

**Item Number:** 6  
**Application No:** 20/01144/MFUL  
**Parish:** Newton Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr S Sellars  
**Proposal:** Erection of 2no. agricultural buildings for the housing of livestock, erection of 1no. agricultural building for the storage of feed and housing of livestock and erection of 2no. rainwater harvesting tanks following removal of 7no. existing agricultural buildings  
**Location:** Chapel Farm High Street Newton On Rawcliffe Pickering YO18 8QA

**Registration Date:** 11 December 2020  
**8/13 Wk Expiry Date:** 12 March 2021  
**Overall Expiry Date:** 27 January 2021  
**Case Officer:** Alan Goforth **Ext:** 43332

#### **CONSULTATIONS:**

<b>NYM National Park</b>	No objection
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Newton Parish Council</b>	No objection but comment
<b>Environmental Health Officer</b>	No objection but condition
<b>Lead Local Flood Authority</b>	No response received

**Representations:** Mr Ross Smith (supports)

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#### **BACKGROUND:**

The application is to be determined by Planning Committee as a major development because the floor area of the proposed buildings exceed 1,000 square metres.

#### **SITE:**

The application site is a long established agricultural unit on the southern edge of the village of Newton on Rawcliffe. The holding extends to 41 hectares (101 acres). Newton on Rawcliffe is a linear settlement set on gently sloping ground. For planning purposes, the village is split west/east between Ryedale District and the North York Moors National Park respectively. The boundary with the National Park is the eastern side of Yatts Road.

The part of the village within the Ryedale area consists primarily of groups of agricultural buildings interspersed with rows of terraced cottages, set along the western side of the village green (designated as a Visually Important Undeveloped Area) or, to the north, fronting the western side of High Street.

The application site amounts to approximately 0.8 hectares and, with the exception of the farm house and the land and outbuildings immediately to its rear, the site lies outside of the village development limits and therefore within the open countryside. The site is also within the Fringe of the Moors Area of High Landscape Value. The farm yard extends west from the farm house and comprises various modern and traditional farm buildings which stand along the northern, western and southern boundaries. The farm yard has a gradual slope east to west and access is gained down the centre of the site between the existing sheds. The farm benefits from an existing right of access over land to the north to allow farm vehicles to meet the public highway on High Street/Yatts Road. The site is within flood zone 1 with a very low risk of both fluvial and pluvial flooding.

The nearest residential property is West View which is 40 metres north east of the application site. The Chapel immediately to the east of the application site is under the ownership of the applicant. The land to the west and south of the application site comprises fields in agricultural use.

#### **HISTORY:**

03/01215/FUL- Erection of agricultural building for housing of livestock including pigs. APPROVED 16.01.2004.

05/00606/FUL- Erection of a dutch barn storage building APPROVED 08.07.2005.

05/01034/FUL- Erection of dutch barn storage building (revised details to approval 05/00606/FUL dated 06.07.2005) APPROVED 03.10.2005.

06/00639/FUL- Erection of agricultural building for housing of cattle. APPROVED 07.09.2006

07/00873/FUL- Erection of covered storage area between existing agricultural buildings APPROVED 13.11.2007.

08/01157/FUL- Erection of extension to existing agricultural storage building. APPROVED 11.02.2009.

#### **PROPOSAL:**

Planning permission is sought for the erection of 2no. agricultural buildings for the housing of livestock, erection of 1no. agricultural building for the storage of feed and housing of livestock and erection of 2no. rainwater harvesting tanks following removal of 7no. existing agricultural buildings.

The proposed demolition would result in the removal of seven buildings currently used for housing livestock. The application details state that the existing buildings include 60 year old dilapidated sheds and buildings which are beyond economic repair and no longer suitable to accommodate livestock.

The two replacement steel frame livestock buildings would be identical, each measuring 36 metres in length by 18.3 metres in width including the roof overhang to the front. The buildings would stand 5 metres to the eaves and 7.5 metres to the ridge. The buildings would stand parallel to each other with the open sides on the inner facing elevations with a 9 metre wide gap between the two buildings. The buildings would house cattle. The northern, end elevations would be constructed close to the northern boundary and the ridgeline of the buildings would run north-south. A rainwater harvesting tank would be installed adjacent to the north west corner of each building. Each tank would have a diameter of 3.5 metres and overall height of 3.6 metres.

