

PLANNING COMMITTEE

Tuesday 3 June 2014 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Minutes of meeting held on 7th May 2014 and 24th April 2014** (Pages 3 - 15)
- 3 **Urgent Business**
To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.
- 4 **Declarations of Interest**
Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.
- 5 **Schedule of items to be determined by the Committee** (Pages 16 - 18)
- 6 **14/00096/MOUT - Agricultural Contractors, Welham Road, Norton, Malton**
(Pages 19 - 51)
- 7 **14/00312/MFUL - Land At Westfield Farm, Westfield Lane, Normanby** (Pages 52 - 74)
- 8 **14/00316/MREM - 5 Welham Road, Norton, Malton** (Pages 75 - 85)

- 9 **14/00347/MFUL - Area Of Hardstanding To East Of Wombleton Caravan Park, Moorfields Lane, Wombleton, Kirkbymoorside** (Pages 86 - 96)
- 10 **13/00880/73A - Eastfield Lodge, Long Lane, Great Barugh, Malton** (Pages 97 - 103)
- 11 **13/00973/FUL - Eastfield Lodge, Long Lane, Great Barugh, Malton** (Pages 104 - 114)
- 12 **14/00412/FUL - Land Adj Cro's Nest, Brawby Lane, Brawby, Malton** (Pages 115 - 125)
- 13 **14/00424/ADV - The Rose, 9 Bridge Street, Pickering** (Pages 126 - 135)
- 14 **14/00425/LBC - The Rose, 9 Bridge Street, Pickering** (Pages 136 - 140)
- 15 **14/00426/MOUTE - Land At Edenhouse Road, Old Malton, Malton** (Pages 141 - 144)
- 16 **14/00427/MOUTE - The Showfield, Pasture Lane, Malton** (Pages 145 - 146)
- 17 **14/00428/MOUTE - Land South Of, Westgate, Old Malton, Malton** (Pages 147 - 148)
- 18 **14/00429/MOUTE - Land At Rainbow Lane, Malton** (Pages 149 - 150)
- 19 **Gladman Planning Appeal - Kirkbymoorside - Arrangements for Defending the Appeal** (Page 151)
- 20 **Any other business that the Chairman decides is urgent.**
- 21 **List of Applications determined under delegated Powers.** (Pages 152 - 160)
- 22 **Update on Appeal Decisions** (Pages 161 - 163)

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Wednesday 7 May 2014

Present

Councillors Mrs Burr MBE, Cussons, Mrs Goodrick, Hope, Richardson, Mrs Sanderson, Windress (Vice-Chairman) and Woodward

Substitutes:

In Attendance

Jo Holmes, Gary Housden, Shaun Robson, Jill Thompson and Anthony Winship

Minutes

215 **Apologies for absence**

Apologies were received from Councillors Raper and Maud.

216 **Minutes for the meeting held on 8 April 2014**

Decision

That the minutes of the meeting of the Planning Committee held on 8 April 2014 be approved and signed by the Chairman as a correct record.

217 **Urgent Business**

There was no urgent business.

218 **Declarations of Interest**

The following Members' indicated that they would be declaring interest under the Members' Code of Conduct in respect of the following items.

Councillor	Application
Windress	6
Cussons	9

219 **Schedule of items to be determined by Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations there on.

220 **12/00884/MFUL - Teasdale Potato Store, Hungerhill Lane, Wombledon, Kirkbymoorside**

12/00884/MFUL - Change of use and alteration of existing potato store to wood fuel handling/storage and distribution within Area 1 and a mixed use of potato storage/touring caravan storage within Areas 2 and 3 to include installation of a 5m high sliding door to south elevation to serve Area 1.

Decision

PERMISSION REFUSED – For the following reasons:

- (i) Adverse impact on highway safety.
- (ii) Adverse effect on the amenities of residents in the nearby village of Wombledon
- (iii) Adverse impact on the character of the open countryside and local tourism.

Decision contrary to Officer Recommendation.

In considering the application within the context of the policies of the recently adopted Local Plan Strategy read as a whole and all other material considerations, Members of the Planning Committee considered there to be greater impacts arising from the HGV traffic impact and intensity of use.

In the exercise of its statutory discretion to determine planning applications in accord with the development plan unless material considerations indicate otherwise the Planning Committee weighed all the material considerations of this case in the decision making balance and reached a planning judgement that weighed in favour of refusal.

In accordance with the Members' Code of Conduct Councillor Windress declared a personal non pecuniary but not prejudicial interest.

221 **12/00868/FUL - Land At OS Field 0054, Main Road, Weaverthorpe, Malton**

12/00868/FUL - Erection of an agricultural livestock building to include formation of vehicular access.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

222 **13/01252/HOUSE - Pear Tree House, Main Road, Helperthorpe, Malton**

13/01252/HOUSE - Erection of part two-storey/part single-storey extension to east elevation.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

223 **14/00086/FUL - Land At The Rear Of Feathers Hotel, Market Place, Helmsley**

14/00086/FUL – Erection of a two bedroom dwelling for the hotel manager to include demolition of existing prefabricated garage.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

In accordance with the Members' Code of Conduct Councillor Cussons declared a personal interest and left the room during the debate and vote.

224 **Publication of the Community Infrastructure Levy (CIL) Draft Charging Schedule (Part B report)**

Decision

Full Council is recommended to:

- (i) Note the comments received on the Preliminary Draft Charging Schedule and to agree the responses to them as outlined in Appendix 1 to the report to the Planning Committee meeting on 7 May 2014;
- (ii) Approve the Draft Charging Schedule at Appendix 2 to the report to the Planning Committee on 7 May 2014 for formal consultation and subsequent submission to the Secretary of State for Examination;
- (iii) Agree in principle the Draft Regulation 123 list circulated to the Planning Committee meeting on 7 May 2014 as Appendix 3.

225 **The Ryedale Local Development Scheme (Part A report)**

Decision

That the Ryedale Local Development Scheme be updated to reflect the adoption of the Local Plan Strategy and revised to reflect the timetable for the production of remaining local development documents as outlined in paragraphs 6.5, 6.7, 6.9 and 6.10 of the report to the Planning Committee meeting.

226 **Any other business that the Chairman decides is urgent.**

There was no Urgent Business

227 **List of Applications determined under delegated Powers.**

The Head of Planning & Housing submitted for information (previously circulated) which gave details of the applications determined by the Head of Planning & Housing in accordance with the scheme of Delegated Decisions.

228 **Update on Appeal Decisions**

Members' were advised of the following appeal decisions.

APP/Y2736/D/14/2214331 Derwent Dale, York Road, Stamford Bridge, York, YO41 1AH

Meeting Closed at 8.35pm

Planning Committee

Held at West Wing, Malton School, Middlecave Road, Malton
Thursday 24 April 2014

Present

Councillors Arnold (Substitute), Mrs Burr MBE, Cussons, Mrs Goodrick, Hope, Richardson, Mrs Sanderson, Walker (Substitute), Windress (Vice-Chairman) and Woodward

Substitutes: Councillor S Arnold (for Councillor J Raper) and Councillor P Walker (for Councillor B Maud)

In Attendance

Ryedale District Council Officers

Jo Holmes, Karen Hood, Shaun Robson, Jill Thompson and Anthony Winship

North Yorkshire County Council Officer

James Kennedy

External Consultants

- (i) Dr John England, a Director of England and Lyle; and
- (ii) Mr Gary Swarbrick, a Principal Planner for England and Lyle

Minutes

210 Apologies for absence

Apologies were received from Cllrs' Raper and Maud.

211 Declarations of Interest

Before the Chairman requested Members to make any declarations of interest he requested Anthony Winship, the Council Solicitor to explain what the declarations of interest are for the benefit of the audience.

The Council Solicitor advised Members of the Planning Committee and members of the public that the conduct of members of the planning committee is governed by two separate matters.

The first matter is the Members Code of Conduct which all members need to follow.

The second matter is the Common Law of England whereby decisions of the council can be subject to judicial review.

In relation to the first matter, namely the member's code of conduct, the Council Solicitor advised that the fundamental principle of the member's code of conduct is that Members must make decisions in the public interest and must not make decisions in accordance with outside interests. So if any Member has a pecuniary, personal or personal and prejudicial interest they need to declare that at the meeting. Such interests often arise if a Member has an interest in an outside body.

The Council Solicitor further advised that the fact that the application site is Council owned land is not a declarable interest. The reason for this position is that declarations of interest are primarily concerned with external interests such as ownership of shares by a limited company or other external interest. Declarations of interest are not normally concerned with interests of the Council.

In relation to the second point the Council Solicitor advised that Members are aware that the decisions of the Planning Committee are subject to the supervisory jurisdiction of the High Court. The Courts have set minimum quality control standards on local authority decision making.

The quality standard of decision making that judges of the High Court require of members includes that Members have an open mind when making decisions. That means in the planning context that decisions are only made on planning grounds in accordance with material considerations and the relevant legislation.

The Council Solicitor also gave advice on the point that the planning applications relate to land which is owned by the council – namely Wentworth Street Car Park.

The Council Solicitor advised that Parliament has decided that planning committees can make decisions in relation to the development of land owned by councils. It was explained that there was a very good reason for that and that is that planning committee's need to make decisions on planning grounds and not on any other grounds such as financial benefit. There is also the safeguard that planning applications of the kind before Members tonight need to be notified to the Secretary of State. The Secretary of State may call in the planning application.

The Council Solicitor also advised the Planning Committee that if any Member does not have an open mind and has pre-determined the matter they are advised not to participate in the determination of the application.

A failure to make a planning decision on planning grounds puts the decision of the Planning Committee at risk of legal challenge by way of judicial review.

The Chairman requested Members to make any declarations of interest.

The following Members' indicated that they would be declaring interest under the Members' Code of Conduct in respect of the following items.

Councillor	Application	Reason
Cussons	5,6	Personal - Lobbied
Windress	5,6	Personal - Lobbied
Hope	5,6	Personal - Lobbied
Goodrick	5,6	Personal - Lobbied
Sanderson	5,6	Personal - Lobbied
Burr	5,6	Personal - Lobbied

Woodward	5,6	Personal - Lobbied
Richardson	5,6	Personal - Lobbied
Walker	5,6	Personal - Lobbied
Arnold	5,6	Personal - Lobbied

212 **Schedule of items to be determined by the Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations there on.

The Committee considered reports relating to applications for planning permission prepared on behalf of the Head of Planning.

