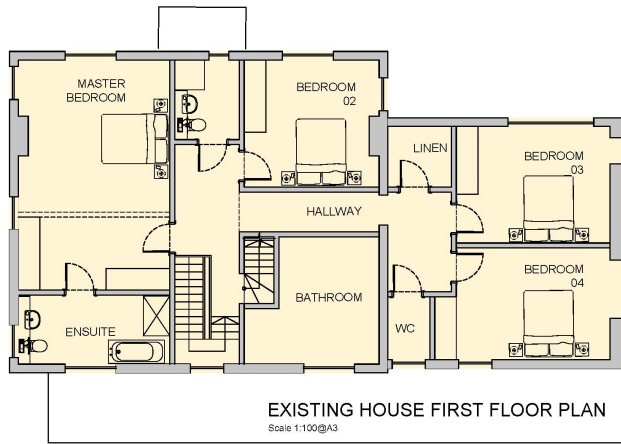
**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
 LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

**CLIENT**  
 MRS ANE MRS TRY  
**PROJECT**  
 THE LOOGE  
 WEST LULLING  
**DWG TITLE**  
 EXISTING HOUSE SITE PLAN

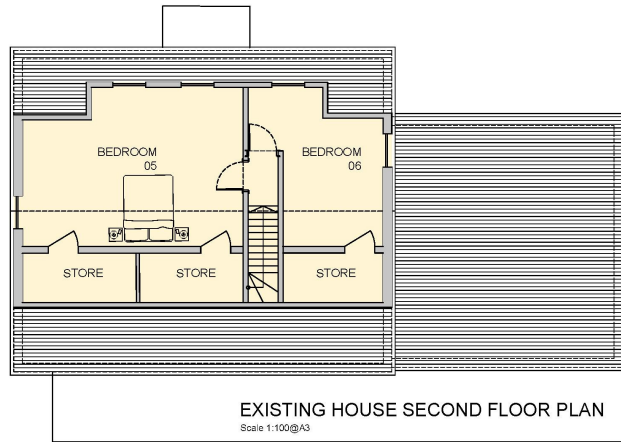
**DATE** JUN 2021 **SCALE** 1:200@A3  
**JOB NO.** 123 **DRAWN BY** SF  
**DRAWING NO.** 100 **REVISION** CHECKED  
**100** **J** **SF**

**CRESCENT ARCHITECTS LTD.**  
 6 The Crescent, Riccall, North Yorks, YO19 6PL  
 www.crescentarchitects.co.uk  
 01757 261241 e: info@crescentarchitects.co.uk  
 RIBA CHARTERED ARCHITECT  
 Miss S Fowler RIBA, ARB  
 Drawings are subject to copyright





EXISTING HOUSE FIRST FLOOR PLAN  
Scale 1:100@A3



EXISTING HOUSE SECOND FLOOR PLAN  
Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR INFORMATION ONLY AND  
IS NOT TO BE USED FOR CONSTRUCTION PURPOSES  
UNLESS SPECIFICALLY NOTED OTHERWISE.  
IT IS SUBJECT TO APPROVED DIMENSIONS.  
**PLANNING  
STAGE**

C	PLANNING UPDATE	25.11.2021	SF
B	PLANNING UPDATE	11.10.2021	SF
A	PLANNING ISSUE	08.07.2021	SF
NO.	DESCRIPTION	DATE	DR BY
REVISIONS			

50mm  
ORIGINAL SHEET SIZE - A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND  
ARCHITECT TO BE NOTIFIED OF ANY  
DISCREPANCIES PRIOR TO WORK  
COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY &  
COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN  
ANY MANNER WITHOUT PRIOR WRITTEN  
AGREEMENT.  
NO LIABILITY WILL BE ACCEPTED FOR  
ALTERATIONS MADE BY OTHERS.

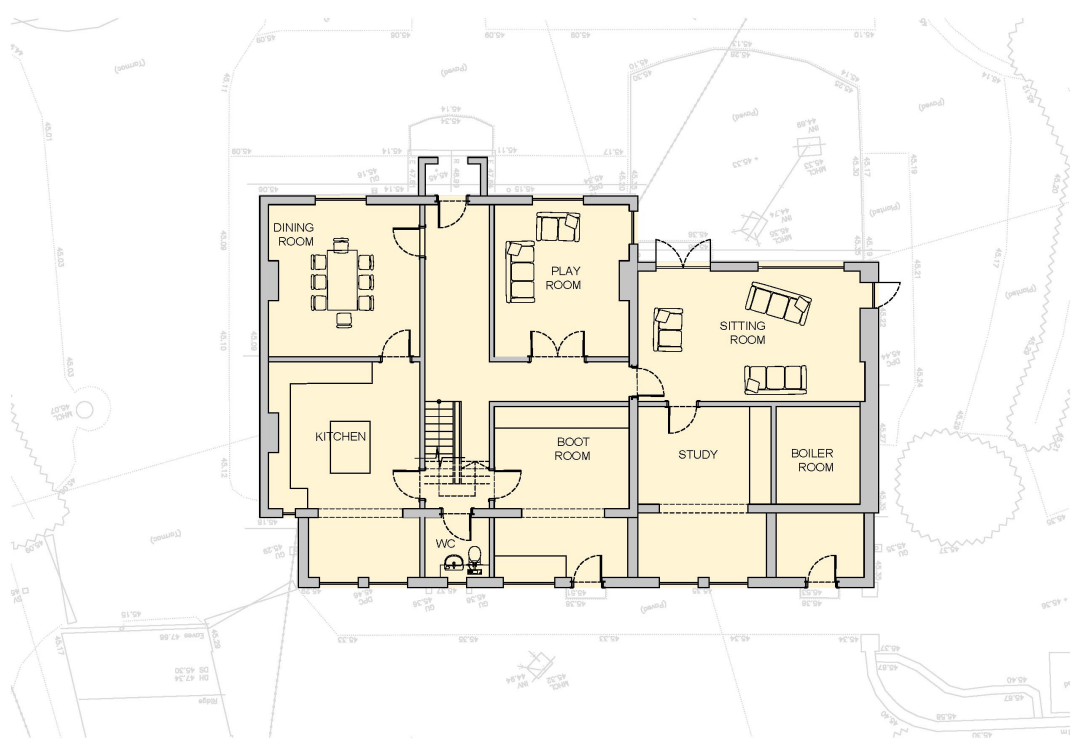
**CLIENT**  
MR & MRS TRY  
**PROJECT**  
THE LODGE  
WEST LULLING  
**DWG TITLE**  
EXISTING HOUSE FIRST FLOOR AND  
SECOND FLOOR PLANS  
**DATE** JUN 2021 **SCALE** 1:100@A3  
**JOB NO.** 100 **DRAWN BY** SF  
**DRAWING NO.** 004 **REVISION** CHECKED  
C SF



6 The Crescent, Riccall, North Yorks, YO19 6PL  
www.crescentarchitects.co.uk  
t 01757 261030 e info@crescentarchitects.co.uk

**RIBA CHARTERED ARCHITECT**  
Miss S Fowler RIBA, ARB  
Drawings are subject to copyright

**PRELIMINARY**  
 THIS DRAWING IS FOR INFORMATION ONLY AND NOT FOR CONSTRUCTION PURPOSES. IT IS SUBJECT TO APPROVED DOCUMENTATION AND IS SUBJECT TO AMENDMENT DURING THE DESIGN DEVELOPMENT STAGE.  
**PLANNING STAGE**



**EXISTING HOUSE GROUND FLOOR PLAN**  
 Scale 1:100@A3

NO.	DESCRIPTION	DATE	DR BY
C	PLANNING UPDATE	25.11.2021	SF
B	PLANNING UPDATE	11.10.2021	SF
A	PLANNING ISSUE	05.07.2021	SF

50mm  
 ORIGINAL SHEET SIZE - A3

**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
 NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	MR AND MRS TRY
<b>PROJECT</b>	THE LOOGE
<b>WEST LULLING</b>	
<b>DWG TITLE</b>	
<b>EXISTING HOUSE</b>	
<b>EXISTING GROUND FLOOR PLAN</b>	
<b>DATE</b>	JAN 2021
<b>SCALE</b>	1:100@A3
<b>JOB NO.</b>	100
<b>DRAWN BY</b>	SF
<b>CHECKED</b>	
<b>REVISION</b>	
<b>003</b>	C SF

**CRESCENT ARCHITECTS LTD.**  
 6 The Crescent, Riccall, North Yorks, YO19 6PL  
 www.crescentarchitects.co.uk  
 t: 01757 261535 e: info@crescentarchitects.co.uk

**RIBA CHARTERED ARCHITECT**  
 Miss S Foster RIBA, ARB  
 Drawings are subject to copyright

EXISTING ELEVATIONS  
MATERIALS KEY

1	PITCHED ROOF Natural slate roof tiles to be removed and replaced where possible.
2	FLAT ROOF Asphalt Roof - in disrepair
3	WALLS Facing brick painted white
4a	WALLS White render
4b	WALLS Tie hanging - Concrete Tiles
4c	WALLS Engineering brick below DPC
5	WALLS - Details Solder Courses - brickwork painted white
6a	WALLS - Details Window sills - engineering brick
6b	WALLS - Details Window sills - epoxy painted brick
7	WINDOWS Single glazed timber framed windows Painted white
8	WINDOWS Double glazed UPVC windows - white
9	DOORS Timber framed, single glazed doors
10	PORCH Slate roof, timber gable Brickwork construction - painted white W.C. (B&C)
11	DORMER EXTENSION Asphalt flat roof, UPVC fascias, tie hanging, UPVC windows.
12	FASCIAS & SOFFITS White UPVC fascias and soffits
13	Black timber fascias and soffits
14	RAINWATER GOODS Black painted good (painted white in place)



WEST (SIDE) ELEVATION

Scale 1:100@A3



EAST (SIDE) ELEVATION

Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR INFORMATION ONLY AND IS SUBJECT TO APPROVED DRAWING FROM DESIGN DEVELOPMENT  
**PLANNING STAGE**

D	PLANNING UPDATE	25.11.2021	SF
E	PLANNING UPDATE	11.12.2021	SF
F	PLANNING ISSUE	28.03.2022	SF
A	PLANNING ISSUE	02.02.2022	SF

NO DESCRIPTION DATE DR BY  
REVISIONS

50mm ORIGINAL SHEET SIZE - A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

**CLIENT**  
MR & MRS TRY  
**PROJECT**  
THE LODGE  
WEST LULLING  
**DWG TITLE**  
EXISTING HOUSE  
ELEVATIONS SHEET 2 OF 2  
**DATE** JAN 2021 **SCALE** 1:100@A3  
**JOB NO.** 100 **DRAWN BY** SF  
**DRAWING NO.** 002 **REVISION** CHECKED



6 The Crescent, Ricall, North Yorks, YO19 6PL  
www.crescent-architects.co.uk  
01757 261518 e: info@crescent-architects.co.uk

RIBA CHARTERED ARCHITECT  
Miss S Fowler RIBA, ARB  
Drawings are subject to copyright

**EXISTING ELEVATIONS MATERIALS KEY**

1	PITCHED ROOF Natural slate roof tile to be removed and replaced where possible.
2	FLAT ROOF Asphalt Roof - in disrepair
3	WALLS Facing brick painted white
4a	WALLS White render
4b	WALLS Tile hanging - Concrete Tiles
4c	WALLS Engineering brick below DPC
5	WALLS - Details Sillor Courses - brickwork painted white
6a	WALLS - Details Window sills - engineering brick
6b	WALLS - Details Window sills - epoxy painted black
7	WINDOWS Single glazed timber framed windows Painted white
8	WINDOWS Double glazed UPVC windows - white
9	DOORS Timber framed, single glazed doors
10	PORCH Slate roof, timber gable Brickwork construction - painted white W.C. (B&C)
11	DORMER EXTENSION Asphalt flat roof, UPVC fascias, tile hanging, UPVC windows.
12	FASCIAS & SOFFITS White UPVC fascias and soffits
13	Black timber fascias and soffits
14	RAINFALLER COUDES Black painted good (painted white in place)



**NORTH ( FRONT ) ELEVATION**  
Scale 1:100@A3



**SOUTH ( REAR ) ELEVATION**  
Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR INFORMATION ONLY AND IS SUBJECT TO APPROVED DRAWING FROM THE CLIENT.  
**PLANNING STAGE**

0	PLANNING UPDATE 25.11.2021	SF
1	PLANNING UPDATE 11.10.2021	SF
2	PLANNING ISSUE 28.07.2021	SF
3	PLANNING AMEND 02.02.2022	SF

NO.	DESCRIPTION	DATE	DR BY
REVISIONS			

50mm  
ORIGINAL SHEET SIZE - A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN AUTHORITY.  
NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	Mrs AND Mrs TRY
<b>PROJECT</b>	THE LODGE
<b>WEST LUTING</b>	
<b>DWG TITLE</b>	EXISTING HOUSE
<b>ELEVATIONS SHEET 1 OF 2</b>	
<b>DATE</b>	JAN 2021
<b>SCALE</b>	1:100@A3
<b>JOB NO.</b>	120
<b>DRAWN BY</b>	SF
<b>DRAWING NO.</b>	001
<b>REVISION</b>	D
<b>CHECKED</b>	SF

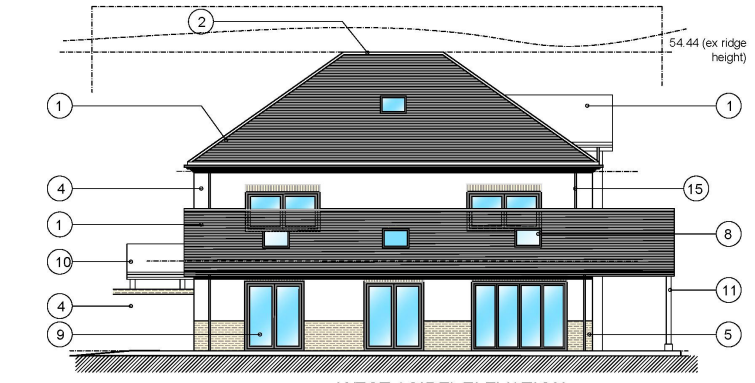


6 The Crescent, Roehampton, North Yorks, YO19 6PL  
www.crescentarchitects.co.uk  
01757 261516 e: info@crescentarchitects.co.uk

RIBA CHARTERED ARCHITECT  
Miss S. Fowler RIBA, ARB  
Drawings are subject to copyright

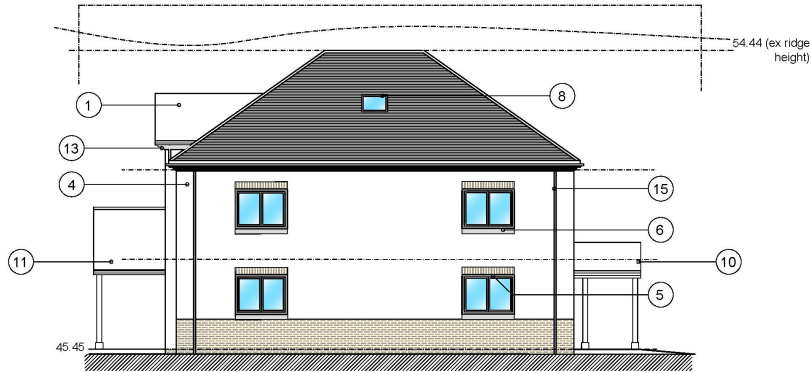
PROPOSED ELEVATIONS MATERIALS KEY

1	PITCHED ROOF Natural slate roof flat installed in accordance with BS 5534
2	FLAT ROOF EDPM Feltstone or similar flat roof finished in grey - suitable for access
3	WALLS - Brick Brickwork to be blue engineering brick or similar
4	WALLS - Render Monocouleur Water Render - white chalk or similar
5	WALLS - Details Soldier Courses to be blue engineering brick or similar
6	WALLS - Details Window sills to be blue stone or similar
7	WINDOWS Aluminium framed, double glazed windows by specialist manufacturer Finsp-RAL 7016 (Anthracite Grey)
8	ROOF LIGHTS Velux or similar centre pivot windows
9	DOORS Aluminium framed, double glazed windows by specialist manufacturer Finsp-RAL 7016 (Anthracite Grey)
10	PORCH Oak framed porch by specialist manufacturer
11	CANOPY Oak framed roof support by specialist manufacturer
12	BALUSTRADE Fluorocarbon glazed wall mounted balustrade
13	EAVES MOULDINGS Exterior eaves cornice fascias mouldings or similar
14	FASCIAS & SOFFITS Treated Timber fascias and soffits painted white
15	RAINWATER GOODS galvanneal steel rainwater goods



WEST ( SIDE) ELEVATION

Scale 1:100@A3



EAST ( SIDE) ELEVATION

Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS SUBJECT TO APPROVED DOCUMENT ONLY AND IS SUBJECT TO AMENDMENT WITHOUT NOTICE.  
**PLANNING STAGE**

K	PLANNING UPDATE	20.11.2021	SF
J	GENERAL UPDATE	05.11.2021	SF
H	CLIENT UPDATES	11.10.2021	SF
G	CLIENT UPDATES	05.10.2021	SF
F	PLANNING AND RIBA	20.09.2021	SF
E	CLIENT AMENDERS	21.08.2021	SF
D	PLANNING ISSUE	26.08.2021	SF
C	GENERAL UPDATE	19.08.2021	SF
B	CLIENT ISSUE	26.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

NO.	DESCRIPTION	DATE	DRYBY
REVISIONS			

50mm  
ORIGINAL SHEET SIZE: A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	Mrs & Mrs TRY
<b>PROJECT</b>	THE LODGE
<b>WEST ELEVATION</b>	
<b>DWG TITLE</b>	MANHOUSE DEMO AND RE-BUILD
<b>DATE</b>	JAN 2021
<b>SCALE</b>	1:100@A3
<b>JOB NO.</b>	107
<b>DRAWN BY</b>	SF
<b>CHECKED</b>	SF



6 The Crescent, Roal, North Yorks, YO19 6PL  
www.crescent-architects.co.uk  
01757 281261 e: info@crescent-architects.co.uk

RIBA CHARTERED ARCHITECT  
Miss S. Fowler RIBA, ARB  
Drawings are subject to copyright

**PROPOSED ELEVATIONS MATERIALS KEY**

1	<b>PITCHED ROOF</b> Neutral slate roof to be installed in accordance with BS 55 34
2	<b>FLAT ROOF</b> EDPM Finsolite or similar flat roof finished in grey - suitable for access
3	<b>WALLS</b> - Brick Brickwork to be blue engineering brick or similar
4	<b>WALLS</b> - Render Monochrome Water Render - white chalk - or similar
5	<b>WALLS</b> - Details Sillar Channels to be Blue engineering brick or similar
6	<b>WALLS</b> - Details Window sills to be blue stone or similar
7	<b>WINDOWS</b> Aluminium framed, double glazed windows by specialist manufacturer Finish:RAL 7016 (Anthracite Grey)
8	<b>ROOF LIGHTS</b> Velux or similar centre pivot windows
9	<b>DOORS</b> Aluminium framed, double glazed windows by specialist manufacturer Finish:RAL 7016 (Anthracite Grey)
10	<b>PORCH</b> Oak framed porch by specialist manufacturer
11	<b>CANOPY</b> Oak framed roof support by specialist manufacturer
12	<b>BALUSTRADE</b> Fluorocarbon glazed wall mounted balustrade
13	<b>EAVES MOULDINGS</b> Exterior eaves cornice facade mouldings or similar
14	<b>FASCIAS &amp; SOFFITS</b> Treated timber, fascias and soffits painted white
15	<b>RAINWATER GOODS</b> galvanneal steel rainwater goods



**NORTH (FRONT) ELEVATION**  
Scale 1:100@A3



**SOUTH (REAR) ELEVATION**  
Scale 1:100@A3

**PRELIMINARY**  
THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE ARCHITECT.  
**PLANNING STAGE**

NO.	DESCRIPTION	DATE	DR BY
K	PLANNING UPDATE 25.11.2021	SF	
J	GENERAL UPDATE 05.11.2021	SF	
H	CLIENT UPDATES 11.10.2021	SF	
G	CLIENT UPDATES 09.10.2021	SF	
F	PLANNING AMENDS 28.07.2021	SF	
E	CLIENT FEEDBACK 21.05.2021	SF	
D	FOR APPROVAL		
C	PLANNING AMENDS 28.05.2021	SF	
B	GENERAL UPDATE 18.05.2021	SF	
A	CLIENT ISSUE 25.02.2021	SF	
A	CLIENT ISSUE 22.01.2021	SF	

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN AUTHORITY OF CRESCENT ARCHITECTS LTD.  
NOTIFICATION WILL BE ACCORDED FOR ALTERATIONS MADE BY OTHERS.

**CLIENT**  
MR AND MRS TRY

**PROJECT**  
THE LODGE  
WISST LLLND

**DWG TITLE**  
MAIN HOUSE DEMO AND RE-BUILD  
PROPOSED ELEVATIONS

**DATE** JAN 2021 **SCALE** 1:100@A3  
**JOB NO:** 150 **DRAWN BY:** SF  
**ISSUED BY:** K **CHECKED BY:** SF

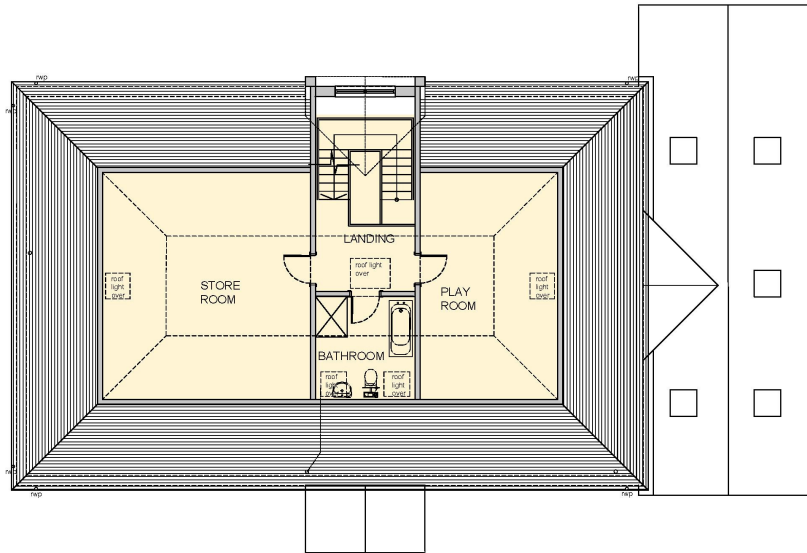
**CRESCENT ARCHITECTS LTD.**  
6 The Crossway, Rye, East Sussex, TN37 6PL  
www.crescent-architects.co.uk  
01757 248183 e: enq@crescent-architects.co.uk

RIBA CHARTERED ARCHITECT  
RIBA 3 Foster RIBA, ARB  
Drawings are subject to copyright.