The proposed feed store would be constructed on the western side of the farm yard off the southern elevation of an existing building. The feed store would measure 22.5 metres in width and 18.3 metres in depth including the roof overhang to the front, east facing elevation. The building would stand 5 metres to the eaves and 7.5 metres to the ridge which would also run north-south.

Externally the buildings would be textured concrete panels to the lower walls and stained vertical timber boarding to the upper walls. There would be a composite sheet covering colour green to the shallow pitched roof.

#### **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)

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy

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 (NPPF)

National Planning Practice Guidance (PPG)

### **REPRESENTATIONS:**

The LPA has received one representation in response to the application. The representation is from a resident in the village and is in support of the proposed development. It states that the application should be approved for the following reasons:

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- *Animal Welfare - It is important for the applicant to be able to provide a safe environment for the cattle that is held on site, the new set up would provide better infection control, more space for the cattle and would help with keeping up with regulations.*
- *Environment - currently the site has been used for many years and the buildings are in need of replacing, it doesn't seem economical to repair old building that are not fit for purpose, the proposed building's would prevent rodents, a better view into the village and overall cleanliness to the local vicinity whilst also assisting the applicant making the operation much easier to work around.*
- *Progress - I think this would be a great opportunity for the village to build on, with the current set up the applicant is unable to expand in relation to the amount of cattle they can hold, with a new purpose built set up the farm can progress into modern times providing further employment opportunities for local people whilst still providing the applicant with a steady income”.*

### **APPRAISAL:**

#### Principle of the development

Chapel Farm is the remaining working farm in the village. Historically, Chapel Farm has operated as a mixed farming enterprise including cattle and pigs. It is understood that the applicant has ceased the pig rearing aspect of the farm business and is expanding the existing suckler cow rearing enterprise. The farm yard contains buildings which are no longer suitable or safe for the housing livestock to modern standards. The applicant wishes to replace a large proportion of the existing sheds with fit for purpose buildings to house cattle and feed.

The site is within the open countryside, however, the principle of the development aligns with local Policies SP1 and SP9 and the NPPF as the purpose-built replacement buildings, which would be sited within the existing farmyard replacing old farm buildings, would support land based activity and the rural economy. The proposed development would support the continued functioning of the established livestock enterprise and, in turn, would sustain existing employment at the site.

## Design and landscape and visual impact

As the planning history indicates the site has evolved with various additions of farm buildings of differing sizes and forms within the yard. The proposed demolition would result in the removal of buildings with a footprint totalling approximately 2,260m<sup>2</sup>. The ridge heights of the existing sheds range from 5 – 8 metres. In terms of phasing the applicant has confirmed that it will be necessary to remove all the buildings along the southern boundary in the first phase to allow for access to the site and then the others will follow. The only building which is likely to remain until the latter phase is the building to the immediate rear of the farmhouse which will be demolished upon completion of the new buildings.

The size of the replacement buildings are a functional requirement for the rationalisation of livestock operations at the farm. The proposed replacement buildings would have a footprint of approximately 1,730m<sup>2</sup>. The siting of the buildings within the existing farmyard would minimise the loss of any productive agricultural land.

The proposed buildings would have traditional facing materials for the upper walls which is similar to the adjacent (retained) buildings and this would ensure that the buildings would integrate with the rural surroundings and, in terms of scale and form, would not appear incongruous when viewed alongside the adjacent farm buildings. The replacement buildings are more uniform in appearance and orientation and the siting would allow for appropriate access and turning within the site by farm vehicles.

The applicant agreed to amend the proposed site plan so that it now includes a landscaping scheme along the southern boundary. The proposed scheme, to be secured by planning condition, would break up views towards the southern ends of the two livestock buildings and provide a degree of screening along the internal access road.

It is also relevant to note that the former Methodist Chapel which adjoins the application site on the eastern side is a prominent building of architectural merit which stands at the southern entrance to the village. The demolition of the old farm buildings to the rear of the chapel would enhance its setting and is a benefit arising from the development.

The North York Moors National Park Authority have no objections to the proposed development. It is considered that the siting, scale and design of the development is acceptable and would ensure that the buildings would not be overly prominent in the open countryside and setting of the National Park. The external appearance of the new buildings is considered acceptable and there would be minimal impact upon the character and appearance of the valued landscape and the development is considered to be in compliance with Policies SP13, SP16 and SP20.