The Chairman advised the Planning Committee that it was being advised by experts who are specialists in retail planning from England and Lyle and introduced the committee to:

- (i) Dr John England, a Director of England and Lyle; and
- (ii) Mr Gary Swarbrick, a Principal Planner for England and Lyle.

Public Speaking

Pursuant to Council Procedure Rule 35 of Part 4 of the Council's Constitution, in relation to public rights in participation in planning applications, the Chairman allowed each of the following to give a three minute presentation. Given the considerable public interest in the two applications the Chairman allowed additional speakers for each category of speaker.

11/00927/MOUT

Erection of retail units (Use Class A1), Offices (Use Class B1), petrol filling station, car park and associated landscaping (Revised Details) – Car Park Wentworth Street, Malton, North Yorkshire

DISTRICT COUNCILLOR	PARISH/TOWN COUNCIL	SUPPORTER	OBJECTOR	AGENT
Cllr Andrews	Mike Skehan	Jane Bradley	Fiona Croft	Graham Chase
Cllr Legard	Cllr Fraser		Roddy Bushell	Jonathan Wallace

11/00919/FUL

Alterations to parking layout and landscaping of the eastern section (upper level) of Wentworth Street Car Park to include demolition of existing concrete

sectional building – Land at Wentworth Street Car Park, Wentworth Street, Malton, North Yorkshire

DISTRICT COUNCILLOR	PARISH/TOWN COUNCIL	SUPPORTER	OBJECTOR	AGENT
Cllr Andrews				

213 **11/00927/MOUT - Car Park, Wentworth Street, Malton**

11/00927/MOUT - Erection of retail units (Use Class A1), offices (Use Class B1), petrol filling station, car park and associated landscaping (Revised Details)

Dr John England presented the report to the Planning Committee and updated Members on late information.

Registered speakers were then afforded an opportunity of making representations to the Planning Committee under the District Councils Public Speaking arrangements.

Members of the Planning Committee then proceeded to ask Officers and advisors questions on the planning application before moving into debate.

The Chairman then asked Councillor Burr to speak first as the District Councillor for the Malton Ward where the application site is located.

Councillor Burr moved refusal of the planning application on the following grounds :

- (i) The report produced cannot be relied on;
- (ii) Impact tests carried out by the applicant have not been sufficiently tested;
- (ii) The siting is in the wrong place and it would be detrimental to the town if this application was passed;
- (iii) There is a real risk of losing the Malton Livestock Centre;
- (iv) The access is not applicable;
- (v) The democratic view of residents has not been listened to;
- (vi) It will be detrimental to the environment; the economic viability and vibrancy of our town;
- (vii) The traffic impact report is unsound and unreliable and socially it could have a negative impact on jobs and businesses in the town.
- (viii) This site is wholly inappropriate for Malton.

The proposal to refuse was seconded by Councillor Walker.

At the conclusion of the debate three Members requested that a recorded vote be taken on the item.

Upon being put to the vote the Members of the Planning Committee cast their votes in the following way:

For

Councillors Mrs Burr, Richardson, Walker and Woodward.

Against

Councillors Arnold, Cussons, Mrs Goodrick, Hope, Mrs Sanderson and Windress.

Abstentions

None

Upon the recorded vote being taken the proposal was therefore lost.

At this point the following Members of the Planning Committee left the Planning Committee:

Councillors Mrs Burr, Richardson, Walker and Woodward.

The Vice-Chairman adjourned the committee meeting for five minutes to allow the departing Planning Committee Members and members of the public to vacate the school hall.

On reconvening the Planning Committee meeting the Council Solicitor advised that if any Member proposed moving approval it was the Officer recommendation to add the following words to the recommendation :

“and subject to any need to advertise as a departure” prior to the words “outline planning permission be granted.”

In response to a concern first raised during the Committee site inspection on the previous day and referred to at Committee about the route delivery vehicles would take to the application site the Planning Committee were advised by Gary Swarbrick that the applicants had volunteered the following condition to deal with this issue:

“Before the development hereby approved is brought in to use (including any stocking of the food store) the occupier of the development shall provide for approval by the Local Planning Authority a Delivery Management Scheme for the food store hereby approved. The Delivery Management Scheme shall include details of the delivery route(s) that the occupier of the development will require drivers of vehicles entering and leaving the site for commercial purposes (e.g. deliveries in either direction). For the avoidance of doubt the route shall require all vehicles entering or leaving the site for commercial purposes to do so via Pasture Lane

whenever this route is passable. Once approved, the Delivery Management Scheme will be adopted by the occupier for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority.”

In response to a concern first raised during the Committee site visit and referred to at Committee with regard to maintaining access to and an appropriate level of car parking during the construction phase of the development Shaun Robson advised the Committee that the issue was brought to the applicants attention and a revised wording in regard to Condition 22 was received to address this issue. The revised condition reads as follows (revised text in bold):-

*“22. Before the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the measures and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the demolition, site preparation, groundwork and construction phases of the development and to manage the Heavy Goods Vehicle access to and from the site associated with such phases, including the proposed routing to be used by such traffic, **and maintaining general, public access car parking (a minimum of 150 spaces) at the site throughout the construction phase.** The Construction Environmental Management Plan shall include....”*

Councillor Cussons moved approval of the planning application in accordance with the Officer's revised recommendations including those relating to the amendment of condition 22 and the addition of a new condition on delivery vehicle routeing. The proposal was duly seconded by Councillor Arnold.

Upon being put to the vote the Members of the Planning Committee cast their votes in the following way:

For

Councillors Arnold, Cussons, Mrs Goodrick, Hope, Mrs Sanderson and Windress.

Against

None.

Abstentions

None.

Upon the vote being taken the proposal was carried unanimously .

RESOLVED

That the application be notified to the Secretary of State under the Town & Country Planning (Consultation) (England) Direction 2009 and that, consequent upon the Secretary of State deciding not to intervene and require that the planning application be referred to him, and subject to the need to advertise as a departure outline **PLANNING PERMISSION BE GRANTED** subject to:

a. The completion of an agreement between the applicant and the Council and any other party pursuant to S.106 of the Town & Country Planning Act 1990 and subject to the Council Solicitor being authorised to negotiate with the applicant regarding such agreement to secure:

i. A contribution towards the implementation of a one-way system on Finkle Street, Newgate and Spital Street together with improvements to the footpaths.

ii. A contribution towards the introduction of measures to mitigate the impact of congestion at the junction of Town Street and Highfield Road.

iii. A contribution towards the costs associated with the making and implementation of Traffic Regulation Orders.

iv. A contribution towards the A64 Brambling Fields scheme.

v. A contribution towards improvements at Yorkersgate / B1248 junction.

vi. Provision of wayfinding infrastructure.

vii. Provision of public art.

viii. Provision of retailers' marketing workshops.

ix. Provision of an audiotrail.

x. Provision of display cabinets.

b. Conditions as set out in the report subject to the Council solicitor being authorised to negotiate further with the applicant regarding the detailed wording of such conditions as required and to (a) make such amendments to the detailed wording of those conditions; and (b) to add any further conditions not listed below, as necessary, and agreed with the applicant subject to the agreed amendment to condition 22 and the addition of the following condition:

“Before the development hereby approved is brought in to use (including any stocking of the food store) the occupier of the development shall provide for approval by the Local Planning Authority a Delivery Management Scheme for the food store hereby approved. The Delivery Management Scheme shall include details of the delivery route(s) that the occupier of the development will require drivers of vehicles entering and leaving the site for commercial purposes (e.g. deliveries in either direction).

For the avoidance of doubt the route shall require all vehicles entering or leaving the site for commercial purposes to do so via Pasture Lane whenever this route is passable. Once approved, the Delivery Management Scheme will be adopted by the occupier for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority.”

In accordance with the Members’ Code of Conduct Councillors Cussons, Windress, Hope, Mrs Goodrick, Mrs Sanderson, Mrs Burr, Woodward, Richardson, Walker and Arnold declared a personal non pecuniary but not prejudicial interest.

214 **11/00919/FUL - Land At Wentworth Street Car Park, Wentworth Street, Malton**

11/00919/FUL - Alterations to parking layout and landscaping of the eastern section (upper level) of Wentworth Street Car Park to include demolition of existing concrete sectional building.

Shaun Robson, the District Council’s Development Manager presented the report to the Planning Committee and advised Members of a correction to the report at paragraph 7.4.4 so that the final sentence should read:

“Specifically in relation to the impact of the development on the setting of the listed cemetery wall and mausoleum, it is considered that the development will have a neutral affect on their setting, which is already essentially urban in nature.”

Registered speakers were then afforded an opportunity of making representations to the Planning Committee under the District Councils Public Speaking arrangements.

Councillor Cussons moved approval of the planning application in accordance with the Officer’s recommendations. The proposal was duly seconded by Councillor Arnold.

Upon being put to the vote the Members of the Planning Committee cast their votes in the following way:

For

Councillors Arnold, Cussons, Mrs Goodrick, Hope, Mrs Sanderson and Windress.

Against

None.

Abstentions

None.

Upon the vote being taken the proposal was carried unanimously .

RESOLVED

That the application be notified to the Secretary of State under the Town & Country Planning (Consultation) (England) Direction 2009 and that, consequent upon the Secretary of State deciding not to intervene and require that the planning application be referred to him, that the application be Approved subject to the conditions outlined in the report.

In accordance with the Members' Code of Conduct Councillors Cussons, Windress, Hope, Mrs Goodrick, Mrs Sanderson, Mrs Burr, Woodward, Richardson, Walker and Arnold declared a personal non pecuniary but not prejudicial interest.

Agenda Item 5

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 03/06/14

6

Application No: 14/00096/MOUT
Application Site: Agricultural Contractors Welham Road Norton Malton North Yorkshire
Proposal: Residential development of 18 no. dwellings following demolition of existing agricultural type buildings (site area 0.54ha)

7

Application No: 14/00312/MFUL
Application Site: Land At Westfield Farm Westfield Lane Normanby Kirkbymoorside
Proposal: Change of use of agricultural land to form a 50 pitch touring caravan site to include erection of a single storey service building, formation of new vehicular access to the north and excavation of 300m x 90m lake (maximum dimensions)

8

Application No: 14/00316/MREM
Application Site: 5 Welham Road Norton Malton North Yorkshire
Proposal: Erection of 3no. retail units (Use Class A1) and children's day nursery (Use Class D1).

