

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 14/00900/MFUL
Parish: Scampston Parish Council
Appn. Type: Full Application Major
Applicant: Ryetec Ltd (Mr Mark Harrison)
Proposal: Change of use and alteration of farm buildings to form office and small parts storage, erection of attached office building with three bedroom on-site managers apartment to first floor together with erection of warehouse building and workshop building, formation of parking and upgrading of vehicular access - all works to form a commercial dealership for agricultural equipment.
Location: Mill House Scarborough Road East Knapton Malton North Yorkshire YO17 8JA

Registration Date: 15 August 2014
8/13 Wk Expiry Date: 14 November 2014
Overall Expiry Date: 3 November 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Highways Agency (Leeds)	Further views required
Countryside Officer	No views received to date
Land Use Planning	No views received to date
Environmental Health Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No views received to date
Building Conservation Officer	No impact on setting of Registered Park and Garden
Parish Council	No views received to date
Highways North Yorkshire	Recommend Highways Agency to be consulted
Archaeology Section	Advise scheme of archaeological mitigation recording and recommend condition

Neighbour responses: Mr Mark Gregory, Mrs Rosemary Cooper, Antony Holliday, Mrs Rebecca Nutter,

.....

SITE:

Mill House is situated on the northern side of the A64 at East Knapton. It originally comprised a farmhouse and outbuildings set within a 2.6 hectare site. The farmhouse is set back approximately 90m metres from the main road and is accessed via a track. Its most recent use was as a guest house. Planning permission was granted in November 2010 for alterations and extensions together with the demolition of the farmhouse to form a 12 bedroom hotel and restaurant. Revised details were approved in June 2006 to increase the number of rooms to 20.

PLANNING COMMITTEE

21 October 2014

The relevant conditions were discharged, and worked commenced on site. This included the partial demolition of the existing farmhouse, and other buildings, together with the concrete base for the new build aspect of the hotel. Work subsequently ceased and the site has since been sold.

The area is predominantly agricultural, however there are three residential buildings to the east of the site, one of which was previously associated with a large scaffolding company. It is noted that an outbuilding associated with a neighbouring dwelling lies on the boundary with the application site. The access track is well screened by existing mature trees. The existing buildings are visible from the A64, but partially screened by a mature hedge.

PROPOSAL:

Permission is sought to re-locate a business which sells specialist machinery for farming, forestry and general amenity use. Permission is sought therefore for:-

- The change of use and extension of the former farmhouse at Mill House to provide exhibition space, parts department and offices on the ground floor, together with a three bedroom managers flat, meeting room, and first floor parts department at first floor level. The extensions will be rendered at ground floor level with timber boarding above, and a slate roof.
- Erection of workshop to the rear of the above mentioned building. It will have a footprint of 15m by 36m with a ridge height of 8.4m It will be constructed from steel sheeting above a 2metre high plinth and a fibre cement roof
- Erection of warehouse at right angles to the workshop. It will have a footprint 25m by 42m, with a ridge height of 9.7m. It will also be constructed from steel sheeting above a concrete plinth under a fibre cement roof. This building will be adjacent to the eastern boundary of the site where it abuts the former commercial scaffolding business.
- The area between the buildings will be used as secure external storage.
- The plans also show a planting strip to the rear of the neighbouring domestic property, together with parking for 14 vehicle.

The supporting statement also states that space is required where machines can be demonstrated to members of the public.

HISTORY:

1999: Permission granted for demolition of dwelling and change of use of barns to B1, B2 and B8

2003: Permission granted for change of use of agricultural building to bed and breakfast

2010 Permission granted for the change of use and demolition of former farmhouse and barns to form a 12 bedroom hotel, together with managers accommodation and leisure facilities

2011: Revised details approved to increase bedrooms to 20

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Policy Guidance

PLANNING COMMITTEE

21 October 2014

Ryedale Plan – Local Plan Strategy

Policy SP1 - General Location of development and Settlement Hierarchy
Policy SP6 - Delivery and Distribution of employment Land and premises
Policy SP9 - The Land Based and Rural Economy
Policy SP10 - Physical Infrastructure
Policy SP14 - Biodiversity
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main issues in the consideration of the application are:-

- principle of the use in this location;
- access;
- appropriateness of design;
- impact of development on existing amenities of neighbouring occupiers;
- landscape considerations;
- ecology; and
- archaeology.

Principle of use

Both local and national policy provides support for businesses that benefit the local economy.

