

Item Number:
Application No: 20/00981/MFUL
Parish: Buttercrambe With Bossall Parish Meeting
Appn. Type: Full Application Major
Applicant: Mr A Braithwaite (Ellers Farm Distillery Ltd)
Proposal: Change of use, extensions, alterations and partial demolition of agricultural buildings to form climate positive distillery with visitor centre and shop, plant and storage buildings, office and staff facilities with associated 3,500 litre above ground Bio LPG tank, parking and landscaping
Location: Land At Ellers Farm Buttercrambe Malton
Registration Date: 21 October 2020
8/13 Wk Expiry Date: 20 January 2021
Overall Expiry Date: 24 March 2021
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

NYCC Natural Services Recommend condition
Flood Risk No further comments
Buttercrambe With Bossall Parish Meeting
Highways North Yorkshire Recommend conditions
Yorkshire Water Land Use Planning
Tree & Landscape Officer
Environmental Health No further comments or objections
Sustainable Places Team (Environment-Agency Yorkshire Area) No objection but comments

Representations: No representations received at the time of writing.

SITE:

The application site is located to the south of the road running between Stamford Bridge and Buttercrambe Bridge, situated approximately 1.6 kilometres to the south west of Buttercrambe and 1.8 kilometres to the north east of Stamford Bridge.

The site includes a range of former farm buildings which the Design and Access Statement confirms are used for commercial storage and are no longer in use for agriculture.

The main section of the existing developed site, excluding the proposed pond and parking area to the rear measures approximately 99 metres from north to south and 34.2 metres from east to west.

The site is adjoined by a residential property Ellers Cottage to the north west. To the east Ellers Farm House is located which is operated as a holiday let together with other converted buildings. There are other business units within the site which benefit from a flexible B1 commercial use (approved under 16/01563/NOTA.) Excepting these identified uses, the remainder of the site is surrounded by agricultural land.

This is located within land designated as the 'Wider Open Countryside' under the Ryedale Plan, Local Plan Strategy. The site is located within Flood Zone 1 and there are no other relevant constraints.

PROPOSAL:

This application seeks permission for the change of use, extensions, alterations and partial demolition of agricultural buildings to form climate positive distillery with visitor centre and shop, plant and storage buildings, office and staff facilities with associated 3,500 litre above ground Bio LPG tank, parking and landscaping.

This description was updated during the determination period to include the proposed above ground bio LPG Tank and was fully readvertised. It is noted that the site notice will expire on the 11th March 2021 and the press publicity will expire on the 24th March due to publishing dates.

Under the scheme of delegation, due to the size of the scheme, this application constitutes a major application and is required to be considered by Members of Planning Committee. It is therefore requested that given the expiry of the publicity, should this be recommended for approval by Members of Planning Committee that the final decision is delegated to the Head of Planning to be undertaken following the completion of the publicity period, subject to further consideration of any additional incoming representations.

A Design and Access Statement has been submitted, together with a further supporting document titled "Ellers Farm Distillery Planning Submission" produced by the proposed business which would be known as 'Ellers Farm Distillery.' This provides additional background to the company, the proposed business plan and the team involved in setting it up. These documents are available for Members to review in full on the planning file.

The proposed scheme would retain the majority of the existing buildings on the site. It is noted that the buildings are generally in a poor state of repair and that two buildings would be removed to facilitate the proposal.

The largest barn located to the western boundary of the site is a traditional Dutch style barn with curved roof, completed with corrugated sheeting. This currently spans approximately 36.88 metres x 14.15 metres with a maximum height of approximately 7.22 metres. This building would be converted and extended to form the main Distillery and Visitor Centre. This would include a section of the roof to the south being raised by approximately 3 metres to accommodate the distillation and storage equipment but the alteration would retain the traditional Dutch Arched Roof. The building would also be extended along the full length of the eastern elevation by approximately 5.5 metres with a lean to style roof. This extended area would form the office facilities, staff canteen, toilets, shop and visitor tasting area, with the original footprint given over to production. The external walls would be clad with vertical timber boarding and the roof cladding would be replaced with profiled panels.

