



**YEW TREE
ASSOCIATES**
LAND, TOWN PLANNING &
DEVELOPMENT CONSULTANTS

Supporting Planning Statement
for
Conversion of 2 No Barns to Two Holiday Lets
at
Partridge Hill
Main Street
Foston
York
YO60 7QG
for
C.S. Snowdon

14.07.20

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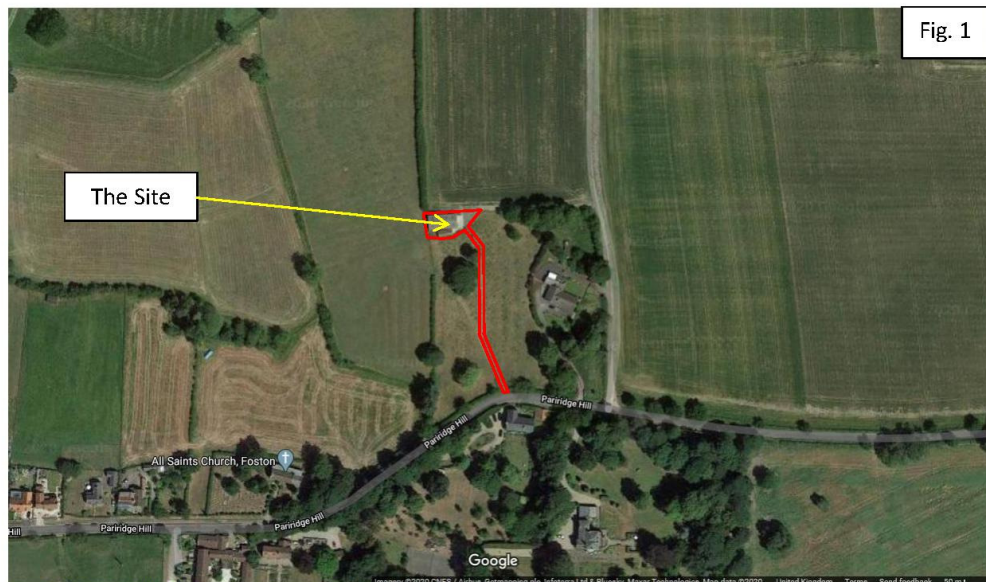
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1.0 Introduction

- 1.1 This statement provides support for a Detailed Planning Application for the conversion two existing barns to two holiday lets at Foston Grange, Partridge Hill, Foston, York.

2.0 Site Location and Description

- 2.1 The application site relates to two existing barns, on land accessed from Partridge Hill which form part of an existing farmstead to the north.
- 2.2 The site is within open countryside within the Vale of York, to the east of Foston, outside of development limits and immediately adjacent to an area of Ancient Monument. The barn for conversion is some 70 m to an existing bungalow to the south east which is in the same ownership of the applicants. The main building is constructed of concrete blockwork and roll top roof and is currently used for the storage of grain and agricultural machinery. The second building is constructed of stone under a pantile roof and is currently disused. The total site comprises some 0.069ha (0.1715 acres) (See Fig. 1 below).



3.0 The Proposal

- 3.1 The proposal is for the conversion of two existing barns to form two holiday lets on land at Foston Grange, Partridge Hill, Foston, Flaxton, York with access from Partridge Hill to the south. The proposed barn conversions will be operated by Mr and Mrs C.S. Snowdon as part of a diversification of the existing farming business at Foston Grange.

4.0 The Planning Policy Context

- 4.1 In determining the application in planning policy terms we must turn to the Planning Acts.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". The development plan for the Ryedale District comprises the policies in The Ryedale Plan – Local Plan Strategy (adopted on 5th September 2013).

