

**Item Number:** 8  
**Application No:** 17/01216/MREM  
**Parish:** Swinton Parish Council  
**Appn. Type:** Approval of Reserved Matters Major  
**Applicant:** Mr Andrew Hague  
**Proposal:** Erection of 4no. business units (Use Class B1) - outline approval  
13/01469/MOUT dated 31.03.2014 refers  
**Location:** The Courtyard Swinton Lane Swinton Malton North Yorkshire

**Registration Date:** 20 October 2017  
**8/13 Wk Expiry Date:** 19 January 2018  
**Overall Expiry Date:** 21 November 2017  
**Case Officer:** Niamh Bonner **Ext:** Ext 325

**CONSULTATIONS:**

Highways North Yorkshire	No objections
Parish Council	Object
Public Rights Of Way	No response Received
Paul Jackson AONB Manager	Comments
Neighbour responses:	No response Received

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**SITE:**

Swinton Grange is situated to the south of Swinton and is within the Howardian Hills Area of Outstanding Natural Beauty. It is accessed by Swinton Lane, which runs to the east of the application site. An Area TPO protects all the trees within the Swinton Grange site.

**PROPOSAL:**

Reserved Matters Approval is sought for the external appearance, landscaping, layout and scale of the development approved under reference 13/01469/MOUT for the erection of four business units, to the north, east and south of existing business premises.

**HISTORY:**

The planning history at the site is extensive, and demonstrates that business uses have been carried out there for over 30 years. The main applications are as follows:

23.11.1978 Permission granted for the change of use of dwelling into offices, laboratory and light industrial.

02.10.1980 Outline permission granted for erection of new buildings together with extension to existing premises to form new offices.

03.01.1986 Outline permission granted for erection of new offices and computer workshop

05.07.1991 Change of use and extension of stables barn and garages to provide additional offices and testing area.

01/00738/73 Variation of condition. Approved 03.09.2001

02/00899/FUL Demolition of cottages, garages and stores together with erection of two-storey extension to existing offices. Approved 24.01.2003

03/00841/FUL Installation of sewage treatment plant. Approved 18.9.2003

05/00212/FUL Extension to car park together with installation of ramp. Approved 04.05.2005

11/00330/FUL: Change of use of main building from office to single residential use. Approved 22.07.2011

13/01469/MOUT: Erection of four business units (Use Class B1) to include access, layout and demolition of redundant buildings (site area 0.5928ha) Approved 28.02.2014

## **APPRAISAL**

The principle of this development was established by the grant of outline planning permission reference 13/01469/OUT.

The main considerations in relation to this application therefore are:

- ☐ Layout and Scale
- ☐ The external appearance of the development
- ☐ Landscaping
- ☐ Any other matters, including consultation responses

### Layout and Scale

The proposed units remain in the positions originally submitted under application 13/01469/MOUT and each of the four units remains almost identical in scale to the illustrative material originally proposed within the outline application. Block 1 is located to the north of the existing office complex. Blocks 2 and 3 are to the east of the existing office complex and to the west of Swinton Lane. Block 4 is located to the south of the existing office complex. Blocks 1 and 4 are adjoined by open countryside to the north and south respectively.

The car parking layout, including levels of parking spaces and access arrangements also remain the same as those previously approved. A consultation response has been received from NYCC Highways to note no objection to the proposed development.

The layout and scale of the proposed development is therefore considered to be acceptable.

### External Appearance

The design and external appearance of the proposed buildings is broadly considered to be consistent with the previously submitted documentation, with limited alterations to openings noted.

The proposed materials for the development will include predominantly render, with areas of timber cladding. The proposed roofing material is clay tiles and the windows and doors will be constructed of painted timber.

A consultation response was received from the Area of Outstanding Natural Beauty Manager in respect of this application.

He noted that the units which would be most visible within the AONB would be units 1 -3. It was also noted that no detailed information on proposed materials including the render and timber cladding had yet been received, he recommended that the render should match the other buildings on site.

A materials condition (no. 8) already existing on the outline permission which requires the precise details of the materials to be agreed before the development commences on site. Compliance with this condition will ensure the external appearance of the buildings will not appear incongruous from wider viewpoints within the AONB.

#### Landscaping

Landscaping details have been submitted within the Proposed Site Plan drawing - Drawing no. DP-101b.

Whilst the landscaping element of the proposal was noted as a reserved matters. A landscaping condition was also added to the original outline planning permission (under condition no. 11.) Information was submitted to satisfy this condition and approved under condition reference 14/01045/COND with the Proposed Landscape Plan Rev B Drawing.

