

**Item Number:** 7  
**Application No:** 15/00067/MFUL  
**Parish:** Gilling East Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Ian Mosey  
**Proposal:** Establishment of a farmstead to include erection of a four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of 2no. livestock sheds and a machinery/feed store, formation of hard standing area for external feed storage and formation of 350m of access track to join to existing access track with amended vehicular access from Coulton Lane and landscaping of site  
**Location:** Land North Of Coulton Lane Coulton Helmsley

**Registration Date:**  
**8/13 Wk Expiry Date:** 30 April 2015  
**Overall Expiry Date:** 20 April 2015  
**Case Officer:** Helen Bloomer **Ext:** 328

#### CONSULTATIONS:

<b>Countryside Officer</b>	No views received to date
<b>Howardian Hills AONB JC</b>	Some concerns regarding size of development within AONB
<b>Tree &amp; Landscape Officer</b>	No views received to date
<b>Natural England</b>	No objection - comments made
<b>Sustainable Places Team (Yorkshire Area)</b>	No objection
<b>Land Use Planning</b>	No views received to date
<b>Environmental Health Officer</b>	Recommend Conditions
<b>Parish Council</b>	No objection
<b>Highways North Yorkshire</b>	Recommend Conditions
<b>Sustainable Places Team (Yorkshire Area)</b>	No views received to date

**Neighbour responses:** Mr J Bailey, Mr C Harbach,

.....

#### SITE:

The application site is located within the Howardian Hills Area of Outstanding Natural Beauty, approximately 1 km south of the village of Gilling East. Adjacent to mature woodland (SINC), shown to be under the same ownership, the existing land use on the site and that of the surrounding area is agricultural.

Vehicle access is currently in the form of an agricultural track off Coulton Lane to the south.

#### PROPOSAL:

Planning permission is sought for the establishment of a farmstead to include erection of a substantial four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of two cattle sheds and machinery/feed store and , formation of stoned area for external feed storage. In addition to landscaping, new vehicle access and turning area.

The main components of the proposal consist of the following:-

- **Farmhouse:** An 'L' shaped 2-storey pitched roof dwelling, that will have a footprint which will measure approximately 8.7m by 13.7m and be 9m at its ridge height to the main part of the dwelling. The 2-storey projection will measure 8.7m by 4.7m and be 6.9m at its ridge height, for the majority of the projection.
- **Garage/Store/Plant Room and Stable:** An 'L' shaped building with a first floor store area. The building would have an external footprint of approximately measuring 105sqm. The single storey element would have an eave height of 2.5 m and a ridge of 4.9. The two floor element would have an eave height of 4m and lowest eave height and 6.4m at its ridge height.
- **New Machine/Feed Store (Building A):** A pitched roof block and profiled sheeting building with an approximate footprint of 30.5m by 24.5m with a ridge height to eaves of 6m and ridge of 9.8m.
- **Cattle Shed (Building B):** A pitched roof blockwork and profiled sheeting building with an approximate footprint of 30.5m by 24.5m and 6m at the eaves, 9.8m at its ridge height.
- **Cattle Shed (Building C):** A pitched roof blockwork and profiled sheeting building with an approximate footprint of 36.5m by 24.5m and 6m at the eaves, 9.8m at its ridge height.

#### **ENVIRONMENTAL IMPACT ASSESSMENT:**

The development is considered to fall within Section 1(c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Intensive livestock installations). It is for the Local Planning Authority, however, to consider whether the development is likely to have significant effects on the environment by virtue of factors such as the characteristics of the development; the location of development and the characteristics of the potential impact, as set out in Schedule 3 of the EIA Regulations.

The opinion of the Local Planning Authority is that the development does not compromise EIA development.

#### **HISTORY:**

There is no planning history on this application site. However Members may note that the applicant had previously applied for the establishment of a farmstead elsewhere in the parish to include erection of a substantial four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store and excavation of an attenuation basin/pond, formation of stoned area for external feed storage & vehicular access and landscaping. The earlier application was at Cawton Road, Gilling East, reference 14/00734/MFUL, which was subsequently refused. The previously proposed siting was considered to be unacceptable by the impact on the AONB in terms of appearance and character, impact on residential amenity together with the lack of a justification for the need for an agricultural workers dwelling and the failure to demonstrate the need for the development in this locality.