9

Application No: 14/00347/MFUL
Application Site: Area Of Hardstanding To East Of Wombleton Caravan Park Moorfields Lane Wombleton Kirkbymoorside
Proposal: Change of use of concrete hardstanding to provide caravan storage area.

10

Application No: 13/00880/73A
Application Site: Eastfield Lodge Long Lane Great Barugh Malton YO17 6XE
Proposal: Variation of Condition 02 (agricultural occupancy condition) of approval 3/94/7B/PA dated 15.05.1978 to allow local needs occupancy

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 03/06/14

11

Application No: 13/00973/FUL

Application Site: Eastfield Lodge Long Lane Great Barugh Malton YO17 6XE

Proposal: Change of use of land to form an extension to domestic curtilage and erection of single-storey detached log cabin for use as a residential annex

12

Application No: 14/00412/FUL

Application Site: Land Adj Cro's Nest Brawby Lane Brawby Malton North Yorkshire

Proposal: Erection of a two-bedroom bungalow, detached garden store and formation of 2no. parking spaces

13

Application No: 14/00424/ADV

Application Site: The Rose 9 Bridge Street Pickering North Yorkshire YO18 8DT

Proposal: Display of 1no. externally illuminated name board sign and 1no. non-illuminated fascia sign to south elevation, 2no. non-illuminated amenity signs and 1no.externally illuminated sign comprising individually applied enamel letters to east elevation, 1no. externally illuminated name board sign, and 1no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2no. wall-fixed lanterns either side of east entrance door, to replace existing signage.

14

Application No: 14/00425/LBC

Application Site: The Rose 9 Bridge Street Pickering North Yorkshire YO18 8DT

Proposal: Display of 1 no. externally illuminated name board sign and 1 no. non-illuminated fascia sign to south elevation, 2 no. non-illuminated amenity signs and 1 no. externally illuminated sign comprising individually applied enamel letters to east elevation, 1 no. externally illuminated name board sign, and 1 no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2 no. wall-fixed lanterns either side of east entrance door, to replace existing signage

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 03/06/14

15

Application No: 14/00426/MOUTE

Application Site: Land At Edenhouse Road Old Malton Malton North Yorkshire

Proposal: Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1, B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha).

16

Application No: 14/00427/MOUTE

Application Site: The Showfield Pasture Lane Malton North Yorkshire

Proposal: Demolition of existing buildings and structures and erection of circa 227 residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, cut and fill, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 11.90ha)

17

Application No: 14/00428/MOUTE

Application Site: Land South Of Westgate Old Malton Malton North Yorkshire

Proposal: Demolition of existing buildings and structures, conversion of retained buildings to residential dwellings and erection of new residential dwellings (Use Class C3) (circa 35 dwellings in total) along with all associated development including drainage, landscaping, boundary treatments, provision of services and access and associated highway works (site 2.0ha)

18

Application No: 14/00429/MOUTE

Application Site: Land At Rainbow Lane Malton North Yorkshire

Proposal: Erection of circa 45no. affordable residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 3.4 ha)

RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 14/00096/MOUT
Parish: Norton Town Council
Appn. Type: Outline Application Major
Applicant: Thomas Crown Associates Ltd
Proposal: Residential development of 18 no. dwellings following demolition of existing agricultural type buildings (site area 0.54ha)
Location: Agricultural Contractors Welham Road Norton Malton North Yorkshire

Registration Date: 27 March 2014
8/13 Wk Expiry Date: 26 June 2014
Overall Expiry Date: 4 June 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Public Rights Of Way	Recommend informative
Housing Services	No views received to date
Highways North Yorkshire	Recommend conditions
Parish Council	Recommend refusal
Countryside Officer	Recommend condition.
Sustainable Places Team (Yorkshire Area)	Recommends condition
Highways North Yorkshire	Application unacceptable - two major concerns re link to public highway and drainage
Land Use Planning	Objection
Tree & Landscape Officer	No views received to date
Environmental Health Officer	Recommend conditions
Archaeology Section	No views received to date
Housing Services	No views received to date
Parish Council	Refusal
Land Use Planning	Objection removed, recommend conditions
North Yorkshire Education Authority	Developer contribution required
Property Management	Observations made

Neighbour responses: Mr And Mrs D Slaughter, Mrs R Fiabairn, Mrs Naomi Dale, Mr Howard Keal, Mr Graham Perry, Mr Chris Kirby, Mr And Mrs Andrew Slaughter, Mr Tim Halliday, Patricia . M Greene, Mrs Nichola Scott, Mr David Cooper, Mrs Audrey Watts, Mr And Mrs J Calvert, Mr Robert Lamb, Mr And Mrs J Simpson, Mrs Sharon A Bone, Mrs Joanne Brooks, Mrs Yvonne Fogg, Mrs Karen Scott, Mr Stephen Waudby, Mrs Jeniffer Williams, Mr Michael Watkins, Mrs Gill Coates, Mr John Deacon, Mrs Joanne Clarke, G & J Coates, Mrs Joanne Allen, Judith Bradley, Mr John Williamson,

SITE:

The application site is situated within the development limits for Norton located approximately 100m to the west of Welham Road and directly to the north of Lakeside Way. The site is roughly triangular in shape measuring 0.514ha (1.27 acres) in size. The site is located in 100% Flood Zone 2, and approximately 95% - 98% Flood Zone 3.

The technical information submitted within the application includes; Planning Statement; Design and Access Statement; Flood Risk Assessment (including Sequential Test and Exception Test); Ecological Assessment; Arboricultural Assessment; Phase 1: Desk Top Study Report; and Archaeological Desktop Based Assessment.

PROPOSAL:

The proposal seeks Outline consent for a residential development of 18 no. dwellings, following the demolition of the existing agricultural style buildings located on site.

HISTORY:

Relating to the Application Site

80/00129/OLD (3/96/270/PA): Erection of a steel framed implement shed at Beck Mills - Approved 31.3.80

83/00128/OLD (3/96/270A/PA): Construction of a toilet block - Approved 19.8.83

Relating to Lakeside Way

91/00083/OLD (3/96/335E/OA) Residential development including provision of public open space, lake, construction of Mill building and access improvements (site area 3.25 HA) at Leopold Nursery and Beck Mill. Approved 21.9.92

POLICY:

National Planning Policy

National Planning Policy Framework
National Planning Practise Guidance

Ryedale Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP3 - Affordable Housing
Policy SP4 - Type and Mix of New Housing
Policy SP10 - Physical Infrastructure
Policy SP14 - Biodiversity
Policy SP16 - Design
Policy SP17 - Managing Air Quality, Land and Water Resources
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues
Policy SP22 - Planning Obligations, Development Contributions and the Community Infrastructure Levy

CONSULTATION RESPONSES:

The Parish Council have objected to this application. The concerns raised include:

- Overdevelopment of a relatively small site, with insufficient parking leading to more congestion on surrounding streets;
- Vehicular access to the site cutting across a much used safe public footpath;
- Increased flood risk. This site is in the floodplain and any further development would limit the drainage of ground water which is already a problem in the area;
- Impact on sewage system. The Victorian sewers are already at over capacity and any further development puts residents in other areas, especially those living in the vicinity of Church Street, the bottom end of St Nicholas Street and Welham Road at much greater risk of having raw sewage impacting on their property whenever there is a period of heavy rain and the system is under pressure.

In addition a significant number of objections have been received from members of the public. The concerns they raise include:

- The site is located within the flood zone;
- The site and the surrounding area suffers from standing water in times of heavy rainfall;
- The development will increase the risk of flooding elsewhere;
- Surface water run-off will overload the existing drainage system;
- Impact on the local sewage system;
- The development is high density / overdevelopment;
- The development would over dominate existing nearby residential properties;
- Impact on residential amenity of nearby dwellings;
- Concerns regarding increased highway activity, including noise levels and traffic;
- The existing local services (schools, doctors etc) are at capacity;
- The impact on the public footpath network within the area;
- The loss of valued open space;
- Ecology related issues;
- Concerns over the removal of Japanese knotweed;
- Affordable housing provision does not represent 35% of the total development;
- Inclusion / integration of affordable unit into the development;
- The planning history of the site – does the site already have outline planning permission?

APPRAISAL:

The main considerations in the assessment of this application are:

- i) The principle of the development
- ii) Flood related issues and the Site Sequential Test
- iii) Affordable housing
- iv) Site layout and design
- v) Residential amenity
- vi) Highway / Public Right of Way
- vii) Archaeology
- viii) Ecology
- ix) Impact on local sewerage system
- x) Public open space
- xi) Education contribution
- xii) Tree and Landscaping
- xiii) Land Contamination

The principle of the development

In considering the principle of this development, Policy SP1 (General Location of Development and Settlement Hierarchy) and Policy SP2 (Delivery and Distribution of New Housing) of the Ryedale Local Plan Strategy are relevant. These policies identify Malton and Norton as the principle towns for growth in the District and the main focus for new development and housing within Ryedale. In light of this, the proposed residential development, which is located within the settlement limits for Norton, is considered to be acceptable in principle, subject to compliance with other material considerations.

Members will note that a member of the public has raised concerns that the site may already benefit from outline planning permission. Officers have researched this matter, and it has been identified that Planning Application ref. 3/96/335E/OA (Lakeside Way, Norton) did not include this application site in the approved decision. Therefore, Members are advised that the site does not benefit from any outline planning consent.

Flood related issues and the Site Sequential Test

With respect the Sequential Test, the NPPF forms an important material consideration. Paragraph 101 of the NPPF states that development should not be permitted if the sequential test demonstrates that there are reasonably available sites appropriate for the proposed development in areas with a lower flood probability. The Sequential Test should therefore be applied to proposals for new development.

The National Planning Practice Guidance identifies the aim of the sequential test. It states:

“The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required”

The starting point in applying the Sequential Test is the Strategic Flood Risk Assessment (SFRA). The submitted FRA for this application has been assessed by the Environment Agency who has recommended conditions to ensure that the development would be safe from flooding. Nevertheless, as the Agency state in their letter dated 19 February 2014, the Sequential Test should be applied to the site to determine if there are other available sites with a lower probability of flooding.

In terms of defining the area to which the Sequential Test should apply, Malton and Norton should be considered as they are the principle towns within the District and form the primary focus for growth (as identified in Policy SP1 and SP2 of the Ryedale Local Plan Strategy). The FRA has considered Strategic Housing Land Availability Assessment (SHLAA) sites for both Malton and Norton, which includes a number of sites both within and outside of the development limits for the town. Officers consider that this approach is acceptable therefore those sites within the FRA have been considered in the assessment of the Sequential Test.