The monopitch open fronted barn adjacent to the highway would be infilled along the southern elevation to provide a store, noted as Store 1 on the plans. The external walls would also be clad with vertical timber boarding and would incorporate roller shutter doors. The corrugated roof cladding would be replaced with profiled panels.

The rear monopitch barn abutting the southern boundary would be retained and following the removal of a small building in a poor state of repair to the north west, the retained barn would be extended with an 'L' shaped extension, linking it with the main barn. This extended area would provide a plant room and a further store, identified as 'Store 2.' This would all be treated cohesively with vertical timber boarding and profiled panelled roof sheeting and these sections would incorporate 4no. roller shutter doors on the northern and eastern elevations. This 'L' shaped section of the building would continue to incorporate a monopitch roof, with a maximum height of approximately 5.3 metres lowering to approximately 4 metres at the eaves.

15no. car parking spaces for the site would be provided to the south east of the site, with an additional 5no. spaces within the site and other room for vehicles when loading/unloading. The removal of the centrally located Pole Barn as proposed would facilitate this access.

The proposed pond would be located to the west of the buildings, as noted this would accept surface

water drainage from the site and a borehole would allow for water abstraction. The plans indicate this would become a 'Nature Conservation Area' and this would be fully landscaped.

As noted, the proposal was updated to include 1no. 3500 litre Bio LPG tank. This was originally proposed to run on a biomass system, however for various reasons which will be detailed below, this has changed during the determination period.

The Design and Access Statement notes that the proposed scheme will have a floor area of 1270 which is an increase of 13% compared to the existing buildings.

POLICIES

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 SP8 Tourism
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

HISTORY:

There are no applications considered directly relevant to the current proposal within the red line area.

It is noted that adjoining the site to the east a tourism business provides accommodation for various sized groups, including provision for large groups. This is operated by a separate tenant to this current application but is owned by the same landowner.

Also adjoining site to the east is a single storey run of traditional rural buildings which benefit from a flexible commercial use, with permission granted under application reference 16/01563/NOTA.

APPRAISAL:

The main considerations within the determination of this application are:

- i. The Principle of Development
- ii. Character, Form and Landscape Impact
- iii. Impact upon Amenity
- iv. Access and Highway Safety
- v. Drainage
- vi. Ecology
- vii. Other matters, including consultation responses.

- i. The Principle of Development

Policy SP1 (General Location of Development and Settlement Hierarchy) notes that in the wider open countryside development will be restricted to that "*which is necessary to support a sustainable, vibrant and healthy rural economy and communities.*"

Policy SP6 (Delivery and Distribution of Employment Land/Premises) of the Ryedale Plan, Local Plan Strategy notes support for "*small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity in line with the provisions of SP9.*"

Whilst this is not necessarily ‘small scale’ it is acknowledged that it does relate to the conversion and reuse of existing traditional buildings which are no longer used for agriculture. It would also require the creation of fairly limited additional floor space.

Policy SP6 also notes that *‘Major industrial processes involving the extractions, utilisation, working or harnessing of natural materials or land assets will be supported where*

- 1. They are required in that location and no other suitable sites are available in the locality*
- 2. They can be satisfactorily accommodated on the highway network and will not lead to significant adverse highways impacts*
- 3. They do not adversely affect the amenity of neighbouring occupants of the site in line with Policy SP20*
- 4. They can be satisfactorily accommodated in the surrounding landscape in line with Policies SP13 and SP16*
- 5. The economic benefits to the District outweigh any adverse impacts*

It is also considered unlikely that a development of this scale could be readily accommodated within an existing industrial unit elsewhere within the District, whilst also being able to take advantage of local water abstraction which would be a key requirement for a distillery. It is also noted that this could be accommodated at this site capitalising on the redundant traditional farm buildings, rather than relating to a wholesale new build within an open countryside location.