#### **POLICY:**

##### Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy  
 Policy SP2 - Delivery and Distribution of New Housing  
 Policy SP9 - The Land-Based and Rural Economy  
 Policy SP11 - Community Facilities and Services  
 Policy SP13 - Landscapes  
 Policy SP14 - Biodiversity  
 Policy SP16 - Design  
 Policy SP17- Managing Air Quality, Land and Water Resources

Policy SP19 - Presumption in Favour of Sustainable Development  
Policy SP20 - Generic Development Management Issues  
Policy SP21 - Occupancy Restrictions  
Policy SP22- Planning Obligations, Developer Contributions and the Community Infrastructure Levy

National Planning Policy Guidance

National Planning Policy Framework  
National Planning Practise Guidance

**APPRAISAL:**

The main considerations in the assessment of this application are:

- i) The principle of the development
- ii) Impact on the AONB
- iii) Residential Amenity
- iv) Highway Considerations
- v) Tree and Landscaping
- vi) Ecology
- vii) Other Issues

The principle of the development

The applicant operates a large animal and pig finishing business in Ryedale. The backbone of the business is the land farmed around Gilling East and Ampleforth, which totals approximately 1,450 acres. Of this, c600 acres are owned by the applicant. The remaining c850 acres are rented on a Farm Business Tenancy and located around Ampleforth College.

The animals farmed here consist of; 130 suckler cows and 450 breeding yews, all the progeny of which are taken through to finishing. In addition to this a further 500 store lambs and 50 store cattle are brought onto the farm for finishing each annum.

The background for the planning application can be found within the 'Planning Justification and Agricultural Appraisal' submitted in support of the proposal. This identifies that to date; calving of the suckler cattle and the lambing of the sheep has taken place in rented buildings close to Ampleforth College. However, the applicant considers that these buildings have a comprised layout and are nearing the end of their lifespan with no expected future landlord investment in relation to upgrading or their replacement. Further, it is identified that the land at Ampleforth only has 8 to 9 years remaining on its tenancy. It is stated that the applicant "*cannot justify investing in new buildings on this land, due to the uncertainty caused by the end of the agreement. Whilst it is hoped that the tenancy will be made available to the Mosey family again, this cannot be guaranteed*". The applicant also states that there is lack of farm workers accommodation close to the Ampleforth College Farm which results in poor accessibility and a lack of security.

A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

Para 55 of the National Planning Policy (NPPF) states that Local Planning Authorities should avoid new isolated homes unless there are special circumstances. One such circumstance is '*the essential need for a rural worker to live permanently at or near their place of work in the countryside.*' The NPPF does not include any clarification of how such need should be demonstrated. However it is considered that guidance can be taken from the now superseded Planning Policy Statement 7, Annex A. The recent decision of a Planning Inspector in Ryedale in considering planning application ref. 12/00331/FUL (appeal ref. APP/Y2736/A/13/2197766) confirms this:

“7. *No definition of ‘essential’ is given in the Framework, but the main parties agreed that the functional and financial tests set out in the Annex to the now superseded PPG7: Sustainable Development in Rural Areas form a reasonable basis for such an assessment. The functional test establishes whether the enterprise whether the need for a full time worker to live at the site can be justified for the proper functioning of the enterprise, and the financial test addresses the viability of the enterprise and whether it can sustain the cost of the dwelling. If this is not the case then the development cannot be said to be sustainable; promoting sustainable development (economic, social and environmental) is ‘golden thread’ which runs through the Framework.*”

The comments of the Planning Inspector clearly state that both the functional need and financial test are key to identifying the sustainability of the proposed development. If the functional need or the financial viability of the enterprise cannot be demonstrated then it cannot be said that the development is sustainable and would therefore be contrary to the requirements of the Framework.

If the proposal fails to satisfy the NPPF’s requirement to prove ‘essential need’, the proposal would also fail to satisfy Policy SP2 (Delivery and Distribution of New Housing) of the Ryedale Local Plan Strategy which in the wider open countryside supports “new building dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified...”

