

**Item Number:** 12  
**Application No:** 15/01236/FUL  
**Parish:** Huttons Ambo Parish Council  
**Appn. Type:** Full Application  
**Applicant:** DH Group (Mr Sean Harrison)  
**Proposal:** Erection of two buildings to form 8no. units for B2 use together with formation of associated parking spaces.  
**Location:** Land At Cherry Farm Close Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 5 January 2016  
**Overall Expiry Date:** 4 February 2016  
**Case Officer:** Alan Hunter **Ext:** Ext 276

#### CONSULTATIONS:

<b>Highways North Yorkshire</b>	Await amended documents before making a formal recommendation
<b>Parish Council</b>	Object
<b>Archaeology Section</b>	Recommend condition
<b>Highways England</b>	No views received to date
<b>Highways North Yorkshire</b>	Comments made and outstanding issues
<b>Land Use Planning</b>	No objection in principle - comments made
<b>Tree &amp; Landscape Officer</b>	Comments made
<b>Environmental Health Officer</b>	No views received to date
<b>Neighbour responses:</b>	None

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#### SITE:

The site is located on the Malton Enterprise Park, to the south of the B1248 approach to Malton. Outline planning permission was granted in December 2010 for B1, B2 and B8 uses. Work has commenced on site and reserved matters has been approved for the first unit on site. This plot is located immediately adjacent to the main site entrance close to the boundary with York Road. The site is located within Flood Zone 1, being the lowest flood risk classification.

#### PROPOSAL:

This proposal seeks full planning permission for the erection of two buildings to form 8no. units for Use Class B2 use together with the formation of associated parking spaces.

There are two buildings proposed, one containing 3 units (Units 6, 7 and 8) parallel to York Road measuring 25.6m in length by 15.3m in width and having a mono-pitch roof with an eaves height of 6.8m and a ridge height of 7.5m. A second building containing 5 units (Units 1, 2, 3, 4 and 5) is proposed adjacent to the western boundary and measures 15.2m in width and 45.2m in length, also with a mono-pitch roof measuring 6.8m at eaves height and 7.5m at ridge height.

Unit 1 has a floor area of 179m<sup>2</sup>, Units 2 - 5 an area of 111m<sup>2</sup> and Units 6 - 8 an area of 116m<sup>2</sup>.

It is proposed to construct the buildings of aluminium cladding panels over a blue/grey brick plinth up to 2.4m above finished floor level. In addition on some elevations are proposed to have a close boarded timber cladding system, particularly on the elevations facing York Road. The roof is proposed to be polyester powder coated aluminium trapezoidal roof system.

A new access to this industrial/business park has been created from York Road, and access to both these building is proposed to be served by that existing access. Parking and turning areas are proposed on the inner sides mainly away from York Road.

The agent has submitted the following documents with this application (these were submitted originally with the 2010 approved outline application):

- Archaeological Assessment
- Flood Risk Assessment
- Ecological Assessment
- Tree Survey
- Transport Assessment

In addition, the agent has submitted a Design & Access Statement that seeks to justify the design approach taken in this case.

### **HISTORY:**

13/00595/MREM: Erection of a production unit and associated offices, parking, hardstanding and turning areas and landscaping (Outline approval 10/00150/MOUT refers)

10/00150/MOUT: Outline planning permission for Business (B1); General Industrial (B2) and Storage and Distribution (B8) - Approved 22.10.2010

### **POLICY:**

#### National Policy Guidance

National Planning Policy Framework (NPPF) 2012  
National Planning Policy Guidance (NPPG) 2014

#### Ryedale Local Plan Strategy

Policy SP6 - Delivery and Distributing of Employment Land and Premises

Policy SP9 - Land-Based and Rural Economy

Policy SP13 -Landscapes

Policy SP14 - Biodiversity

Policy SP16 - Design

Policy SP17 - Managing

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

### **APPRAISAL:**

The main considerations in relation to this application are:

- The principle of B2 development;
- Access/parking;
- Design approach;
- Landscaping;
- Impact upon the amenity of nearby properties;
- Landscape impact;
- Archaeology; and
- Drainage.

The principle of development has been accepted on this site through the grant of the original planning permission in 2010. Whilst the site is located outside of any identified development limit in the adopted Ryedale Local Plan, Members considered there was a demonstrable need to provide an additional supply of employment land to meet existing and future needs. This site was identified as a priority site in two separate employment land studies carried out in 2006 by Knight Frank and updated in 2010 by Entec. Policy SP6 of the Local Plan Strategy also seeks to focus 80% of new industrial/business development in Malton/Norton and indicates between 29-36 hectares of land is required to accommodate this growth. SP6 also supports in provision new B2 uses.

#### Access/Parking

The approach to accessing this site was established by the earlier Outline planning permission. Conditions relating to the detail of the road and access construction have already been discharged on that Outline application. NYCC Highways initially requested details regarding disabled parking, provision of secure cycle storage, and a footpath measuring 2m in width on the internal access road.

At the time of writing this report, the Highway Authority are still concerned regarding the lack of on-site secure cycle storage areas; the lack of any shared parking bays; concerns in respect of future maintenance of the access; and implementation of the Travel Plan. The agent's response is awaited and Members will be updated at the meeting.

A developer contribution was required towards the Brambling Fields scheme arising from the requirements of the outline planning permission. However, this application is not a 'Major' application, and consistent with the approach by the Local Planning Authority on other non-Major applications no contribution has been requested. The contribution required under the terms of the Outline application remain.

