

Item Number: 9
Application No: 19/01307/FUL
Parish: Sherburn Parish Council
Appn. Type: Full Application
Applicant: Severfield
Proposal: Change of use of land for the use as external finished goods stockyard with associated fencing and landscaping
Location: Land At Corner Farm High Street Sherburn Malton North Yorkshire

Registration Date: 2 December 2019
8/13 Wk Expiry Date: 27 January 2020
Overall Expiry Date: 1 February 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Archaeology Section	No objection
Highways England	No objection
Environmental Health Officer	Recommend conditions
Sherburn Parish Council	Objection- noting local concern
Highways North Yorkshire	No objection

Neighbour responses: Mrs Nicola Skelton, Mr Christopher Abel, Mr Karl Skelton (all objections)

SITE:

The application site comprises approximately 0.42 hectares of land which is outside, but directly abutting the development limits of Sherburn. The land is immediately to the north of the A64 (T) and is classed as being in the open countryside. To part of the northern and western side is a cul-de-sac of residential properties (Sycamore Grove) and to the west a former farmyard (Corner House Farm) now converted to holiday cottages. The stock yard associated with the adjacent industrial site (Severfield) extends to the north and east. The adjacent industrial site is allocated as an existing employment site (Policy SP6). The site is within an archaeologically sensitive area.

The application site has an "L" shape with a maximum depth of 68 metres and a maximum frontage width of 96 metres. The previous use was as agricultural land containing barns and yard area and the site has been cleared. Access to the application site is gained to and from the adjacent industrial site which has an existing access directly off St Hildas Street.

HISTORY:

07/01107/MFUL- Erection of office building with associated car parking, 2.4m high security fencing to part of boundary, landscaping and alterations to existing vehicular access. APPROVED 25.03.2008. Permission not implemented- expired.

09/00281/FUL- Formation of vehicular access and closing of existing vehicular access (revised access details to approval. APPROVED 29.06.2009. Permission not implemented- expired.

11/00661/MOUT- Residential development including vehicular access (site area 0.3ha). REFUSED 24.11.2011.

PROPOSAL:

Planning permission is sought for the change of use of land for the use as external finished goods stockyard with associated fencing and landscaping.

The use of the land will be limited to storage purposes only. There will be no buildings or any fabrication within the application site. The finished goods would be stored in the site on trailer beds and removed once required for onward transfer. The stockyard would be laid with granular permeable dressing with a secure fenced perimeter.

Access to the site would be only via the existing stockyard and there will be no vehicle movements off this site directly onto the A64. The existing paladin fencing along the northern and eastern sides of the application site would be removed to allow access into the site from the existing stockyard.

A 3 metre wide landscaping strip comprising native hedging would be created along the A64 frontage (south boundary) and also along the boundaries with Corner House Farm and Sycamore Grove. The landscaped bund parallel to number 9-17 Sycamore Close would be 1 metre in height and the native hedgerow would be interspersed with oak and ash trees. There would be 2.4 metre high paladin fencing (coloured green) set behind the landscaping on the inside of the site on the southern and western sides of the site parallel to the A64 and shared boundary with Corner House Farm.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

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 SP12 Heritage
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance 2014 (PPG)

REPRESENTATIONS:

The Authority has received three objections from occupants of two properties on Sycamore Grove (numbers 9 & 15).

In summary the objections relate to the following:-

- Noise disturbance particularly during unsociable hours
- Light pollution
- Dust
- Ground vibration

The objections have also raised concerns that the proposed change of use would devalue their property. However, such concern is not a material planning consideration.

APPRAISAL:

The main considerations in the determination of this application are:-

- The principle of the proposed land use;
- The impact upon the residential amenity of nearby properties;
- Highways; and
- Archaeology.

The principle of the proposed land use

The National Planning Policy Framework (NPPF), at paragraph 80, advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It states that *“Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*.

Severfield Ltd is a well-established business and employer in the District. Policy SP6 (Delivery and Distribution of Employment/Industrial Land and Premises) relates to employment/industrial land and the site is immediately adjacent to an industrial area which is allocated for that purpose. Policy SP6 supports expansion land and new buildings for major employers/established businesses in this location.

The additional storage space is required in response to contracts being awarded to the applicant company that require a larger percentage of finished goods to be ready for collection at short notice and the existing on-site storage space is at capacity. The proposal would enhance economic activity and retain employment that would comply with the aims of Policy SP6 of the Local Plan Strategy. The proposed development is considered to be in accordance with the aforementioned national and local policies in relation to economic growth and productivity and the expansion land for storage purposes is considered to be acceptable in principle.