The tests from the former PPS7 Annex A in relation to agricultural workers dwellings are as follows:

- i) there is a clearly established *existing* functional need;
- ii) the need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

The guidance in the former PPS7 indicates that agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

In light of the circumstances surrounding this application, the Local Planning Authority has sought the professional advice of an independent agricultural assessor. The purpose of the report was to ascertain whether there is an essential need for the proposed dwelling, whether the size and number of agricultural buildings are appropriate for proposed number of cattle and if the size of the dwelling is comparable to the stated essential need. A summary of the independent review has been included below.

#### The Farmstead

As outlined above the applicant is proposing the creation of a new farmstead due to the uncertainty of the existing farmstead which is operated on under a Farm Business Tenancy. The tenancy agreement has only 8 years remaining, with no certainty that it would be renewed. The buildings which form part of the site are argued to be in need of improving. There is therefore an understanding of the desire to have livestock to be housed on land under the applicant’s ownership.

Based on the information submitted it is considered that there are no other sites under the ownership of the land which would be suitable. Although the appraiser does stress that they have not visited all of the land under the ownership of the applicant.

Carter Jonas have not provided guidance on the potential siting for the farmstead at the applicants property Village Farm, Gilling. Officers consider that for reasons regarding residential amenity of the neighbouring properties, even if sufficient land was to be available at Village Farm, within the village of Gilling, would result be unacceptable because of the relationship with other residential properties in the settlement.

Their initial concerns over the size/ number of agricultural buildings to house the livestock has been overcome by the addition of another cattle building

They are also unable to advise as to the suitability of locating the proposed development at the feed mill at Blackdale, a point which was raised within their last report. The applicant has responded to the previous report provided by Carter Jonas for application 14/00734/MFUL which stated:-

*"There is actually no space at the Feed Mill for a livestock farm development..in addition, although it is actually correct that no restriction is in place by DEFRA,....it would be unacceptable for bio security reasons".*

#### Essential Need for a Dwelling

The need for a new dwelling has been appraised against the proposed operations at the application site and does not take into account the applicants existing farming operations for example the 'Bed and Breakfast' Pigs. The applicant considers the assessment should be made against the farming operations as whole. Officers however consider that under the tests from the former PPS7 Annex A, the essential need for new dwelling should be considered against the need/ requirements of the enterprise.

Carter Jonas has considered the information submitted as part of the appraisal to ascertain the requirements of the need of the proposed farmstead. It is their view that the lambing element does not on its own create a functional need as lambing only occurs over a period of two months (approx). The functional need occurs from the need for an agricultural worker to be on site to meet the needs of the cattle that calve throughout the year.

The labour calculation of the proposed farmstead is considered on the basis of the operations carried out on site. It has been calculated that the operation would create a need for two full time workers. It is therefore considered that the operations do demonstrate a functional requirement for an agricultural workers dwelling.

Carter Jonas has reviewed the audited accounts and are satisfied that the applicant has suitably demonstrated *a strong farming business with minimal liabilities and consistent cash generation*. The proposed development is therefore considered to be financially viable.

Despite raising concern over the scale of the proposed dwelling in relation to that of the proposed operations of the farm, Carter Jonas has not recommended a scale which they would consider to be appropriate.

#### Conclusion

The report has concluded that there is an acceptance of the principle of locating the livestock on site which is owned by the applicant and that the livestock proposed on site does give rise to a functional need for agricultural workers to permanently reside on the site.

#### Impact on the AONB

The Countryside and Rights of Way Act (2000) states that Local Authorities should have:

*Regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

The NPPF reflects the requirements of the Country and Rights of Way Act (2000) by stating:

*115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*

The Howardian Hills Area of Outstanding Natural Beauty Management Plan 2014 – 2019 outlines the special qualities of the Howardian Hills Area of Outstanding Natural Beauty. These include:

- *An unusual landform*
- *A richly varied landscape*
- *A landscape of high visual quality*
- *A remarkable heritage*
- *An important wildlife resource*

Furthermore, the Howardian Hills Area of Outstanding Natural Management Plan refers to AONB's being places that are increasingly seen as calm and tranquil, without features such as traffic noise, minerals workings, excessive lighting and aircraft noise.