**PRELIMINARY**  
 THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS SUBJECT TO APPROVED DRAWING FROM THE CONTRACTOR.  
**PLANNING STAGE**



**PROPOSED SECOND FLOOR PLAN**  
 Scale 1:100@A3



NO.	DESCRIPTION	DATE	DR BY
K	PLANNING UPDATE	20.11.2021	SF
J	GENERAL UPDATE	20.11.2021	SF
H	CLIENT UPDATES	11.10.2021	SF
G	PLANNING UPDATES	08.10.2021	SF
F	PLANNING AMENDMENTS	26.09.2021	SF
E	CLIENT AMENDMENTS	21.08.2021	SF
D	PLANNING ISSUE	26.08.2021	SF
C	GENERAL UPDATE	19.08.2021	SF
B	CLIENT ISSUE	26.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

NO.	DESCRIPTION	DATE	DR BY
REVISIONS			
50mm			
ORIGINAL SHEET SIZE: A3			

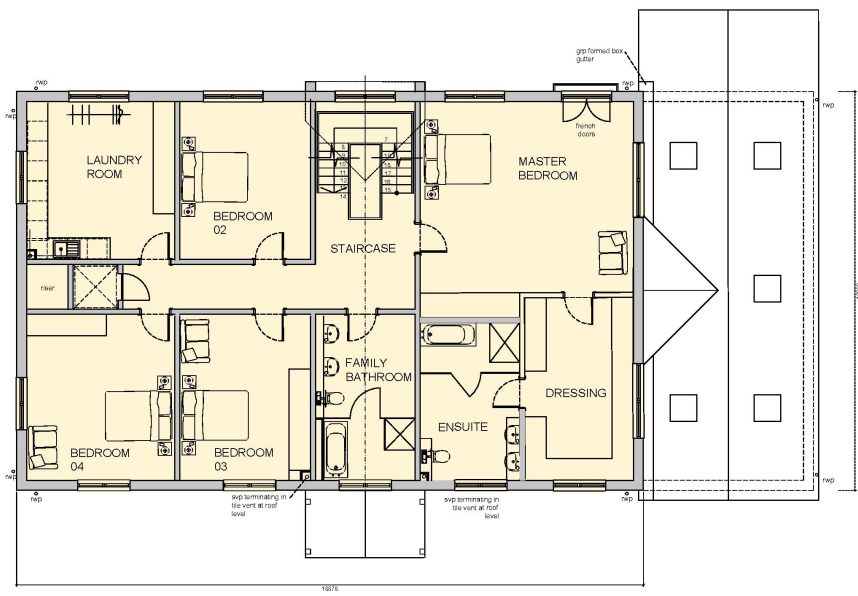
**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
 NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

<b>CLIENT</b>	MR AND MRS TRY
<b>PROJECT</b>	THE LODGE
<b>WEST BUILDING</b>	
<b>DWG TITLE</b>	MANHOUSE DEMO AND RE-BUILD
<b>PROPOSED SECOND FLOOR PLAN</b>	
<b>DATE</b>	JAN 2021
<b>SCALE</b>	1:100@A3
<b>JOB NO.</b>	100
<b>DRAWN BY</b>	SF
<b>DRAWING NO.</b>	104
<b>REVISION</b>	K
<b>CHECKED</b>	SF

**CRESCENT ARCHITECTS LTD.**  
 6 The Crescent, Riccall, North Yorks, YO19 6PL  
 www.crescentarchitects.co.uk  
 01757 261261 e: info@crescentarchitects.co.uk

**RIBA CHARTERED ARCHITECT**  
 Miss S Foster RIBA, ARB  
 Drawings are subject to copyright

**PRELIMINARY**  
**PLANNING**  
**STAGE**



**PROPOSED FIRST FLOOR PLAN**  
 Scale 1:100@A3



NO.	DESCRIPTION	DATE	DRBY
K	PLANNING UPDATE	25.11.2021	SF
J	GENERAL UPDATE	05.11.2021	SF
H	CLIENT UPDATES	11.10.2021	SF
G	PLANNING AMENDS	26.07.2021	SF
F	PLANNING AMENDS	25.07.2021	SF
E	CLIENT AMENDS	21.05.2021	SF
D	PLANNING ISSUE	25.05.2021	SF
C	GENERAL UPDATE	19.05.2021	SF
B	CLIENT ISSUE	26.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

REVISIONS  
 50mm  
 ORIGINAL SHEET SIZE: A3

**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
 THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
 NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

**CLIENT**  
 MR AND MRS TRY  
**PROJECT**  
 THE LODGE  
 WEST LULLING  
**DWG TITLE**  
 MANHOUSE DEMO AND RE-BUILD  
 PROPOSED FIRST FLOOR PLAN  
**DATE** JAN 2021 **SCALE** 1:100@A3  
**JOB NO.** 103 **DRAWN BY** SF  
**DRAWING NO.** 103 **REVISION** CHECKED

**CRESCENT ARCHITECTS LTD.**  
 6 The Crescent, Riccall, North Yorks, YO19 6PL  
 www.crescentarchitects.co.uk  
 01757 261261 e: info@crescentarchitects.co.uk

**RIBA CHARTERED ARCHITECT**  
 Miss S Foster RIBA, ARB  
 Drawings are subject to copyright

**PRELIMINARY**  
**PLANNING**  
**STAGE**

NO.	DESCRIPTION	DATE	DRYBY
K	PLANNING UPDATE	25.11.2021	SF
J	GENERAL UPDATE	05.11.2021	SF
H	CLIENT UPDATES	11.10.2021	SF
G	PLANNING UPDATES	20.10.2021	SF
F	PLANNING AMENDMENTS	20.10.2021	SF
E	CLIENT AMENDMENTS	21.08.2021	SF
D	PLANNING ISSUE	26.05.2021	SF
C	GENERAL UPDATE	19.05.2021	SF
B	CLIENT ISSUE	26.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

REVISIONS

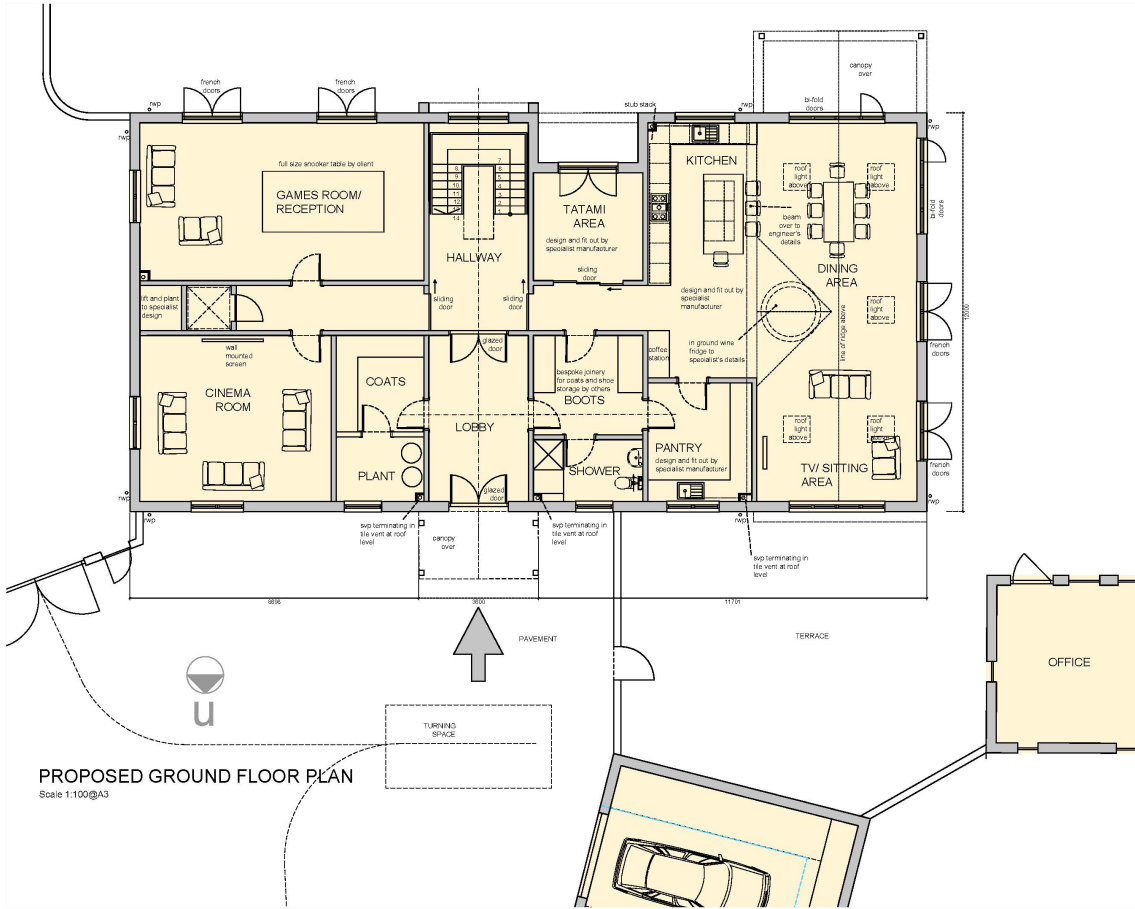
50mm  
ORIGINAL SHEET SIZE: A3

**NOTES:**  
ALL DIMENSIONS TO BE CHECKED ON SITE AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO WORK COMMENCING.  
THIS DRAWING REMAINS THE PROPERTY & COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN PERMISSION.  
NO LIABILITY WILL BE ACCEPTED FOR ALTERATIONS MADE BY OTHERS.

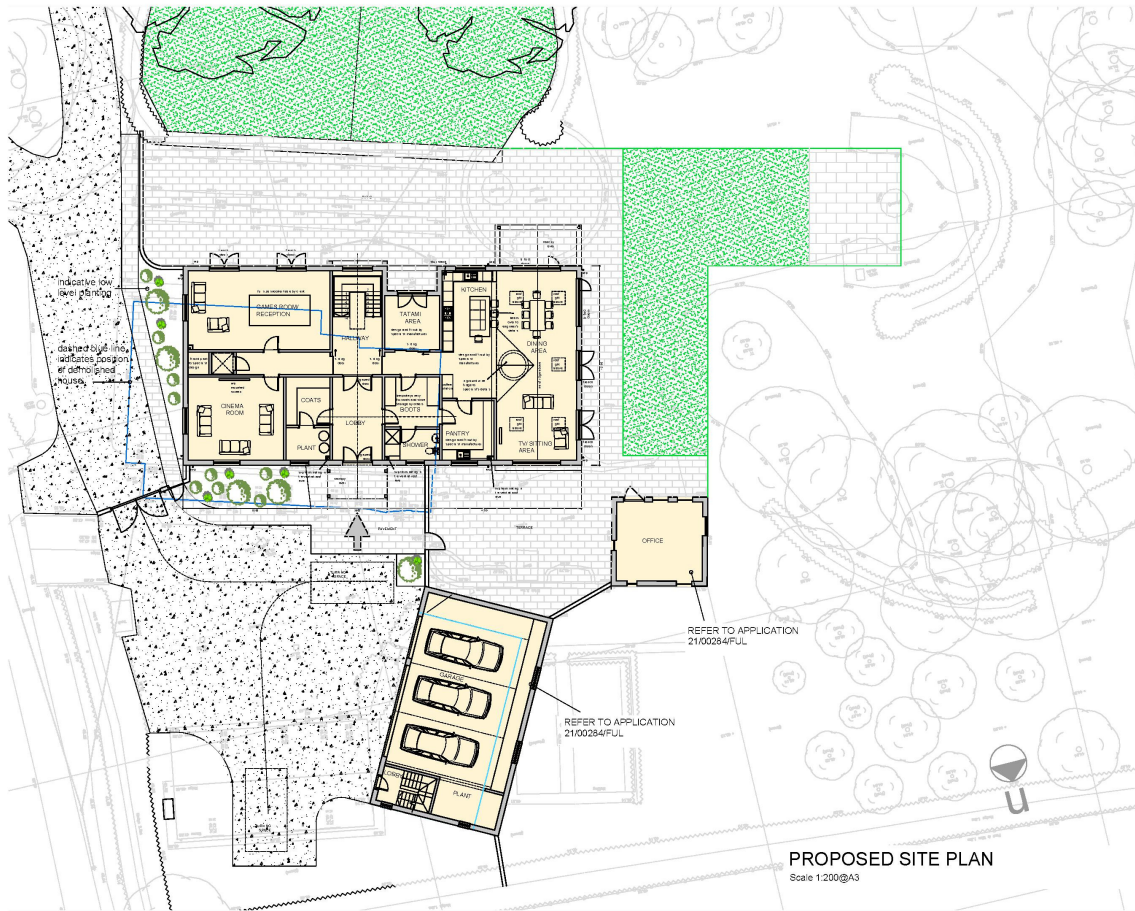
CLIENT	MR & MRS TRY
PROJECT	THE LOOGE
WEST LULLING	
DWG TITLE	MANHOUSE DEMO AND RE-BUILD
PROPOSED GROUND FLOOR	
DATE	JAN 2021
SCALE	1:100@A3
JOB NO.	102
DRAWING NO.	102
DESIGNER	K
CHECKED	SF

**CRESCENT ARCHITECTS LTD.**  
6 The Crescent, Roald, North Yorks, YO19 6PL  
www.crescentarchitects.co.uk  
t:01757 241241 e: info@crescentarchitects.co.uk

RIBA CHARTERED ARCHITECT  
Miss S. Fowler RIBA, ARB  
Drawings are subject to copyright



**PROPOSED GROUND FLOOR PLAN**  
Scale 1:100@A3



**PRELIMINARY**  
 PLANNING  
 STAGE

NO	DESCRIPTION	DATE	DR BY
K	PLANNING UPDATE	25.11.2021	SF
J	GENERAL UPDATE	05.11.2021	SF
H	CLIENT UPDATE	11.10.2021	SF
G	CLIENT UPDATE	08.10.2021	SF
F	PLANNING AMENDS	26.07.2021	SF
E	CLIENT AMEND	21.05.2021	SF
D	FOR APPROVAL		
C	PLANNING REVIEW	28.05.2021	SF
B	GENERAL UPDATE	18.05.2021	SF
A	CLIENT ISSUE	25.02.2021	SF
A	CLIENT ISSUE	22.01.2021	SF

REVISIONS

50000  
 ORIGINAL SHEET SIZE: A3

**NOTES:**  
 ALL DIMENSIONS TO BE CHECKED ON SITE AND  
 ARCHITECT TO BE ADVISED OF ANY  
 DISCREPANCIES PRIOR TO WORK  
 COMMENCING  
 THIS DRAWING REMAINS THE PROPERTY &  
 COPYRIGHT OF CRESCENT ARCHITECTS LTD.  
 THIS DRAWING MUST NOT BE REPRODUCED IN  
 ANY MANNER WITHOUT PRIOR WRITTEN  
 AUTHORITY.  
 NOT NEARBY WILL BE ACCORPORATED  
 ALTERATIONS MADE BY OTHERS

**CLIENT**  
 MR AND MRS TRY  
**PROJECT**  
 THE LODGE  
 WEST LLLND  
**DWG TITLE**  
 MAIN HOUSE DEMO AND RE-BUILD  
 PROPOSED SITE PLAN  
**DATE** JAN 2021 **SCALE** 1:200@A3  
**JOB NO** 150 **DRAWN BY** SF  
 DRAWING NO: 101 **REVISION** K **CHECKED** SF



6 The Crossway, Rye, East Sussex, TN39 2AB  
 www.crescent-architects.co.uk  
 01757 248183 or info@crescent-architects.co.uk  
 RIBA CHARTERED ARCHITECT  
 Mark S Foster RIBA, ARB  
 Drawings are subject to copyright.

**PROPOSED SITE PLAN**  
 Scale 1:200@A3

# Planning, Design and Access Statement

Demolition and Replacement of Existing Dwelling



At:  
The Lodge  
Goose Track Lane  
West Lilling  
YO60 6RR

On behalf of:  
Mr & Mrs Try

Prepared:  
November 2021

*Fretwell's*  
PLANNING & DEVELOPMENT

## Contents

1. Introduction .....	3
2. Description of Site and Proposed Development.....	4
3. Planning History .....	5
4. Planning Policy .....	5
National Planning Policy Framework (NPPF) (2021).....	6
National Design Guide .....	8
Local Plan .....	9
5. Planning Considerations .....	10
Principle of Development.....	10
Design .....	11
Access & Highways .....	13
Impact on the Character of the Area.....	13
Drainage and Flood Risk .....	16
Impact on Amenity .....	17
Sustainability.....	17
6. Conclusion.....	18





- 2.3. The current configuration as a result of the changes to the original dwelling means that the property does not retain heat and does not meet the requirements of modern-day living.
- 2.4. The property has been assessed as Grade F in a recent Energy Performance Certificate (EPC) (shown in Image 2 below), which is poor. This means that the existing property is costly to run and inefficient. According to recent usage, the property requires over 300 litres of oil per week to get the building to a comfortable temperature through the Autumn and Winter months. The householders are having difficulty getting trades to service and maintain the existing outdated heating system.

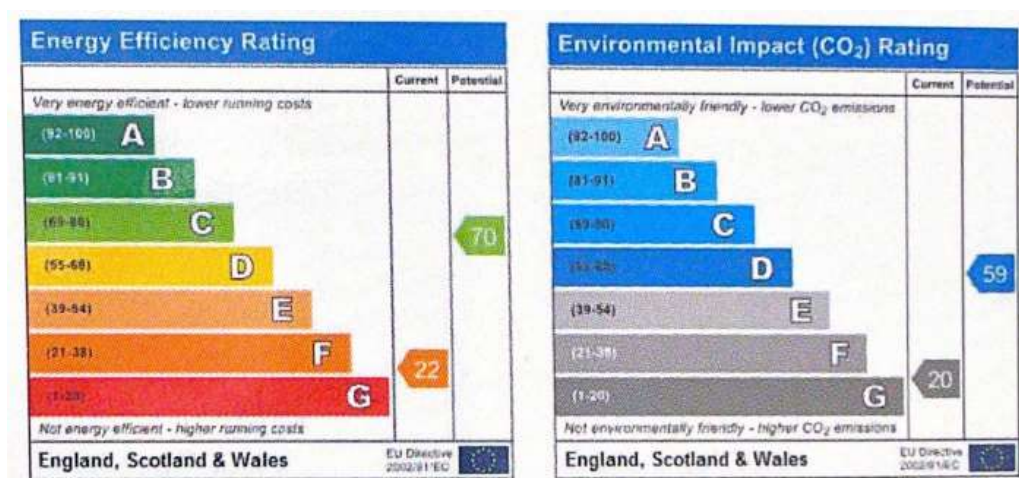


Image 2: Energy Performance Rating for the existing dwelling

- 2.5. The proposed dwelling will have a new green energy efficient heating system and far better insulation. The proposed scheme will incorporate a new renewable energy system. Mechanical ventilation and heat recovery will be installed, and underfloor heating will be accommodated. It is proposed to use modern building materials possibly an ICF system to maximise the insulation value of the new property and therefore energy efficiency.
- 2.6. The proposal is for the demolition of the existing dwelling and replacement with a new dwelling that is better suited to the family's needs. The aerial photograph below shows the site in its immediate context.



Image 3: Aerial View of Application Site

### 3. Planning History

3.1. Based on information available on Ryedale District Council's website, a planning history search of the application site has been carried out as follows:

- **Ref: 21/00561/FUL** – Erection of steel-framed building for storage of garden equipment following demolition of existing timber shed – Approved 15.07.2021
- **Ref: 21/00284/FUL** – The repositioning and erection of detached 3 bay garage building with first-floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as a home office to include the installation of 2no. rooflights – Pending Consideration

### 4. Planning Policy

4.1. Applications are to be determined in accordance with the policies in the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states, 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.' This is recognised in Paragraph 11 of the National Planning Policy Framework (NPPF), with Paragraph 12 stating that the Framework 'does not change the statutory status of the development plan as the starting point for decision making'.

National Planning Policy Framework (NPPF) (2021)

- 4.2. The National Planning Policy Framework ('NPPF') published in July 2021, sets out the Government's planning policies for England and advises how these are expected to be applied. It sets out the national requirements for the planning system, but only to the extent that it is relevant, proportionate, and necessary to do so. Paragraph 38 of The National Planning Policy Framework is of key importance with reference to the consideration of planning applications and states:

*"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

- 4.3. Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 47). Decisions should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

- 4.4. The relevant sections of the NPPF are:

Section 2. Achieving Sustainable Development  
 Section 4. Decision-making  
 Section 5. Delivering a Sufficient Supply of Homes  
 Section 6. Building a Strong, Competitive Economy  
 Section 8. Promoting healthy and safe communities  
 Section 11. Making effective use of land  
 Section 12. Achieving well-designed places

- 4.5. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development is summarised to mean *"meeting the needs of the present without compromising the ability of future generations to meet their own needs"*

- 4.6. Paragraph 8 of the NPPF recognises three objectives of sustainable development. These are interdependent and can also support each other. These are:

a) An economic objective - to help build a strong responsive and competitive economy. It should also promote sufficient land of the right types is available in the right places and at the right time to support grown innovation and improved productivity.; and by identifying and coordinating the provision of infrastructure.

b) The Social objective – to help build strong, vibrant, and healthy communities through ensuring sufficient number and range of homes can meet the needs of future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) An environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.7. Paragraphs 10-14 of the NPPF refer to the presumption in favour of sustainable development. Paragraph 14 confirms that the presumption in favour of sustainable development is at the heart of the NPPF. With reference to decision-taking, paragraph 11 advises:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.”

4.8. Paragraph 38 of the NPPF states that:

*‘Local planning authorities should approach decisions on proposed developments in a positive and creative way. They should use the full range of planning tools available....and **work proactively with applicants** to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible’*

4.9. Paragraphs 74 -77 relate to the issue of maintaining housing supply and delivery. The paragraphs advise of the requirements of local planning authorities to maintain a minimum of a 5-year housing supply against their housing requirement set out in adopted strategic policies. The supply of sites should also include a buffer to accommodate any historic undersupply of housing. Figures should also be regularly monitored to maintain the supply of housing and ensure it remains above the 5-year threshold.