Members will note that the current planning policy position is that the settlement limits identified in the Ryedale Local Plan are in a transitional period where sites outside of the development limits are being considered as part of the Council’s emerging Site’s Allocation Document. This is illustrated by the fact that the Council has recently granted planning permission (for example ref. 10/00977/MFUL

& 10/00899/MOUT) to a number of housing sites which are located outside the development limits of Norton / Malton (the principle towns of the district). The SHLAA also includes numerous sites outside of the current development limits. In light of this, it is considered that sites should not be discounted solely because of their location outside of the identified development limits.

Policy SP17 of the Local Plan Strategy states that:-

“Flood Risk will be managed by:

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.”

As previously identified, the requirements of Paragraph 101 of the NPPF is to give preference to sites in areas of lower flood probability. In this case, the application site is located within approximately 95% - 98% flood zone 3. This is the zone with the highest probability (1 in 100 or greater annual probability of river flooding). Given the comments identified in the previous paragraph, Officers consider that there are clearly other sites available with a lower flood risk, both inside and outside of development limits of Malton and Norton, that have been discounted within the FRA. Therefore, based on the information within the FRA, Officers consider that there are a number of sites which would be sequentially preferable to the application site as they would direct the development area from the areas of highest flood risk. For this reason, it is considered the Sequential Test has failed to meet the requirements of Paragraph 101 of the NPPF and the NPPG.

Affordable Housing

In considering affordable housing, Policy SP3 of the Ryedale Local Plan Strategy is relevant. This policy identifies the levels of developer contributions that the Local Planning Authority seeks for affordable housing. The policy also states:

“The size, type and tenure of affordable units will be expected to reflect the affordable housing needs in the locality. Affordable housing contributions should comprise of both social and affordable rent tenures as well as intermediate tenure types. Off-site provision in lieu of on-site contributions will only be supported where it is agreed that this is preferable in terms of management arrangements or where there are clear advantages or overriding reasons for contributions in lieu of provision on-site.”

In this case, the proposed affordable units are in the form of 6no. one bedroom units. It has been identified by the Council’s Housing Officers that Norton is in need of this type of accommodation. Therefore, in this case, the affordable housing provisions are considered to be acceptable, subject to further contributions for off-site provision. The Council’s Housing Officers have raised no objections to the layout of the proposal or the location of the affordable units.

Site layout and design

Policy 16 (Design) of the Ryedale Local Plan states that *“To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:*

- *The grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

Having assessed the layout and form of the proposed development, Officers consider that the proposed layout is reflective of the character of the area, particularly with respect to the development at Lakeside Way. It is considered that, with appropriate detailed design at reserved matters stage, the development could be accommodated on the site without causing any material harm to the character of the area. Therefore, on balance, the impact of the development on the character and appearance of the street scene is considered to be an acceptable one.

Residential Amenity

With respect to residential amenity, concerns have been received in relation to the impact of the proposed development on the existing residential properties within the area. Such concerns include overlooking, overbearing impact and the impact of increased traffic levels through Lakeside Way.

In terms of overlooking and overbearing issues, the impact of the development on the existing amenities of the neighbouring occupiers will largely be dependent on the detailed design and layout of the dwellings. With respect to the traffic related concerns created as a result of the proposal, it is not considered that the development would result in a such an increase that would materially harm the amenities of nearby residents. Therefore, it is considered that the development would not in principle have a significant adverse impact on neighbouring amenities.

In the event that Members are minded to grant approval, the Councils Environmental Health Officers have recommended an informative to restrict the hours of activity during the construction phase of the development.

Highway / Public Rights of Way

NYCC Highway Authority have been consulted on the application. No objections have been received to the proposal subject to conditions. The comments received from the Highway Authority do however identify that as the proposal will increase the number dwellings served off Lakeside Way would be beyond 50, that a dedicated alternative route for emergency service vehicles will be required. The applicant has informed the Local Planning Authority that they have a right of access over the track leading directly from Welham Road to the site which would address this issue. NYCC have however identified that evidence of such rights will need to be provided to the Highway Authority as part of the adoption process of the new estate road.

With regards to the Public Right of Way, NYCC Public Rights of Way Officers have not raised any objections to the proposal. However, it is stated that the developer will need to agree a safe crossing of the road from the PROW with the Highway Authority.

Archaeology

NYCC Historic Environment Team have provided comment upon the archaeological written scheme of investigation (WSI) submitted for the development. It is identified that the document is acceptable in principle therefore the archaeological evaluation may be undertaken. NYCC has stated that this evaluation should be undertaken prior to the determination of the planning application. At this time, this evaluation has not been undertaken. However as the Officer recommendation is one of refusal, it is not considered necessary to require this information prior to the determination of the application.

The further comments of the applicant are, however, being sought on this point.

Ecology

The Council's Countryside Officer has been consulted on this application. The comments received on 15 April 2014 identify that no objections are received to the development subject to the mitigation and

compensation measures identified sections 9 and 10 of the submitted ecological report being carried out.

Impact on local sewerage system

Members are referred to the comments received from Yorkshire Water dated 26 March 2014. This correspondence identifies that Yorkshire Water do not have any objections to the development. Within this correspondence it is identified that the public sewer network does not have capacity to accept any discharge of surface water from the site therefore the use of SUDS is suggested as an appropriate alternative. Yorkshire Water have also advised that a suitable watercourse could be used for the disposal of surface water, such as Mill Beck located to the west of the site.

Public Open Space

The layout provided does not allow for on-site public open space provision, although the applicant is aware of the Council's policy on this matter. Therefore, should Members be minded to approve this application financial contributions will be sought for off-site provision.

Education contribution

NYCC Education Authority has been consulted on the application. Members will be made aware of their comments once these have been received.

Tree and Landscaping

The Councils Tree and Landscape Officer has been consulted on the application, however, no response has been received. Members will be updated on this aspect of the application in the late pages.

Land Contamination

A Phase 1 Desktop Study Report has been submitted alongside the planning application. The Councils Environmental Health Officers have considered this document. A condition has been recommended to ensure further investigations are undertaken into the potential land contamination before any dwelling on the site is occupied, if permission is granted.

Conclusion

Officers consider that there are other sites at the principle towns of Malton and Norton which are preferable to the application site in terms of flood risk and which are capable of accommodating the residential development proposed.

RECOMMENDATION: Refusal

- 1 The proposed development is located within Flood Zones 2 and 3a as identified in the Environment Agency's flood maps. The Local Planning Authority considers that there are sequentially preferable areas of land at Malton and Norton which are located in areas with lower probability of flooding which are capable of accommodating the residential development proposed. The development of this site is, therefore, considered to be contrary to Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.
- 2 Paragraph 101 of the NPPF states that development should not be permitted if the sequential test demonstrates that there are reasonably available sites appropriate for the proposed development in areas with a lower flood probability.

The National Planning Practice Guidance identifies the aim of the sequential test. It states:

"The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required."

In this case, the application site is located within 100% flood zone 2, and approximately 95% - 98% flood zone 3a. The Local Planning Authority considers that the Councils SHLAA demonstrates that there are sequentially preferable sites in Malton and Norton (including those located outside of development limits) which are capable of accommodating market led housing in areas of lower risk of flooding. As such the application fails the sequential test and is contrary to the requirements of paragraph 101 of the NPPF and the NPPG.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties



SCHEDULE OF ACCOMMODATION

- 18 UNITS
- HOUSE 1 & 3 - 5 BEDROOM - 176.5 sq m/1900 sq ft
- HOUSE 2 & 15 - 5 BEDROOM - 193 sq m/2079 sq ft
- FLATS 4-9 - 1 BEDROOM - 50 sq m/538 sq ft
- HOUSES 10 & 11 - 4 BEDROOM - 105sq m/1132sq ft
- HOUSE 12 & 13 - 4 BEDROOM - 117 sq m/1257 sq ft
- HOUSE 14 - 4 BEDROOM - 140 sq m/1506 sq ft
- HOUSE 16 - 18 - 3 BEDROOM - 83.5 sq m/899 sq ft

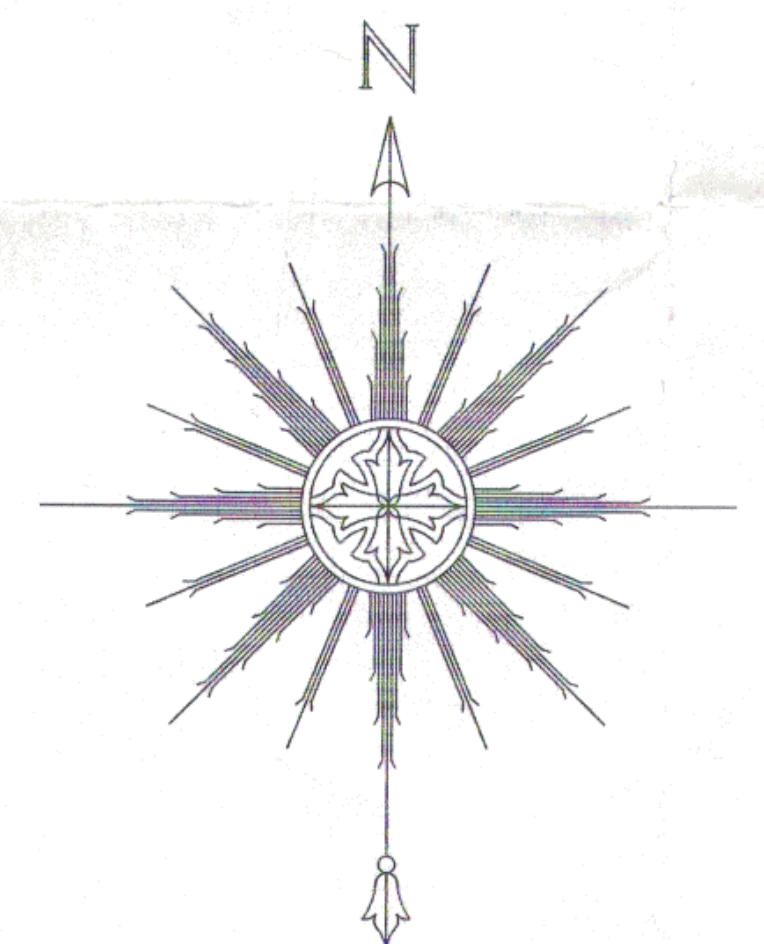
1,873.5 sq m/20,166 sq ft TOTAL AREA

0.5417 HA TOTAL SITE AREA

33 DWELLINGS TO THE HECTARE APPROXIMATELY

AFFORDABLE HOUSING PROVISION 35%

FLATS 4-9 = 6 NO. DWELLINGS



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PROPOSED BLOCK PLAN
SCALE 1:500