As identified in the AONB Management Plan, the application site is located within the Vale of Pickering landscape character area. The Landscape Management for this character area is to *"Strengthen the landscape by restoration of hedges, hedgerow trees and copses while retaining the contrast with more heavily wooded slopes to the north and south."*

The AONB has been involved within the process from the initial application at Cawton Lane to selecting sites. The summary of the consultation response is that,

*Should the LPA conclude that the agricultural justification for the proposed development is proven, I would still have concerns about a new development of this size within the AONB Landscape. The landscaping proposals would however result in a beneficial re-construction of the framework of trees and hedges in this part of the AONB. These, in conjunction with the dark colours of the materials proposed for the farm buildings, would I believe help to mitigate the impact on the AONB Landscape.*

The independent appraisal acknowledges the housing of livestock on the land under the applicants ownership and the functional requirement for a dwelling on the site. It did however query the size of the proposed dwelling, even though the existing business is viable. Whilst taking into account the independent appraiser concerns over the size of the dwelling. Officers consider that the scale and design of the proposed dwelling is representative of a traditional farm house within this particular area of the Howardian Hills AONB.

Furthermore the Howardian Hills landscape has been shaped by productive farming and woodland management. It is officers opinion therefore that whilst the development by virtue of the introduction of a new farmstead would have an impact on the character and appearance of this particular area of the AONB, the wider landscape character is of a similar nature to the proposed development. Subject to the recommended conditions it is not considered that the proposed development would adversely affect the special qualities of the AONB.

## Residential Amenity

In considering residential amenity, the requirements of Policy SP20 of the Ryedale Local Plan Strategy is relevant. This states that “*New development will not have a material adverse impact on the amenity of present or future occupiers, 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.*”

The application site is located approximately 300m from the nearest residential dwelling, The Grange. These separation distances are considered to be such that the farmstead itself would not result in material harm to nearby residential properties.

The occupiers of The Grange has raised an objection to the proposed development. Whilst the full letter of objection can be viewed on the Council's website, a summary has been included below;

- Prematurity; the applicant has still got 8 years left on the Agricultural Building Tenancy and by then, the proposed development may not be required should the agreement be renewed. Considers investment of the buildings could be encouraged if the contract was renewed. They also make reference to Paul Jackson (Manager of the Howardian Hills AONB) objection to the previous application. Members will note that Paul Jackson has not objected to this application.
- Lack of Agricultural Justification; it is due to the perceived prematurity of the application that they consider there to be no need for either the agricultural buildings or the associated dwellings. Members will note that both Carter Jonas and Officers are satisfied with the principle and justification for the proposed holding.
- Size and Scale of the Farm Buildings; they are confused regarding the proposed addition of a further cattle building above what was proposed with the initial application. It was the recommendation of the independent appraiser that the initial application would fail to provide adequate housing for the number of livestock which would be housed on the site. Following the initial report this application has addressed this by the addition of an additional building, Members will note that Carter Jonas are now satisfied with the number/size of agricultural buildings proposed.
- Size and Scale of the Dwellings; consider the scale of the proposed dwellings, outbuildings and amenity area to be excessive.
- Impact on the Countryside and AONB; considers this proposal would by virtue of its siting have greater impact on the character of the AONB than that of the previously refused scheme, which was the complainants preferred site. They also consider that the activities associated with the proposed development would destroy the tranquillity.
- Residential Impact; impact of lighting and activities which would affect the occupiers amenity of which is currently tranquil. Furthermore they are concerned with the potential impact on odour associated with the stocking of livestock.

In response to the above letter the applicant's agents has made the following comments which are summarised below:

- Disagrees that the only reason they are seeking planning consent is due to the limited time remaining on the tenancy. They have stated that as set out within the Design and Access Statement and Planning Justification that it is required for; animal husbandry, general security, bio security, difficult access through Ampleforth and the uncertainty that the tenancy would be extended it would not be financially viable to invest in the existing buildings at Ampleforth
- Does not consider the relevance of the Permitted Development Rights, as a full application has been submitted following detailed Pre App
- Clarification that the proposed development is not for the purpose of 'intensive livestock'

- The impact on the AONB has been carefully considered and the development has reached this stage through ongoing discussions and meetings with the AONB Manager.
- Due to the 'non intensive farming' as proposed, in addition to the distance and south west prevailing winds it is not considered that odour would adversely affect The Grange.
- Points out the inaccurate assessment of the proposed application and the previously refused application, in relation to scale.
- Clarifies that this application was not Site B as per the Cawton Road application, as this land at the time was not under the applicant's ownership. Site B is a more exposed site approximately two fields away from this application site.
- This application is not reliant on the rented land at Ampleforth being retained.

