

**Item Number:** 8  
**Application No:** 14/00762/73A  
**Parish:** Allerston Parish Council  
**Appn. Type:** Non Compliance with Conditions  
**Applicant:** Mrs J Stead  
**Proposal:** Variation of Condition 05 of approval 13/00420/FUL dated 07.06.2013 by submission of revised elevations plan "New copy 1st Aug 2014"  
**Location:** Land At Malton Lane Allerston Pickering North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 1 October 2014  
**Overall Expiry Date:** 7 September 2014  
**Case Officer:** Matthew Mortonson **Ext:** 332

#### CONSULTATIONS:

**Parish Council** No objections  
**Neighbour responses:** None

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**SITE:**

The site lies in open countryside, 300m south of Allerston. The application site includes an area of land which measures approximately 0.8 hectares consisting of an agricultural building permitted under planning application ref. 13/00420/FUL.

#### PROPOSAL:

The proposal seeks planning permission for the variation of Condition 05 (the approved plans condition) of approval 13/00420/FUL to seek an alteration in the design. The application is retrospective.

#### HISTORY:

12/00502/FUL - Erection of an agricultural storage building to include housing of livestock. Planning Permission Refused.

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). Planning Permission Granted.

#### POLICY:

##### National Planning Policy Statement

National Planning Policy Framework  
National Planning Policy Guidance

##### Ryedale Local Plan Strategy

Policy SP16 – Design  
Policy SP19 – Presumption in Favour of Sustainable Development  
Policy SP20 – Generic Development Management Issues

## **APPRAISAL:**

This proposal seeks to regularise the design of the agricultural building which differs from that permitted under planning application ref. 13/00402/FUL.

In considering design Policy SP16 of the Ryedale Local Plan Strategy states *“To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings...”*

The design of the building has been altered to provide a roller shutter door on the southern elevation and has provided a block wall and metal sheeting within the previously open sided western elevation. A steel door in the west elevation provides access into the building. Members are referred to the appendix of this report for the design of the previously approved building.

It is the view of Officers that the revised design results in the previously approved open sided agricultural storage building now taking an appearance of an industrial unit. This is considered to be out of character with its setting in the open countryside and contrary to the requirements of Policy SP16 and SP20 of the Ryedale Local Plan Strategy.

The ‘non-agricultural’ appearance of the built development does raise a concern that the building is not used for agricultural purposes as the design of the building does not lend itself to the use as an agricultural unit.

### Other Matters

Members will note that when originally granted permission the site housed approximately 12 sheep, although it was proposed that this number would rise to 30 should planning permission be granted. A number of site visits have been made to the site recently and at no point were any livestock evident. The applicant has verbally confirmed that the building would be used for agricultural purposes advising that insufficient funds were currently available to purchase more livestock. The applicant confirmed that the livestock would be purchased in the future. Officers will continue to monitor the use of the site to ensure it is in agricultural use only.

Members will also be aware of Condition 03 of Planning Permission 13/00402/FUL which stated *“Unless otherwise agreed in writing by the Local Planning Authority, the existing buildings located on the site together with any other materials or paraphernalia, shall be removed from the site within a period of 1 month from the completion of the development hereby permitted.”*

Various site visits have confirmed that this condition has not yet been fully complied with. Furthermore, other aspects of unauthorised operational development have taken place on the site which are considered to materially harm the character of the area. These include, a building to north of the approved agricultural building and metal sheeting attached to the entrance gate of the site.

## **CONCLUSION:**

In terms of the revised design of the building, it is considered that the building as built results in a development that is not agricultural in appearance and which is out-of-keeping with the character of the surrounding open countryside. The proposed development is therefore considered to be contrary to the requirements of Policy SP16 and SP20 of the Ryedale Local Plan Strategy. The recommendation is one of refusal.

In light of the above, enforcement action and any associated legal authority is sought to secure the compliance with condition 03 and the approved plans of planning permission ref. 13/00420/FUL, and the removal of any other authorised operational development.

**RECOMMENDATION: Refusal**

- 1 The proposed building, by virtue of the detail of its design and construction is considered to be out-of-keeping with the character of the surrounding open countryside and it does not respect the context provided by its surroundings. The proposed development is therefore considered to be contrary to the requirements of Policy SP16 and SP20 of the Ryedale Local Plan Strategy.

**Background Papers:**

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