The Tree and Landscape Officer has stated that no detailed information has been submitted in respect of the proposed species mix for the proposed hedge or shrub screening areas. This was echoed in the response received from the AONB manager.

The new plan submitted within this application indicates that a similar landscaping scheme is currently proposed, with enhanced coverage of Block One in terms of proposed tree levels along the northern boundary of the site. However, given that the current landscaping plan marginally differs from the approved under the discharge of conditions application and as the species mix that is required, the agent has agreed to submit this information via a further precommencement condition. This will ensure that the landscaping mix is appropriate throughout the site. The Countryside Specialist has confirmed that the general location of proposed landscaping is acceptable and it is noted that this presents an increase upon what was previously approved via condition. It is officer's opinion that subject to the aforementioned details, the proposed landscaping will be acceptable to adequately screen the development.

#### Any other matters, including consultation responses

A consultation response has been received from the Highways Officer to note no objection to the proposed development.

However a letter from Swinton Parish Council has been received noting that they are "extremely opposed" to the application for further development off Swinton Lane. The letter continues to note the following:

*"Members have carried out several site meetings with NYCC Area 4 Highways Officers to ascertain what engineering work can be done to alleviate the growing problem of increasing traffic on what is essentially a single track road in most part, there are limited passing places and due to the fact that this road is the national speed limit it is extremely dangerous for motorists and pedestrians.*

*The road requires re-surfacing in parts and floods after rainfall, resulting in the road not being passable. The additional traffic is due to the development of Broughton Manor, ie motorists using this road to avoid the traffic lights and congestion approaching Malton on Broughton Road. Whilst the Parish Council understand that development is essential to the economy, it should not be detrimental to our local community and therefore recommends that engineering works such as three*

*passing places, re-surfacing work and a reduced speed limit on Swinton Grange Lane before any further development takes place. "*

The overall principle of this development has already been established and cannot be revisited through this reserved matters application. This application relates to the reserved matters of the external appearance of the development, landscaping, layout and scale. The issues being raised by the Parish Council in relation to highways cannot be controlled at this point in time through this application.

It was noted within the original Case Officer's report for 13/01469/MOUT that the Parish Council had also expressed concern that there are no passing places, and that the road required widening. It was confirmed at the time that the Highways Authority had not raised a capacity issue in relation to Swinton Lane, which is sufficient in width to enable two vehicles to pass each other. The officer noted that any approval would be restricted to B1 use only, which will reduce the likelihood of large numbers of vehicles using the site. A condition was added to the original approval requiring a Travel Plan for the development, detailed information was received which was approved 10<sup>th</sup> November 2014.

The Highway Authority have again, raised no concern to this current application and as such, it is considered that little, if any weight can be attached to the consultation response submitted by the Parish Council.

There have been no further letters of representation received in respect of the proposal.

In view of the above, subject to the noted conditions, the Case Officer's recommendation is for the approval of this scheme.

National Planning Practice Guidance

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 SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

**RECOMMENDATION:                      Approval**

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

Proposed Elevations - Block 1 (Drawing no. DE-101A)  
Proposed Elevations - Block 2 (Drawing no. DE-102A)  
Proposed Elevations - Block 3 (Drawing no. DE-103A)  
Proposed Elevations - Block 4 (Drawing no. DE-104A)  
Proposed Site Plan (Drawing no. DP-101B)  
Proposed Site Plan - Blocks 1 and 4 - Rev B (Drawing no. DP-102B)  
Proposed Site Plan - Blocks 2 and 3 (Drawing no. DP-103B)  
Proposed Floor Plans - Blocks 1 and 4 (Drawing no. DP-104A)  
Proposed Floor Plans - Block 2 - (Drawing no. DP-105A)  
Proposed Floor Plans - Block 3 - (Drawing no. DP-106A)  
Proposed Site Plan - Tree Protection (Drawing no. DP-106A)  
Proposed Sections (Drawing no. DS-101A)  
Existing Site Location Plan (Drawing no. EP-101A)

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

- 2 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes, including planting mix shall be submitted to and approved in writing by the Local Planning Authority. This shall, in particular, include proposals for the landscaping of the development in the areas where tree felling has occurred, i.e. the land between the proposed development and Swinton Lane, and the land to the north and south of the proposed development. The submitted scheme shall provide for the planting of native trees and shrubs to provide both upper and lower canopy screening from the eastern and northern aspects and shall include a detailed planting schedule providing details of species, numbers of each species to be planted, planting sizes, and planting densities. Any plant material that, within a period of five years following planting dies, is removed, or becomes seriously damaged or diseased, shall be replaced with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of screening the development from the northern and eastern aspects, and in compliance with Policy SP13 of the Ryedale Plan - Local Plan Strategy.