The letter of objection has raised concern over the impact of additional lighting which they assume would be associated with the development and which could adversely affect their amenity and the special qualities of the AONB. Officers do consider that any lighting scheme would need careful consideration so as not to impact on residential amenity and the AONB. A condition is therefore recommended requiring details of the external lighting scheme to be submitted to and agreed in writing to the Local Planning Authority.

The Councils Environmental Health Officer has raised no objection to the proposed development. A number of conditions have however been recommended in relation to the management of manure and operation of machinery. It is Officers opinion that subject to the recommended conditions the proposed development would not have a material adverse affect on the amenity of the neighbouring properties.

#### Highway Considerations

North Yorkshire County Council Highways Authority has raised no objection to the proposed development, subject to the recommended conditions being attached to an approval.

#### Tree and Landscaping

At the time of writing no written representations had been received by the Councils Tree and Landscape Officer. Members will be updated when the consultation comments are received. It is not anticipated that there will be an objection in principle following receipt of the comments of the AONB officer.

#### Ecology

The application site is located adjacent to Mill Wood which is designated as a Site of Important Nature Conservation. At the time of writing the report on the ecological appraisal had not been received. It is understood, however, that the applicant is currently undertaking a survey and Members will be updated of the outcome of the report and any mitigation requirements that are required. At the time of writing no written representations has been received by the Councils Countryside Officer. Members will be updated at the meeting.

Natural England had been consulted and have raised no objection to the proposed development, providing that the development is carried out in accordance with the information submitted as part of the application, would not damage or destroy the special feature of Horse Field SSSI , situated south east of the proposed access.

Natural England considers this application to be an opportunity to seek both biodiversity and landscape enhancements.



## Other Issues

### Foul and Water Drainage

The proposed dwellinghouse would be served by a package treatment plant. Surface water is proposed to be treated by a Sustainable drainage system and soakaway. However at the time of writing no details had been received by the Local Planning Authority. It is therefore recommended that a condition is attached to an approval requiring the details of the aforementioned to be submitted to and agreed in writing by the LPA.

### Public consultation response

A letter of support has been received from the Ward Member. Cllr Bailey supports the proposal, he considers that:

- the principle of this proposal subject to satisfactory landscaping and design to help the development to be accommodated within the Howardian Hills landscape and without unacceptable impact upon the neighbouring dwelling to the North.
- My reason for supporting is that the Howardian Hills landscape is very much about productive farming and woodland. This application represents considerable investment in this land use and economy which is essential to the long term future of the farmed landscape in the AONB.
- Whilst acknowledging this is a large development it is, I believe, in keeping with future farming trends and the long term challenge for maintaining the quality and value of the AONB landscape is not to stop development but, to ensure that it is of high quality and in keeping with the landscape designation.
- A similar proposal was refused last year where it would have been close to the historic setting of the village, and there was concern over impact on Cawton Lane. I think this site is very much better and has overcome those concerns. With good design and landscaping, it will not be out of keeping with the surrounding farmed landscape.

Gilling East with Cawton Coulton and Grimston Parish Council has raised no objection to the proposed development, subject to the covenant being protected.

At the time of writing no other written representations had been received.

In line with the above, the recommendation is one of approval subject to the conditions listed below.

### **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            Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the dwelling house and garage/store the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

3 As per the approved plans the agricultural buildings hereby approved shall be constructed from dark green metal sheeting to the walls and dark grey profiled sheeting metal/ cement to the roof.

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

4 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the improved access road subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

5 The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working or last working in the locality in agriculture (as defined in Section 336 of the Town & Country Planning Act, 1990) or in forestry, or a widow or widower of such a person or to any resident dependant(s).