- 4.10. Paragraph 92 advises that planning policies and decisions should aim to achieve healthy, inclusive and safe places.
- 4.11. Paragraph 108 recognises parking standards for developments should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.
- 4.12. Paragraph 111, refers to the consideration of traffic impact arising from new development, advising that *“development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe”*.
- 4.13. Paragraph 120 recognises that planning policies should give weight to several criteria including promoting the development of under-utilised land and buildings to help meet needs for housing where land supply is constrained, and available sites could be used more effectively.
- 4.14. Paragraphs 153- 158 identify the need for new development to be planned for in ways that avoid increased vulnerability from climate change. It recognises that development can reduce greenhouse gas emissions through location orientation and design. In determining applications, Councils should consider landform, layout, building orientation amongst others to minimise energy consumption.
- 4.15. Paragraph 159 recognises inappropriate development in flood risk areas should be avoided by directing development away from high-risk areas. This is expanded on in paragraph 161 which notes sequential testing is a requirement to ensure development is in a low-risk flood area. In addition, paragraph 167 notes that LPAs should ensure that flood risk is not increased elsewhere as a result of the proposed development.
- 4.16. The NPPF states that *‘The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.’* (paragraph 2)

#### National Design Guide

- 4.17. The National Design Guide (NDG) was produced by MHCLG and published on 1st October 2019. The NDG reinforces the aim of the NPPF to create high-quality places and buildings and illustrates how well-designed places can be achieved in practice and can be used by all those involved in the shaping of places, including decision making.
- 4.18. The NDG (Paragraph 8) states that *“The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities...This includes people at different stages of life and with different abilities...”*

4.19. The NDG addresses the question of how we recognise well-designed places, by outlining and illustrating the Government's priorities in the form of ten characteristics:

- Context – enhances the surroundings
- Identity – attractive and distinctive
- Built Form – a coherent pattern of development
- Movement – accessible and easy to move around
- Nature – enhanced and optimised
- Public Spaces – safe, social, and inclusive
- Uses – Mixed and integrated
- Homes and Buildings – functional, healthy, and sustainable
- Resources – efficient and resilient
- Lifespan – made to last

4.20. The focus is on place-making. The ten characteristics contribute towards three overarching and cross-cutting themes - creating a physical character, sustaining community, and addressing climate issues.

#### Local Plan

4.21. The Development Plan comprises the Ryedale District Council Ryedale Plan – Local Plan Strategy (RPLS) (2013). The Development Plan also includes the Adopted Proposals Maps and retained saved policies from the Ryedale Plan (2002).

4.22. The relevant policies are as follows:

- **Policy SP1** – General Location of Development and Settlement Hierarchy
- **Policy SP2** – Delivery and Distribution of New Housing
- **Policy SP13** – Landscapes
- **Policy SP14** – Biodiversity
- **Policy SP16** – Design
- **Policy SP17** – Managing Air Quality, Land and Water Resources
- **Policy SP18** – Renewable and Low Carbon Energy
- **Policy SP19** – Presumption in favour of Sustainable Development
- **Policy SP20** – Generic Development Management Issues



- Which can be justified in order to secure significant improvements to the environment or conservation of significant assets in accordance with the National Enabling Development Policy and Policy SP12 of this plan, or
- Which is justified through the Neighbourhood Planning Process.

- 5.4. The proposal would see the replacement of an existing dwelling. Policy S2 (Delivery and Distribution of New Housing) specifically allows for replacement dwellings in the Wider Open Countryside. This identifies that providing the dwelling is a replacement, then irrespective of where it is located (within settlement/open countryside) the new dwelling is a) supported in principle, and b) is not subject to any occupancy restrictions.
- 5.5. The proposal, therefore, complies with the policy principles set out in the adopted Development Plan.

#### Design

- 5.6. The relevant policy in respect of design is Policy SP16 which requires developments to create high-quality durable places that are accessible, well-integrated with their surroundings and which reinforce local distinctiveness.
- 5.7. To accord with the policy, and reinforce local distinctiveness, the location, siting, form, layout scale and detailed design of new development should respect the context provided by its surroundings.
- 5.8. The NPPF in Section 12 relates to achieving well-designed places. Paragraph 130 b) states planning policies and decisions should ensure that developments “are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.”
- 5.9. The NDG (paragraph 39) states that “*well designed places are based on a sound understanding of the features of the site and the surrounding context...integrated into their surroundings so that they relate well to them...influenced by and influence their context positively...*”
- 5.10. The layout of the proposal is shown on the accompanying plans and in the image below.



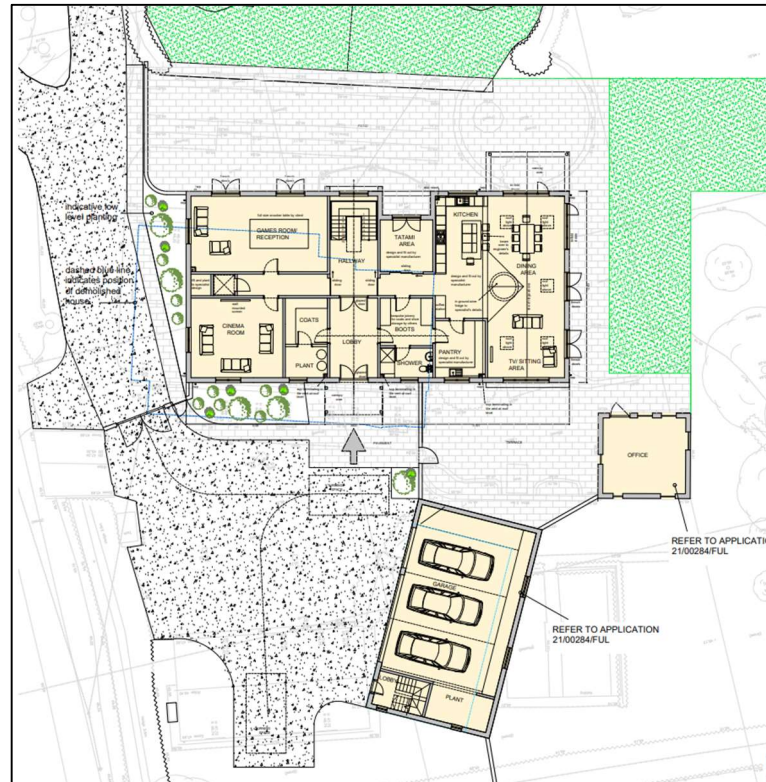


Image 5: Layout Plan

- 5.11. The accompanying Design and Access Statement prepared by Crescent Architects Ltd sets out the design principles and concepts with a particular emphasis on energy efficiency. The key elements of the proposal and the design rationale behind the proposal is set out. Photographs from the locality have been included to illustrate the choices made by the applicant.
- 5.12. The proposal has been sensitively designed to reflect the character of the existing dwelling and characteristics in the village. The materials chosen will be used to match those of the existing property (known as 'The Lodge') and will be rendered in a white chalk finish, which will offer improved thermal capabilities when used with modern brickwork or ICF construction. Engineering bricks will add detail to the dwelling and be used in conjunction with stone cills and an oak porch canopy structure. The history of the existing property is reflected in the eaves and detailed mouldings are proposed together with a seamless guttering system.
- 5.13. The development is in keeping with the site's surroundings and does not detract from the character of the village. The dwelling will be screened from the public highway by existing mature hedgerows and trees.
- 5.14. Having regard to the above, it is considered that the proposal is acceptable and would not have any detrimental impact on the character or the appearance of the area. As such, it is considered that the above design complies with Policy SP16 (Design) of the Ryedale Local Plan, Local Plan Strategy.

### Access & Highways

- 5.15. Policy SP20 of the Local Plan Strategy covers a number of issues that relate to the development management process.
- 5.16. Policy SP20 states that *“Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety 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.”*
- 5.17. The access is shown on the accompanying plans. Parking and turning are provided to ensure that vehicles can manoeuvre to access and egress safely in a forward gear.
- 5.18. It is considered that development of the site could be achieved which would be acceptable in terms of access, highway safety, and have adequate parking and servicing provision as access in and out of the property is unchanged.
- 5.19. The development would, therefore, comply with the requirements for the proposed development to be safe and accessible in terms of highway impacts as detailed within Section 9 (Promoting Sustainable Transport) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework. The proposal would not be detrimental to highway safety and would accord with policy SP20 of the RLPS and advice contained within the NPPF.

### Impact on the Character of the Area

- 5.20. Policy SP13 (landscapes) states that development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities.
- 5.21. West Lilling lies in the National Landscape Character Area of the Vale of York (28) and the Vale Farmland with Plantation Woodland and Heathland (28) as defined in the ‘North Yorkshire and York Landscape Characterisation Project.’ (May 2011).

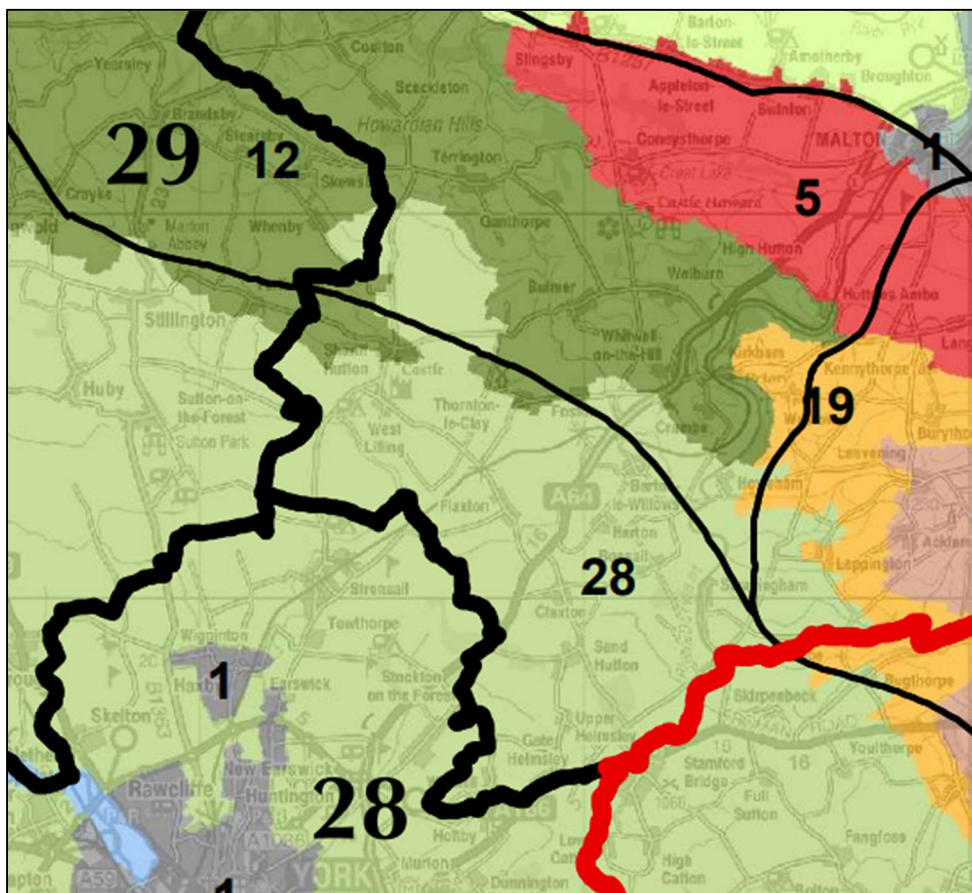


Image 6: North Yorkshire and York Landscape Characterisation Project  
Relationship of Primary Landscape Units to National Character Areas (Extract)

5.22. The key characteristics of the landscape character are:

- A patchwork of low lying, predominantly arable fields, often delineated by a network of mature hedgerows and interspersed with patches of regular-shaped mixed and coniferous plantation woodlands;
- Large heathlands are key features on sandy soils
- Distant visual containment is provided by higher Landscape Character Types to the east and west;
- Strong sense of openness throughout much of this Landscape Character Type;
- Scattered settlement pattern of towns, villages and farmsteads within the landscape around the main historic City of York;
- A network of trunk roads linking the larger settlements and towns.

5.23. The LCT has moderate visual sensitivity overall. Whilst there is a strong sense of openness within much of the farmland as a result of the flat or gently undulating topography, patches of plantation woodland disrupt views to adjacent Landscape Character Types in places;

5.24. The Guidance states that new development within historic villages may not be consistent with the historic form of the village and vernacular materials and design of buildings. It is,

therefore, necessary to conserve and enhance the local vernacular and protect the scattered settlement pattern of villages and farmsteads.

5.25. The replacement dwelling is proposed on a large plot. The site is discrete. The established trees and hedges to the east further assist to screen the development.

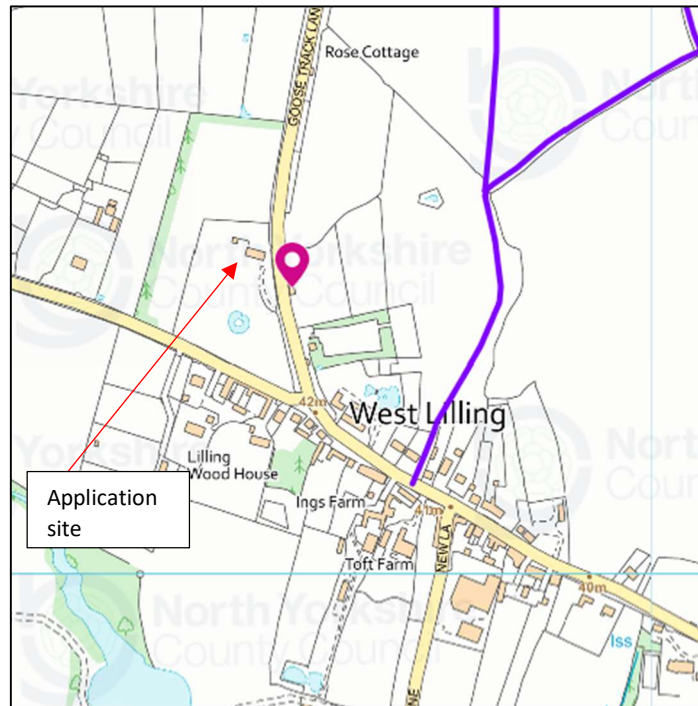


Image 7: Application site and relationship to surroundings

5.26. The proposed replacement dwelling will serve to enhance the immediate landscape setting, not detract from it. The proposal will remove the unsympathetic extensions and alterations which detract from the character of the original house.

5.27. The proposal would see the redevelopment of the plot with a new dwelling which would make a positive contribution to the character and appearance of the area. As such the proposals accord with Policy SP13.

Drainage and Flood Risk

5.28. Policy SP17 of the Local Plan and the National Planning Policy Framework advises that development should be located in areas where there is the lowest probability of flooding.

5.29. The application site is identified as lying within Flood Zone 1 which is the lowest risk of flooding from rivers and the sea. The site is therefore in a sequentially preferable location where development is sought to be focused.

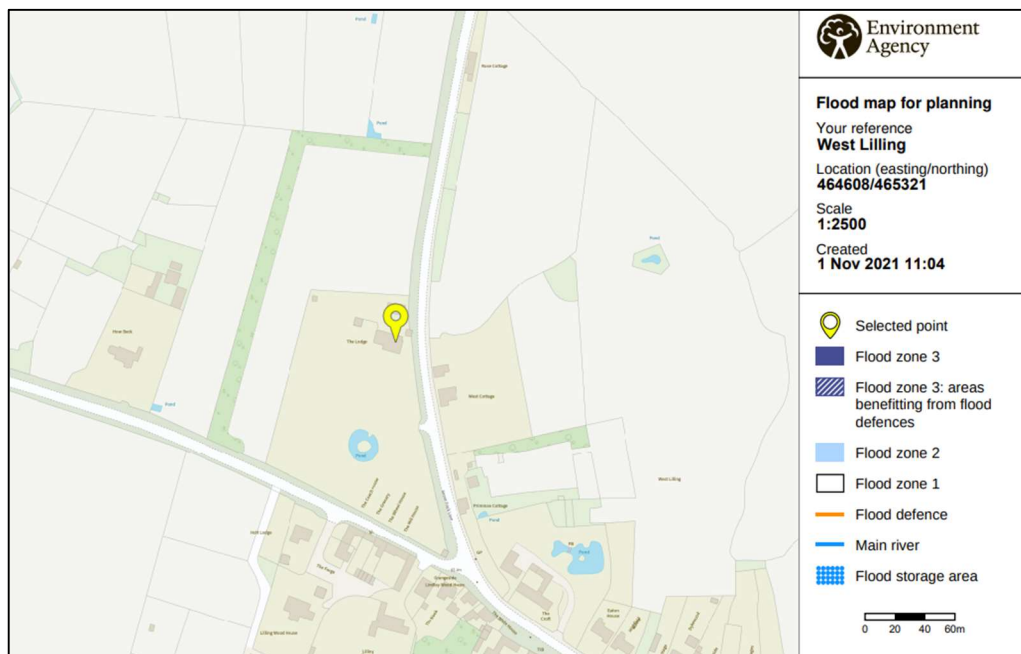


Image 9: Flood Risk Map (Source: Environment Agency)

5.30. Surface water will be discharged to soakaways, as existing. The Applicant intends to incorporate rainwater harvesting in to the property with the details and location of the tank, yet to be determined.

5.31. Foul drainage is currently discharged to a septic tank but the intention is for the property to be connected to the main drainage network.

### Impact on Amenity

- 5.32. In respect of visual impact and impact on amenity, policy SP20 applies. This policy states that *“New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence ...”*
- 5.33. Policy SP16 seeks to create high-quality places which are accessible, well-integrated and protect amenity and well-being. Policy SP20 also seeks to control the character, design and safety of new development.
- 5.34. The property occupies a large plot where there are no immediate neighbouring properties. There is considerable distance between the proposed development site and neighbouring properties. The proposal would therefore have no negative impact upon adjacent residents through the loss of privacy, overshadowing, overbearing, noise nuisance or disturbance. All the neighbours have been consulted throughout the process and they have all been supportive of the objective of regenerating the property and making it relevant to today.
- 5.35. It is not considered that the proposed development would impact the amenity of neighbours and as such would comply with Policies SP16, SP20 (generic development management issues) of the Local Plan Strategy and the NPPF.

### Sustainability

- 5.36. Sustainability is the central theme running through the National Planning Policy Framework (NPPF) and proposals for sustainable development should be approved without delay. There are three strands to sustainability: social, economic, and environmental. The NPPF advises that to achieve sustainable development, economic, social, and environmental gains should be sought jointly and simultaneously.
- 5.37. The proposed replacement dwelling will have some economic benefit through the employment created on-site during the construction phase of the development together with the supply chain. In terms of social sustainability, a replacement dwelling will be provided which meet the needs of present and future generations and fosters well-designed and beautiful places.
- 5.38. Policy SP18 of the RLPS relates to Renewable and Low Carbon Energy. It is expected that all new development will demonstrate that the levels of the Energy Hierarchy have been considered, considering the feasibility and viability issues associated with the delivery of decentralised and low carbon energy. For all new build residential development, proposals need to demonstrate that it meets the highest ‘Code for Sustainable Homes’ standard (or its successor) that is feasible and viable on site. Environmentally, the proposed development seeks to adhere to high standards of construction.

## 6. Conclusion

- 6.1. The proposal would represent a sustainable form of development by replacing an existing dwelling with an energy-efficient, sympathetic design. This would result in a family home which would remove the unsympathetic alterations and extensions to create a family home more suited to modern life.
- 6.2. The proposal is of a scale and design that would also respect the character of the area. The orientation and location have been adapted to position the dwelling away from the road and reduce the impact of the noise and vibration of passing lorries and heavy machinery.
- 6.3. The proposed development will not pose a risk to highway safety. And other matters of acknowledged importance, including residential amenity and flood risk.
- 6.4. The NPPF introduces a presumption in favour of sustainable development, and this is currently a key material consideration in planning decisions. The proposed development is sustainable and is considered to satisfy the requirements of both national and local planning policies and guidance.
- 6.5. With regard to the provisions of both national and local planning policies and the material considerations relevant to the site, it is deemed that the site is acceptable for the proposed conversion and that this planning application should be approved.



File ref: 190-PL-2021-11-25  
Our ref: 3-Planning  
Date: Thursday, 25 November 2021

BY EMAIL

FAO Naimh Bonner  
Ryedale District Council  
Ryedale House,  
Old Malton Road,  
Malton,  
North Yorkshire,  
YO17 7HH

Dear Naimh,

**Re: The Lodge, West Lilling - 21/00925/FUL**

Please find attached a pdf copy of the following drawings:

190-001 House 25.11.2021 Rev D Existing Elevations Sheet 1  
190-002 House 25.11.2021 Rev D Existing Elevations Sheet 2  
190-003 House 25.11.2021 Rev C Existing House Ground Floor Plan  
190-004 House 25.11.2021 Rev C Existing House First and Second Floor Plan  
190-100 House 25.11.2021 Rev J Existing House Site Plan  
190-101 House 25.11.2021 Rev K Proposed Site Plan  
190-102 House 25.11.2021 Rev K Proposed Ground Floor Plan  
190-103 House 25.11.2021 Rev K Proposed First Floor Plan  
190-104 House 25.11.2021 Rev K Proposed Second Floor Plan  
190-105 House 25.11.2021 Rev J Proposed Roof Plan  
190-106 House 25.11.2021 Rev K Proposed Elevations Sheet 1  
190-107 House 25.11.2021 Rev K Proposed Elevations Sheet 2  
190-108 House 25.11.2021 Rev G Existing Site Location and Proposed Block Plan

In addition, we enclose document, 190 - Planning, Design and Access Statement - House v1, which is to be read in conjunction with Planning, Design and Access Statement, produced by Fretwell's Planning and Development.

I trust the enclosed is in order. If you have any questions, please contact us without delay.

Kind regards

**Suzanne Fowler, Director**

RIBA Chartered Architect  
For and on behalf of Crescent Architects Ltd  
Email: [suzanne@crescent-architects.co.uk](mailto:suzanne@crescent-architects.co.uk)  
cc. Mr and Mrs Try

Crescent Architects Ltd, registered in England and Wales, Company Number 10927519.  
Registered Offices in England: 3 & 4 Park Court, Riccall Road, Escrick, York YO19 6ED  
Tel: 01767 248183 [www.crescent-architects.co.uk](http://www.crescent-architects.co.uk) email: [enq@crescent-architects.co.uk](mailto:enq@crescent-architects.co.uk)





## PLANNING DESIGN AND ACCESS STATEMENT, AND FLOOD RISK ASSESSMENT

### 1. PROJECT:

The Lodge, West Lilling – Existing house demolition and replacement dwelling

### 2. Design Principles and Concepts

#### **The existing house**

The existing house dates to the nineteenth century and unfortunately, following a series of extensions and alterations, the property has a great deal of floor area, but has lost its kerb appeal. The result of years of extension and alteration is that the property does not retain heat, it requires care and renovation and does not suit modern day family living.

To the top floor, one large flat roof dormer has been installed.

Whilst the top floor provides additional bedrooms, these do not contribute to the aesthetic of the property and remain in the large part unused by the current owners due to the lack of insulation, and the poor standards of construction by comparison to today's requirements.

Rated on a recent EPC as Grade F, the property is not holding heat. In fact, according to current usage estimates, the property requires over 300 litres of oil a week, during our recent relatively mild winter, and after installing a new tank, to get the building to a comfortable temperature. This energy usage is not sustainable and demonstrates a property in need of renovation.

At first floor, a double storey extension provides additional accommodation that is reached through a series of corridors. The new bedrooms provide beautiful views towards the West of the plot and is well screened by the mature trees.