Section 3 Para 28 of the National Planning Policy Framework (NPPF), states:

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
- *promote the development and diversification of agricultural and other land-based rural businesses;*
- *support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*
- *promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*

In relation to the Ryedale Plan –Local Plan Strategy, (Ryedale Plan), Policy SP 6- Delivery and Distribution of Employment/industrial Land and Premises is particularly relevant:

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

The following extract from Policy SP 9 is also particularly relevant to this application:

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.*

The applicant's business is related to agriculture, and needs to be located on a site where there is good access to major transport routes. There is also a requirement for enough space to enable large machinery to be demonstrated when required. It is considered that few opportunities exist within or adjacent to existing employment areas due to their restricted site area.

In relation to the domestic element of the development, members will be aware that policy in the Ryedale Plan does not support new residential development unless it has been demonstrated that there is an essential need for an agricultural worker to live on site, or if it is a barn conversion. In this case, the site has, until recently, included a farmhouse, and indeed the hotel development included managers accommodation. As such the development will not result in a new residential unit being created on the premises. Should planning permission be granted however, it is considered that the occupation of the flat should be restricted to the site manager. It is therefore considered that the principle of the proposed use is in accordance with both local and national policy, subject to other material considerations being satisfied.

Access

The existing access to the site is essentially a single track with no passing places. When the application for the hotel was approved, it was accompanied by plans which included improvements to the access. This included the upgrading of the junction with the A64T, and the increase in the width of the track to 5m, together with improvements to drainage. The submitted plans for the current application state that the highway improvements previously approved will be carried out. The Highways Agency has not objected to the development, nor have they recommended conditions. However it is considered that the submitted plans should be revised to include details of the proposed highway improvements.

It is also noted that a letter of objection received from a neighbouring occupier raises concerns that the A64 regularly floods in this area during heavy rain, and has resulted in a number of accidents. Their comments have been forwarded to the Highways Agency, and Members will be updated with their response at the Committee meeting.

Impact of development on existing amenities of neighbouring occupiers

The site lies within a predominantly agricultural area. Nevertheless there are two neighbouring dwellings immediately adjacent to the site, with a further two dwellings to their east. It is noted however that Mill Barn, which lies adjacent to the eastern boundary with the site, was itself approved as subordinate residential accommodation in connection with a business and industrial use on the site which was most recently used as a scaffolding yard. Responses from the occupiers of four neighbouring occupiers have been received in relation to the application. Their full responses are available to view on the public website, however, their main comments are as follows;

- The workshop is too close to residential properties. At a minimum there needs to be a restriction to operation during normal office hours.
- The site will require lighting which will cause light pollution
- The secure yard is still too close to residential properties and the equipment may be noisy
- The workshop could be a dusty environment and there should be restrictions on emissions
- During harvest there may be urgent need for repairs to equipment, and this should be controlled.
- The A64 has very heavy traffic especially in summer. Visibility of the entrance needs to be carefully considered
- Require details of both foul and surface water drainage
- The car park should be re-located to reduce disturbance.

One letter has also stated that the proposal is an over development of a green field site, and that the warehouse will be visible and intrusive to the neighbouring property. Furthermore the power supply will not be inadequate.

The site was previously occupied by a farm house with associated agricultural buildings. This use could have continued, and would itself generate noise associated with the operation of tractors and machinery etc. It is also noted that the location of the site adjacent to the trunk road results in higher background noise levels than occurs in many rural area. In addition to this, the rear part of the neighbouring site was only approved as subordinate residential use in connection with the occupation of associated buildings for B1, B2 and B8 uses (business, warehouse and industrial). Nevertheless the proposed use is likely to be more intensive than an agricultural use, and as such, the appropriateness of the use in this location is a key consideration. The applicants have demonstrated that they require a larger site than could readily be accommodated on an industrial estate. They have also advised that much of their work involves transporting machinery to both potential clients, and to agricultural shows and exhibitions. In view of this, a location close to the A64 is particularly important. It is also noted that permission is not sought for any processing on site. The machinery will only be operated for demonstration purposes to potential customers.

It is considered that the following are the main aspects of the proposed development that have the potential to generate noise;

- Vehicular movements, including the use of lorries and tractors
- Repair and assembly of agricultural/industrial equipment in the workshop
- Demonstration of machinery

The case officer has attended the site with the Councils Environmental Health officer to assess the likely impact of the development on neighbouring residential amenity. The applicant took a tractor to the site together with what is considered to be the noisiest piece of machinery which slices and splits timber. This was operated during the meeting. The Council's Environmental Health Officer is satisfied that subject to an agreement regarding appropriate mitigation the operations on the site would not have a significant impact on the existing amenities of neighbouring occupiers. Such mitigation is likely to include:

- Operations on the site would be restricted to 7.30am until 6pm Monday to Friday and Saturdays 7.30am until 2pm.
- Demonstrations of machinery restricted to a limited number of hours per week. With the exception of two exhibition days.
- A set location for the demonstration of most equipment to be identified away from neighbouring residences. The exception to this would be grass cutting equipment which will operate within restricted hours to the front of the site.
- All repairs and assembly of machinery to take place in the workshop with doors closed.
- Agreed location for any generator/ extraction unit.
- Any lorries needing to enter or leave the site outside office hours will be parked away from neighbouring residences.