It is noted that the business is expected to provide 20 additional jobs, which will be beneficial to the local economy. The Design and Access Statement notes that the distillery *“will initially require approximately 10 staff who will be sourced locally. A further 10 staff for marketing and sales positions will be needed, although not necessarily based on the Ellers Farm site.”*

The Design and Access Statement notes that *“given the nature of the distillation process, parts being continuous, the site will need to have the ability to have staff present through various stages of the process. However given the quiet nature of the operations, this is not expected to create any impact upon the nearby residential property.*

The main activities requiring staff to be present and vehicle movements office work, deliveries and dispatching products are expected to be between 08:00 – 18:00 Monday to Friday and 08:00 – 13:00 on Saturdays.” The application form notes that the proposed visitor centre and shop opening hours are 10:00 – 21:00 Monday to Sunday.

As noted, during the determination period for the application, the originally proposed use of a biomass boiler was updated to show the proposed use of a Bio LPG system. Confirmation was sought from the agent as to whether this would have any impact upon their ‘climate positive’ element within the description. The Agent confirmed the following in an email dated 26th January 2021: *“Our Client has confirmed that the scheme still has green credentials, and these will be continued with the future suppliers of the ingredients and materials used in the production...The change from Biomass was indeed influenced by cost, but also in the difficult in establishing how much noise would be generated – a point raised by your Environmental Health consultant. The proposed alternative LPG boilers will run on Bio LPG, which I understand is not considered fossil fuel and the supplier provides certificates demonstrating the CO2 reduction....The BioLPG will be stored in a single 3,500 litre tank and be filled by a small tanker wagon approximately every 2 weeks with 1 tonne of liquid, so the traffic flow is not significantly altered.”* A further detailed Climate Positive business overview document was submitted in support of the application on the 5th February 2021 that Members will be able to review on the planning websites. Following review of this it is considered that the proposed distillery business would incorporate a forward thinking approach to sustainability.

Policy SP8 (Tourism) notes support for *“Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds”* and for *“Cultural and creative businesses in Ryedale inspired by Ryedale’s unique environment.”*

The Design and Access statement notes that *“The distillery is intended to become a tourist attraction*

and venue, enhancing the variety of locally produced good, and attracting visitors already encouraged by the regional food centres of York and in particular Malton.” It is considered that this proposal would strongly contribute towards the tourism offer within the District. In particular, it would link in with the District’s identity as a high quality producer of independent food and drink items, recognised nationally.

The impact upon the highways network, the amenity of neighbouring occupants and the landscape impact will all be assessed below, however it is considered that should they be satisfied, this proposal would accord with Policies SP1, SP6 and SP8 of the Ryedale Plan, Local Plan Strategy.

ii. Character, Form and Landscape Impact.

It is considered that the proposed physical alterations and extensions as described above are sympathetic, proportionate and would retain the agricultural character of the site through the use of appropriate materials. The scheme would appear visually cohesive due to the use of matching materials and the retention of the Dutch Barn style arched roof on the largest building following its partial upwards extension is particularly welcomed, retaining a link with the site’s agricultural history.

The proposed use of vertical timber boarding and profiled roof panels would be reflective of what is commonly found on traditional rural buildings and the proposed openings are considered acceptable. A condition would be recommended to ensure that details of materials to be used, including a sample of the proposed wooden cladding would be approved in advance.

It is considered that the creation of the car parking area to the rear is acceptable and limited public views of this would be available, but it would remain grouped with existing buildings. A section of native hedging would be provided to the rear of the site, abutting the car parking area.

In terms of impact upon the wider landscape character it is noted that the proposed works, being the conversion and extension of existing farm buildings, would not appear significantly altered from wider views and would not contribute to sporadic development in the open countryside. As noted, the Distillery Barn would include a partial upward extension, but it is not considered this limited alteration would appear incongruous. The use of the identified materials is welcomed and it is noted that the scheme would incorporate new strategic landscaping to supplement the existing landscaping located to the northern boundary of the site and surrounding Ellers Cottage. This would include 20 ‘*Tilia Cordata*’ (small leaved limes) to the west of Ellers Cottage along the field boundary to limit views from Buttercrambe road, planted as an extra heavy standard for immediate impact.

The 300 cubic metre pond would include a 1.2m high post and rail fence and would create a ‘nature conservation area’ and would be supplemented by waterside shrubs, wildflowers and a native hedgerow mix in addition to planting in the pond itself.

The proposed landscaping scheme is highly detailed and it is considered that this would positively contribute to the scheme and would be conditioned to be in accordance with.