At ground floor level the former front entrance to the property is no longer in use, with guests arriving at the rear, parking in the existing yard, and entering through the utility room which has been added to extend the kitchen and provide additional boot area.

This extension has a flat roof which requires attention and repair

#### **The proposal**

The proposed new build house is to comprise six good sized bedrooms, and a layout that is compatible with modern family life.

The open plan footprint to the ground floor permits a grand entrance approached from the North and the parking yard. The well-placed boot room leads through to the two-storey high, feature staircase. The focus of the spaces is on natural light and ventilation, and the space has a bright glazed wall connecting the house to its surrounding landscape.

The kitchen and dining areas are positioned to enjoy the South facing aspect, with a private snug space and separate games room and cinema room.

The house orientation and location has been adapted to position the dwelling away from the main road and reduce the impact of noise and vibration from passing lorries and heavy machinery.




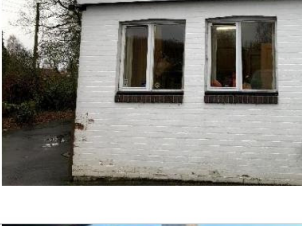

The new house is to be well insulated, with an emphasis on energy efficiency to all elements. The proposed scheme will look to integrate a renewable energy system, which is yet to be determined.

Mechanical ventilation and heat recovery will be installed and where possible underfloor heating will be incorporated to each floor.

Given the family intend to develop this house as their forever home, they are keen to ensure that the materials used match into those of the former house with reference to the property being called "The White House" the general aesthetic will be a rendered off-white finish.



The use of engineering brick will serve to add detail and be used in conjunction with stone cills and oak built porch canopy. To the eaves we will draw upon the history of the property and look to install detailed mouldings in conjunction with a seamless gutter system.

Below we have listed the key elements and the design rationale behind the choice.

Proposed Element	Photo from locality	Design principle
<p>PITCHED ROOF Natural slate roof tile</p>		<p>The proposed roof is to be slate. Where possible, the existing tiles will be reused.</p>
<p>FLAT ROOF - EDPM Firestone or similar flat roof finished in grey - suitable for access</p>		<p>A flat roof will allow for a reduced height dwelling, with an accessible area for installation of solar panels in the future, to permit storage for the plant associated with a heat recovery system and to improve the natural daylight to the top floor storage spaces.</p>
<p>WALLS - Brick Brickwork to be blue engineering brick or similar.</p>		<p>Existing brickwork details show a mix of brickwork details which have been painted over. The design rationale is to incorporate a contrasting brickwork to use above the windows with a soldier course, and up to cill height to the perimeter of the building.</p>
<p>WALLS - Render MonoCouche Weber Render - white chalk- or similar</p>		<p>Use of brickwork and render is a traditional combination in the area. We are proposing a render that is through coloured and should require little maintenance whilst offering improved thermal capabilities when used with modern blockwork construction.</p>

<p><b>WALLS - Details</b> Soldier Courses to be Blue engineering brick or similar.</p>		<p>Use of contrasting blue bricks can be found near to the proposed dwelling.</p> <p>Whilst the example given indicates a modern version of a Georgian sash styled UPVC window, our proposal is to improve the quality of the home and introduce as much daylight as we can with simple glazed panels, using Aluminium frames which can be manufactured to large opening sizes, double and triple glazed to improve thermal efficiency.</p>
<p><b>WALLS - Details</b> Window cills to be blue stone or similar</p>		<p>The existing property has stone cills that have been painted which are difficult to maintain. We have looked to use a blue stone, to tie in with the engineering brick and provide reference to the original dwelling architecturally.</p>
<p><b>WINDOWS</b> Aluminium framed, double glazed windows by specialist manufacturer. Finish RAL 7016 (Anthracite Grey)</p>		<p>The existing extension to the property has casement style windows.</p>
<p><b>ROOF LIGHTS</b> Velux or similar centre pivot windows</p>		<p>The use of rooflights is allowing for the interior spaces to use vaulted ceiling heights, particularly over the dining area. This will also aid and improve natural light and work to enable passive ventilation during the summer months.</p>
<p><b>DOORS</b> Aluminium framed, double glazed windows by specialist manufacturer. Finish RAL 7016 (Anthracite Grey)</p>		<p>Existing doors are a mix of timber and UPVC. The use of Aluminium will allow greater heat resistance and better overall performance without the need for significant maintenance.</p>



<p><b>PORCH</b> Oak framed porch by specialist manufacturer.</p>		<p>Porch to reference style of local porch canopies over entrance. This is an example taken from near to the property.</p>
<p><b>CANOPY</b> Oak framed roof support by specialist manufacturer.</p>	<p>See image above</p>	<p>Outside covered area for the children to play with supervision from the kitchen.</p>
<p><b>BALUSTRADE</b> Panoramic glazed wall mounted balustrade.</p>		<p>Frameless glazed balustrade to provide connection from bedrooms to landscape and mature gardens.  (Image taken from manufacturer's website for example.)</p>
<p><b>EAVES MOULDINGS</b> Exterior eaves cornice facade mouldings or similar.</p>		<p>A historic reference to the oversized eaves of the main house, and a detail taken from the era of the property with a modern low maintenance use of treated timber, painted white.</p>
<p><b>FASCIAS &amp; SOFFITS</b> Where indicated the White fascias and soffits will be timber.</p>		<p>Existing fascias and soffits are finished in timber.</p>
<p><b>RAINWATER GOODS</b> galvanised steel rainwater goods</p>		<p>The use of larger sized rainwater goods, will help to assist in better management of rainwater during intense downpours, and this will reduce the need for future maintenance.</p>

### 3. Context of Proposal

The existing house sits close to the main road and is accessed via a private driveway. There are several outbuildings for which we are already seeking permission to update and improve, with a view to creating the space the family will need for many years to come. The overall context for the proposal is to create an energy efficient family home to suit modern requirements, that will be their forever home, near their local and established family run business. The owner's intentions are to renovate the garage and create living accommodation for the duration of the build. The gate and access closest to the property is not currently used, and will not be used in the future, with no intention of the annexe being separated from the house.

### 4. Consultation

Application 21/00284/FUL, for works to the office building and garage, was submitted in February 2021.  
Application 21/00561/FUL, for a steel framed storage building, was submitted in March 2021.

## 5. Existing Photographs



## 6. Flood Risk Assessment

According to the Environment Agency records the site is at a low risk of flooding.



From: Lillings Ambo

Sent: 11 March 2022 15:31

To: Development Management; Karen Hood

Subject: 21/00925/FUL - The Lodge, Goose Track Lane, West Lilling

Lillings Ambo Parish Council met to discuss the above plans and have made these observations.

The proposed house is to be of similar size, height and colour of the original. It will be well insulated and include modern technology such as solar panels and possibly air or ground source heating. It will be a large property set in a substantially large plot, surrounded by fields and adjacent to Goose Track Lane. The neighbours have no objection to the proposed plans.

Lillings Ambo Parish Council will, therefore, support this application.

**Item Number:** 12  
**Application No:** 21/01252/FUL  
**Parish:** Allerston Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Rory Stead  
**Proposal:** Change of use and external alterations to agricultural building to form joiner's workshop  
**Location:** Land at Malton Lane Allerston Pickering YO18 7PG

**Registration Date:** 2 September 2021  
**8/13 Wk Expiry Date:** 28 October 2021  
**Overall Expiry Date:** 10 December 2021  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

### *Initial consultation*

<b>Allerston Parish Council</b>	Recommends approval subject to strict conditions
<b>Highways North Yorkshire</b>	No objection
<b>Lead Local Flood Authority</b>	No comments to make
<b>Sustainable Places Team (Environment-Agency)</b>	No response received
<b>Environmental Health</b>	Concerns (noise & disturbance)

### *Re-consultation (Amended plans & additional information in relation to noise impact and mitigation)*

<b>Allerston Parish Council</b>	No response received
<b>Highways North Yorkshire</b>	No objection still applies
<b>Lead Local Flood Authority</b>	No response received
<b>Sustainable Places Team (Environment-Agency)</b>	No response received
<b>Environmental Health</b>	Outstanding concerns & request for further information

### *Further re-consultation (Additional information in relation to noise impact and mitigation)*

<b>Environmental Health</b>	Comments and recommend conditions
-----------------------------	-----------------------------------

**Representations (15):** Mark Benson, Carol Benson, Susan Ward, Richard Ward, Peter Johnson, Irene Mabbott, Nigel Harkness, Lee Dymond, Andrew Jennison, Elaine Margaret Scorer, James Coupland, Alastair Baker, J Robin Lidster, Brian Pilmore, Graham Mackay (*all objections*)

---

## BACKGROUND:

The application is to be determined by Planning Committee as representations received in response to the consultation exercise have raised objections based on material planning considerations.

## SITE:

The application site is in open countryside, 300 metres south of Allerston accessed via Malton Lane. The application site amounts to 882m<sup>2</sup> and relates to the north east corner of a 0.8 hectare grassed paddock within the applicant's ownership/control.

Within the application site stands a modern agricultural building which stands parallel to the eastern boundary of the field and orientated to face west. The four bay steel framed building has a rectangular footprint and measures 9.14 metres by 18 metres with an eaves height of approximately 3 metres and a ridge height of approximately 4 metres.

The north and east elevations of the building are fully enclosed and constructed from concrete blockwork with box profile sheeting (dark green) to the upper walls. The southern elevation is of the same construction but includes a large opening half the width of the gable end. The two bays at the southern end of the building are enclosed on the western elevation by concrete panels to the lower walls and vertical timber boarding to the upper walls. The two remaining bays in the western elevation are open. The building has grey metal profiled sheeting to the pitched roof. The building stands on a concrete base and was built to house livestock (sheep), and provide storage for farm machinery, tools and feed.

Access is gained via the gated opening in the northern boundary. The area to the side and rear of the building is crushed stone hardstanding. The site is located mainly within Flood Zone 1 (Low Probability), however the southern edge of the existing building is within Flood Zone 3

New South Farm house is approximately 45 metres to the east and the Old Station and Station Cottage are a similar distance to the north and north east respectively. To the north of the site is holiday accommodation (converted railway carriages) associated with the Old Station and the remainder of the surrounding land is in agricultural use.

#### **HISTORY:**

20/00675/73A- Variation of condition 02 and 04 of planning approval 13/00420/FUL dated 06.06.2013 to allow an amendment to the design of the building. APPROVED 09.09.2020.

14/00762/73A- Variation of Condition 05 of approval 13/00420/FUL dated 07.06.2013 by submission of revised elevations plan "New copy 1st Aug 2014". REFUSED 29.09.2014.

13/00420/FUL- Erection of an agricultural building to include the housing of livestock (revised details to Refusal 12/00502/FUL dated 26.10.2012). APPROVED 07.06.2013.

12/00502/FUL- Erection of an agricultural storage building to include housing of livestock. REFUSED 26.10.2012.

#### **PROPOSAL:**

Planning permission is sought for change of use and external alterations to agricultural building to form joiner's workshop.

The proposal would not result in any change to the existing dimensions/floor space of the building (155m<sup>2</sup>) or access arrangements.

The external alterations comprise the infilling of the two open sided bays in the western elevation of the building with concrete panels to the lower walls and vertical timber boarding to the upper walls to match the existing wall on that elevation and in addition a roller shutter door would be inserted.

The box profile sheeting (dark green) currently on the upper wall of the southern elevation would be replaced with vertical timber boarding. There is currently an opening in the southern elevation where a roller shutter door will be inserted with a pedestrian door and window to the side. In addition two acoustic louvres would be installed in the upper part of the gable. There would be no change to the northern or eastern elevations. There would be solar panels installed on the west facing roof slope of the building. There would be timber acoustic fencing to a height of 2.5 metres erected at both ends of the building parallel to the eastern boundary. At the northern end (nearest the road) the fence would have a return which would also provide acoustic screening on the northern side of the building.



Internally the building would comprise a material storage area accessed via the roller shutter door in the west elevation; a machine room; an assembly and finishing area; component storage space; WC and office. A central partition wall and internal roller shutter door would separate the storage area and machine room from the assembly and finishing area. The machine room would be lined with 100 x 50mm timber stoothing with rockwool infill and finished with perforated particle board to give sound resistance. The wall and roof cladding, roller shutter doors and acoustic louvres have been designed to mitigate the noise impact from use of the building.

The supporting information submitted states that the joinery would create work for 2 full time employees. The workshop would be used for constructing shepherd's huts, glamping pods and other woodwork items. The machinery and tools involved would comprise a chop saw; bench drill; CNC router; table saw; battery drill; air orbital sander; and air orbital nail gun. The proposal does not include for the operation of a planer and there are no proposals for external operation of machinery or power tools within the application site.

The proposed hours of operation are 08:00-18:00 hours Monday-Friday and 09:00-13:00 hours on Saturdays. No operation on Sundays or Bank/Public Holidays.

The application is accompanied by a Noise Impact Assessment and Flood Risk Assessment.

### **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 SP9 The Land-Based and Rural Economy  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues

### **REPRESENTATIONS:**

The LPA received a total of 15 representations from local residents (occupants of The Old Station; no. 2 Station Cottage; New South Farm; and The Old Mill) and members of the public in response to the initial publicity/neighbour notification exercise. All raise objections to the application. The objections can be summarised as follows:

- Not in keeping with the surrounding peaceful environment and character of the countryside.
- Not an appropriate location for an industrial unit
- Noise produced from use of power tools, nail gun and other equipment would have a profound effect on well-being and quality of life of local residents
- Impact of noise on visitors and hospitality business particularly guests staying at the Old Station Railway Carriages
- Dust from sawing wood
- Increased traffic flow associated with deliveries on single track Malton Lane

The objections raised in relation to the following are not material to the consideration of this application:

- Precedent for further buildings on this site
- Alleged motives or intentions of the applicant
- Any previously alleged breach of planning control

No further comments were received following the re-consultation exercise in relation to amended plans & additional information on noise impact and mitigation.

The Parish Council recommend approval subject to strict conditions being applied as follows:-

1. *The whole building is adequately soundproofed including the door to prevent machinery noise disturbing nearby residents and holiday makers. And not just a small area inside the building.*
2. *All doors to be kept closed when the machinery is in operation.*
3. *No construction work to be done outside the workshop.*
4. *The hours of work of the machinery to be restricted to 9am – 5pm. So, holiday makers are not disturbed.*
5. *Planting of some screening to help with any noise and make it in keeping with a rural area.*

## **APPRAISAL:**

### Principle of the development

The site is in the open countryside and Policy SP1 seeks to restrict development to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities. At the national level paragraph 84 of the National Planning Policy Framework (2021) states that “*Planning policies and decisions should enable: (inter alia): a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings*”.

Policies SP6 and SP9 support small scale conversion of existing buildings to support appropriate rural economic activity.

It is considered that the principle of the change of use receives support subject to it being considered that the use can be accommodated in the local context without unacceptable harm to local amenity, highway safety, or flood risk.

### Design and impact upon the open countryside

Local policy requires that the proposed development is of an appropriate scale and accommodated without giving rise to unacceptable visual intrusion or adverse impacts on the character of the locality. Policy SP16 requires that the scale and design respects the local context provided by its surroundings and incorporates appropriate soft landscaping features. Policy SP20 requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses.

The site is south of the village within the open countryside in an area dominated and characterised by agricultural land use albeit with some holiday accommodation use to the north associated with the former railway line and old station. The site is not within a protected landscape and the building is not visually prominent from public vantage points.

The existing steel framed building is constructed from a range of material types comprising concrete blockwork/panels, box profile sheeting and vertical timber boarding to the walls. It is part open sided on the western elevation and has profiled sheeting to the pitched roof.

The proposal does not seek to extend the existing dimensions of the building. The proposal involves alterations to the building to facilitate the change of use.

The external alterations comprise the infilling of the two open sided bays in the western elevation of the building with concrete panels to the lower walls and vertical timber boarding to the upper walls to match the existing wall on that elevation and in addition a roller shutter door would be inserted.

The box profile sheeting (dark green) currently on the upper wall of the southern elevation would be replaced with vertical timber boarding. There is currently an opening in the southern elevation where a roller shutter door will be inserted with a pedestrian door and window to the side. It should be noted that permission ref. 20/00675/73A already permits a roller shutter door and side pedestrian door in the southern elevation. In addition two acoustic louvres would be installed in the upper part of the gable. There would be no change to the northern or eastern elevations.

As part of the noise mitigation there would be timber acoustic fencing to a height of 2.5 metres erected at both ends of the building parallel to the eastern boundary. The height sits below the eaves of the building and the length of fencing has been reduced on the southern side so to reduce visual impact without resulting in impacts on the dwelling to the east of the site. The final details of the acoustic fence shall be secured by condition.

The proposal involves relatively limited alterations and changes to the exterior of the building. As a result, the overall appearance of the building, which incorporates timber boarding to the walls, does retain an agricultural style and would not appear incongruous in the rural context. The site also benefits from well-established road side hedges along the northern boundary and a tree planting along the eastern boundary to the rear of the building and would not result in unacceptable visual intrusion. It is considered that the alterations to the design of the building are acceptable in compliance with Policies SP16 and SP20. The design also incorporates solar panels on the roof which represents a feature supported by Policy SP18.

#### Impact on local amenity

Policy SP20 states that *“Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses”*.

The policy also states *“New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence. Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise.”*

The NPPF, at paragraph 174, states that *“Planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia): e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability”*.

The NPPF, at paragraph 185, also states that *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (inter alia): a) mitigate and reduce to a minimum potential adverse impacts*

*resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”.*

The site is on the periphery of the village although there are residential receptors approximately 45 metres to the north-east and east of the site. The site is within a relatively tranquil area and concerns have been raised by local residents and members of the public that the level of activity and associated disturbance would conflict with the existing ambience of the area to the detriment of quality of life and the nearby holiday accommodation business.

The principal concern is noise disturbance. The proposal is not considered to give rise to a detrimental loss to neighbouring amenity in regards to daylight, sunlight and overshadowing, overlooking/loss to privacy or loss of outlook. With regards to concerns in relation to dust there are no proposals to process wood outside the building.

The Noise Impact Assessment (NIA) has measured background noise levels, identified nearby noise sensitive receptors and assessed noise from internal workshop operations involving machinery and tools to be used at the joinery. The NIA also assessed the sound reduction performance of the façade insulation and doors which forms part of the alterations proposed for the building.

The principal operating areas within the building would be the machine room and assembly room. The applicant’s noise consultant has confirmed that the assessment of the cumulative impact is based on a ‘worse case’ scenario whereby all machinery/tools are in operation concurrently even though that is unlikely to be possible in practice.

In response to the initial concerns of the Council’s Environmental Health Officer the NIA was updated to include impacts from deliveries and maximum noise levels from internal workshop operations (LAmax levels) and fixed plant. The further information also took account of the location of the holiday accommodation to the north and included noise contours to illustrate the sound reduction provided by the acoustic barrier and the roller shutter doors when closed during operations.

The updated assessment indicates that noise contributions from noise breakout from the joinery workshop are predicted to be a minimum of 5dB below existing measured background noise levels at adjacent sensitive receptors during operating hours. The updated assessment also indicates that cumulative noise output from deliveries and site servicing arrangements are predicted to be a minimum of 4dB below existing measured background noise levels at adjacent sensitive receptors during operating hours.

The Council’s Environmental Health Officer has no objection subject to the completion of the alterations to the building in accordance with the mitigation proposed in the submitted noise impact assessment. A condition will be imposed to ensure that the joiner’s workshop is not brought into use until all external alterations and mitigation measures for noise (wall and roof composition/sound insulation, extractor louvres, acoustic spec roller shutter doors and acoustic fencing) as specified in the approved drawings and the noise report have been completed. In addition the EHO requires that the hours of operation are limited by condition as will the times of deliveries.

The proposal meets the requirement of the NPPF in terms of incorporating measures to mitigate and reduce to a minimum potential adverse impacts resulting from noise. As such, officers consider that the proposed use would not be of detriment to neighbouring amenity in regards to noise and disturbance and is compatible with the immediate locality.

In the interests of protecting amenity it is considered prudent to also include conditions requiring no external storage or processing, roller shutter doors to be closed during operation of machinery/tools and prior approval of any external lighting. It is also considered prudent to include conditions removing permitted development rights relating any future change of use and operational development. It is considered that subject to appropriate controls the use of the building as a joinery workshop would not give rise to unacceptable impacts on local residents. In light of the above it is considered that the design and use of the building would not conflict with the requirements of Policies SP16 and SP20.

## Highways

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”.

The existing access/verge crossing has been constructed and surfaced to the satisfaction of the Local Highway Authority and there are no objections.

The access is suitable for the traffic which would be likely to be generated by this proposal. A condition would be imposed to control the timing of deliveries to and from the site and a condition shall also secure the detail of parking and turning arrangements within the site.

In light of the scale of the operation being limited by the size of the site and building it is not anticipated that it would generate traffic movements that would result in any highway capacity or safety issues in compliance with Policy SP20.

## Flood risk

The existing building is located in the north east corner of the field which is the topographical high point set around 1.5m above the lower section of the site to the south. The site is located mainly within Flood Zone 1 (Low Probability), however the southern edge of the existing building is within Flood Zone 3 (High Probability). The proposal is classified as a ‘less vulnerable’ use.

The footprint of the existing building and the amount of impermeable area would be unchanged. The existing drainage arrangements would be unaltered. The FRA recommends mitigation to be included in the building alterations (flood proofing to the ground floor up to 800mm) which will be secured by condition. There are no objections from the LLFA and it is considered that the development would not increase flood risk at the site or elsewhere and that suitable mitigation can be incorporated subject to condition and the proposal complies with Policy SP17.

## Conclusion

The proposed change of use is considered to be acceptable in principle and aligns with the aims of paragraph 84 of the NPPF and Policies SP1, SP6 and SP9 of the Ryedale Plan - Local Plan Strategy.

It is considered that the joinery workshop use can be effectively controlled to ensure that operations can be carried out without detriment to the amenity of the area and, as a result, can be accepted as a light industrial Class E(g)(iii) use. The planning permission that is being granted is only for a strictly limited use of the building as a single planning unit. In light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP1, SP6, SP9, SP16, SP17, SP18, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework. The proposal is therefore recommended for approval.

## **RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be 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):

Location Plan ref. AI 02  
Plan & Elevations ref. AI 01B

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

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the materials and colour finishes to be used on the exterior of the building the subject of this permission shall be in accordance with the details contained within the planning application and as shown on the approved drawings.

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

- 4 Prior to the commencement of any building works associated with the conversion of the building, details of the proposed means of disposal of foul and surface water drainage, including details of any off-site works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be properly drained and to satisfy the requirements of Policy SP17.

- 5 Prior to the building being brought into use full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- vehicular and cycle parking;
  - vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
  - loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and amenity in accordance with Policy SP20.

- 6 The development hereby permitted shall be operated in full accordance with the Noise Impact Assessment ref. DC3662-R1v4, dated 15th November 2021, produced by Dragonfly Consulting as amended by letters from Dragonfly Consulting dated 11.02.2022 & and 14.03.2022.