Residential amenity

As required by Policy SP20 (Generic Development Management Issues) the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community. The site is adjacent to the A64, the existing stockyard and a small cul de sac of relatively new housing.

Policy SP20 also requires that the proposed development would need to be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses. The Parish Council note the local objections and support the individuals who have raised concerns in relation to the increase to noise and pollution levels.

The proposed use of the land would be for delivery, storage and collection of fabricated steel products. There would be no industrial processes or manufacturing on the application site. The use of the land would not involve frequent movement as the additional storage space would allow space to be released in the existing main yard for new product manufacture storage.

The applicant has submitted a cross section of the landscaped bund parallel to numbers 9-17 Sycamore Close. The bund would be 1 metre in height and would be planted with native hedgerow interspersed with oak and ash trees to provide further screening above the existing 2 metre high timber fence.

The landscaped bund would soften the appearance of the green colour coated paladin fencing and provide a stand-off from the nearest residential properties. It would form a visual barrier and provide a degree of sound attenuation.

The applicant is aware of the noise related concerns raised by neighbours in response to the application. The applicant has confirmed that reversing alarms on mobile plant have had volume levels reduced to as low as possible for safe operation of the equipment.

It is not anticipated that the proposed land use would result in ground disturbance/vibration or dust. The Council's EHO has raised no objections but has requested the inclusion of conditions in relation to hours of use, the use of "white noise" type reversing beepers, a limitation on the use of the land to only storage, delivery and collection and the landscaping of the perimeter bund. A condition shall also be imposed to control any external lighting on the application site to ensure that it does not give rise to light pollution or loss of amenity for the neighbours. The applicant has confirmed that they are agreeable to the limitations imposed by condition.

It is considered that subject to the mitigation and controls imposed by the planning conditions the development is a compatible land use would not give rise to any unacceptable impacts on local amenity in terms of emissions, pollution or disturbance and would comply with this aspect of Policy SP20.

Highways

There would be no change to the existing access arrangements. The application site would be accessed from within the existing stockyard and there will be no vehicle movements off this site directly onto the A64. There are no objections to the application from either the LHA or Highways England. It is not anticipated that the proposed development would result in an unacceptable increase in traffic levels or any adverse impacts on the local highway network in terms of safety and capacity in compliance with the relevant part of Policy SP20.

Archaeology

The site is within an archaeologically sensitive area. The County Archaeologist notes that the site is currently hardstanding and the proposed use would not involve any extensive ground disturbance. As a result there is unlikely to be any significant impact on archaeological deposits and the County Archaeologist has no objections to the application.

Conclusion

The principle of the development is supported by local plan policies in relation to employment at an established industrial site and the change of use involves previously developed land immediately adjacent to the development limits. The proposed development can be accommodated without resulting in an unacceptable impact on residential or visual amenity or highways safety. In light of the above it is recommended that conditional planning permission is granted.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan ref. SR SHERBURN PP01, dated Nov 2019.
Site Plans ref. SR SHERBURN PP02 Rev A, dated Feb 2020.

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

- 3 The landscape planting scheme as shown on the approved drawing ref. SR SHERBURN PP02 Rev A, dated Feb 2020 shall be carried out during the first planting season following the grant of planning permission, 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.

- 4 Prior to the installation of any external lighting associated with the development hereby approved details of the location, height, angle of lighting, level of illuminance output and hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore be installed on site only in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity to ensure that the proposal satisfies Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

- 5 The use of the site shall be limited to storage, delivery and collection only. No work activity involving power tools such as bolt tightening activity shall take place within the site.

Reason:- To ensure that the amenities of nearby residents are not unreasonably affected.

- 6 The site shall be used for the approved use between 07:30 hours and 19:00 hours on Mondays to Fridays; and between 08:00 hours and 17:00 hours on Saturdays. There shall be no use of the site or vehicle movements into or out of the site on Sundays or Public Holidays.

Reason:- To ensure that the amenities of nearby residents are not unreasonably affected.

- 7 All mobile plant, machinery and vehicles used in the site shall be fitted with effective "white noise" type non-audible reversing beepers which shall be regularly maintained.

Reason:- To ensure that the amenities of nearby residents are not unreasonably affected.