Its relevant policies are as follows:-

- 4.3 The Ryedale Plan – Local Plan Strategy 2013
Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP8 - Tourism
Policy SP9 - The Land-Based and Rural Economy
Policy SP12 - Heritage
Policy SP13 - Landscapes
Policy SP14 – Biodiversity
Policy SP16 - Design
Policy SP17 -Managing Air Quality, Land and Water Resources
Policy SP20 - Generic Development Management Issues
Policy SP21 - Occupancy Restrictions
- 4.4 National Planning Policy Framework/Guidance
- 4.4.1 The relevant paragraphs and references are:
National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance 2014 (PPG)

5.0 Key Issues

- 5.1 The key issues to be taken into account when assessing this proposal are:

1. Principle of the development
2. Design, appearance and landscape impact
3. Impact on the Residential Amenity
4. Impact upon the public highway and Public Rights of Way
5. Drainage and Flood Risk
6. Occupancy Restriction
7. Impact on Ancient Monument

To take each in turn.

5.2 The Principle of Residential Development

- 5.2.1 Paragraph 38 of the NPPF states that local planning authorities should approach decisions on proposed development in a positive and creative way.
- 5.2.2 Policy SP1 of the Ryedale Plan- Local Plan Strategy states:-

'SP1 General Location of Development and Settlement Hierarchy

*Ryedale's future development requirements will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of the following hierarchy of settlements:
..In all other villages, hamlets and in the open countryside development will be restricted to that:*

' which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or

' which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Development Policy and Policy SP12 of this Plan, or

' which is justified through the Neighbourhood Planning process

(Our emphasis)

5.2.3 Policy SP8 of the Ryedale Plan – Local Plan Strategy states:-

'SP8 Tourism

Tourism in Ryedale will contribute to a sustainable and diverse economy. The Council will seek to encourage sustainable tourism which minimises its environmental impact on the District. This will be achieved by supporting:

· The provision of a range and choice of quality tourist accommodation

*· The business plans and operational requirements of existing tourist and visitor attractions, and event arenas where appropriate**

· Encouraging all year round tourism subject to the occupancy conditions set out in Policy SP21

· Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds

· Cultural and creative businesses in Ryedale inspired by Ryedale's unique environment

· The role of Pickering, Helmsley and Thornton-le-Dale as key visitor destinations as well as gateways to tourism and recreational opportunities in northern Ryedale including the North York Moors National Park. The impact of tourism on these communities will be managed particularly in relation to car parking, traffic management, local facilities and services And by maximising the opportunities to further develop tourism, outdoor education and recreation using the District's natural, cultural and historic assets as an economic driver, including the potential provided by:

· The archaeological landscapes of the Vale of Pickering and the Yorkshire Wolds

· The protected landscapes of the North York Moors National Park and Howardian Hills Area of Outstanding Natural Beauty

· Ryedale's religious and Medieval history

· Malton's Roman, Medieval and Georgian heritage

· Malton and Norton's longstanding association with horse racing

· Outdoor adventure in northern Ryedale including Dalby Forest – the Great Yorkshire Forest

· Local food production

· Farm and rural diversification

· Biodiversity and the development of nature tourism

New tourist attractions will be supported where they do not undermine the character of the area or prejudice the quality of the natural or built environment. Attractions that will attract large numbers of visitors should be accessible by a choice of means of transport.

The following types of tourist accommodation will be supported in the following locations:

.....The wider open countryside

· Appropriate expansion of an existing hotel, guest house, public house, farm house, holiday cottage or similar establishment

· Re-use of traditional rural buildings

· New touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality'

(Our emphasis)

5.2.4 and Policy SP9 of the Ryedale Plan – Local Plan Strategy states:-

'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

· Replacement dwellings for land management activity if no other existing available buildings suitable or capable of conversion

· Replacement of non-traditional general-purpose storage buildings to support farming, forestry or equine related activity

· Conversion of traditional buildings for tourism or residential uses (subject to the occupancy conditions set out in Policy SP21)

· Conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6

· Appropriate farm and rural diversification activity including innovative approaches

· Local food production and sales. Farm shops which will meet a demand for local produce and which contribute to the local economy will be supported where they do not adversely affect easily accessible convenience shopping.

· Appropriate new uses for land including flood management and energy production related research and education in this field

*· Small-scale extraction of local building stone and limited aggregate provision**

And indirectly by supporting:

· The retention of a livestock market within Ryedale on a site which is convenient to users, well related to the main road network and in a location which is close to a Market Town but will not harm its character, landscape setting or the amenities of nearby residents

· Local weekday and Saturday markets, farmer's markets and events

· Proposals or actions that would assist in utilising and retaining traditional rural skills including land and woodland management, farming, conservation, local traditional building techniques'
(Our emphasis)

5.2.5 The site is within the open countryside and the principle of the development is supported by the above policies as the conversion of the buildings in to two holiday cottages represents farm diversification supporting the rural economy and involves the re-use of traditional, rural buildings contributing to the range and choice of tourist accommodation available in the District.