## Highways impact

The Parish Council have no objections but make the observations that the development may result in an increase in vehicular traffic over the access between the main road and the farm entrance. The Parish Council state that an increase in heavy vehicles may further degrade the access track which is not in good condition at present. The Parish Council recommend a Dilapidation Report prior to commencement to record the present condition as this access is shared by other residents.

The site is an established farm on the southern edge of the village and there would be no change to the existing access arrangements or the associated farm related vehicle movements. The applicant has explained that there will be no increase in vehicle movements and on the contrary the rationalisation of the existing farmyard may help reduce movements. The siting of replacement buildings and the layout of the site would allow for safer movement of vehicles within the farm yard.

Whilst any changes to operational vehicle movements would be negligible it is acknowledged that additional vehicular activity would arise from the demolition and construction phase.

The highways officer raises no objections and recommends the inclusion of a condition to secure a Construction Management Plan. The condition recommended by the highways officer includes the requirement for details of the routes to be used by HGV construction traffic and highway condition surveys on these routes and it is considered that this addresses the concern of the Parish Council. The wording of the standard highways condition has been amended to include the demolition phase. It is considered that the proposed development would not have a detrimental impact on highway safety in compliance with the relevant part of Policy SP20.

#### Impact on residential amenity

The farm is on the southern edge of the settlement with one residential receptor to the north east. The EHO considers it prudent to include a condition restricting demolition and building work to between the hours of 07:00hrs – 18:00 Monday – Friday only. In addition an informative is included in relation to any buildings to be demolished that may contain asbestos and disposal in accordance with Health and Safety legislation. There are no contaminated land related concerns. It is proposed that manure is removed from the farmstead and taken to the fields where it is to be used, there is no waste storage on site.

The proposed buildings are compatible with the established land use and it is not anticipated that the proposed development would give rise to any unacceptable visual impact or any unacceptable pollution or disturbance and as a result there would not be an adverse impact upon residential amenity in compliance with Policy SP20.

#### Drainage

The development site is not within an area at risk of flooding and the replacement buildings would be constructed within the existing farmyard. In terms of surfacing there would be concrete floors within the buildings and an apron around them whereas the access road would be of permeable material. Rainwater would be collected in the above ground rainwater harvesting tanks and recycled and used to water the. Excess water is discharged to the surrounding field drainage. It is considered that the proposed buildings can be accommodated with a satisfactory means of drainage in compliance with the NPPF and Policy SP17.

#### Conclusion

The principle of the development is in line with national and local planning policy and represents development that supports the land-based, rural economy and gives rise to benefit for the continued operation of the established livestock enterprise. The proposed development would not have an unacceptable impact on the open countryside and valued landscape, local amenity or highway safety. In light of the above assessment, it is considered that the proposal is acceptable and complies with Policies SP1, SP9, SP13, SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The recommendation to Members is one of conditional approval.

#### **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 plan(s):

Site Location Plan

Site Plan as Proposed ref. SS/2020/02A, dated January 2021

Livestock and Feed Sheds as Proposed ref. SS/B/2020/03, dated October 2020

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

- 3 Unless otherwise approved in writing all external constructional materials and colour finishes to be used for the buildings shall be in accordance with those identified in the application as shown on the approved elevation drawing. The roof sheeting for all new buildings shall be coloured dark/anthracite grey.

Reason: In the interests of visual amenity and to comply with Policies SP13, SP16 and SP20.

- 4 No development for any phase of the development must commence until a Construction/Demolition Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Any demolition and construction work associated with the development hereby approved must be undertaken in accordance with the approved Construction/Demolition Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. the parking of contractors' site operatives and visitor's vehicles;
3. areas for storage of plant and materials used in demolition/constructing the development clear of the highway; and
4. details of the routes to be used by HGV demolition/construction traffic and highway condition surveys on these routes.

Reason: In the interest of public safety and amenity in compliance with Policy SP20.

- 5 There shall be no demolition work at the site before 0700 hours and after 1800 hours on weekdays nor at any time on weekends or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of amenity in compliance with Policy SP20.

- 6 The landscape planting scheme as shown on the approved Site Plan as Proposed ref. SS/2020/02A, dated January 2021 shall be carried out during 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 satisfy the requirements of Policies SP13 and SP20 of the Ryedale Plan, the Local Plan Strategy.

## **INFORMATIVE**

- 1 Any buildings that may contain asbestos must be demolished and disposed of in accordance with Health and Safety legislation.