EXISTING LOCATION PLAN
SCALE 1:1250

PLEASE NOTE:
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The Party Wall Act does not affect any requirement for Planning Permission or Building Regulation Approval for any work undertaken. Likewise, having Planning Permission and/or Building Regulation Approval does not negate the requirements under the Party Wall Act. The Party Wall Act 1996 gives you rights and responsibilities whichever side of the wall you are on i.e. whether you are planning/doing work on a relevant structure or if your neighbour is.
The Party Wall Act comes into effect if someone is planning to do work on a relevant structure, for the purposes of the Act 'party wall' does not just mean the wall between two semi-detached properties, it covers:
* A wall forming part of only one building but which is on the boundary line between two (or more) properties.
* A wall which is common to two (or more) properties, this includes where someone built a wall and a neighbour subsequently built something leaning up to it.
* A garden wall, where the wall is inside the boundary line (or built up against it) and is used to separate the properties but is not part of any building.
* Floors and ceilings of flats etc.
* Excavation near to a neighbouring property.
As with all work affecting neighbours, it is always better to reach a friendly agreement rather than resort to any law. Even where the work requires a notice to be served, it is better to informally discuss the intended work, consider the neighbours concerns, and amend your plans (if appropriate) before serving the notice. If there is any doubt please consult planning & design partnership or a party wall surveyor.

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Rev C 20.03.14 - Scheme layout amended. Access from St Peter Street removed. Yorkshire Water overflow route added. Secondary emergency vehicle route & minimum road level added. Red line application site altered.

Rev B 25.11.13 Affordable flats added with access from St. Peter street. Other houses from Lakeside way

Rev A 09.11.12 Access only from Lakeside way

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Client	THOMAS CROWN ASSOCIATES LTD	
Project	LAKESIDE WAY, NORTON, MALTON	
Drawing	PROPOSED HOUSING DEVELOPMENT OUTLINE APPLICATION DRAWING	
Date	NOVEMBER 2012	Drawn RTJD
Scale	1:500, 1:1250	Rev. C
Status	Outline Planning	
Draw. No.	TCA/03	

PDP

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DESIGN & ACCESS STATEMENT

18no. PROPOSED DWELLINGS TO LAND NORTH OF
LAKESIDE WAY, NORTON. YO17 9PG.



AERIAL VIEW OF SITE

CONTENTS

- 1 INTRODUCTION
- 2 SITE ASSESSMENT
- 3 USE & AMOUNT
- 4 PLANNING POLICY CONTEXT
- 5 LAYOUT & SCALE
- 6 LANDSCAPING
- 7 APPEARANCE
- 8 ACCESS
- 9 CONCLUSIONS

1. INTRODUCTION

This Design and Access Statement has been prepared in support of the outline planning application submission with some matters reserved for residential development on the site lying north of the modern housing development bounding Lakeside Way, Norton.

The Design and Access Statement has been carried out in accordance with the guidance published by CABI regarding the preparation of such statements. The statement has been written to show the efforts that have been made to provide for a development that will be compatible with the site's surroundings, having regard to local character and will be accessible and inclusive.

The National Planning Policy Framework (PPS1) sets out the general planning policies on the delivery of sustainable development through the planning system. Under section heading of 'Design' PPS1 states that:-

“Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.”

PPS3 Housing seeks to promote more sustainable residential environments through requiring developers to make efficient use of land and states that good design is fundamental to this objective. It also includes an emphasis on the need to design in order to create places for people. New, well designed development can enhance the character and quality of an area and intensification need not result in increased building heights or low quality accommodation with inappropriate space.

2. ASSESSMENT OF SITE

The application site lies within the market town of Norton and is identified as being within the development limits site no. 423 set out on the proposals map of Ryedale District Local Plan which was adopted in September 2013.

The application site is located north of Lakeside Way which forms the principle road within a modern housing development and is currently occupied by Rawlings Agricultural depot which is now redundant. It is bounded on all sides by housing development from various eras and has a public footpath running along the southern boundary.

The site is 0.5 hectares in area and triangular in shape. Buildings and open roofed structures currently occupy the site comprising corrugated metal roofing to the main building, metal barrel vaulting to sheds and timber construction to walls. Hardstanding areas surround the buildings with much of the site being grassed with some trees and shrubs. An arboricultural survey has been undertaken to provide detailed, independent and arboricultural advice on the trees present in the context of potential housing development on the site.

In planning terms, the site is considered to be 'previously developed'. The National Planning Policy Framework for Housing (PPS3), requires local planning authorities to deliver a "flexible responsive supply of land including the re-use of previously developed land, where appropriate". Therefore, as the site is defined as a 'brownfield' or 'previously developed' site and located within the agreed development limits it is considered that there are not any policy constraints that will prevent the site being developed for residential use.

3. USE & AMOUNT

It is proposed to provide 18 new dwellings on the site by demolishing the existing agricultural buildings. The 18 dwellings would meet the minimum housing density requirement of 30 dwellings per hectare as set out in PPS3.

The proposals envisage that the dwellings will comprise a variety of house types in a variety of sizes. Each unit will have the required amount of parking provision situated on the driveways and permeable communal car parking areas on the site.

Overall, the indicative layout for the development proposes a mix of two storey residential dwellings, providing for a range of needs and the inclusion of affordable homes. Provision has been made for 1 bedroomed flats with parking/cycle & refuse storage provision; 3 & 4 bedroomed semi-detached houses with garaging; 4 bedroomed linked detached with integral garages and 5 bedroomed detached with garages. Each house unit will have an adequate amount of parking provision provided by permeable hardstandings to the front.

Accommodation Schedule

Building No.	No. of Beds	No. of Floors	House Type	Parking Provision	Cycle/Refuse Storage
1	5	2	Detached	Integral garage & drive	Garage
2	3	2	Semi	Detached	Garage
3	3	2	Semi	Single garage & drive	Garage
4	5	2	Deatched	Integral garage & drive	Garage
5	4	2	Deatched	Integral garage & drive	Garage
6	5	2	Deatched	Integral garage & drive	Garage
7	4	2	Semi	Integral garage & drive	Garage
8	4	2	Semi	Integral garage & drive	Garage
9	4	2	Linked	Integral garage & drive	Garage
10	4	2	Linked	Integral garage & drive	Garage
11	5	2	Deatched	Integral garage & drive	Garage
12	5	2	Deatched	Integral garage & drive	Garage
13	1	1	Flat	Carpark Space	External Store
14	1	1	Flat	Carpark Space	External Store
15	1	1	Flat	Carpark Space	External Store
16	1	1	Flat	Carpark Space	External Store
17	1	1	Flat	Carpark Space	External Store
18	1	1	Flat	Carpark Space	External Store

4. PLANNING POLICY CONTEXT

Please See Planning Supporting Statement by Yew Tree Associates.

5. LAYOUT & SCALE

In line with national and local government policy, considerable importance has been placed on arriving at a layout which has been well thought out, to provide for a development that is compatible with the site's surroundings, having regard to local character and which is accessible and inclusive.

The site has space to provide enclosed private amenity space for each house comfortably with adequate space for waste/bin storage either externally to the rear of each property or within the curtilage of the garage. The one bedroomed flats have an external single storey storage building for cycle storage to one half and refuse/recycling waste store to the other with accessible communal gardens to front and rear.

The majority of the housing surrounding the site is two storey and this theme has been continued on the site including the affordable flats situated on the eastern end of the site. It is proposed that the flats be accessed via St. Peter's Street as this provides a much better layout and accessibility over all. The Flats have been orientated in such a way as to limit the overlooking issues from first floor to both existing and proposed neighbours. Landscaping this area to provide shrub and tree screening will be necessary to delineate the communal areas and provide privacy to the incumbants.

6. LANDSCAPE

It is intended that more landscaping is incorporated into the development, particularly to the eastern area surrounding the flat development area. In accordance with the Arboricultural Report, where possible existing trees and hedgerows will be retained to form the enclosures to the proposed gardens. New tree planting and screening is proposed to the eastern area of the site where there is a dirth of soft landscaping to the garden boundaries of Springfield Garth.

The access road will be a continuation of Lakeside way with tarmac finish and road gulleys, however the new private drive and 16m square turning area will be in permeable block paving to allow for natural drainage and retain rainwater for the new gardens. It is proposed that all drives, pedestrian access and the communal car parking area to the flats will be in permeable paving also.

7. APPEARANCE

Careful consideration has been given to the proposal to ensure that the design maximises the use of the site without impacting on the existing built up suburban environment. The units have been positioned on the site in a way that minimises the overlooking issues and attempts to allow existing adjacent householders some degree of openness to their rear aspect. Separation distances of properties are at or beyond the normally accepted 21m from Spring Field Garth and Welham Road. Materials will be of brick and roof tile to match samples submitted at reserved matters stage.

8. ACCESS

The main vehicular access to the site is proposed off Lakeside Way as this allows for good visibility in both directions, which is in line with the Manual for Streets.

It is proposed that a subsidiary access is provided to the eastern end of the site directly from St. Peter Street which will serve the one bedroom flat block only. The access will go directly into the communal car parking area which will aid movement of larger vehicles such as refuse wagons

9. CONCLUSIONS

As stated in the Supporting Planning Statement that has been produced to be read in conjunction with this Design & Access Statement, the proposal is for 18 residential units of differing type and size. Under PPS3 'Housing' it states that the reuse of previously developed land is an effective way to supply housing development.

Through this report and accompanying documents for the planning application an appraisal of the site in relation to its surroundings has been undertaken to inform the initial design process. Every effort has been made to take account of any relevant planning issues that may emerge through the consideration of the application. Notwithstanding this, we remain willing to discuss any aspect of the proposal with the Local Planning Authority.