Reason: In the interests of amenity in accordance with Policy SP20.

- 7 The joiner's workshop shall not be brought into use until all external alterations and mitigation measures for noise (wall insulation, extractor louvres, roller shutter doors and acoustic fencing) as specified in the approved drawings and the Noise Impact Assessment ref. DC3662-R1v4, dated 15th November 2021, produced by Dragonfly Consulting as amended by letters from Dragonfly Consulting dated 11.02.2022 & and 14.03.2022 have been completed.

Reason: In the interests of amenity in accordance with Policy SP20.

- 8 The joiner's workshop shall not be brought into use until a report prepared by a qualified noise consultant detailing results of a post completion acoustic test has been submitted to and approved in writing by the Local Planning Authority. The noise consultant should first set a level (for LAeq and LMax) based on the modelling of what it is predicted to be at the boundary. The test should confirm the level of noise emitted from the site (for LAeq and LMax) as measured on the boundary of the site and agreed monitoring positions. In the event that agreed noise levels are exceeded, those operations at the site causing the excessive noise shall cease immediately and steps be taken to attenuate the noise level to be in compliance with the requirements of this condition. Those measures and works so approved by the Local

Planning Authority shall be implemented in full before the development is first brought into use.

Reason: In the interests of amenity in accordance with Policy SP20.

- 9 There shall be no external operation of machinery or power tools within the application site. The operation of machinery or power tools shall be limited to within the confines of the building and only when all roller shutter doors are closed. The use of a planer within the application site/building is strictly prohibited without prior written approval by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy SP20.

- 10 There shall be no operation of machinery or power tools or manufacturing/processing operations carried out within the application site except between the following hours: 08:00-18:00 hours Monday-Friday and 09:00-13:00 hours on Saturdays. There shall be no operation of machinery or power tools or manufacturing/processing operations carried out within the application site on Sundays or Bank/Public Holidays.

Reason: In the interests of amenity in compliance with Policy SP20.

- 11 There shall be no deliveries taken at or despatched from the application site except between the following hours: 08:00-18:00 hours Monday-Friday and 09:00-13:00 hours on Saturdays. There shall be no deliveries taken at or despatched from the application site on Sundays or Bank/Public Holidays.

Reason: In the interests of amenity in compliance with Policy SP20.

- 12 All business controlled vehicles shall be fitted with broadband noise reverse warning alarms which shall be inaudible at the nearest noise sensitive façade.

Reason: In the interests of amenity in compliance with Policy SP20.

- 13 No part of the application site shall be used for the parking of HGVs (except during loading/unloading of deliveries) or external storage of plant, machinery, equipment, goods, materials, waste, products or parts, crates, pallets or trailers without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the appearance of the area is not prejudiced by the development in accordance with Policies SP16 and SP20.

- 14 Prior to the installation of the extraction equipment details (model of extractor unit and noise emission details) and the location shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in compliance with Policy SP20.

- 15 Full details of all external lighting at the site, including lighting for site security purposes, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution in accordance with Policy SP20.

- 16 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details confirming the location, design, materials and colour

finish of the acoustic fence to be erected. Thereafter the acoustic fence shall be installed in accordance with the approved details before the use hereby permitted is commenced.

Reason: In the interest of amenity in accordance with Policy SP20.

- 17 The joinery premises shall be occupied as a single unit only. There shall be no subdivision of the unit without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of amenity in accordance with Policy SP20.

- 18 Any playing of amplified or other music at the premises shall be limited to working hours and only within the building when the roller shutter doors are closed.

Reason: In the interest of amenity in accordance with Policy SP20.

- 19 The vehicular entrance and circulation space adjacent to the building shall be kept clear of obstruction at all times.

Reason: In the interest of vehicular and pedestrian safety in accordance with Policy SP20.

- 20 The development shall be carried out in accordance with the submitted Flood Risk Assessment prepared by Topping Engineers (ref: 21461-FRA-001 Rev A) dated July 2021 and the mitigation measure contained therein.

Reason: To manage and prevent the risk of flooding to and as a result of the development in compliance with Policy SP17.

- 21 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order revoking, re-enacting or amending that Order), no buildings, structures or fixed plant shall be erected or areas of hardstanding created [except as provided for in the development hereby permitted] within the application site without the prior grant of planning permission.

Reason: To reserve the rights of control by the Local Planning Authority in the interests of amenity in accordance with Policy SP20.

- 22 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order revoking, re-enacting or amending that Order), no openings shall be formed in the building [except as provided for in the development hereby permitted] without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: In the interests of residential amenity in compliance with Policy SP20.

- 23 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order, the use of the building hereby approved shall be restricted to Use Classes E(g)(iii) only and shall not be used for any other use whatsoever including any use within Class E without express planning consent from the Local Planning Authority first being obtained.

Reason: To reserve the rights of control by the Local Planning Authority to ensure that the use hereby approved is not able to change to unfettered Class E uses in this open countryside location which would undermine policies of the Development Plan.

- 24 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order revoking, re-enacting or amending that Order), permitted rights to change from E(g)(iii), to any other use, are hereby removed. No such



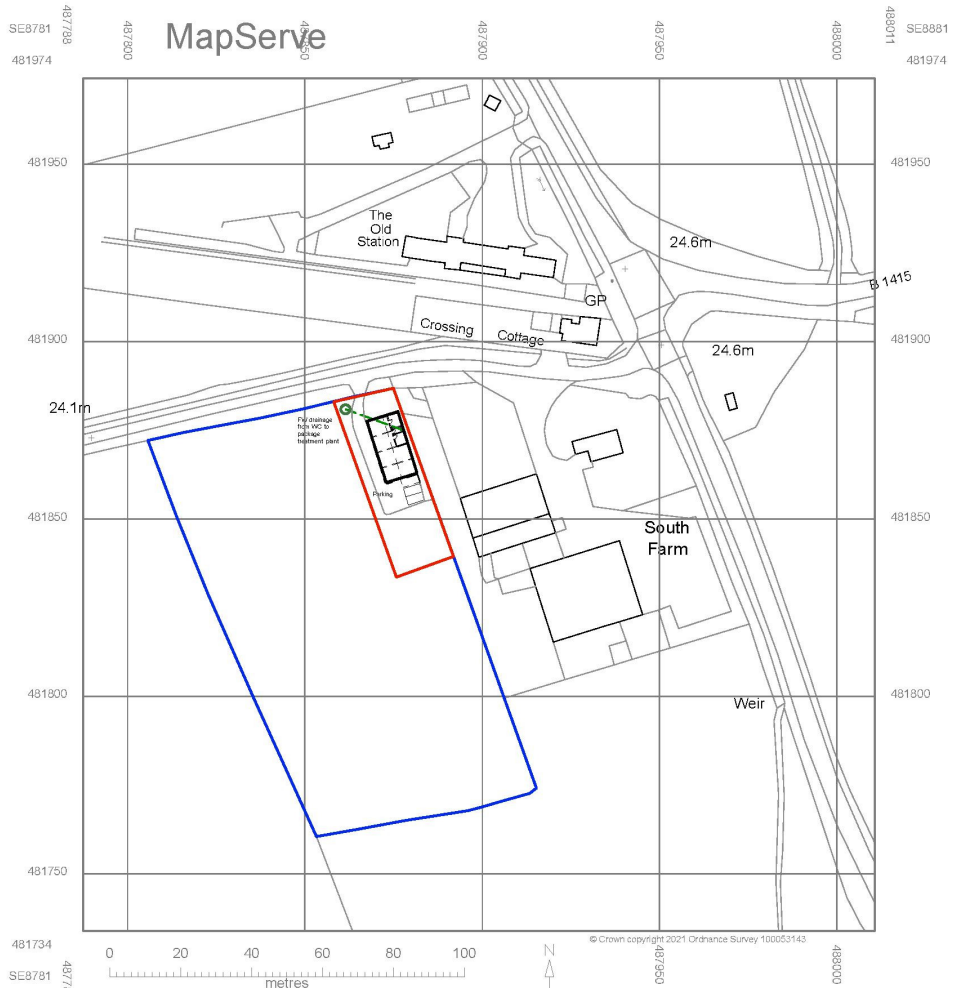
change shall occur without express planning consent from the Local Planning Authority first being obtained.

Reason: To reserve the rights of control by the Local Planning Authority to ensure that the use hereby approved is not able to change to unfettered uses in this open countryside location which would undermine policies of the Development Plan.

25 A copy of the planning permission and any agreed variations shall be kept available at the workshop at all times.

Reason: To ensure that all employees are aware of the terms of the planning permission.

THIS COPY HAS BEEN MADE FROM THE ORIGINAL AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE ORIGINAL AUTHOR. THIS COPY IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE ORIGINAL AUTHOR.



Location Plan 1:1250  
Red Line Site Area 882sqm

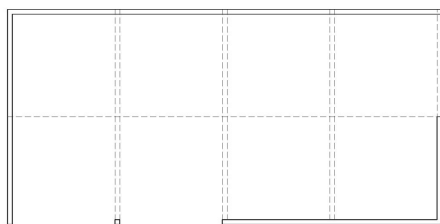
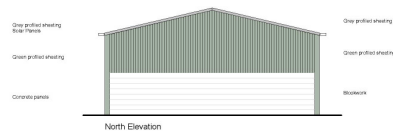
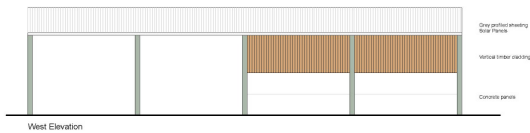


**YEW TREE ASSOCIATES**  
LAND TOWN PLANNING & DEVELOPMENT CONSULTANTS

Lane End, Matton Lane  
Allerston Pickering YO18 7PG  
Rory Stead  
Location  
1:1250 at A3  
Drawing No AI 02

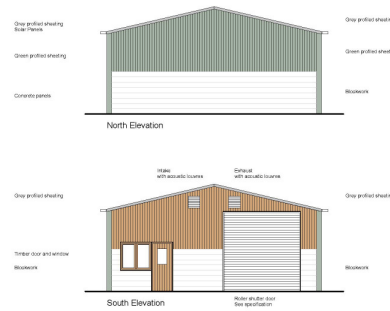
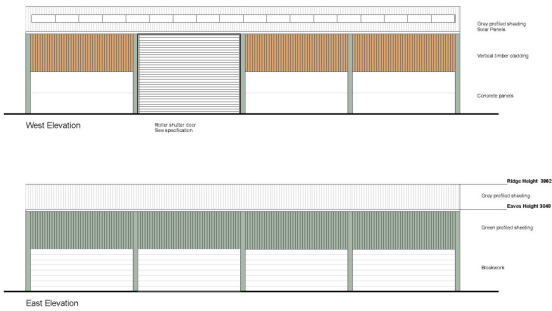


date valid 23/11/2021

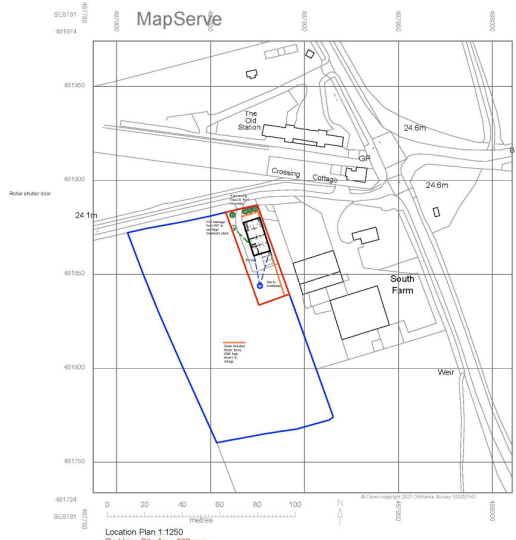
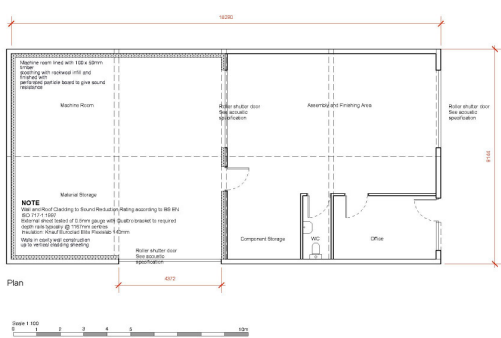


Plan

 **YEW TREE ASSOCIATES**  
Landscape Architects  
Lane End, Mallon Lane  
Aldbrough, Pickering, YO18 7PG  
Roy Stace  
Existing Plan +  
Elevations  
Workshop / Location  
1:100 / 1:250 at A2  
Drawing No AI 02



**NOTE**  
 All glazing Cladding to Brown finish according to BS 84  
 BS 7172 Part 2  
 External noise level of 55 dBA with double glazed  
 insulation. Actual External noise level is 45 dBA.



**YEW TREE ASSOCIATES**  
 Lane End, Mallon Lane  
 Alton Pkilling YO18 7PG  
 Roy Beale  
**Plan + Elevations**  
**Workshop / Location**  
 1:100 / 1:250 at A2  
**Drawing No AI 01B**



# YEW TREE ASSOCIATES

LAND, TOWN PLANNING &  
DEVELOPMENT CONSULTANTS

## **Supporting Planning Statement (including Flood Risk Assessment)**

**for**

### **The Change of Use of Agricultural Building To Use as a Joiner's Workshop**

**at land at**

**Malton Lane**

**Allerston**

**Pickering**

**North Yorkshire**

**YO18 7PG**

**for**

**Mr R Stead**

**31.8.21**

[www.yewtreeassociates.co.uk](http://www.yewtreeassociates.co.uk)



Director  
MARK NEWBY Dip T & R P MRTPI  
Director  
VALERIE NEWBY BA (Hons)

Yew Tree Associates Limited, Hill Dene, Rice Lane, Flaxton, York

Registered in England & Wales company number 9221926.

# **Contents**

- 1. Introduction**
- 2. Site Location and Description**
- 3. Planning History**
- 4. The Proposal**
- 5. The Planning Policy Context**
- 6. Key Issues**
- 7. Conclusions**

## **Appendix 1**

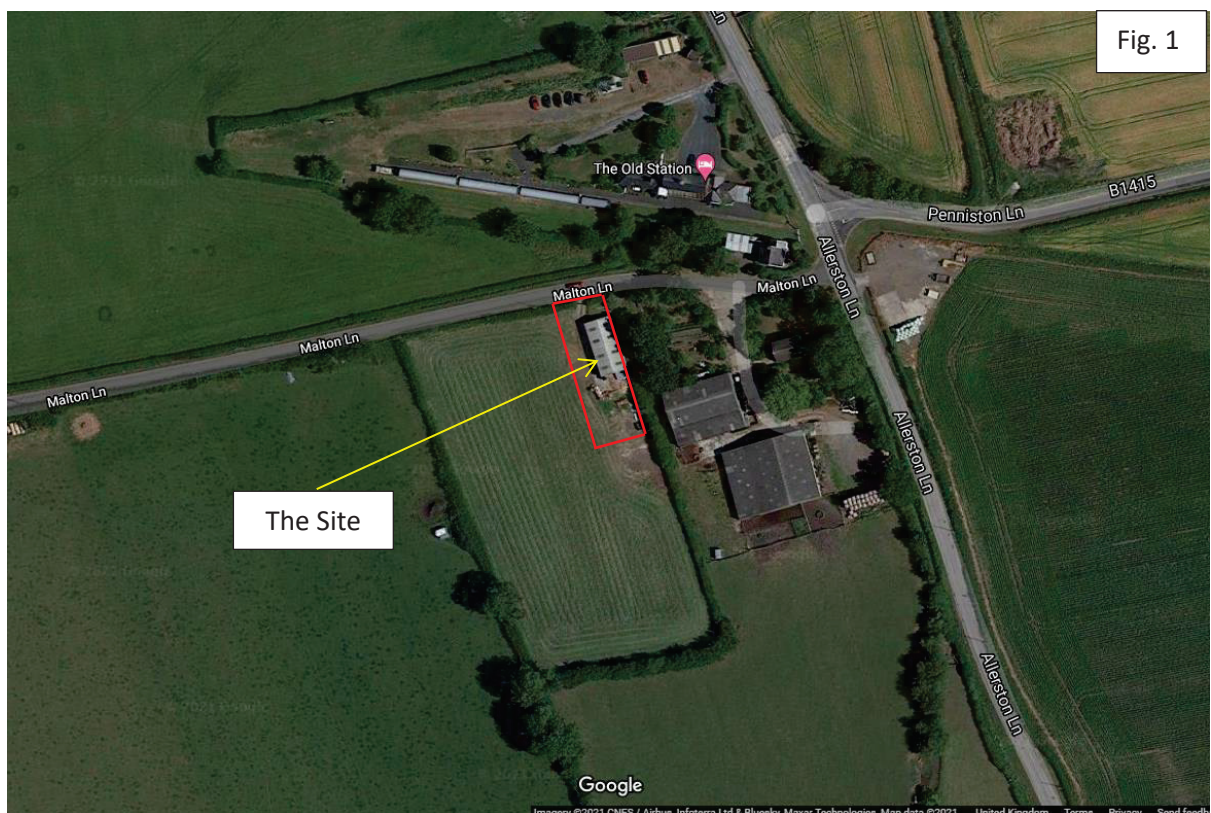
**Noise Impact Assessment DC3662-R1 - Yew Tree Associates - Malton Lane,  
Allerston (Issue 310821)**

## 1.0 Introduction

- 1.1 This statement provides support for a Detailed Planning Application for the change of use of an agricultural building at land at Malton Lane, Allerston, Pickering. North Yorkshire YO18 7PG for Mr R Stead.

## 2.0 Site Location and Description

- 2.1 The application site lies to the south of Malton Lane, Allerston, Pickering and comprises an existing agricultural building, currently used for the accommodation of animals and agricultural storage and serves agricultural land to the south west.
- 2.2 The site is within open countryside to the south of Allerston and is outside of development limits of the village. It is bounded by well-established trees and hedgerows to the north and east and is accessed from Malton Lane to the north. The total site area is 882 sqm. (See Fig. 1 below).



## 3.0 Planning History

- 3.1 Ref. No: 12/00502/FUL  
Erection of an agricultural storage building to include housing of livestock Land At Malton Lane Allerston Pickering North Yorkshire - Refused 26<sup>th</sup> October 2012.

Ref. No: 13/00420/FUL  
Erection of an agricultural building to include the housing of livestock (revised details to Refusal 12/00502/FUL dated 26.10.2012) Land At Malton Lane Allerston Pickering North Yorkshire— Approved 7th June 2013.

Ref. No: 14/00762/73A

Variation of Condition 05 of approval 13/00420/FUL dated 07.06.2013 by submission of revised elevations plan "New copy 1st Aug 2014" Land At Malton Lane Allerston Pickering North Yorkshire– Refused 29<sup>th</sup> September 2014.

Ref. No: 20/00675/73A

Variation of condition 02 and 04 of planning approval 13/00420/FUL dated 06.06.2013 to allow an amendment to the design of the building Land At Malton Lane Allerston Pickering North Yorkshire – Approved 9<sup>th</sup> September 2020.

#### **4.0 The Proposal**

- 4.1 The proposal is for the change of use of a single storey agricultural building previously approved and constructed under planning permission Ref. No: 13/00420/FUL and Ref. No: 20/00675/73A to use as a joiner's workshop.
- 4.2 The building measures 18.488 in length, 9.144m width and eaves and ridge measuring 3.048m X 3.962m respectively and is located adjacent to the eastern boundary of the site.

#### **5.0 The Planning Policy Context**

- 5.1 In determining the application in planning policy terms we must turn to the Planning Acts.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". The development plan for the Ryedale District comprises the policies in The Ryedale Plan – Local Plan Strategy (adopted on 5<sup>th</sup> September 2013). Its relevant policies are as follows:-
- 5.3 The Ryedale Plan – Local Plan Strategy 2013
  - Policy SP1 - General Location of Development and Settlement Hierarchy
  - Policy SP6 - Delivery and Distribution of Employment/Industrial Land and Premises
  - Policy SP9 - The Land-Based and Rural Economy
  - Policy SP13 - Landscapes
  - Policy SP16 - Design
  - Policy SP17 - Managing Air Quality, Land and Water Resources
  - Policy SP20 - Generic Development Management Issues

#### **5.4 National Planning Policy Framework/Guidance**

The relevant paragraphs and references are:  
National Planning Policy Framework 2021 (July) (NPPF)  
National Planning Practice Guidance 2014 (PPG)

#### **6.0 Key Issues**

- 6.1 The key issues to be taken into account when assessing this proposal are:
  - 1. Principle of the development
  - 2. Design, appearance and landscape impact
  - 3. Impact upon the public highway
  - 4. Drainage and Flood Risk
  - 5. Noise



To take each in turn.

## 6.2 The Principle of Development

6.2.1 Paragraph 38 of the NPPF states that local planning authorities should approach decisions on proposed development in a positive and creative way.

6.2.2 Policy SP1 of the Ryedale Plan- Local Plan Strategy states:-

*'SP1 General Location of Development and Settlement Hierarchy*

*Ryedale's future development requirements will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of the following hierarchy of settlements:*

*..In all other villages, hamlets and in the open countryside development will be restricted to that:*

*· which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or*

*· which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Development Policy and Policy SP12 of this Plan, or*

*· which is justified through the Neighbourhood Planning process*

(Our emphasis)

6.2.3 and Policy SP6 of the Ryedale Plan - Local Plan Strategy states:-

*'SP6 Delivery and Distribution of Employment/Industrial Land and Premises*

*Delivery*

*New land and buildings for employment will be supported from the following sources in the following locations:*

*Malton and Norton; Pickering; Kirkbymoorside; Helmsley*

*Employment land allocations; conversion of existing buildings for employment purposes; expansion land/sites for major employers/established businesses*

*Service Villages and other Villages*

*Small-scale sites in and adjacent to Development Limits (coming forward as 'windfall' development); conversion of buildings within and outside of Development Limits for employment uses and rural diversification; expansion land/sites for major employers/established businesses*

*Wider Open Countryside*

*Expansion land for existing major employers/ established businesses; small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity in line with the provisions of Policy SP9'*

6.2.4 and Policy SP9 of the Ryedale Plan – Local Plan Strategy states:-

*'SP9 The Land-Based and Rural Economy*

*Ryedale's land-based economy will be sustained and diversified with support for:*

*· New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes*

*· Replacement dwellings for land management activity if no other existing available buildings suitable or capable of conversion*

*· Replacement of non-traditional general-purpose storage buildings to support farming, forestry or equine related activity*

*· Conversion of traditional buildings for tourism or residential uses (subject to the occupancy conditions set out in Policy SP21)*

*· Conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6*

*· Appropriate farm and rural diversification activity including innovative approaches*

*· Local food production and sales. Farm shops which will meet a demand for local produce and which contribute to the local economy will be supported where they do not adversely affect easily accessible convenience shopping.*

*· Appropriate new uses for land including flood management and energy production related research and education in this field*

*· Small-scale extraction of local building stone and limited aggregate provision\**

*And indirectly by supporting:*

*· The retention of a livestock market within Ryedale on a site which is convenient to users, well related to the main road network and in a location which is close to a Market Town but will not harm its character, landscape setting or the amenities of nearby residents*

*· Local weekday and Saturday markets, farmer's markets and events*

*· Proposals or actions that would assist in utilising and retaining traditional rural skills including land and woodland management, farming, conservation, local traditional building techniques'*

(Our emphasis)

6.2.4 The site is within the open countryside and the principle of the development is supported by Policies SP1, SP6 and SP9 of The Ryedale Plan – Local Plan Strategy for the change of use of the building to a joiner's workshop.