5.2.6 By incorporating the two buildings into one building the conversion is considered to be relatively modest in scale and would contribute to the local economy through supporting tourism in the District.

5.3 Design, Appearance and Landscape Impact

5.3.1 The NPPF at paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

5.3.2 Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 5.3.3 We believe that the proposed scheme is considered not to have a detrimental adverse effect on the character and form of the area by virtue of its design, layout, scale, external appearance and landscaping. We submit that the proposed scheme therefore complies with and policies SP12, 16 and 20 of The Ryedale Plan – Local Plan Strategy and advice given in NPPF.

5.4 Impact on the Residential Amenity of the Adjoining Neighbours

- 5.4.1 Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

- 5.4.2 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

... 'Amenity and Safety

New development will not have 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 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'

- 5.4.3 The nearest dwelling is that at Partridge Hill, which is such a distance from the barns to be converted that acceptable standoff distances will be achieved with no overlooking issues.

- 5.4.4 The proposed development is therefore considered not to cause a significant detrimental impact on the residential amenities of the neighbouring properties in accordance with Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan and the NPPF.

5.5 Impact upon the public highway and Public Rights of Way

- 5.5.1 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

'Access, Parking and Servicing

Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads'

- 5.5.2 These Local Plan policies should be afforded weight as they are broadly consistent with the aims of the NPPF.

- 5.5.3 In addition paragraph 108 of the NPPF states that in assessing sites that may be allocated for development it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 5.5.4 The barn would be served from an existing access from the south of the site where adequate visibility is available and adequate parking provision has also been provided for within the site.

- 5.5.5 We submit that the proposal will not adversely impact on the highway network either from an access or parking standpoint and therefore submit that the proposal is acceptable as it accords

with policies SP20 of The Ryedale Local Plan-The Local Plan Strategy and Paragraph 108 of the NPPF.

5.6 Drainage and Flood Risk

5.6.1 The NPPF paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. NPPF paragraph 150 states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

5.6.2 Policy SP17 (Managing Air Quality, Land and Water Resources) of The Ryedale Plan – Local Plan Strategy states:-

'Land resources will be protected and improved by:

· Supporting new uses for land which is contaminated or degraded where an appropriate scheme of remediation and restoration is agreed and in place

· Prioritising the use of previously developed land and protecting the best and most versatile agricultural land from irreversible loss. New land allocations will be planned to avoid and minimise the loss of the Best and Most Versatile Agricultural Land. Proposals for major development coming forward on sites that are not allocated for development which would result in the loss of the Best and Most Versatile Agricultural Land will be resisted unless it can be demonstrated that the use proposed cannot be located elsewhere and that the need for the development outweighs the loss of the resource

Flood risk will be managed by:

· Requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. Development proposals will be expected to attenuate surface water run off to the rates recommended in the Strategic Flood Risk Assessment. In addition, major development proposals within areas highlighted as having critical drainage problems in the North East Yorkshire Strategic Flood Risk Assessment (or future updates) as Critical Drainage Areas may, if appropriate, be required to demonstrate that the development will not exacerbate existing problems by modelling impact on the wider drainage system


· Ensuring new development does not prevent access to water courses for the maintenance of flood defences

· Undertaking a risk based sequential approach to the allocation of land for new development and in the consideration of development proposals in order to guide new development to areas with the lowest probability of flooding, whilst taking account of the need to regenerate vacant and previously developed sites within the towns. In considering development proposals or the allocation of land, full account will be taken of the flood risk vulnerability of proposed uses and the national 'Exception Test' will be applied if required'

5.6.3 The application site is located in Flood Zone 1 as shown on the Environment Agency's Flood Map for Foston (See Fig. 5 below) which is at a low probability of flooding.