YEW TREE ASSOCIATES

LAND, PLANNING AND DEVELOPMENT CONSULTANTS

SUPPORTING PLANNING STATEMENT

FOR

THE ERECTION OF 18 No DWELLINGS

AT

RYEDALE DM

LAND AT LAKESIDE WAY

- 5 FEB 2014

DEVELOPMENT
MANAGEMENT

WELHAM ROAD

14/00096/mat

NORTON

FOR

THOMAS CROWN ASSOCIATES

27.1.14

YEW TREE ASSOCIATES: SOUTH PACE, LAURENCE ROAD, THE WOODS, NORTON, NORSFOLK

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PARTNER: WALES GIBSON



Contents

- 1. Introduction**
- 2. Site Location and Description**
- 3. The Proposal**
- 4. The Planning Policy Context**
- 5. Key Issues**
- 6. Conclusions**

Appendices

**Flood Risk Assessment and Sequential Test by Yew Tree Associates
Ecology Report and Bat Survey by MAB Environment & Ecology Ltd
Archaeology Desk Based Assessment by MAP Archaeological Practice
Contamination Report by Geo Environmental Engineering
Tree Report (To follow)**

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).

4.3 It's relevant policies are as follows:-

4.4 The Ryedale Plan – Local Plan Strategy 2013
Policy SP1- General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP3 - Affordable Housing
Policy SP4 - Type and Mix of New Housing
Policy SP12 - Heritage
Policy SP16 - Design
Policy SP 17 - Managing Air Quality, Land and Water Resources
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

4.5 In addition and of equal relevance is the Government's National Planning Policy Guidance, the relevant paragraphs and references of which are:-

Paragraphs 11-16 Presumption in Favour of Sustainable Development Ministerial Forward
Paragraph 17 Core Principles
Paragraph 39 Promoting Sustainable Transporting
Paragraphs 47, 49, 50 Delivering a wide choice of High Quality Homes
Paragraphs 56, 60, 61 and 65 Requiring Good Design
Paragraphs 94 and 95 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Paragraphs 109 - 125 Conserving and Enhancing the Natural Environment
Paragraph 159 Plan Making
Paragraphs 186, 187, 196 and 197 Decision-Taking
Paragraphs 210 - 216 (inclusive) Annex 1

5. Key Issues

5.1 Whilst the application is in Outline only we ask that the following key issues are taken into account when assessing this proposal:-

1. Sustainable Development
2. Principle of Residential Development
3. Siting, Scale, Design and Effect Upon the Character of the Area
4. Impact on the Residential Amenity of the Adjoining Neighbours
5. Highway Safety
6. Drainage and Flood Risk
7. Affordable Housing
8. Public Open Space
9. Impact on Nature Conservation and Protected Species.
10. Archaeology
11. Contamination

To take each in turn.

5.1.1 Sustainable Development

A number of references are made to the presumption in favour of sustainable development in the NPPF.

In the Ministerial Forward it states that:-

'Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.'

and at Paragraph 14 states:-

'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking'

For plan-making this means that:

●● local planning authorities should positively seek opportunities to meet the development needs of their area;

●● Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

—any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

—specific policies in this Framework indicate development should be restricted.⁹

For decision-taking this means:¹⁰

●● approving development proposals that accord with the development plan without delay;
and

●● where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

—any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

—specific policies in this Framework indicate development should be restricted.⁹

(Our emphasis)

Footnote 9

For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

Footnote 10.

Unless material considerations indicate otherwise.'

5.1.2 At paragraph 17 under the heading 'Core Planning Principles' the document sets out 12 planning principles of which the following is particularly relevant namely:-

'...proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area...'

(Our emphasis)

5.1.3 In addition, at paragraph 49 it states that:-

'49. Housing applications should be considered in the context of the presumption in favour of sustainable development...)

5.1.4 The document continues a paragraph 50:-

*'50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
●●plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities,....)*'

(Our emphasis)

5.1.5 Paragraph 50 is reinforced at paragraph 159 under the heading 'Plan Making – Housing' where it states:-

'159. Local planning authorities should have a clear understanding of housing needs in their area. They should:

*.....—addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
—caters for housing demand and the scale of housing supply necessary to meet this demand;...*'

(Our emphasis)

5.1.6 We find further support for the proposal at paragraph 187 which states:-

'187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.'

(Our emphasis)

5.1.7 and at paragraph 197 under the heading 'Determining applications we find further support as follows:-

'197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

(Our emphasis)

5.1.8 In The Ryedale Plan – Local Plan Strategy at Paragraph 1.2 of the Introduction to the plan states:-

'1.2 The purpose of the Ryedale Plan is to encourage new development and to manage future growth whilst ensuring that change across the District is based on a presumption in favour of sustainable development.'

(Our emphasis)

and at Policy SP1 - General Location of Development and Settlement Hierarchy it 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:*

*Principal Town - Primary Focus for Growth
· Malton and Norton (including Old Malton*)*

.....In allocating and releasing development sites at the above locations:

· the use of deliverable and developable Brownfield land will be prioritised and development will be guided to areas with lowest flood risk, taking account of the vulnerability of types of development and the need to achieve sustainable development and in accordance with the requirements of the Government's latest flooding guidance

Additionally as part of the site selection process, the Local Planning Authority have regard to the deliverability and developability of sites and their ability to:

· deliver against the Objectives and Policies of the Plan, policy standards and Community Infrastructure Levy (CIL) requirements

· support access on foot to centrally located shops, services and facilities

· be compatible with neighbouring land uses

· avoid adverse impacts on interests of acknowledged importance

· be accommodated without detriment to the character of the settlement and its setting

· satisfactorily address highway capacity and safety'

(Our emphasis)

5.1.9 Further policy support is found at Policy SP19 'Presumption in Favour of Sustainable Development' which states:-

'When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

· Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.'

5.1.10 We submit that the site is in a sustainable location and therefore meets the requirements of the Ryedale Local Plan and NPPF.

5.2 The Principle of Residential Development

5.2.1 The NPPF under the heading 'Delivering a wide choice of high quality homes' the document states at paragraph 47 that:-

'47. To boost significantly the supply of housing, local planning authorities should:

●●use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

●●identify and update annually a supply of specific deliverable¹¹ sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the

plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

●●identify a supply of specific, developable² sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

11 To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

12 To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.'

(Our emphasis)

5.2.2 The Council have only recently confirmed that they have a demonstrable 5-year supply of housing sites. However to maintain this position the Council will require a continuing supply of housing sites particularly as it appears that the housing market is gaining momentum again. We submit therefore that in the light of this position and that which will explain later in this statement is that there is an overriding case for granting planning permission.

5.2.3 Turning to The Ryedale Plan – Local Plan Strategy we find support at Policy SP1 under the heading General Location of Development and Settlement Hierarchy where it states that:-

SP 1 General Location of Development and Settlement Hierarchy

Ryedale's future development requirements will be distributed and accommodated on the basis of the following hierarchy of settlements:

Principal Town - Primary Focus for Growth

· Malton and Norton (including Old Malton)*

Local Service Centres (Market Towns) – Secondary Focus for Growth

· Pickering

· Kirkbymoorside

· Helmsley...'

(Our emphasis)

5.2.4 Policy SP2 also supports the proposal as under the heading Delivery and Distribution of New Housing states that:-

'SP 2 Delivery and Distribution of New Housing

The delivery of at least 3000 (net) new homes will be managed over the period 2012-2027.

The sources of new housing that will contribute to the supply of new homes across the District are as follows:

Malton and Norton · Housing Land Allocations in and adjacent to the built up area

· Conversion and redevelopment of Previously Developed Land and Buildings within Development Limits

· Replacement Dwellings

· Sub-Division of existing Dwellings

· Infill Development (small open sites in an otherwise continually built up frontage)

· 100% Rural Exception Sites outside of and on the edge of Development Limits in line with SP3.

· Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate

Pickering, Kirkbymoorside,

Helmsley, Service Villages

· As above...'

(Our emphasis)

5.2.5 and at paragraph 4.34 under the heading Type and Mix of New Housing the plan states:-

'4.34 The provision of an appropriate mix and choice of new housing is central to the objective of creating sustainable and balanced communities. The District will need to ensure a range and choice of market housing is provided to respond to changing demographics and market drivers.'

(Our emphasis)

5.2.6 and policy SP4 follows:-

*'SP 4 Type and mix of new housing
Increased housing choice and high quality housing will be provided through :
· New housing development
· The re-use of empty properties
· Improvements and adaptations to existing homes
New housing sites in Ryedale will provide increased housing choice and contribute to the provision of a balanced housing stock.'*

(Our emphasis)

5.2.7 The proposed site lies in the town of Norton which is identified as a Principle Town with Malton where a significant proportion of new development is to be located and the scheme proposed will provide an appropriate mix and choice of housing. We submit therefore that the proposal accords with policies SP1, SP2 and SP4 of The Ryedale Plan – Local Plan Strategy and advice in the NPPF.

5.3 Siting, Scale, Design and Effect Upon the Character of the Area

5.3.1 Policy SP16 of The Ryedale Plan – Local Plan Strategy states:-

'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:

- Reinforce local distinctiveness*
 - Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
 - Protect amenity and promote well-being*
- To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:*
- Topography and landform that shape the form and structure of settlements in the landscape*
 - The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks. The medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale*
 - The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings*
 - The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement*
 - Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures*
 - The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail*

The design of new development will also be expected to:

- Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space*
 - Contribute to a safe and well connected public realm by respecting and incorporating routes, buildings and views which create local identity and assist orientation and wayfinding; creating public spaces which are safe and easy to use and move through by all members of the community; facilitating access by sustainable modes of travel including public transport, cycling and walking*
 - Reduce crime and the fear of crime through the careful design of buildings and spaces*
- Provide, where appropriate, active and interesting public frontages, clearly defined public spaces and secure private spaces*
- Make efficient use of land and to be built at a density which is appropriate to its surrounding context. In general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of the surrounding context*
 - Proposals for major development will be expected to include a statement identifying the waste implications of the development and measures taken to minimise and manage waste generated*

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

Character

New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses

The cumulative impact of new development on the character of an area will also be considered

Design

The design of new development will follow the principles established in Policy SP16. Extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials

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

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance

All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/ potential risks posed by contamination in accordance with recognised national and international standards and guidance'

- 5.3.3 We submit that the proposal meets all the requirements of the above criteria and some weight should be attached to these policies as they are broadly consistent with the aims of the NPPF.
- 5.3.4 The NPPF paragraph 56 states the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 5.3.5 Paragraphs 60, 61 and 65 of the NPPF make it clear that decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, should address the connections between people and places and the integration of new development into the natural, built and historic environment and proposals should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.
- 5.3.6 A Tree Survey is to be submitted with the planning application the results of which will be provided in due course. The development will of course be the subject of suitable landscaping scheme which should form the basis of a suitable planning condition attached to any planning permission.
- 5.3.7 The Design and Access Statement and associated drawings submitted with the application should be referred to here as it explains and justifies the scheme in design terms. 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 the policies 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 One of the core planning principles set out in Paragraph 12 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.
- 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 Standard standoff distances are achieved in respect of all the dwellings with no overlooking issues. 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 Highway Safety

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 with respect to parking, paragraph 39 of the NPPF states that when setting local parking standards for residential and non-residential development, local planning authorities should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high emission vehicles.