### 6.3 Design, Appearance and Landscape Impact

6.3.1 The NPPF at paragraph 126 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6.3.2 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.3.3 Policy SP13 of The Ryedale Plan – Local Plan Strategy Landscapes states that:-

*'The quality, character and value of Ryedale's diverse landscapes will be protected and enhanced by:*

*Encouraging new development and land management practises which reinforce the distinctive elements of landscape character within the District's broad landscape character areas of:*

*· North York Moors and Cleveland Hills*

*· Vale of Pickering*

*· Yorkshire Wolds*

*· Howardian Hills*

*· Vale of York .....*

*Landscape Character*

Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure’.*

(Our emphasis)

6.3.4 Policy SP16 of The Ryedale Plan – Local Plan Strategy Ryedale Design states:-

*‘SP16 Design*

*Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being*

*To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings*

6.3.5 Policy SP20 of The Ryedale Plan – Local Plan Strategy Ryedale Generic Development Management Issues states:-

*‘Character*

*New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses*

*Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses*

*The cumulative impact of new development on the character of an area will also be considered*

*Design*

*The design of new development will follow the principles established in Policy SP16. Extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials’.*

(Our emphasis)

6.3.6 The National Planning Policy Framework includes references which would support the proposal namely:-

At paragraph 84 it states:-

*‘Supporting a prosperous rural economy*

*84. Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses’*

(Our emphasis)

6.3.7 We submit that the revised building design and proposed use will not have a detrimental adverse effect on the character and form of the area by virtue of its design, layout, scale,

external appearance. As such we submit that the proposed scheme therefore complies with and policies SP, 13, 16 and 20 of The Ryedale Plan – Local Plan Strategy and advice given in NPPF.

#### 6.4 Impact upon the public highway

6.4.1 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

*'Access, Parking and Servicing*

*Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. 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'*

(Our emphasis)

6.4.2 These Local Plan policies should be afforded weight as they are broadly consistent with the aims of the NPPF.

6.4.3 In addition paragraph 110 of the NPPF states that in assessing sites that may be allocated for development it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

6.4.4 The existing building is served from an existing access from the north of the site where adequate visibility is available and adequate parking provision has also been provided for within the site. Traffic movements to and from the site will be increased to those that currently exist, but not to the detriment of highway safety as the type of vehicles will be smaller in size and with less frequent visits in terms of material deliveries.

6.4.5 We submit that the proposal will not adversely impact on the highway network either from an access or parking standpoint and therefore submit that the proposal is acceptable as it accords with policies SP20 of The Ryedale Local Plan-The Local Plan Strategy and Paragraph 108 of the NPPF.

#### 6.6 Flood Risk and Flood Risk

6.6.1 The NPPF paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. NPPF paragraph 154 states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

6.6.2 Policy SP17 (Managing Air Quality, Land and Water Resources) of The Ryedale Plan – Local Plan Strategy states:-

*'Land resources will be protected and improved by:*

*· Supporting new uses for land which is contaminated or degraded where an appropriate scheme of remediation and restoration is agreed and in place*

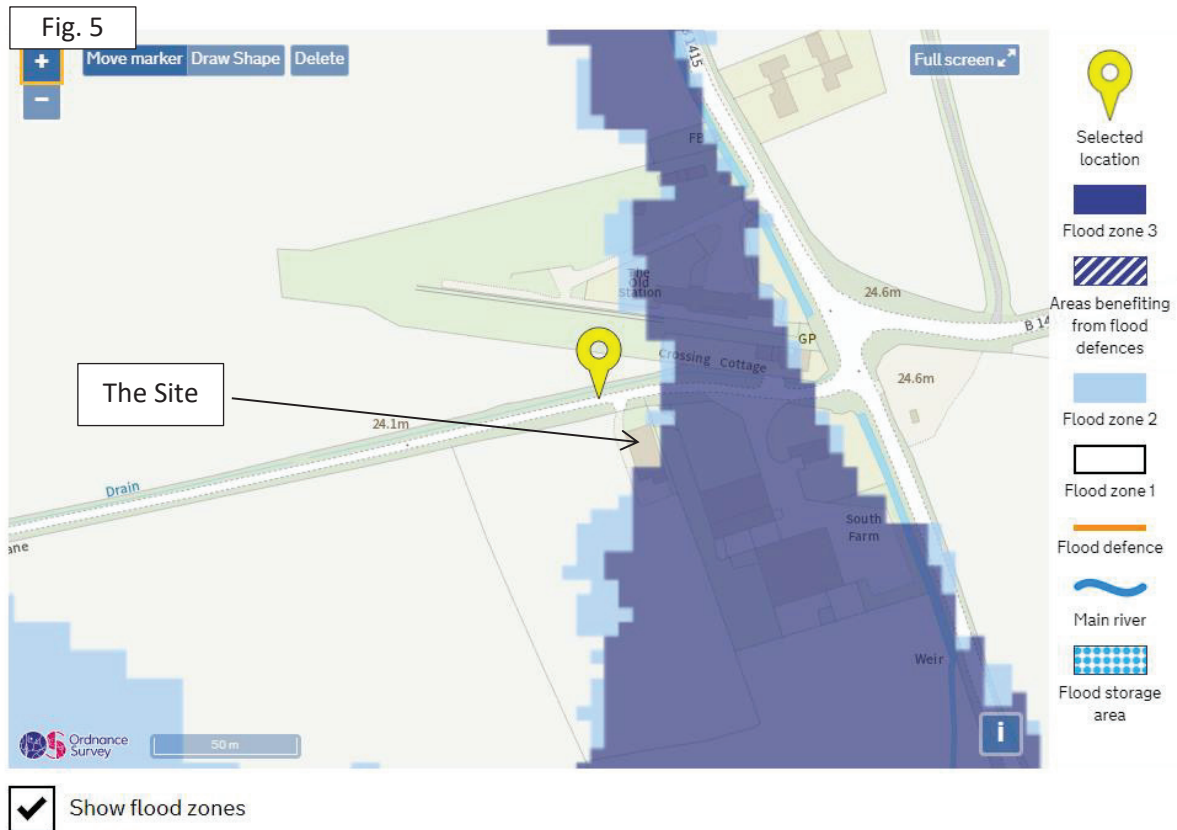
*· Prioritising the use of previously developed land and protecting the best and most versatile agricultural land from irreversible loss. New land allocations will be planned to avoid and*

minimise the loss of the Best and Most Versatile Agricultural Land. Proposals for major development coming forward on sites that are not allocated for development which would result in the loss of the Best and Most Versatile Agricultural Land will be resisted unless it can be demonstrated that the use proposed cannot be located elsewhere and that the need for the development outweighs the loss of the resource

Flood risk will be managed by:

- Requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. Development proposals will be expected to attenuate surface water run off to the rates recommended in the Strategic Flood Risk Assessment. In addition, major development proposals within areas highlighted as having critical drainage problems in the North East Yorkshire Strategic Flood Risk Assessment (or future updates) as Critical Drainage Areas may, if appropriate, be required to demonstrate that the development will not exacerbate existing problems by modelling impact on the wider drainage system
- Ensuring new development does not prevent access to water courses for the maintenance of flood defences
- Undertaking a risk based sequential approach to the allocation of land for new development and in the consideration of development proposals in order to guide new development to areas with the lowest probability of flooding, whilst taking account of the need to regenerate vacant and previously developed sites within the towns. In considering development proposals or the allocation of land, full account will be taken of the flood risk vulnerability of proposed uses and the national 'Exception Test' will be applied if required'

6.6.3 The application site is located in Flood Zone 1, 2 and 3 as shown on the Environment Agency's Flood Map for Allerston (See Fig. 5 below)



6.3.4 As such a Flood Risk Assessment has been prepared by Toppings Engineers (Appendix 1) which concludes:-

*'In compliance with the requirements of National Planning Policy Framework, and subject to the mitigation measures proposed, the development could proceed whilst being at risk of flooding as suitable mitigation has been provided. Moreover, the development will not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.'*

6.6.5 In terms of Foul Water, none is proposed and Surface Water will continue to be discharged as per the existing building.

6.6.6 We submit therefore that the proposed development is acceptable from a risk of flooding and can be satisfactorily drained and is therefore considered acceptable and in accordance with Policies and the guidance in NPPF.

## 6.7 Noise

6.7.1 Policy SP20 of the Ryedale Plan – Local Plan Strategy states:-

*'SP20 Generic Development Management Issues*

### *Character*

*New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses*

*Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses*

*The cumulative impact of new development on the character of an area will also be considered*

### *Design*

*The design of new development will follow the principles established in Policy SP16. Extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials*

### *Amenity and Safety*

*New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*

*Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise*

*New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance*

*All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/potential risks posed by contamination in accordance with recognised national and international standards and guidance*

### *Access, Parking and Servicing*

*Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists.*

*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*

*Access into and within buildings will be expected to be of a standard that allows all to access the building unimpeded. Development will be expected to comply with the relevant standards in place at the time a planning application is made to the Local Planning Authority. A Travel Plan may be required to set out how the use of the building can be made more sustainable by reducing the need to travel by private car*

*Where applicable, proposals will need to demonstrate the inclusion of safe and effective vehicular servicing arrangements.*

6.7.2 Clearly, the proposed use will generate an increase in noise through the use of machinery at the premises. However, the appropriate noise mitigation measures have been incorporated in the design of the building such that any noise emissions will be kept to an acceptable level.

6.7.3 A Noise Impact Assessment (Appendix 2) is submitted in support of the application by Dragonfly Acoustics and this concludes that:-

*'The results of the assessment indicate that noise contributions from noise breakout from the joinery workshop are predicted to be a maximum of 1dB below existing measured background noise levels at adjacent sensitive receptors during the daytime during the hours of 0800h and 1800h.'*

6.7.4 In addition, the applicant will accept the following planning condition that will restrict the use of the site.

*'There shall be no operation of woodworking machinery within the application site except between the following hours:- 08:00 – 18:00 Monday to Friday and 09:00 – 13:00 Saturdays. There shall be no operation of machinery on Sundays and Bank Holidays.'*

6.7.3 We submit therefore that the proposed use of the site will meet the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

## **7.0 Conclusions**

7.1 We believe that we have provided a substantive case through not only Central Government's most recent planning policy statements, but also the Council's own planning policies and material considerations we respectfully submit that the proposal is acceptable in all respects and should receive the support of the local planning authority.

SMN/ YTA 31.8.21

# Agenda Item 13

**Item Number:** 13  
**Application No:** 22/00052/OUT  
**Parish:** Helmsley  
**Appn. Type:** Outline  
**Applicant:** Ms Hannah Dunsdon  
**Proposal:** Erection of 2no. Dwellings with approval sought for access  
**Location:** Land off Linkfoot Lane, Helmsley, North Yorkshire

**Registration Date:** 10 January 2022  
**8/13 Wk Expiry Date:** 4 March 2022  
**Overall Expiry Date:** 4 March 2022 (extension of time requested until the 15 April 2022)  
**Case Officer:** Ian Irwin **Ext:**

## CONSULTATIONS:

- Local Highway Authority** Responded on the 9 February 2022 and confirmed that *'The Local Highway Authority considers the proposed access arrangements to facilitate access to the proposed erection satisfactory subject to the trimming back of bushes/ hedge line to facilitate the required visibility of X 2.4 metres back into the access by 90 metres in both directions along the A170'*.
- Lead Local Flood Authority (LLFA)** Responded on the 24 February 2022 and confirmed that the scheme was 'minor' and as such they had no comments to make upon the proposed development.
- Ecology** Responded on the 23 February 2022 and confirmed that any loss of hedgerow would need to be compensated for either on or off-site by incorporating new, native species hedgerow. It was also noted that nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended) so any removal of hedgerow, shrubs or dense vegetation should be completed outside of the bird breeding season (March to August) or after a competent person has first confirmed that no nesting birds are present. A further response, provided on the 2 March 2022 stated that *'Taking account of the location of the site and the absence of features which might suggest protected species could be present, I don't think we would ask for a Preliminary Ecological Appraisal in this instance....However, the applicant needs to consider how they would deliver net gains for biodiversity in line with the requirements of the NPPF. Natural England's small sites metric ([The Small Sites Metric - JPO40 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/Information-and-data/Small-sites-metric) provides a useful tool for establishing what this might involve. This can be resolved at the detailed planning application stage but the applicant should be aware that this will be a requirement and may wish to seek professional advice'*.
- Yorkshire Water** Were consulted on the 23 February 2022. No response was received.
- Helmsley Town Council** Responded on the 22 February 2022 and confirmed 'no comment' in relation to the application.



### **Representations received:**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 Section 15(4) which state that the following notice shall be given by a Local Planning Authority: a) by site display in at least one place on or near the land to which the application relates; or b) by serving the notice on any adjoining owner or occupier. In this case a site notice was erected in the vicinity of the site on the 21 January 2022. Additionally, 10 neighbour notification letters were issued.

Two responses were received. One queried whether their own parking arrangements would be affected by the proposal. The second objected to the scheme, and mistakenly believed that the proposal was for access only, with no residential housing proposed. The objection confirmed that in their view, Linkfoot Lane is used a thoroughfare to Helmsley and has been subject to various traffic calming measures, increased signage and a traffic light crossing to assist with traffic flow and issues surrounding speeding. It was suggested that increasing the number of access points for two households would contribute to the existing volume of traffic and cause ‘difficulties’ along with posing a ‘danger to the public and motorists entering and existing Linkfoot Lane’. The proposed driveways in proximity to the existing access to Linkfoot Close would in the view of the objector cause additional traffic management issues, potential dangers to walkers, motorists and cyclists.

It was further noted that the existence of traffic lights caused traffic to gather during busy periods and this scheme would contribute to these build ups, which cause pollution and nuisance. Additionally, it was suggested that the development would not be in accordance with the Local Plan, as it was noted the ‘ambition to reduce emissions and move to more sustainability, the addition of driveways that caused further traffic pile-up, pollution and support of additional road vehicles would seem counter-intuitive to policy’. Additional concerns over visibility, noise, disturbance and loss of amenity would occur and that the site is overgrown and would not meet objectives of the Helmsley Local Plan, which seeks to provide sufficient land to provide a mix to provide a mix of housing which meets existing and future needs whilst safeguarding and enhancing the landscape of the National Park and retaining the historic character of the town including the setting of Duncombe Park Estate, Helmsley Castle and the North York Moor National Park. Finally, concerns related to the site being a ‘wild grazing area’ were noted and that this area was now a habitat for birds and wildlife of Helmsley. It was considered that a full environmental and sustainability assessment of adding accessing points and the destruction of existing hedgerows and habitats was suggested as necessary to determine the application.

---

### **BACKGROUND:**

The application is to be determined by Planning Committee as an objection has called the application in on material planning grounds.

### **SITE:**

The site subject of this application is presently a piece of ‘greenfield’ land albeit it is in a poorly maintained visual state. It is 0.175ha in size and is almost rectangular in shape. The site is located within Helmsley and as such there are residential properties in the vicinity of the site. The nearest of these are the following. ‘Linfitt’ immediately adjacent to the West, the Helmsley Methodist Church, also immediately adjacent to the West of the site as well as the following other properties. Number 44 ‘The Limes’ is located immediately to the East whilst Number 46 ‘The Limes’ is immediately to the South. Cherry Tree House immediately to the South-West. The remaining homes comprising the ‘Limes’ are located beyond these properties to the South and East.

The A170 is immediately to the North of the site. Beyond that, immediately to the North is a residential housing estate known as Linkfoot Close. Orchard House is also beyond the A170 to the North-West.

## **PROPOSAL:**

The proposal before the Local Planning Authority is an outline proposal for two dwellings, along with access. All other aspects (those that are defined as reserved matters) would, by definition be 'reserved'. The applicant has submitted a site plan with one, suggesting independent access points for each of the proposed properties. Beyond that, there is no details provided in terms of design and scale of the proposed properties as well as intended building materials, landscaping etc. as to be expected by such outline applications.

## **HISTORY:**

00/00357/OUT – Residential Development – approved 15 May 2000

91/00320/OLD – Erection of dwelling and formation of new access – approved 16 January 1992

88/00330/OLD – Erection of two detached dwellinghouses at land off Linkfoot Lane – approved 6 June 1988.

## **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)**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy;  
Local Plan Strategy – Policy SP2 Delivery and Distribution of New Housing;  
Local Plan Strategy – Policy SP4 Housing Type and mix of New Housing;  
Local Plan Strategy – Policy SP12 Heritage;  
Local Plan Strategy – Policy SP13 Landscapes;  
Local Plan Strategy - Policy SP16 Design;  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources;  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development;  
Local Plan Strategy - Policy SP20 Generic Development Management Issues.

### **Other Material Considerations**

#### **National Planning Policy Framework (NPPF)**

Chapter 2 – Achieving Sustainable Development  
Chapter 4 – Decision making  
Chapter 5 – Delivering a sufficient supply of homes  
Chapter 6 – Building a strong, competitive economy  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed places  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment  
Chapter 16 – Conserving and enhancing the historic environment

## National Planning Practice Guidance (NPPG)

### Helmsley Plan (2015)

Policy SD1 - Presumption in favour of Sustainable Development;  
Policy H1 – New Residential Development;  
Policy H2 – Windfall Development;  
Policy H9 – Design;  
Policy H10 – Renewable Energy and Sustainable Building;  
Policy H11 – Green Infrastructure;  
Policy H13 – Open Space Provisions.

### Main Considerations

- **Principle of the development;**
- **Design and Character of the Area;**
- **Landscape Impact;**
- **Highways Safety and Access;**
- **Drainage and Flood Risk;**
- **Amenity;**
- **Ecology/Biodiversity.**

### Principle of the development

Policy SP1 of the Ryedale Local Plan, entitled ‘General Location of Development and Settlement Hierarchy’ confirms the Council’s approach to the type of development considered appropriate for locations across the district. The site is noted to be located within Helmsley which is considered as a ‘Local Service Centre’ within the aforementioned plan. Given this status, the settlement is expected to be subject to *‘Limited housing growth to address local employment and housing and community requirements’*.

As a Local Service Centre, Helmsley falls within the second highest level of the settlement hierarchy which are considered as market towns. The principal of the settlement hierarchy is to try and ensure that development is distributed appropriately, to locations with appropriate infrastructure and additionally to ensure that the rural nature of the district, particularly those locations lower down the hierarchy, is maintained.

Policy SP2 entitled ‘Delivery and Distribution of new housing’ sets out the districts aim in terms of housing delivery and importantly, the areas where they wish to see housing schemes come forward. In areas defined as Local Service Centres, sites to be considered sources of housing, are confirmed as following, *‘Housing Land Allocations in and adjacent to the built up area, Conversion and redevelopment of Previously Developed Land and buildings within Development Limits, Replacement dwellings, Sub-division of existing dwellings, Infill development (small open sites in an otherwise continually built up frontage), 100% Rural Exception Sites outside of and on the edge of Development Limits in line with Policy SP3, Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate and 100% Rural Exception Sites outside of and on the edge of Development Limits in line with Policy SP3 along with, Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate’*.

Helmsley has a development plan (the Neighbourhood Plan) of its own which includes Policy H2 entitled ‘Windfall Development’. It states, *‘Proposals for new residential development on sites located within the defined Development Limit will be supported where the site comprises a small infill gap and/or fulfils the relevant policy requirements set out in the Ryedale Local Plan Strategy or North York Moors Core Strategy and Development Policies Document. Particular regard will be had to the following features in the consideration of windfall residential schemes in Helmsley:*

- *Ensuring that proposals conserve those elements which contribute to the historic character of*

*Helmsley, especially the burgage plots and other important open spaces within the town;*

- *the setting of the town's built heritage including Duncombe Park and Helmsley Castle; and*
- *Important open views to the countryside. Residential development outside the defined Development Limit for Helmsley will be restricted to those of an essential or exceptional nature as set out in the relevant policies contained in the Ryedale Plan: Local Plan Strategy or North York Moors Core Strategy and Development Policies Document'.*

This policy recognises that some such sites could become available throughout the plan period and in this case, the site is considered to represent a small infill site and is within the settlement development limits.

It is therefore considered that not only is the site within a settlement considered suitable for such development type, but additionally and importantly, it also complies with the criteria set out in the Local Plan. The site is considered a small, open site, but importantly, located on an existing built up frontage.

Given these circumstances, in regard to the principle of the development, the scheme is considered to accord with both the Helmsley and Ryedale Local Plan, specifically policies SP1, SP2 and Policy H2 of the Helmsley Plan and can be supported.

### **Design and Character of the Area**

Policy SP16 entitled 'Design' states that *'to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings'*. In addition, Policy SP20 entitled 'Generic Development Management Issues' requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses.

Policy H9 of the Helmsley Local Plan entitled 'Design' confirms that *'All new development should respect the existing settlement character, patterns and layouts and the principles of building design to ensure that the historic character and local distinctiveness of the built environment is maintained and the landscape of the National Park is conserved and enhanced. Opportunities within the Conservation Area which enhances its significance will be supported'*.

Policy H10 is entitled 'Renewable Energy and Sustainable Building'. It confirms that *'Proposals for new residential development should demonstrate that they have been designed to reduce the need for energy consumption and that the buildings utilise energy more efficiently. Proposals that generate renewable energy and/or low carbon sources of energy will be supported where they do not harm the character of Helmsley.'*

*All proposals for non-residential development above 1000sq metres must demonstrate that it meets the highest BREEAM standard (or its successor that is feasible and viable on site)'*.

Chapter 12 of the NPPF, entitled 'Achieving well-designed places' states at Paragraph 126 that, *'good design is a key aspect of sustainable development'*.

The application site is noted to be part of a wider residential area. Presently, it is a piece of grassland, with a number of properties in proximity to it along with the A170 to its North.

As an outline application, no details are provided in terms of potential design and accordingly, such matters, as 'reserved' as they are, would be assessed upon the submission of such an application were this outline proposal approved. The application is noted to be for two dwellings and whilst the design details cannot be considered at this stage, there is no reason to doubt that an appropriate scheme could be made for the site in terms of materials, fenestration, scale (size of the properties) etc. The application form indicates the intention to use natural stone and pantiles.