A detailed Landscape and Visual Impact Assessment (PDP Landscape and Urban Design Ltd October 2020) has been submitted in support of this application to evaluate the potential effect of the proposed scheme on the wider open countryside from various points. This is undertaken in a methodical way, with a visual baseline and visual amenity survey. It was concluded that *“overall as a consequence of the new development there will be a marked improvement to the visual amenities of this part of the rural area.”* An assessment on the landscape impact concluded that *“Opportunities for the creation of a wetland area, as a result of the production process, together with surface water, will form part of a sustainable drainage strategy, and combined with the planting of new native species will potentially bring about improvements to the landscape character.”*

iii. Impact upon Amenity

As noted, the site is adjoined by a residential property to the northwest known as Ellers Cottage. This property is situated 25 metres to the northwest of the proposed main distillery building. To the east

Ellers Farm House is located which is operated as a holiday let together with other converted buildings. It is considered that the residential dwelling is most likely to be potentially affected by noise/disturbance as holiday let units would have a lower amenity requirement. It is however noted all these properties fall under the same ownership.

A Noise Impact Assessment (ENS October 2020) has been submitted in support of this application. This concluded that *“the distilling process is not considered to be noise generating however any externally located plant associated with the distillery may produce noise.”*

This was reviewed by the Council’s Environmental Health Team who in a response dated 2nd December 2020 noted that further information was needed in relation to a specific noise assessment for the originally proposed biomass boiler. As noted, this element of the proposal changed to a Bio LPG tank and the following consultation response was received from the Environmental Health Team on the 3rd March 2021: *“Further to my request dated 2nd December for a detailed noise assessment of the proposed Biomass boiler I understand that the application has been altered and the Biomass boiler is now to be replaced with a LPG system. These systems are much less likely to have any noise impact on the nearest noise sensitive dwellings and therefore I have no further comment or objection to make on this application.”*

It is noted that no consultation responses have been received in relation to this proposal however it is considered appropriate that the proposed opening hours of the shop and visitor centre are conditioned. This approach was agreed with the Council’s Environmental Health Officer. It is acknowledged that the distillation process itself being a 24hr process will require a skeleton staff present during the night and therefore the distillery element of the business cannot reasonably be restricted.

This application was discussed with the Council’s Senior Licencing Officer and an informative will be applied to ensure that the Applicants are aware of the requirement for site licencing for alcohol sales. This licencing process will consider the appropriate licence necessary for the site activities and the Council’s Environmental Health Team will again be statutory consultees on this process.

Therefore subject to the recommended conditions and informative, it is not considered that this proposal would have a materially adverse impact on the amenity of the occupier of the adjoining property. It is also considered that users of the existing holiday accommodation business to the east would not experience adverse effects. It is acknowledged that its lawful use for agricultural purposes may also have had potential for quite significant noise generation. It is therefore considered that this proposal is in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

iv. Access and Highway Safety

A Transport Plan (Fore Consulting Limited October 2020) was submitted in support of this application that included confirmation on the parking provision (20no. spaces) for staff and visitors. The Proposed Site Plan also shows vehicle tracking for turning and manoeuvring within the site (including for larger vehicles.) It also provided an overview of anticipated deliveries and servicing trip generation. This concluded that vehicles could be satisfactorily accommodated and that the traffic impacts of the development would be limited.

The North Yorkshire County Council Highways Officer noted the following in their statutory consultation response dated 20th January 2021:

“The proposed development would seem to entail a modest increase in vehicular traffic to and from the site over a typical weekday, when compared to the stated existing uses. However, on balance, the increase would not give rise to a material increase in traffic travelling along the highway immediately outside the site and, despite the likely visitor element to be almost exclusively arriving by private motor car, overall would not be a specific concern to the highway authority. The submitted drawings indicate a proposed slight improvement to the vehicular access in terms of size and construction, despite no changes stated in section 8 of the application form.”

Appropriate highway conditions were recommended in relation to the access and provision of the

approved access, parking and turning areas.

v. Drainage

The drainage strategy for the site has developed during the determination period of this application and detailed information has been provided in the form of a Sustainable Drainage Strategy (Flood Risk Management Ltd (November 2020.) A separate Foul Drainage Assessment form was also completed by the Agent.