In relation to comments regarding the impact of the warehouse building, this will be situated beyond the domestic curtilage of the neighbours dwelling. Furthermore changes in levels between the properties, and their relationship on site, are such that it is not considered that the development will have a significant adverse impact on their amenities by virtue of overbearing size or loss of light.

Accordingly it is considered that subject to appropriate mitigation, and taking into account the approved uses on the neighbouring site, together with background noise from the A64T, the proposed development will not have a significant adverse impact on the existing amenities of neighbouring occupiers.

Design

The development comprises a large extension to the side of the former farmhouse, together with the erection of two agricultural/industrial style buildings. The site is well screened by a plantation of trees from the north and west of the site, with partial screening from the south and west of the site. There is potential to view the proposed development from public footpaths on raised ground further to the south. However it is considered that from this location its appearance will not be dissimilar to a typical farm holding which incorporates a dwelling and modern agricultural buildings. The proposal will also provide additional planting incorporating native species. There are some concerns regarding the design and materials of the frontage building; however it is considered that these can be satisfactorily addressed. The use of more traditional bricks will also improve the appearance of the building.

The workshop and warehouse buildings are large, and will be visible whilst travelling along the A64. This will essentially be a glimpsed view, and the existing plantation to the west, will help reduce the impact of the buildings. The use of dark cladding would also help minimise their impact. A letter of objection has been received from a neighbouring occupier on the basis that the proposal will result in the overdevelopment of a green field site, and the large warehouse building will be visible and intrusive to the neighbouring property. In relation to the scale of the development on a greenfield site, it is considered that the economic benefits to the local economy outweigh the perceived harm, given the previous use of the site for agricultural purposes, and potential for agricultural buildings to be sited there. The ability of neighbouring occupiers to view the building, is not in itself reason to refuse planning permission. Furthermore the nearest residential property to the proposed warehouse was itself only granted consent in association with a B1, B2 and B8 use of their site. The buildings on the application site will closely grouped together, and therefore will be similar to a typical farmstead in the countryside.

Landscaping

As stated previously, the western and northern boundaries of the site are well screened by mature planting. There is also a mature hedge to the front of the site where it bounds the A64, with further mature trees on part of the boundary with Mill House. The proposals include a belt of new planting alongside that part of the site which forms the boundary with Mill Barn. It is recommended that any approval is conditioned to require a survey of the existing trees on the site, together with a detailed landscaping scheme.

Ecology

The application is accompanied by an extended Phase 1 habitat survey dated May 14th. The report states that, subject to any tree removal being undertaken outside the bird nesting season, further bird surveys are not required. In relation to bats which affects the now partially demolished farmhouse, the submitted ecological report details that only one daytime survey has been undertaken. The comments of the Council's Countryside Officer are awaited, and members will be updated at their meeting.

Archaeology

The proposed site lies within an area of archaeological interest. In the immediate vicinity of the site, the Historic Environment Record contains evidence of a number of prehistoric features including ring ditches, round barrows and enclosures. Therefore there is potential for the proposed development to disturb and/destroy archaeological features. A written scheme of investigation was approved under the previous application, however County Archaeology has advised that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with the current application. Accordingly, it is recommended that appropriate archaeological conditions are imposed on any approval on the site.

Conclusion

It is considered that the principle of the development is acceptable in this location, and indeed business and industrial uses have previously been approved on this site in conjunction with the neighbouring site. Subject to some revisions to the design, and the submission of a detailed landscaping scheme, it is not considered that the development will have a significant adverse impact on the character of the area. Ecological issues are still outstanding, and the final views of the Highways Agency are awaited. In relation to the impact of the development on neighbouring occupiers, it is considered that any noise and/disturbance can be mitigated by detailed conditions which restrict hours of operation, and the location of machinery on site. Accordingly the recommendation is one of approval with delegated Authority to the Head of Planning once the detailed mitigation outlined above is provided, and subject to the resolution of ecological considerations.

RECOMMENDATION: **Approval of the application to be delegated to the Head of Planning & Housing subject to the views of outstanding consultees and the satisfactory resolution of noise mitigation conditions**

1 Full list of conditions to follow

Background Papers:

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