However, it is considered prudent to ensure that were this application approved, a condition restricting the permission to no more than two dwellings, would be appropriate. Such is therefore drafted in the suite of draft conditions below.

The objection raised against this application suggests concerns with regard to the impact the development would have on the designated Conservation Area. It can be confirmed that the site is neither within or adjacent to this designated part of the town and consequently there are no concerns with the scheme in this regard.

Because this is an outline application, full details of the design and materials to be used in the development, were it approved at this stage, would be provided at the Reserved Matters stage. The development will then have to consider the relevant policies and ensure it seeks to accord with them to have the ability to be supported at an officer level. However, that is for a later stage in the determination process and not relevant at this outline part of the process. In terms of renewable energy and sustainable building related to Policy H10 of the Helmsley Neighbourhood Plan, we have no details as to how the houses would ensure compliance with this policy. However, it would be for the applicant to demonstrate this at the Reserved Matters stage.

Accordingly, there are no significantly detrimental impacts in terms of design nor the character of the area and as such, the scheme is considered acceptable.

### **Landscape Impact**

Policy SP13 entitled 'Landscapes' requires that proposed development protects and enhances the quality, character and value of Ryedale's diverse landscape. It is recognised that in this case, the site is not located in an area with any landscape designation. The site is located within Helmsley, adjacent to various existing residential dwellings and the A170.

Policy H8 of the Helmsley Plan is entitled 'Important Open Views and Spaces'. The policy states, '*New development should respect the views, vistas and skylines that are influenced by the town's key historic buildings including All Saints Church, the Feversham Arms Memorial, the Town Hall, Duncombe Park and its Parkland, the remaining burgage plots to the west of Church Street/ Castlegate and the long distance views of the town which play an important role in the character of the town and the setting of the North York Moors National Park*'.

In that context, a scheme proposing essentially 'more of the same' albeit in a very small scale, could not be seen to have any significant landscape impacts. The site is not located within any landscape designation and given it is well within the development limits set by the Local Plan, it is not considered that the proposed development would or could be considered harmful.

Whilst the specific scale of the properties that would be proposed for the site would be detailed at a reserved matters stage there are no significant concerns at this stage. The residential scheme would be seen in the context of its immediate residential setting and it is likely it would be comfortably assimilated into the local landscape. Nevertheless, as an outline application, no formal consideration of this aspect of this scheme can be given and so therefore, at this stage, there are no landscape concerns with this proposal and accordingly, the scheme is presently considered to accord with Policy SP13 and would not be contrary to Policy H8 of the Helmsley Plan.

### **Highways Safety and Access**

Policy SP20, entitled 'Generic Development Management Issues' states that "*Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. 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*".

Paragraph 111 of the NPPF affirms that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

It is recognised that usually, access is a 'reserved matter' in outline applications unless either it is

considered absolutely necessary by the Local Planning Authority that such is included (it is not in this case) or if the applicant wishes to include it as is the circumstance in relation to this application. The applicant proposes two independent vehicular access points. One for each proposed dwelling.

The accesses suggested have been considered by the Local Highway Authority. They have raised no highway safety or congestion concerns but have requested conditions be attached in relation to access and visibility splays. Such would be required to have details submitted prior to the commencement of any development, were this application approved.

The concerns raised related to highway safety are noted (and referred to earlier in this report). These referred to several specific matters but were noted to refer to in part concerns related to the potential impact two additional accesses would have upon road safety.

The local knowledge is useful but in itself it is not enough to demonstrate that such would be so significantly harmful that the scheme as proposed should be refused. Perception of impacts are understood, whether these be positive or negative. However, in planning terms, it is important that when considering any impact, it is whether such is demonstrable. In this instance, whilst the concerns raised are noted to be that the scheme would result in harm, these are not demonstrated.

Both the Local Plan and the National Planning Policy Framework require that development would not result in detrimental road safety impacts or indeed congestion. Whilst the concerns of the objector are noted in this case, the Local Highway Authority does not concur. In such a circumstance, it is considered that the application could not reasonably be refused in light of this professional, highway engineer assessment given the facts of the case.

Another concern raised, relates to the scheme not being ‘sustainable’ as it would result in further traffic movements being generated. Thus the application would be contrary to the sustainability aims of the Local Plan. Again, whilst these concerns are noted, they cannot be reconciled by officers.

Sustainability relates to more than just car usage. Indeed the hierarchy of settlements is based on various factors and one is aimed at making the district more sustainable by directing development to settlements where local services are available in relative close proximity to where people live – hence why there is far less principle support for development in the open countryside.

The scheme proposed is located within a Local Service Centre, Helmsley, which is within the second highest level of the settlement hierarchy. Essentially, this means that this is precisely the type of location where development would principally be supported in terms of sustainability.

Accordingly, the scheme is considered to be acceptable in highway terms. The Local Highway Authority response is noted and ultimately it is considered that the proposal accords with both the Local Plan, specifically Policy SP20 and the NPPF and can be supported.

### **Drainage and Flood Risk**

Policy SP17 ‘Managing Air Quality, Land and Water Resources’ confirms what and how development proposals should manage surface and waste water.

Chapter 14 of the NPPF entitled ‘Meeting the challenge of climate change, flooding and coastal change confirms in paragraph 159 that, *‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere’.*

The site subject of this application is not in an area of high risk to either surface or river flooding and it is noted that both the Lead Local Flood Authority and Yorkshire Water were consulted upon the application.

The Lead Local Flood Authority have confirmed that they have no comments to make whilst Yorkshire

Water have not provided a response. It is considered prudent to ensure that any waste and surface water drainage schemes are separated whilst the formal connection to the wider sewage network would be for the applicant to arrange with Yorkshire Water privately.

It is considered prudent to include a condition on any approved scheme to require foul and surface water to be dealt with by separate systems. This will ensure proper management of surface and foul water on site. Officers are of the view that accordingly, given the site is at very low risk of flooding there are no demonstrable, significant detrimental impacts likely in terms of drainage and flood risk were this scheme approved and developed.

Consequently, the application is considered to accord with Policy SP17 of the Local Plan and the NPPF and therefore merits support.

### **Amenity**

Policy SP20 entitled 'Generic Development Management Issues' has a specific section entitled '*Amenity and Safety*'. It states that '*New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*'.

Criterion 'f' of Paragraph 130 of the NPPF states that decisions should ensure that development '*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience*'.

The nearest residential properties have been noted earlier in this report. However, for ease of reference they are confirmed to be the following – Linfitt' immediately adjacent to the West, the Helmsley Methodist Church, also immediately adjacent to the West of the site as well as the following other properties. Number 44 'The Limes' is located immediately to the East whilst Number 46 'The Limes' is immediately to the South. Cherry Tree House immediately to the South-West. The remaining homes comprising the 'Limes' are located beyond these properties to the South and East.

The A170 is immediately to the North of the site. Beyond that, immediately to the North is a residential housing estate known as Linkfoot Close. Orchard House is also beyond the A170 to the North-West.

The objection received in relation to the application also specifically raises amenity as a concern. Amenity cannot be fully considered as we do not know the scale and type of housing that is proposed. However, the general concern that this scheme coming forward would somehow create such detrimental impacts upon local amenity is difficult to reconcile. The built environment is essentially based upon buildings being in proximity to one another – particularly residential development. This ultimately creates the settlements of the district. To refuse an application on the basis that such would occur in this case, is not a view that officers could support.

Notwithstanding, it is difficult to assess, in full, what amenity impact would occur given the specifics of the properties that could be erected on site if permission was granted is not yet know – which the objector could not do either in the absence of this information. Nevertheless, the notion of two dwellings being constructed and occupied on site can be considered in principle as to whether the impact upon amenity would be harmful.

The site is considered to be of sufficient size to accommodate two dwellings and thus a reserved matters application should be able to ensure appropriate separation distances from nearest existing properties is achieved. Whilst the specific detail can be assessed at that stage, the site is not considered likely to result in residential development any closer in proximity to neighbouring properties than what exists presently in the locality.

In such circumstances, at this stage then there are no concerns in relation to amenity and there is no

reason to doubt that at the Reserved Matters stage a scheme could be produced that would be acceptable. There is therefore no concerns in relation to Policy SP20.

### **Ecology/Biodiversity**

Policy SP14, entitled ‘Biodiversity’ states ‘*Biodiversity in Ryedale will be conserved, restored and enhanced by:*

- *Co-ordinated and targeted activity by public, private, voluntary and charitable organisations to support the implementation of the Yorkshire and Humber Biodiversity Strategy and Delivery Plan; the Ryedale Biodiversity Action Plan and the Howardian Hills Area of Outstanding Natural Beauty Management Plan Providing support and advice to landowners to encourage land management practises that support the objectives, priorities and targets of these plans and strategies*
- *Minimising the fragmentation of habitats and maximising opportunities for the restoration and enhancement of habitats and improving connectivity between habitats through the management of development and by working in partnership with landowners and land managers*
- *Maintaining, creating and improving ecological networks and Green Infrastructure routes to assist the resilience of habitats and species in the face of climate change*
- *Supporting, in principle, proposals for development that aim to conserve or enhance biodiversity and geodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features*
- *Requiring a net gain in biodiversity to be provided as part of new development schemes*
- *Resisting development proposals that would result in significant loss or harm to biodiversity in Ryedale Encouraging the use of native and locally characteristic species in landscaping schemes*

*Investment in the conservation, restoration and enhancement of biodiversity in Ryedale will be targeted at –*

- *The landscape-scale projects identified in the Yorkshire and Humber Biodiversity Delivery Plan which are wholly or partially within Ryedale:*
- *Howardian Hills Area of Outstanding Natural Beauty and Western North York Moors Belt*
- *North York Moors Grassland Fringe*
- *Vale of Pickering*
- *West Wolds*
- *Lower Derwent Valley*
- *Yorkshire Peatlands*
  
- *The habitats and species identified in the Ryedale Biodiversity Action Plan including those habitats which are particularly distinctive in the following areas:*
- *Ancient woodland in the Howardian Hills*
- *Species rich grassland, a traditional feature of strip fields around Ryedale’s villages*
- *Marsh wetland in the Vale of Pickering*
- *Fen meadows in the Howardian Hills*
- *Floodplain swamps in the Derwent Floodplain and streamside swamps in the Howardian Hills and Wolds Chalk grassland on the Wolds*
- *Acid grassland at the foot of the Wolds; southern edge of the Vale of Pickering and Howardian Hills*
- *Limestone grassland in the Howardian Hills*
- *Ponds in the Vale of Pickering and at Flaxton*
- *Dry wooded valleys along the Fringe of the Moors*
- *Wet woodland in the Vales of Pickering and York; the Howardian Hills*
- *Wood pasture and Parkland associated with large country houses*
- *Heathland remnants in the Howardian Hills and southern Ryedale*



*In considering proposals for development –*

- *Proposals which would have an adverse effect on any site or species protected under international or national legislation will be considered in the context of the statutory protection which is afforded to them. Proposals for development which would result in loss or significant harm to:*
- *Habitats or species included in the Ryedale Biodiversity Action Plan and priority species and habitat in the UK Biodiversity Action Plan*
- *Local Sites of Nature Conservation Importance or Sites of Geodiversity Importance*
- *Other types of Ancient Woodland and Ancient/Veteran Trees*

*Will only be permitted where it can be demonstrated that there is a need for the development in that location and that the benefit of the development outweighs the loss and harm. Where loss and harm cannot be prevented or adequately mitigated, compensation for the loss/harm will be sought. Applications for planning permission will be refused where significant harm cannot be prevented, adequately mitigated against or compensated for.*

*Loss or harm to other nature conservation features should be avoided or mitigated. Compensation will be sought for the loss or damage to other nature conservation features which would result from the development proposed.*

*Protected sites, including internationally and nationally protected sites and Sites of Importance for Nature Conservation are identified on the adopted Proposals Map’.*

Policy H11 of the Helmsley Neighbourhood Plan is entitled ‘Green Infrastructure’. It states that ‘*All development proposals within the Plan area should require a net gain in biodiversity and for green infrastructure networks to be enhanced where possible. This will provide opportunities for activity and relaxation and should include the expansion and enhancement of green infrastructure assets. Where there is existing green infrastructure this should be protected.*

*The development briefs in Appendix 1 set out the opportunities of the allocated sites in linking with these green infrastructure networks. Development proposals on non-allocated ‘windfall’ sites should address opportunities to link with and enhance green infrastructure networks where possible and in proportion to the scheme. ‘Windfall’ development proposals will not be expected to provide Green Infrastructure where a meaningful contribution cannot be made due to the absence of available greenspace’.*

Chapter 15 of the National Planning Policy Framework (NPPF) entitled ‘Conserving and enhancing the natural environment’ confirms the national guidance on such matters. Paragraph 174 states that ‘*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate’.*

The County Ecologist has been consulted on this case and it is noted that an objector considers the site to be of ecological value as a 'wild grazing area' and requiring formal assessment to ensure no significantly detrimental impacts upon the ecology of the area.

The site is recognised to be a greenfield site although it appears rather poorly maintained. It is not within or close to any designated area. The County Ecologist has confirmed that in taking account of the absence of any features that may suggest the presences of protected species a preliminary ecological appraisal is not necessary. In the determination of its duties, Local Planning Authorities must carefully consider what information they require from applicants. Information should be based on whether such is necessary to assist in the determination of the application. In this case, given the site specifics and the County Ecologist opinion, the submission of an ecological assessment prior to the determination of this application is not considered necessary in this case.

The views that the site is a wild grazing area is noted. However, there is no formal or informal designation attributed to the site. Whilst it may be of value to some local residents, the site cannot be given any weight in the planning balance in terms of its ecological value. Nevertheless, officers recognise the site has some although undefined value from an ecological perspective.

The County Ecologist has recommended that the applicant should demonstrate a net biodiversity gain by submitting details prior to the commencement of any works on site. Equally, any hedgerow lost (which would be necessary to facilitate two access points) should be compensated for. That will require a landscaping scheme too, which would be subject to an appropriate planning condition – again, for details to be submitted prior to commencement of any works on site.

Overall, in terms of the ecology/biodiversity of the site, this scheme is not considered to detrimentally impact upon the value the site has in regard to these matters. The development is not considered contrary to the development plan, Helmsley neighbourhood plan as well as the NPPF and in addition, through the appropriate imposition of conditions, the development could ensure that the site achieves a net biodiversity gain.

Accordingly, the scheme is considered to comply with the Local Plan in terms of ecology and biodiversity.

### **Conclusion**

The site history is recognised but has no weight in the planning decision given that there is no extant permission in place. Nevertheless, based upon the material considerations relevant the scheme is considered acceptable. The site is located within existing development limits and upon a site that complies with the plan in terms of it being part of an existing built up frontage and being a small infill site.

As an outline application the development cannot be assessed in terms of the scale, design and visual appearance of the proposed properties. However, these are issues that can be considered at the 'Reserved Matters' stage. It is considered that the scheme, if approved, should be subject to the conditions detailed below. These will ensure that the scheme is not only acceptable, but controls the development to no more than two dwellings.

The scheme is considered to accord with the development plan, Helmsley Neighbourhood plan and the NPPF and is recommended for approval.

**RECOMMENDATION:**                    **Approval** subject to the conditions recommended below being imposed and included on any subsequent decision notice.

- 1            The development permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990.

- 2            An application for approval of all reserved matters, design, layout, landscaping and scale shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990.

### **Approved Plans**

3.           The development hereby approved shall be carried out in accordance with the application detail and accompanying drawings as submitted and hereby approved:
  - i.           Location Plan, dated November 2021;
  - ii.          Proposed Access Plan, dated July 2021.

Reason: To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

### **Prior to commencement**

4.           Prior to the commencement of the hereby approved development, a report should be submitted detailing the biodiversity value of the site and its value following development of two dwellings upon it. The report should demonstrate how the site will achieve a net biodiversity gain. Once the report is approved it shall be implemented in full.

Reason: In the interests of the amenity and ecology of the area and to comply with Policy SP14 of the Ryedale Local Plan.

5.           Prior to the commencement of the development a plan shall be submitted to the Local Planning Authority for approval detailing visibility splays of 90 metres in both directions, set 2.4 metres back into the site from the proposed access points. Once approved, the accesses shall remain maintained for their purpose for the duration of the development.

Reason: In the interests of highway safety and to comply with Policy SP20 of the Ryedale Local Plan.

### **Prior to Occupation**

6.           A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling constructed as part of this approved development. The landscape management plan, once approved, shall be strictly adhered to.

Reason: In the interests of the amenity of the area and to ensure that completed landscaping is of an appropriate standard and to comply with Policy SP13 of the Ryedale Local Plan.

### **Ongoing Conditions**

7. No demolition or construction works shall take place outside the hours of:

07:30-18:00 Monday to Friday;  
09:00-13:00 Saturday; and

No Activity on Sundays or Bank Holidays

Reason: In the interests of the amenity of the area and to comply with Policy SP20 of the Ryedale Local Plan.

8. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to comply with Policy SP17 of the Ryedale Local Plan.

9. There shall be no vehicular access to or egress from the site other than via the approved access points.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety and to comply with Policy SP20 of the Ryedale Local Plan.

10. No vegetation clearance works shall take place during the bird breeding season (1 March to 31 August (annually) inclusive). Where works must take place during this period all vegetation should first be checked by a suitably qualified ecologist.

Reason: In the interests of the Ecology of the area and to comply with Policy SP14 of the Ryedale Local Plan.

11. The hereby approved development shall comprise of no more than 2 dwellings.

Reason: In the interests of the amenity and visual amenity of the area and to comply with Policies SP1, SP2 and SP20 of the Ryedale Local Plan.

### **Note to Developer**

1. This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement. It is the applicant's responsibility to ensure all necessary agreements/consents are in place prior to the commencement of development and to take appropriate advice thereon if required.
2. Any wastewater assets intended for adoption by Yorkshire Water shall be subject to the applicant and developer liaising with them to ensure the process progresses in line with their procedures.





This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed features available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2019. Ordnance Survey 0100031873

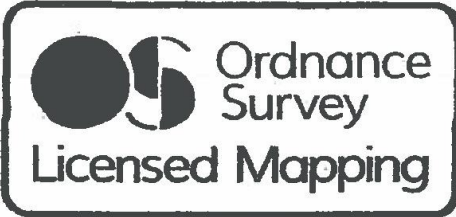
Scale: 1:1250, paper size: A4

Outline planning application for the construction of 2no houses off Linkfoot Lane, Helmsley

Site location plan

Scale 1:1250

November 2021



**plans ahead** by emapsit

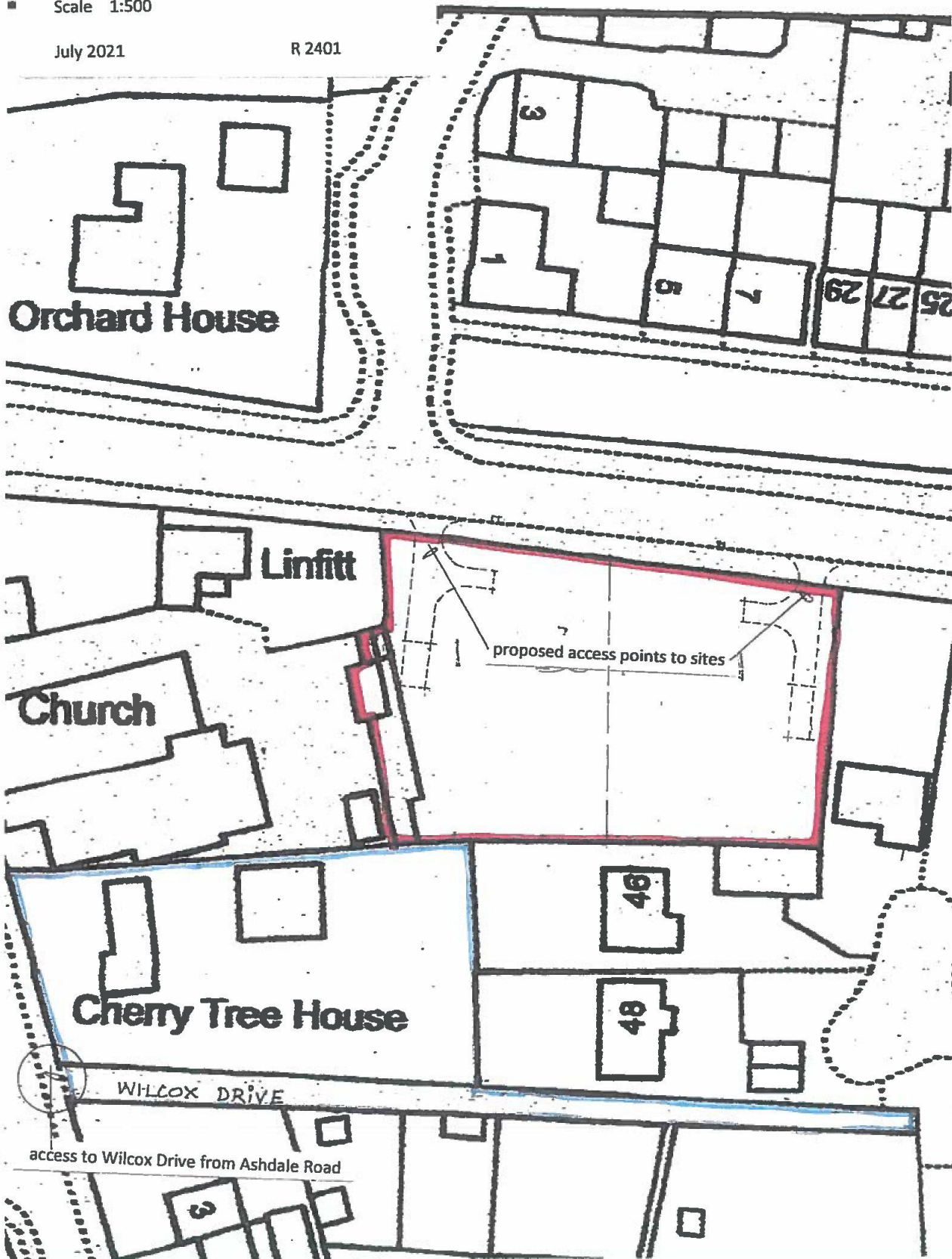
Prepared by: Paul Elm, 27-06

Proposed access arrangements to site from  
Linkfoot Lane, Helmsley

Scale 1:500

July 2021

R 2401



Please scan PARISH response on 22/00032/HOUSE, 22/00052/OUT, 22/00104/FUL, 22/00105/LBC, 22/00148/HOUSE and 22/00132/HOUSE

**From:** Helmsley Town Council  
**Sent:** 22 February 2022 14:02  
**To:** Development Management  
**Subject:** Planning application responses

Hi

Helmsley Town Council considered the following planning applications at its meeting on the 21st February 2021 and resolved to respond 'no comment' to each.