The proposal now incorporates a non mains drainage system of a Package Treatment Plant for the application and surface water and clean production waste water running to an attenuation pond.

The EA had originally recommended a holding objection following the submission of additional details. In their revised response letter dated 4th March 2020 the EA confirm that there is now no objection. However importantly they do indicate that the proposed discharge rate would be such that it would not fall under the general binding rules, so specific permitting may be necessary. No specific conditions have been recommended by the Environment Agency but an informative will highlight the detailed information and guidance provided by them within this response.

In light of this, a specific condition relating to foul water is recommended noting;

“Unless otherwise agreed in writing, prior to the occupation of any part of the development hereby approved, the approved Package Treatment Plant shall be installed to the relevant British Standards and to the satisfaction of an approved Building Control Inspector. Any variation to the approved surface water disposal methods shall require the prior written approval of the Local Planning Authority.

Notwithstanding the Package Treatment Plant flow rate indicated on plan reference GMV-455-08-01 Rev C, the Applicant shall ensure that the flow rate associated with the Package Treatment Plant meets either the levels permitted by the Environment Agency’s General Binding Advice as details on their consultation response dated 4th March 2021 or that an appropriate Environmental Permit is granted.”

An informative is also recommended.

The flows from the Package Treatment Plant would be then discharged to an existing land drain, which as detailed on the proposed plan has an outfall approximately 230m to the north in the south east corner of Stubbs Wood.

The proposed pond would accept surface water drainage and clean water from production, it is noted that this would be subject to consent to discharge. The Design and Access Statement notes *“One of the main ingredients for the process is water. It is proposed to source pure local water via a new borehole close to the distillery in the adjacent field. Once used in the distillery, the clean waste water would be repurposed and along with the surface water run from the buildings, attenuated via the formation of a balancing pond to attract, and support a variety of wildlife. All designed and built in accordance with the EA, IDB requirements.”*

As detailed within the Drainage Strategy the proposed 300 cubic metre pond should *“easily provide sufficient soakaway area and attenuation volume. The sides of the pond could be lined with large single sized non crushable stone to encourage infiltration and reduce the risk of pond sides sealing over time, with a pond this size, this is unlikely.”* It was concluded that *“provided the invert of the pipework from the proposed building communicates with the pond above the groundwater level, it provides more than adequate attenuation volume and infiltration area for the development in the design event without increasing floor risk to the end users of the development or others.”*

This is considered to be an appropriate form of surface water disposal and an appropriate condition will be attached.

The Lead Local Flood Authority have confirmed in a response dated 4th December 2020 that the

application in their view is a minor development and they have no comments to make. The Yorkshire and Humber Internal Drainage Board also confirmed that this proposal does not fall within their geographical area.

vi. Ecology

A supporting Bat, Breeding Bird and Barn Owl Survey (MAB Ecology September 2020) was submitted in support of this application, which is considered appropriate due to the location and nature of the buildings on site.

The NYCC Ecologist was consulted on this application. In his response dated 3rd November 2020 he noted *“It is supported by a very thorough bat, Barn Owl and breeding birds scoping report. This concluded that the buildings concerned have negligible potential to support roosting bats, and no further surveys are required.”*

A Barn Owl box attached to one of the buildings has been used by a breeding pair. Replacement habitat needs to be provided as per the report and removal of the box must take place only when it is not occupied. It should be noted that Barn Owls can have a prolonged breeding season and the applicant will need to liaise closely with their ecologist regarding the timing of works.

We recommend a Condition requiring strict adherence to the ecological mitigation recommendations set out in the Method Statement in section 9.2 of the report.

The proposal to incorporate three bird nesting boxes into the new development (in addition to a replacement Barn Owl box) is welcome and provides a net gain for biodiversity. Advice on bat boxes is provided in section 10 of the report but it is unclear whether the applicant intends to implement this. It would be useful if this could be clarified.”