5.5.4 Norton is considered to be a settlement which is capable of accommodating additional residential growth and as such it is considered to be a sustainable location with access to a range of services and facilities. The dwellings would be served from two new accesses from Lakeside Way and St Peter Street on the southern boundary of the site which are acceptable in highway terms and adequate parking provision has also been provided for within the site.

5.5.5 In addition a Public Footpath runs along, but outside the southern boundary of the site and as such this will provide further pedestrian connections to town centre.

5.5.6 The site is also close to the town centre and close to Welham Road where options for access and travel other than by means of private car are available to occupiers of the dwellings as well as their visitors.

5.5.7 We submit that the proposal is will not adversely impact on the highway network either from an access or parking standpoint and therefore consider that the proposal is acceptable as it accords with policies SP20 of The Ryedale Local Plan- The Local Plan Strategy and Paragraph 39 of the NPPF.

5.6 Drainage and Flood Risk

5.6.1 The NPPF paragraph 94 states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. NPPF Paragraph 95 states to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings.

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 3 as shown on the Environment Agency's Flood Map for Malton and Norton which is at a high probability of flooding and as such the Flood Risk Assessment submitted should be referred to. The FRA however concludes that the site is suitable for residential use.

5.6.4 We understand that there is adequate capacity in both the foul and surface water sewers in the area and that an adequate water supply is also available. The development will be connected to the mains sewer with surface water directed to a soakaway and/or attenuated to agricultural flows before discharge from the site.

5.6.5 We submit therefore that the site can be developed with an acceptable risk of flooding and can be satisfactorily drained and is therefore considered acceptable and in accordance with Policy SP17 of the Ryedale Plan and the guidance in NPPF.

5.7. Affordable Housing

5.7.1 Policy SP3 (Affordable Housing) of The Ryedale Plan – Local Plan Strategy states:-

'Where local need exists, the Local Planning Authority will seek the provision of new affordable homes by:

· Negotiating with developers and landowners to secure a proportion of new housing development to be provided as affordable units

· Supporting Registered Social Landlords in bringing forward wholly affordable schemes within Ryedale's towns and villages

· Supporting in principle, the release of 'Rural Exception Sites'

Affordable homes will also be provided in conjunction with landlords through the purchase and repair of existing dwellings, alterations and improvements to the existing affordable housing stock and through the re-use of empty homes.

Affordable Housing from Developer Contributions

The Local Planning Authority will seek the provision of:

35% of new dwellings as affordable housing on-site (in settlements outside West and South West Ryedale) as part of developments of 5 dwellings or 0.2 ha or more and 35% of new dwellings as affordable housing on-site with a further additional financial contribution equivalent to a further 5% of provision as part of developments of 5 dwellings or 0.2ha or more in West and South West Ryedale* (including Ampleforth, Helmsley**, Hovingham and Sheriff Hutton)*

Where the on-site contribution does not equate precisely to whole numbers of units, equivalent financial contributions will be sought.

Below the threshold of 5 dwellings/0.2 ha, a pro-rated financial contribution will be sought from all new residential development, where this is viable.

(Our emphasis)

5.7.2 The proposal is for 18 dwellings and therefore there is a requirement for 6.3 dwellings (35%). 6 No 1 bed dwellings, Plots 13-18 are therefore proposed within the scheme with the remaining 0.3 of a dwelling being provided by means of a commuted sum to be calculated.

5.7.3 We find support for the affordable house type provision in the North Yorkshire Strategic Market Housing Assessment which states:-

'Future Need for Affordable Housing

1.36 If North Yorkshire were to meet the needs of all households who cannot afford to buy or privately rent a home on the open market¹⁴ it would have to deliver 2,808 affordable dwellings (excluding Selby) each year over the next 5 years. This is shown in the table below.

Figure 10: Net Annual Affordable Housing Need (Next 5 Years) – North Yorkshire

Net Annual Affordable Housing Need – North Yorkshire & Local Authorities

Craven Hambleton Harrogate Richmondshire Ryedale Scarborough City of York Nth Yorkshire (Total)

218 320 507 260 256 457 790 2,808

Source: North Yorkshire SHMA, 2011

1.37 In particular, there is currently a shortfall in smaller 1 and 2 bedroom and larger 4 or more bedroom affordable properties across North Yorkshire. The shortage of these property types is making it harder for the authorities of North Yorkshire to meet the housing needs of households who cannot afford to buy or privately rent a home on the open market.'

(Our emphasis)

5.7.4 We therefore submit that the proposed affordable housing proposed within the scheme will meet the requirements of Policy SP3 of The Ryedale Plan – Local Plan Strategy.

5.8 Public Open Space

5.8.1 Policy SP11 (Community Facilities and Services Provision) of the Ryedale plan states:-

'Proposals for the provision of new community facilities or services will be supported in principle as follows:

Malton and Norton;

Pickering; Kirkbymoorside;

Helmsley

Sites allocated for such uses or as part of a mixed use allocation; expansion and improvement of existing facilities in and outside of Development Limits; provision of new facilities within development limits or outside of Development Limits where the facility is

needed and cannot be located within Development Limits or as part of a mixed use allocation.

Service Villages and other villages

Expansion and improvements to existing facilities in or outside of Development Limits; provision of new facilities - within Development Limits, conversion of existing buildings outside of Development Limits or new provision outside of Development Limits where the facility is needed to serve the local area and could not be provided with Development Limits

New or enhanced provision of open space, leisure and recreational facilities will address identified deficiencies set out in Table 3 and be undertaken in line with Local Open Space Standards as set out in Table 4. All new residential development will be expected to contribute to the provision of open space, recreation and leisure facilities. Residential schemes of 15 dwellings or more will be required to include on-site provision of informal amenity space unless it is considered impractical or unfeasible and an off-site contribution is more appropriate. On-site formal children's playspace will be sought on residential sites of 50 dwellings or more.'*

**Excludes replacement dwellings, residential extensions and annexes and temporary dwellings.*

(Our emphasis)

- 5.8.2 Informal Amenity Space so defined in Table 4 under Local Open Space Standards states:-

'Village Amenity Green Space One area of open space for local residents for villages over 150 residents'

- 5.8.3 The scheme includes an area of open space which we submit will meet the requirements of Policy SP11 (Community Facilities and Services Provision) of the Ryedale Plan

5.9 Impact on Nature Conservation and Protected Species

- 5.9.1 NPPF paragraphs 109 to 125 relate to conserving and enhancing the natural environment and to impacts of development proposals on protected species planning policy and guidance which is provided by the NPPF and accompanying ODPM Circular 06/2005 "Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System" in addition to the Habitat Regulations and Bat Mitigation Guidelines published by Natural England.

- 5.9.2 An ecological appraisal and Phase 1 habitat survey have therefore been undertaken and is submitted as part of the planning application. However it shows that:-

'The majority of the site consists of a range of old agricultural storage sheds and buildings and hard standing, set within an area of close mown improved grassland.

Species present on site are common and widespread. Tall ruderal and scrub is developing towards the edges of the site and these areas provide some birdnesting and bat foraging interest.

Buildings on site have very low bat roost potential and no further survey work is considered necessary. Mature boundary trees in the north of the site have bat roost potential, but will be retained as part of the development scheme.

The site offers some suitable terrestrial habitat for amphibians and the nearby mill pond has been assessed as 'good' suitability for great crested newts. However, habitat immediately surrounding the pond is suboptimal and there are no great crested newt records within this area.'

- 5.9.3 The report recommends mitigation and ecological enhancement are provided and new tree and hedge planting is proposed as part of the scheme and any clearance of vegetation should be scheduled to avoid disturbance to breeding birds.

5.9.4 It is considered therefore that the proposed development would not harm any acknowledged nature conservation interests and therefore would not be contrary to the advice contained within the NPPF.

5.10 Archaeology

5.10.1 Policy SP12 (Heritage) of the Ryedale Plan states:-

'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 Derwentio site at Malton*

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

- Encourage the sensitive re-use and adaptation of historic buildings and will, where appropriate, support flexible solutions to the re-use of those historic buildings identified as at risk where this would remove a building from English Heritage's At Risk Register or local records of buildings at risk.*
- Seek to ensure the sensitive expansion, growth and land use change in and around the Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas*, as well as surrounding historic landscape character and setting of individual settlements*
- Consider ways in which planning obligations can be used in conjunction with the allocation of sites at the Service Villages in the Vale of Pickering to secure increased protection, management and/or understanding of archaeological assets*
- Work with North Yorkshire County Highways, Town and Parish Councils to provide highway improvements and street furniture that are appropriate to the historic context of individual towns and villages*
- Work with partners and landowners to encourage sensitive land management in the Vale of Pickering and the Wolds*
- Work with and support local estates to identify appropriate ways in which to manage their historic landscapes, features and buildings*
- Support, in principle, the small scale extraction of local building stone that would enable the repair and restoration of high grade or recognised heritage assets and features*

(Our emphasis)

5.10.2 In the light of the site being of potential archaeological interest a report has been prepared by MAP Archaeology and is submitted with the planning application. This concludes however that:-

'the development site may have unknown archaeological deposits within the boundaries of the site. The date, depth and extent of the archaeological features and deposits are not known. It is unlikely that any national important archaeological remains are located on the site to prevent development.

After consultation with the North Yorkshire County Archaeologist further archaeological evaluation would be required in order that a suitable mitigation be proposed to comply with the National Planning Policy Framework. This work would consist of Archaeological Trial Trenching across the extent of the site to determine the presence of any previously unknown buried archaeological deposits. Dependant on the results subsequent further work may be required. This would allow a suitable mitigation to be placed on archaeological deposits prior to construction.'