- a) [22/00032/HOUSE](#) Erection of rear single storey side and rear extension following demolition of existing garage and installation of 2no roof lights to attic. 28 Station Road.
- b) [22/00052/OUT](#) Erection of 2no. dwellings (site area 0.175ha) - approval sought for access. Land off Linkfoot Lane, Access Ashdale Road.
- c) [22/00104/FUL & 22/00105/LBC](#) Installation of timber sliding sash window following removal of existing ATM cash machine, fascia mounted signage and wall mounted projecting sign. 1-2 Market Place.
- d) [22/0148/HOUSE](#) Erection of two-storey extension to the rear 21 Station Road.
- e) [22/00132/HOUSE](#) Alterations to dwelling to include installation of grey render & timber cladding & erection of entrance lobby to south elevation & single-storey extension to north elevation (revised scheme to planning approval 19/00745/HOUSE dated 20.08.2019). Chandela 1 Southlands

Kind regards

Victoria

Please note that the clerk is part-time Monday to Thursday. Office visits by appointment only please.

Helmsley Town Council

The Old Vicarage

Bondgate

Helmsley

YORK YO62 5BP





# Agenda Item 15

## RYEDALE DISTRICT COUNCIL

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

---

1.

**Application No:** 20/00329/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr Nigel Delaney (Impact Living)  
**Location:** The Basement The Cornmill Railway Street Malton North Yorkshire YO17 7NT  
**Proposal:** External and internal alteration of basement of former mill to allow conversion to form 3no. one bedroom flats, a support facility and stores together with new entrance gates for vehicular and pedestrian access

---

2.

**Application No:** 21/01009/LBC **Decision: Approval**  
**Parish:** Nunnington Parish Council  
**Applicant:** Dr John Elphinstone (Treasurer, Nunnington Village Hall)  
**Location:** The Village Hall The Avenue Nunnington North Yorkshire YO62 5UU  
**Proposal:** Installation of 3no. double glazed timber windows as replacement to existing single glazed windows

---

3.

**Application No:** 21/01108/OUT **Decision: Refusal**  
**Parish:** Aislaby Parish Council  
**Applicant:** Mr M Piercy  
**Location:** Land At Main Street Aislaby Pickering North Yorkshire  
**Proposal:** Erection of 1no. three bedroom dwelling (site area 0.0477 ha)

---

4.

**Application No:** 21/01135/FUL **Decision: Approval**  
**Parish:** Scagglethorpe Parish Council  
**Applicant:** Mrs Morag Hannah  
**Location:** Aucuba House Scagglethorpe Lane Scagglethorpe Malton YO17 8EA  
**Proposal:** Change of use, alterations and extension of outbuilding to form 1no. two bedroom unit, for dual use as a holiday let and residential annex in connection with the existing residential dwelling Aucuba House, to include erection of a single storey extension, together with the erection of an attached double garage for use by the occupiers of the existing residential dwelling Aucuba House.

---

5.

**Application No:** 21/01258/FUL **Decision: Approval**  
**Parish:** Scampston Parish Council  
**Applicant:** Mr Glenn Skelton  
**Location:** Mill Barn Scarborough Road East Knapton Malton North Yorkshire YO17 8JA  
**Proposal:** Change of use and alterations to existing office building into 3no. holiday lets with associated parking and landscaping

---

- 6.**  
**Application No:** 21/01267/FUL **Decision: Approval**  
**Parish:** Terrington Parish Council  
**Applicant:** Mr Rupert and Cheryl Drury  
**Location:** Thorn House Farm Terrington South Bank Terrington YO60 6PJ  
**Proposal:** Change of use, alteration and extension of attached agricultural building to form a 2no. bedroom annex to the main dwelling
- 
- 7.**  
**Application No:** 21/01416/HOUSE **Decision: Approval**  
**Parish:** Buttercrambe With Bossall Parish Meeting  
**Applicant:** Brian and Marylin Cooke  
**Location:** Bossall Hall Bossall To Sand Hutton Road Bossall Malton YO60 7NT  
**Proposal:** Erection of single-storey infill extension to rear elevation and installation of 5no. rooflights
- 
- 8.**  
**Application No:** 21/01417/LBC **Decision: Approval**  
**Parish:** Buttercrambe With Bossall Parish Meeting  
**Applicant:** Brian and Marylin Cooke  
**Location:** Bossall Hall Bossall To Sand Hutton Road Bossall Malton YO60 7NT  
**Proposal:** Internal and external alterations to include erection of single-storey infill extension to rear elevation, installation of 5no. rooflights and installation of shower room to first floor level
- 
- 9.**  
**Application No:** 21/01450/FUL **Decision: Approval**  
**Parish:** Birdsall Parish Council  
**Applicant:** Simon McMillan (Birdsall Estates)  
**Location:** Birdsall House Birdsall To Leavening Brow Birdsall Malton YO17 9NR  
**Proposal:** Replacement of existing lead roof covering with stainless steel covering to North Link flat roof
- 
- 10.**  
**Application No:** 21/01451/LBC **Decision: Approval**  
**Parish:** Birdsall Parish Council  
**Applicant:** Simon McMillan (Birdsall Estates)  
**Location:** Birdsall House Birdsall To Leavening Brow Birdsall Malton YO17 9NR  
**Proposal:** Replacement of existing lead roof covering with stainless steel covering to North Link flat roof.
- 
- 11.**  
**Application No:** 21/01484/HOUSE **Decision: Approval**  
**Parish:** Gilling East Parish Council  
**Applicant:** Mr Will Tilling  
**Location:** Garden Cottage Pottergate Gilling East Helmsley YO62 4JJ  
**Proposal:** Erection of part two storey side extension, part single storey rear extension, together with erection of front porch and installation of gate to driveway
-

**12.**  
**Application No:** 21/01511/TPO **Decision: Approval**  
**Parish:** Howsham Parish Meeting  
**Applicant:** Mr Tom Stephenson  
**Location:** Land At Howsham Park Village Street Howsham Malton North Yorkshire  
**Proposal:** Works to trees within TPO no. 1/1955 - T1 Ash, G2 Elms(5no.), T3 Ash, T4 Holly, T5 Elm, T6 Beech all to be removed. T7 Horse Chestnut - minor pruning. T8 Elm - remove. T9 Sycamore - remove. G10 Cypress(2no.) - reduce 30% with minor trimming. G11(8no.), G12 Elms(2no.), G13 Elms(7no.), T14 Ash, T15 Ash(3no.), T16 Sycamore, T17 Elm-all to be removed [as amended 13.12.21]

---

**13.**  
**Application No:** 21/01548/FUL **Decision: Refusal**  
**Parish:** Westow Parish Council  
**Applicant:** Mr Alastair Dukes  
**Location:** Building At Badger Bank Badger Bank Road Westow Malton  
**Proposal:** Erection of replacement dwelling (1no. 4 bed detached dwelling) and detached double garage with associated parking and landscaping to include new boundary retaining wall

---

**14.**  
**Application No:** 21/01571/FUL **Decision: Approval**  
**Parish:** Stonegrave Parish Meeting  
**Applicant:** Mr David Nelson  
**Location:** Birch House The Terrace Oswaldkirk Helmsley YO62 5XZ  
**Proposal:** Erection of 20no. ground mounted solar PV panels south of the existing solar PV bank for domestic use, installation of 1no. wall-mounted battery and installation of 2no. wall mounted car charging points

---

**15.**  
**Application No:** 21/01576/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr David Goodfellow  
**Location:** Low Costa Mill Costa Lane Pickering YO18 8LP  
**Proposal:** Change of use of grazing land to site 4no. static holiday chalets with parking areas, associated facilities, low level lighting, landscaping and stone access road

---

**16.**  
**Application No:** 21/01597/TPO **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr Peter Goodall  
**Location:** Blecks Close 42 Ruffa Lane Pickering North Yorkshire YO18 7HN  
**Proposal:** Lime (T3) -crown lift by removal of lower branches up to 4.5 metres above ground level within TPO 23//1998.

---

**17.**  
**Application No:** 21/01619/FUL **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Chris Gilbertson (JT Atkinson & Sons Ltd)  
**Location:** Duncombe Sawmills Sawmill Lane Helmsley YO62 5DQ  
**Proposal:** Update and repair works to drainage system, resurfacing of the external areas and car park, erection of palisade fencing and metal security gates and installation of security lighting

---

18.

**Application No:** 21/01634/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mrs Wendy Backhouse  
**Location:** 5 Orchard Road Malton North Yorkshire YO17 7BH  
**Proposal:** Erection of single storey rear extension and conversion of garage to provide two bedroom annexe accommodation

---

19.

**Application No:** 21/01652/HOUSE **Decision: Approval**  
**Parish:** Coulton Parish Council  
**Applicant:** Mr & Mrs D Twiddle  
**Location:** Manor Farm Coulton Lane Coulton Helmsley YO62 4NE  
**Proposal:** The conversion of storage building into 1no. one bedroom annex.

---

20.

**Application No:** 21/01653/LBC **Decision: Approval**  
**Parish:** Coulton Parish Council  
**Applicant:** Mr & Mrs D Twiddle  
**Location:** Manor Farm Coulton Lane Coulton Helmsley YO62 4NE  
**Proposal:** Internal and external alterations to include: conversion of the storage building into 1no. one bedroom annex; installation of replacement staircase; installation of replacement timber framed double glazed windows; installation of replacement timber front door; installation of internal doors; alterations to form a dressing room; lining of chimney to snug; and external repair works

---

21.

**Application No:** 21/01655/HOUSE **Decision: Approval**  
**Parish:** Nawton Parish Council  
**Applicant:** Mr Stephen Carroll  
**Location:** Rose House High Street Nawton Helmsley YO62 7TT  
**Proposal:** Installation of an air source heat pump system with 2 no. external units with 2m high fence sound barriers and associated works

---

22.

**Application No:** 21/01656/LBC **Decision: Approval**  
**Parish:** Nawton Parish Council  
**Applicant:** Mr Stephen Carroll  
**Location:** Rose House High Street Nawton Helmsley YO62 7TT  
**Proposal:** Installation of an air source heat pump system with 2 no. external units with 2m high fence sound barriers and associated works

---

23.

**Application No:** 22/00012/HOUSE **Decision: Approval**  
**Parish:** Weaverthorpe Parish Council  
**Applicant:** Mr & Mrs G. Farrow  
**Location:** Cobblers Cottage Main Road Weaverthorpe Malton YO17 8EY  
**Proposal:** Erection of a two storey side extension to west elevation and erection of single storey rear extension, together with alterations to the existing access including 1.2m high entrance gates to Main Road and formation of new access with dropped kerb and reusing existing gates off Middlefield Close

---

24.  
**Application No:** 22/00057/TPO **Decision: Approval**  
**Parish:** Huttons Ambo Parish Council  
**Applicant:** Mrs Jane Johnson  
**Location:** The Redings The Green Low Hutton Malton North Yorkshire YO60 7HF  
**Proposal:** Crown reduction of 10%, crown thinning of 10% and crown lifting to a height of 3.5m from base of trunk of TPO 353/2021.
- 
25.  
**Application No:** 22/00065/HOUSE **Decision: Approval**  
**Parish:** Sherburn Parish Council  
**Applicant:** Brian Reed & Charlotte Cundall  
**Location:** Sherburn Lodge Cottage Scarborough Road Sherburn Malton YO17 8EW  
**Proposal:** Erection of part two-storey, part single-storey extension to rear elevation and erection of single-storey extension to front elevation.
- 
26.  
**Application No:** 22/00073/HOUSE **Decision: Approval**  
**Parish:** Huttons Ambo Parish Council  
**Applicant:** Mrs Vivian Clarkson  
**Location:** Lindrick Bungalow Musley Bank Malton North Yorkshire YO17 6TD  
**Proposal:** Extension to outbuilding to raise the walls and install a roof to form a storage building.
- 
27.  
**Application No:** 22/00076/LBC **Decision: Approval**  
**Parish:** Ampleforth Parish Council  
**Applicant:** Mr Antony Straszewski  
**Location:** Daleside Main Street Ampleforth YO62 4DA  
**Proposal:** External and internal alterations to include installation of floor mounted boiler within the house with external high level flue, removal of section of internal wood panelling
- 
28.  
**Application No:** 22/00084/HOUSE **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr & Mrs R Crabtree  
**Location:** Litton House New Lane Sheriff Hutton YO60 6QT  
**Proposal:** Erection of ground floor rear extension and rear dormer
- 
29.  
**Application No:** 22/00088/HOUSE **Decision: Approval**  
**Parish:** Terrington Parish Council  
**Applicant:** Mr & Mrs Matthew Perry  
**Location:** 25 South Back Lane Terrington YO60 6PX  
**Proposal:** Erection of single storey rear extension, porch to front elevation and pergola to side elevation, following removal of the existing porch, conservatory and rear extension
- 
30.  
**Application No:** 22/00100/HOUSE **Decision: Approval**  
**Parish:** Yedingham Parish Council  
**Applicant:** Mr & Mrs MacDonald  
**Location:** Archer House Station Road Yedingham Malton North Yorkshire YO17 8SL  
**Proposal:** Erection of two-storey extension with first floor balcony.
-

**31.**  
**Application No:** 22/00089/HOUSE **Decision: Approval**  
**Parish:** Cropton Parish Council  
**Applicant:** Laura Maher  
**Location:** 1 Morleys Terrace High Street Cropton Pickering YO18 8HL  
**Proposal:** Erection of single storey link extension between rear elevation and existing outbuilding

---

**32.**  
**Application No:** 22/00090/LBC **Decision: Approval**  
**Parish:** Nawton Parish Council  
**Applicant:** Mr Stephen Carroll  
**Location:** Rose House High Street Nawton Helmsley YO62 7TT  
**Proposal:** External alterations and repairs to include rebuilding of chimney stacks incorporating lead dpc, re-bedding of verge parapet copings incorporating lead dpc, replacement dormers, repointing of north elevation wall, replacement doors to east and south elevation and replacement roof covering to attached outbuilding to west

---

**33.**  
**Application No:** 22/00104/FUL **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Barclays Bank Plc  
**Location:** Barclays Bank 1 - 2 Market Place Helmsley York North Yorkshire YO62 5BH  
**Proposal:** Installation of timber sliding sash window following removal of existing ATM cash machine, fascia mounted signage and wall mounted projecting sign

---

**34.**  
**Application No:** 22/00105/LBC **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Barclays Bank Plc  
**Location:** Barclays Bank 1 - 2 Market Place Helmsley York North Yorkshire YO62 5BH  
**Proposal:** Installation of timber sliding sash window following removal of existing ATM cash machine, fascia mounted signage and wall mounted projecting sign

---

**35.**  
**Application No:** 22/00108/FUL **Decision: Approval**  
**Parish:** Scagglethorpe Parish Council  
**Applicant:** Mr J Kilby (JD & JM Kilby)  
**Location:** Kirby Grange Scagglethorpe Lane Scagglethorpe Malton YO17 8EA  
**Proposal:** Erection of agricultural building for storage and the housing of livestock

---

**36.**  
**Application No:** 22/00116/FUL **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr Andrew Morse  
**Location:** Land At Sheriff Hutton  
**Proposal:** Erection of an agricultural building to house livestock and formation of vehicular access to replace existing access (part retrospective)

---

37.

**Application No:** 22/00117/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr A Potter  
**Location:** 16 Plough Lane Malton YO17 7AP  
**Proposal:** Conversion of integral garage to form additional living accommodation including installation of window to front elevation to replace garage door

---

38.

**Application No:** 22/00124/LBC **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Revd. Cannon Baker  
**Location:** 6A Burgate Pickering YO18 7AU  
**Proposal:** Internal alterations to allow the formation of a downstairs shower room and WC

---

39.

**Application No:** 22/00130/LBC **Decision: Approval**  
**Parish:** Hovingham Parish Council  
**Applicant:** Mr And Mrs A Vestey  
**Location:** Pasture House Main Street Hovingham North Yorkshire YO62 4LF  
**Proposal:** Internal alterations to allow for reconfigured living accommodation to include blocking of kitchen door, refitting of utility areas, pantry and WC, creation of a single ensuite, formation of door opening to link bedrooms 2 and 3 and formation of second floor living accommodation

---

40.

**Application No:** 22/00134/HOUSE **Decision: Approval**  
**Parish:** Gate Helmsley Parish Council  
**Applicant:** Mrs Janet Buckley  
**Location:** Forest Croft Northgate Lane Warthill North Yorkshire YO41 1NN  
**Proposal:** Erection of a single story rear flat roof extension and erection of first floor rear dormer

---

41.

**Application No:** 22/00137/FUL **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mrs Sara Ashby-Arnold  
**Location:** 2 Parliament Street Norton Malton North Yorkshire YO17 9HE  
**Proposal:** Formation of new ground floor entrance and change of use of first floor office to form 1no. one-bedroom flat (retrospective application).

---

42.

**Application No:** 22/00147/HOUSE **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mrs Gillian Clark  
**Location:** Cherry Tree Cottage Finkle Street Sheriff Hutton North Yorkshire YO60 6RA  
**Proposal:** Works to dwelling to including raising of eaves and ridge height to allow formation of first floor living accommodation, installation of dormer windows to both front and rear elevations, installation of rooflights, erection of porch extension and rendering to front and part side elevations

---



43.

**Application No:** 22/00148/HOUSE **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Mrs R Ainger  
**Location:** 21 Station Road Helmsley North Yorkshire YO62 5BZ  
**Proposal:** Erection of two-storey extension to the rear

---

44.

**Application No:** 22/00149/ADV **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Shanley (Punch Pubs)  
**Location:** The Gate Inn 12 Yorkersgate Malton North Yorkshire YO17 7AB  
**Proposal:** Display of 1no. externally illuminated 3D projecting sign, 1no. non-illuminated brass menu case, 1no. non-illuminated fascia sign, 1no. externally illuminated gilded foamex sign, external painted lettering and associated lighting

---

45.

**Application No:** 22/00153/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr Shanley (Punch Pubs)  
**Location:** The Gate Inn 12 Yorkersgate Malton North Yorkshire YO17 7AB  
**Proposal:** External alterations to include repainting of external walls and display of 1no. externally illuminated 3D projecting sign, 1no. non-illuminated brass menu case, 1no. non-illuminated fascia sign, 1no. externally illuminated gilded foamex sign, external painted lettering and associated lighting

---



---

### Appeal Decision

Site visit made on 25 January 2022

**by M L Milliken BA(Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8 March 2022**

---

**Appeal Ref: APP/Y2736/D/21/3287439**

**12 Balksyde, Slingsby, North Yorkshire YO62 4AG**

- 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 Thomas Norton against the decision of Ryedale District Council.
  - The application Ref 21/01054/HOUSE, dated 2 July 2021, was refused by notice dated 22 September 2021.
  - The development proposed is described as '*Driveway to front elevation of 12 Balksyde where access is needed over a pavement and grass verge*'.
- 

#### Decision

1. The appeal is dismissed.

#### Main Issue

2. The main issue is the possible effect of the proposed development on the significance of local heritage assets. In particular:
  - (i) Whether or not the proposed development would preserve or enhance the character or appearance of the Slingsby Conservation Area (the CA); and
  - (ii) The effect of the proposed development on the special interest of the Grade II listed mile post, and with particular regard to its setting.

#### Reasons

##### *Character and Appearance*

3. The appeal site comprises a section of grassed verge along Malton Road. From the evidence before me, the significance of the CA relates, in part, to the presence of green verges, which provide a softening effect and separate the settlement from the highway. I observed and appreciated them during my site visit and consider that the appeal site makes an important and positive contribution to the character and appearance of the CA.
4. The proposed development would involve the creation of an area of hardstanding to form a driveway, which would link with the garden of the host property, enabling direct vehicular access from Malton Road. In so doing, it would erode a significant portion of the grass verge. It would not be sympathetic in its appearance and would result in an adverse effect on the character and appearance of the appeal site and its surroundings.

5. I understand the needs of the appellant to improve access to the property, however I am not satisfied that there are not other means of access available to the appellant with regards to the property that could otherwise be employed.
6. The appellant has also drawn my attention to the existence of a driveway at 1 Ryedale View that has access via Malton Road, which was granted on appeal. However, no further information regarding the appeal has been submitted for consideration. I therefore cannot conclude that the property in question is directly comparable to the appeal site, with regards to the location of the host dwelling and its immediate context adjacent to a listed building and within the CA. In any event, I have considered the proposal before me on its merits and I therefore attribute minimal weight to the example provided.
7. I also note references made to other driveways within the vicinity crossing green verges. However for the reasons as set above, I cannot reasonably conclude that these are directly comparable to the appeal site and the proposed development. Whilst I note that Highways England did not object to the proposed development, this does not in itself render the proposal to be otherwise acceptable.
8. The appellant asserts that the Council failed to visually assess the appeal site in person, however I do not have any further evidence from either party in this regard. I therefore give such statements little weight in the consideration of this appeal.
9. By virtue of its design and position, the proposed driveway would result in less than substantial harm to the significance of the CA. It would conflict with Policy SP12 of the Ryedale Plan – Local Plan Strategy (RPLPS) (adopted September 2013), which seeks to ensure that designated historic assets and their settings will be conserved and, where appropriate, enhanced.

#### *Setting of Grade II listed building*

10. The proposed development would be situated adjacent to a Grade II listed mile post. The Listing Description states that the mile post dates from the late 19<sup>th</sup> Century and is described as '*Made by Mattisons of Bedale. Triangular on plan with sloping upper face*'. I find that the significance of the asset relates to, in part, its form and location. The mile post is currently set within a grassed verge, which allows good legibility and serves to enhance its setting.
11. The proposed partial removal of the grassed verge, together with the materials to be used for creation of the driveway, would contrast markedly with the grassed verge and would appear incongruous in the context of the listed mile post and its setting, ultimately serving to undermine its historic significance.
12. I therefore consider that the proposed development would result in less than substantial harm to the significance of the setting of the mile post, a Grade II listed building, and would thereby have an adverse effect upon the significance of the designated heritage asset. It would conflict with Policy SP12 of the RPLPS (2013), the details of which are outlined above.

#### **Planning Balances**

13. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that

when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

14. The proposed driveway would fail to preserve the character and appearance of the CA and would have an adverse effect on the significance of a designated heritage asset. Paragraph 202 of the Framework requires that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
15. I have had regard to the benefits put forward by the appellant, however I do not consider that, in overall terms, the public benefits proposed outweigh the scale of the harm that I have identified in relation to both the CA and the Grade II listed mile post.
16. For the reasons stated, the proposed development would be contrary to Policy SP12 of the RPLPS (2013), which seeks to ensure that designated historic assets and their settings will be conserved and, where appropriate, enhanced, and that development which would result in less than substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset.

### **Conclusion**

17. The statutory duty in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The proposed development would fail to preserve or enhance the character or appearance of the CA and would have an adverse effect on the significance of the designated heritage asset. The harm I have identified would not be outweighed by any public benefits.
18. The proposed development would also be contrary to the development plan, for the reasons cited. Therefore, for the reasons given, and having had regard to all other matters raised, the appeal is dismissed.

*ML Milliken*

INSPECTOR