Likelihood of flooding in this area

Fig. 5

You can move the marker  on the map to identify a specific location.
Alternatively draw a shape to identify an approximate site boundary.

[How to draw a shape](#)

[Download printable map \(PDF\)](#)



5.6.4 In terms of Foul Water this will be discharged to a new treatment plant and Surface Water will be discharged to a soakaway.

5.6.5 We submit therefore that the proposed development is not at risk from flooding and can be satisfactorily drained and is therefore considered acceptable and in accordance with Policies and the guidance in NPPF.

5.7. Occupancy Restrictions

5.7.1 Policy SP21 'Occupancy Restrictions' of the Ryedale Plan referred to above in Policy SP2 states that:-

'.....e) Time-Limited Occupation

New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions:

- The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and*
- It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and*
- The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.'*

5.7.2 In addition paragraph 8.4 and 8.5 of The Ryedale Plan – Local Plan Strategy states:-

'8.4 Restricting the occupancy of holiday accommodation helps to ensure that permanent residential use can be restricted where this is appropriate, either in terms of the type of accommodation, its design and/or location. Without such an Approach, broad objectives of protecting the countryside could be compromised and incremental pressure placed on local services such as schools, health and adult support services.

8.5Time related holiday occupancy conditions will continue to be applicable to holiday cottage accommodation which, as a result of design would be inappropriate for permanent residential use, normally by virtue a lack of private amenity space or inability to provide such space in terms of the character and context of the building or its surroundings.'

5.7.3 The proposal is for the conversion of two existing barns to holiday lets to be operated by the Applicants Mr and Mrs Snowden from their home at Foston Grange to the north of the application site.

5.7.4 We submit therefore that the proposal should be considered acceptable under Policy SP20 of The Ryedale Plan – Local Plan Strategy.

5.8 Impact on a Scheduled Ancient Monument

5.8.1 Policy SP12 Heritage states that:-

'SP12 Heritage

Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced. The potential of heritage assets to contribute towards the economy, tourism, education and community identity will be exploited including:

The nationally significant prehistoric archaeological landscapes of the Yorkshire Wolds and the Vale of Pickering

· The individual and distinctive character and appearance of Ryedale's Market Towns and villages

· Large country houses and associated estates and estate villages, with Castle Howard being of international importance

· The unique distribution of Saxon churches on the fringe of the Vale of Pickering and the North York Moors, including Kirkdale and Stonegrave Minsters

· Victorian churches throughout the Yorkshire Wolds

· Medieval features including relatively large numbers of deserted medieval villages, moated manorial sites and granges, such as Kirkham Priory and notable castle sites, including Sheriff Hutton and Bossall Hall, Pickering and Helmsley

· The network of historic field systems across the District and in particular, the historic field patterns around Pickering and other settlements on the northern side of the Vale of Pickering

· The Roman Derventio site at Malton

To assist in protecting the District's historic assets and features, the Council will:

.....Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset or to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset.'

(Our emphasis)

- 5.8.2 The access to the site is to be taken via an existing track which runs across a field which is designated as a Scheduled Ancient Monument. As such Scheduled Monument Consent will be required and this will be the subject of a separate application. However, as part of our pre planning enquiries we have consulted Historic England to obtain their views of the proposal. They were supportive and their detailed comments are dealt with in the Heritage Statement prepared by Humble Heritage and submitted with this application which concludes:-

'No harm will be caused to the scheduled monument of Foston medieval settlement and moated monastic grange. There will in fact be greater opportunities for the public to appreciate the monument, resulting in an enhancement of its heritage significance.'

'The proposed development will be in accord with the historic environment provisions of the National Planning Policy Framework and the legal requirements of the Ancient Monuments and Archaeological Areas Act of 1979.'

5.8.3 We submit therefore that the proposal should be considered acceptable under Policy SP12 of The Ryedale Plan – Local Plan Strategy, NPPF and the Ancient Monuments and Archaeological Areas Act of 1979.

6.0 Conclusions

- 6.1 We believe that we have provided a substantive case through not only Central Government's most recent planning policy statements, but also the Council's own planning policies and material considerations we respectfully submit that the proposal is acceptable in all respects and should receive the support of the local planning authority.

SMN/ YTA 14.7.20