Reason:- The development would be unacceptable unless justified by the local needs of agriculture or forestry.

6 Unless otherwise agreed in writing, the dwelling hereby approved shall not be occupied until the approved livestock buildings have been completed and stocked with livestock.

Reason:- To ensure the dwelling hereby approved on the basis of the agricultural need is not occupied in advance of the livestock building been in operation, and to comply with the requirements of Policy 21 of the Ryedale Plan- Local Plan Strategy.

7 Prior to the commencement of the development hereby permitted, a manure management plan shall be submitted in writing for approval to the Local Planning authority. This shall detail the measures to be taken to minimise odour and fly problems through the correct collection, storage, and spreading of manure, including that no manure is burned. It shall detail the methods of animal bedding and area cleaning, and provision for drainage and foul water disposal. Such a plan shall be reviewed whenever there are significant changes, and implemented.

Reason:- In order to protect the amenity of surrounding properties, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

8 There shall be no operation of machinery in the agricultural store, including portable grain dryers, without the prior written approval of the Local Planning Authority

Reason:- In order to protect the amenity of surrounding properties, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

9 A delivery management plan shall be submitted in writing for approval to the Local Planning authority. This shall detail the measures to be taken to minimise noise and disturbance through the routing, restriction and timings of vehicular movements. Such a plan shall be reviewed whenever there are significant changes, and implemented.

Reason:- In order to protect the amenity of surrounding properties, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 10 Prior to the commencement of the development hereby approved, precise details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect the character and appearance of the open countryside, and to satisfy Policy SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 11 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:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii)(a) The access shall be formed with metre radius kerbs, to give a minimum carriageway width of \*\*\*\* metres, and that part of the access road extending \*\*\*\* metres into the site shall be constructed in accordance with Standard Detail number \*\*\*\*.

(ii)(b) The existing access shall be improved by \*\*\*\*.

(ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number \*\*\*\*.

(iii) Any gates or barriers shall be erected a minimum distance of \*\*\*\* metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

(iv) That part of the access(es) extending \*\*\*\* metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding \*\*\*\*.

(v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details shown on drawing \*\*\*\* and maintained thereafter to prevent such discharges.

(vi) The final surfacing of any private access within \*\*\*\* 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.

(vii) Provision of tactile paving in accordance with the current Government guidance.

Reason:- In accordance with Policy \*\*\*\* 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.

- 12 No part of the development shall be brought into use until the existing access on to has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy \*\*\*\* and in the interests of highway safety.

13 There shall be no access or egress by any vehicles between the highway and the application site until:

(i) full technical details relating to the bridging/culverting of the watercourse adjacent to the site have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority; and

(ii) the surface water ditch at has been piped in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:- In accordance with Policy \*\*\*\* and to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.

14 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy \*\*\*\* 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.

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

Reason:- In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

16 Prior to the commencement of the development hereby approved, full details of the means of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be completed in its entirety prior to any part of the scheme coming into use, unless with the prior written approval of the Local Planning Authority.

Reason:- In the interests of the satisfactory drainage of the site, to prevent pollution and to accordance with Policy SP18 of the Ryedale Plan - Local Plan Strategy.

17 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

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

Class D: Erection or construction of a domestic external porch

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

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

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

Drawing No. 1041069/104. Proposed Site Plan  
Drawing No. 1041069/106. Proposed Site Section  
Drawing No. 1041069/110. Proposed Elevations & Plan. New Machine/ Feed Store  
Drawing No. 1041069/111 Proposed Elevations & Plan. New Livestock Shed B  
Drawing No. 1041069/112 Proposed Elevations & Plan. New Livestock Shed C  
Drawing No. 1041069/107 Proposed Elevations (Farmhouse)  
Drawing No. 1041069/108 Proposed Plans (Farmhouse)  
Drawing No. 1041069/109 Proposed Elevations & Plans (Garage and Store)  
Drawing No. 1041069/105 Proposed Revised Access Off Coulton Lane

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

#### **INFORMATIVES:**

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 2 These works shall include, where appropriate, replacing kerbs, footways, cycleways and verges to the proper line and level.
- 3 It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority. The structure may be subject to the Highway Authority's structural approval procedures.

#### **Background Papers:**

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