#### Design Approach/Landscaping

This is set out in the Design & Access Statement document. Members will note that this buildings will be visible from all sides. In general terms, the quality of the units is considered to be a 'step up' from the quality of the units which have previously been delivered on the York Road estate. This is also coupled with structure landscaping on the western boundary. The Tree and Landscape Officer recommends a condition regarding protection measures for this structural planting on the western boundary and for some additional planting within the hedge on York Road.

The previous approval was for a single modern building on this site. This proposal is for 8 smaller B2 units. The design of the units remains modern, and it is considered to have a reasonable interface with all four sides of the site. A condition is recommended regarding the boundary treatment on the York Road frontage between Units 5 and 6, and it is considered that this should be a robust quality and solid boundary to relate to the buildings and to an extent screen the parking and inner areas of these units. Amendments have been negotiated with the developer in order to ensure the design and appearance of the building form an appropriate transition from a 'rural' to 'urban' environment.

The site is visible from higher land to the south and also from the adjacent Area of Outstanding Natural Beauty. The materials chosen are considered to represent a quality environment on the gateway to Malton. The timber cladding and landscaping is considered provide a transition from the open countryside to the west and the street of a more urban environment. The design and materials chosen also relate well to the existing JMP building also on the site.

#### Archaeology

In the light of the low archaeological potential of this site, a watching brief is recommended during ground disturbing works with a suitable scheme of recording undertaken.

### Residential amenity impacts

There are no adjoining residential properties and the site has already been approved planning permission for a B2 food production factory. The Environmental Health Officer has not objected to the application and it is not considered that the proposal is likely to have an adverse effect upon the residential amenity of nearby properties.

### Drainage

The scheme has been amended to take account of a Yorkshire Water main between the site and York Road running parallel to York Road. Yorkshire Water has confirmed that they have no objection to this application as revised. Foul water is proposed to be drained to the mains, and surface water is proposed to be drained to a combination of the mains sewer, a sustainable drainage system and a soakaway.

### Parish Council comments

The site is located within the Parish of Huttons Ambo. Huttons Ambo have objected to the visual impact of the proposed development. They stated:

*'For this reason the Council considers that the site would be better occupied by a single structure, preferably of some architectural merit, which would serve to mark the progress from rural to urban. The proposed development of "Eight Business Starter Units" would not meet this objective and would weaken the transition. Furthermore the change in speed limit from 60 to 40 mph would be more likely to be recognised, and observed, with a visually clear change from an agricultural to a built environment.'*

Following their concerns a meeting was held to discuss possible amendments to the application which resulted in revised plans being submitted and re-consulted upon. It is also understood that the applicant attended the Parish Council meeting to explain in detail their proposals. The revised plans have attempted to soften the transition from rural to urban. Timber cladding and the provision of windows at ground floor level on the elevation facing York Road are considered to help to make this transition. In addition visuals have been provided that aim to justify the visual appearance of the proposed buildings within the context of the existing environment, to help understand their impact. It is noted that there is a substantial belt of structural landscaping on the western boundary, and the Tree and Landscape Officer recommends supplemental planting on the road frontage. In addition, the applicant has said, there is a strong demand for these 8 smaller units, which will provide significant benefits to the local economy. The Parish Council has been consulted but no views have been received to date, hence this application has to be determined by the Planning Committee. Although it is understood that the revised plans have met the concerns of the Parish Council, Members will be updated at the meeting of any views received.

It is considered that the revised plans have satisfactorily addressed the Parish Council's concerns, and the provision of these 8 units is considered to be a great benefit to the local economy.

Conditions were imposed on the previous Outline approval across the 'wider' site in relation to a travel pattern and sustainable transport methods. Officers are currently considering whether it is reasonable to impose them to this smaller application for 8 units. The view of North Yorkshire County Council - Highways will be reported to Members at the meeting.

In view of the above, the recommendation is one of approval subject to resolution of the outstanding highway issues.

**RECOMMENDATION:**

**Approval subject to resolution of the outstanding Highway Authority issues.**

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 building 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 SP20 of the Ryedale Plan - Local Plan Strategy.

3 Before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by PPS1- Delivery Sustainable Development.

4 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs 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 and to comply with the requirements of Policy ENV7 of the Ryedale Local Plan

5 Prior to the commencement of the development hereby approved, precise details of the protection measures during construction for the structural planting on the western boundary shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect this planting in the interests of visual amenity and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

6 Any conditions as recommended by the Highways Authority.

7 A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) 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 (A) 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 Section 12 of the NPPF as the site is of archaeological interest.

8 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 area from unacceptable light pollution and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

9 Prior to the commencement of the development, precise details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to ensure that the site can be satisfactorily drained, and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy.

10 Prior to the commencement of the development hereby approved, precise details of ecological and biodiversity enhancements pursuant to the submitted Ecological Assessment dated August 2010 by Marishal Thompson Group shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to ensure that the development complies with Policy SP14 of the Ryedale Plan - Local Plan Strategy.

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

(90)01 Rev B;  
(04)01 Rev C;  
(04)03;  
(04)02 Rev B.

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

**INFORMATIVES:**

- 1 In regard to Condition 03, the boundary details should address the boundary between Units 5 and 6. This should be a robust fence of at least 2m in height and befitting the design and appearance of the buildings.
- 2 you should satisfy yourself, prior to commencement of any work related to this project, that no part of the works hereby approved (including foundations and/or guttering) extended onto or over adjoining land unless you have first secured the agreement of the appropriate landowner(s).

**Background Papers:**

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