The applicant confirmed in an email dated 5th November that *“the advice under Section 10 of the report will be implemented, with bat box affixed to existing tree.”*

An appropriate ecological condition will be recommended including the requirement for strict adherence to sections 9.2 and 10 of the report.

vii. Other Matters, including consultation responses

The Council’s Environmental Health Officer made the following comments in relation to contamination following review of the submitted Phase 1 Report (Geo Environmental Engineering October 2020): *“Having considered the Geo-Environmental Phase 1 report in relation to the development I do not believe that any further intrusive ground investigation is required. I would, however, recommend that a condition be applied in relation to the discovery of any unexpected contamination during the building works.”* This condition will be attached.

The Parish Council did not respond to the application and no comments have been received by any third parties.

East Riding of Yorkshire Council were consulted on this application and the subsequent revision. No response was received.

In light of the above considerations, subject to the recommended conditions, this proposal is considered to satisfy the relevant policy criteria outlined within Policies SP1, SP6, SP8, SP13, SP14, SP16, SP17, SP19 and SP20 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework.

This application is therefore recommended for conditional approval with the decision delegated to the Head of Planning following completion of the publicity period.

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):
Location Plan (Drawing no. GMv-455-08-03)
Ground Floor and Site Plan (Drawing no. GMV-455-08-01 Rev C)
Existing and Proposed Elevations (Drawing no. GMV-455-08-02)
Landscape Proposal (Drawing no. EFBL1)
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Prior to its installation, details including proposed colour finish of the roof sheets and samples of the timber boarding to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 4 Unless otherwise agreed in writing with the Local Planning Authority, no additional external lighting shall be installed within the site without the prior written approval of the Local Planning Authority.
Reason: To ensure any additional lighting in this rural location does not result in harm to either residential amenity or the character of the locality in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.
- 5 Unless otherwise agreed in writing with the Local Planning Authority, all planting seeding and/or turfing comprised in the approved planting scheme (Drawing no. Landscape Proposal (Drawing no. EFBL1) scheme 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 Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy
- 6 In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.
- 7 The development must not be brought into use until the access to the site at Buttercrambe Road / Ellers Farm has been set out and constructed in accordance with the 'Specification for

Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E60 Rev. A and the following requirements. All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

MHi-C New and altered Private Access or Verge Crossing -(MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edi.pdf.

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 8 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Ellers Farm have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 9 Unless otherwise agreed in writing, prior to the occupation of any part of the development hereby approved, the approved Package Treatment Plant shall be installed to the relevant British Standards and to the satisfaction of an approved Building Control Inspector. Any variation to the approved surface water disposal methods shall require the prior written approval of the Local Planning Authority.

Notwithstanding the Package Treatment Plant flow rate indicated on plan reference GMV-455-08-01 Rev C, the Applicant shall ensure that the flow rate associated with the Package Treatment Plant meets either the levels permitted by the Environment Agency's General Binding Advice as details on their consultation response dated 4th March 2021 or that an appropriate Environmental Permit is granted.

Informative : The applicant is advised to review the consultation response from the Environment Agency dated 4th March which provides a significant level of detail and links to relevant web pages surrounding the permitting process.

- 10 Unless otherwise agreed in writing, prior to the occupation of any part of the development hereby approved, the approved surface water disposal works shall be installed to the satisfaction of an approved Building Control Inspector. Any variation to the approved surface water disposal methods shall require the prior written approval of the Local Planning Authority.

- 11 The following restrictions shall apply:
i) The visitor centre/shop use hereby permitted shall not take place at any other time except between the hours of 10:00 and 21:00.
Reason: In the interests of the amenity of adjoining residential properties and to accord with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 12 Unless otherwise agreed in writing with the Local Planning Authority, the works hereby approved shall be undertaken in accordance with the recommendations set out in the Method Statement in Section 9.2 and Section 10 of the Ecological Report (MAB Ecology September 2020), as confirmed in the email from the Agent dated 5th November 2020.
Reason: In the interests of biodiversity and the preservation of protected species in accordance with Policy SP14 Biodiversity of the Ryedale Plan, Local Plan Strategy.

INFORMATIVE(S)

- 1 The Applicant's attention is drawn to the requirement for site licencing for alcohol sales. They are advised to contact Ryedale District Council's Licencing Team for further information.