5.10.3 The requirements of the above findings will be the subject of appropriate trial trenching in due course to all to meet the requirements of Policy SP12 (Heritage) of the Ryedale Plan and NPPF.

5.11 Contamination

5.11.1 Policy SP17 Managing Air Quality, Land and Water Resources of the Ryedale Plan 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....'*

5.11.2 A Desk Top Ground Survey has therefore been prepared by Geoenvironmental Ltd and this is submitted with the planning application. It shows that:-

'The site is considered to pose a moderate geotechnical risk.

The site is considered to pose a low to moderate ground contamination risk to the proposed end users.

The site is considered to pose a very low risk to controlled waters and adjacent sites (the surrounding environment).

The site is considered to pose a very low risk of ground gas.'

5.11.3 The report however recommends mitigation measures in the form of a scope of works which are deemed suitable to fully characterise the ground and gas regime below the development site with the resulting information suitable for submission to the Local Authority for planning purposes and for the appointed design team.

5.11.4 In the light of the above we submit that the proposal will meet the requirements of Policy SP 17 of the Ryedale Plan.

6. **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 we respectfully submit that the application is acceptable in all respects and should therefore be granted planning permission.

MMO

9/4/14

JC

Recommend
refusal.

Glenys Yates

From: Norton Town Council [norton.tc@btconnect.com]
Sent: 08 April 2014 11:35
To: Development Management
Subject: Planning Application 14/00096/MOUT

RYEDAILE DM

- 9 APR 2014

DEVELOPMENT
MANAGEMENT

FAO Matthew Mortonson

Dear Sirs

Planning Application 14/0096/MOUT

Further to your letter dated 31 March with revised application, our recommendation for refusal still stands on the following grounds:

- Overdevelopment of what is a relatively small site, with insufficient parking leading to more congestion on surrounding streets
- Vehicular access to the site cutting across a much used safe public footpath
- Increased flood risk, this site sits in the floodplain and any further development would limit the drainage of ground water which is already a problem in this area
- Impact on sewerage system, the Victorian sewers are already over capacity and any further development puts residents in other areas, especially those living in the vicinity of Church Street, bottom end of St Nicholas Street and Welham Road at a much greater risk of having raw sewage impacting on their property whenever there is a period of heavy rain and the system is under pressure

Yours faithfully

Ros Tierney, Town Clerk

Agenda Item 7

Item Number: 7
Application No: 14/00312/MFUL
Parish: Normanby Parish Meeting
Appn. Type: Full Application Major
Applicant: Mr And Mrs Bell
Proposal: Change of use of agricultural land to form a 50 pitch touring caravan site to include erection of a single storey service building, formation of new vehicular access to the north and excavation of 300m x 90m lake (maximum dimensions)
Location: Land At Westfield Farm Westfield Lane Normanby Kirkbymoorside
Registration Date:
8/13 Wk Expiry Date: 16 June 2014
Overall Expiry Date: 23 April 2014
Case Officer: Shaun Robson **Ext:** 319

CONSULTATIONS:

Vale Of Pickering Internal Drainage Boards No objections
Parish Council Concerns raised
Highways North Yorkshire Objection
Countryside Officer Concerns that the application has no information on its potential impact on existing biodiversity that use the site in its current state.
Sustainable Places Team (Yorkshire Area) No Objections
Housing Services
Land Use Planning Comments made regarding water supply and waste water
Environmental Health Officer No objection in principle request informative
Tree & Landscape Officer No objections on landscape grounds, concerns raised on other matters
Neighbour responses: Andrew And Susan Knowles, Mrs B Johnson, Mrs Ann Wilkins, Mr Frank Sturdy, Mr Clifton Lund, Mr Frank Sturdy, Miss Harriet Sanders, Dr Peter Smith, Mr Mike Newbould, Ms VAL KAVANAGH, Mr Philip Gospel, John Riddell, Mrs Christina Blythe, ,

SITE:

The application site is located to the south of the village of Normanby within the Open Countryside.

The site approximately measures 7.5 hectares and forms part of the applicant's larger land holding of some 69 hectares.

The site is not served by any formal access arrangement.

The River Seven is located immediately to the east of the site, which is the source of potential flooding to the site. The site is classified as Flood Zone 3a by the Environment Agency.

PROPOSAL:

Planning permission is sought for the change of use of land to allow the formation of 50 no. seasonal touring pitches.

The proposal also includes the erection of a single storey pitched roof service building containing an office, information room, showers, toilets and a storage area. The building has a length of 30.0m, width of 9.0m and overall height of 4.8m. A new access will also be created from Westfield Lane directly to the site. The access is 5.0m width, 200m long with a lay-by/ waiting area in the highway verge.

The application is accompanied by a Flood Risk Assessment and Design & Access Statement.

HISTORY:

None.

POLICY:

National Policy Guidance

National Planning Practice Guidance
National Planning Policy Framework

Ryedale Plan - Local Plan Strategy

Policy SP8 - Tourism
Policy SP10 - Physical infrastructure
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP15 - Green Infrastructure Networks
Policy SP16 - Design
Policy SP17 - Managing Air Quality, Land and Water Resources
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues

PUBLICITY:

10 letters of objection have been received from residents citing some or all of the following points:-

- The submitted Flood Risk Assessment is flawed and based on outdated PPS25 advice;
- The information accompanying the application does not take account of the technical advice contained in the NPPF technical guidance;
- The development will have a detrimental impact to the surrounding area. The Howardian Hills AONB and the North York National Park are only a few kilometres from the site;
- The proposal conflicts with Policies SP12, SP20 of the Ryedale Plan – Local Plan Strategy;
- The development will have a direct adverse impact on the surrounding highway network;
- The development will have a direct in impact on Listed Buildings and Conservation Areas in the vicinity of the site;
- The Ecology and Biodiversity of the area will be damaged through the development;
- The application will devalue properties in the area.

4 letters of support have been received from residents citing some or all of the following points:-

- The proposal will boost the local economy;
- Any visual impact of the development will be easily integrated into the landscape;
- The development will move traffic away from the village thus improving the village environment.

APPRAISAL:

The main considerations in relation to this application are:-

- The principle of the proposed development and whether the sequential test is met;
- Site specific flood risk mitigation;
- Impact of the proposed development upon the character and appearance of the open countryside;
- Landscaping;
- Highway safety;
- Ecology and biodiversity.

Policy SP8 of the Ryedale Plan in principle supports tourism related development in the District because of its economic benefits to the area. These economic benefits however, have to be balanced against the other associated impacts from the scheme.

Flood risk

Policy SP17 (Managing Air Quality, Land and Water Resources) (*in part*) states:

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*

Members will appreciate that this site is located within Flood Zone 3a. The proposed use is classed as 'More Vulnerable'. As such the proposal needs to meet the requirements of the sequential test and the exception test.

It is the responsibility of the Local Planning Authority to ensure the sequential test is met. Paragraph 101 of the NPPF states:

"the aim of the Sequential Test is to steer development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding."

For individual planning applications where there has been no sequential testing of the allocations in the development plan the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. The applicant has not identified any specific circumstance or justification for the selection of the site.

The standing advice (Demonstrating the flood risk Sequential Test for Planning Applications) issued by the Environment Agency in order to assist in the preparation and assessment of a sequential test identifies the geographical area of search, over which the test is to be applied. The advice states that the geographical area should be:

“...over the whole of the Local Planning Authority area but may be reduced where justified by the functional requirements of the development or relevant objectives in the Local Plan.”

The Local Plan Strategy contains no relevant site specific criterion for the assessment of a caravan site within an area highly susceptible to flooding.

The recently adopted National Planning Practice Guidance states:

“...the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed.”

In this particular case the development is not associated within any ‘existing’ facility nor is it the expansion of an existing concern.

It is considered, therefore, that given that no fundamental justification appears to exist for the development of this specific site that the catchment area to apply the sequential test should be across the LPA administrative area.

The agent has cited that the sequential assessment/justification for proposal on this specific site is that the other site/area available in the locality, owned by the applicant, would be more visible and therefore create a greater visual impact than the site proposed.

Officers are concerned with that approach in respect of this application.

The applicant has completed an Exception Test but given the above identified concerns the application is also considered to be flawed with regard to this approach.

Therefore officers consider that the proposal does not meet the requirements of either the Sequential or Exception Test. Furthermore, in regard to the sequential approach, there has been no other assessment of other sites in the area to establish if there is an available site. In this regard, officers that the development fails the requirements as defined within the NPPF and Policy SP17 of the Local Plan Strategy.

Impact upon the character and appearance of the open countryside

A number of concerns have been received from residents in regard to the impact of the development on the character of the surrounding open countryside.

The proposal incorporates additional planting around the boundary of the site which will, once matured, add to the existing features and integrate the scheme into the wider area.

The Tree and Landscape Officer has considered the proposal and has raised no issues with regard to the impact of the establishment of the pitches and site.

Policy SP8 requires that new development does not ‘*undermine the character of the area or prejudice the quality of the natural or built environment.*’

It is not considered by Officer, therefore, that the development would have a detrimental visual impact in the surrounding area.

Ecology

The Ecology Officer has raised concerns in regard to the lack of information accompanying the application with regard to the potential impact on existing biodiversity that use the site in its current state. The application has not been accompanied by a desk based search on protected species and habitats. In light of the lack of this information it is not possible to determine whether the application will have any detrimental impact on protected species.

Highway safety

The proposal seeks to create an access arrangement off the unclassified County Highway (Westfield Lane).

The Highway Officer has raised a number of concerns in relation to the application specifically that the traffic generation associated with the development would meet or exceed the trigger for the requirement of a Transport Assessment. The application has not however been accompanied by a Transport Assessment. Concern has also been expressed by the Highway Officer with regard to the inadequate width of the public highway leading to the site.

Other issues

A concern has been received in relation to the conduct and formal response from the Parish Meeting.

A Parish Meeting comprises the Local Government Electors for the Parish. There is no obligation for a Parish Meeting to adopt a member's code of conduct. In addition the District Council has no jurisdiction to monitor and regulate the conduct of Parish Meetings.

Therefore the concerns raised in regard to the comments made and the conduct of the meeting raises no issue with regard to the consideration of the application.

Conclusion

In view of the concerns highlighted above in respect of the sequential test, the lack of information to assess the impact of the development on biodiversity and the highway concerns, the recommendation on this application is one of refusal.

RECOMMENDATION: Refusal

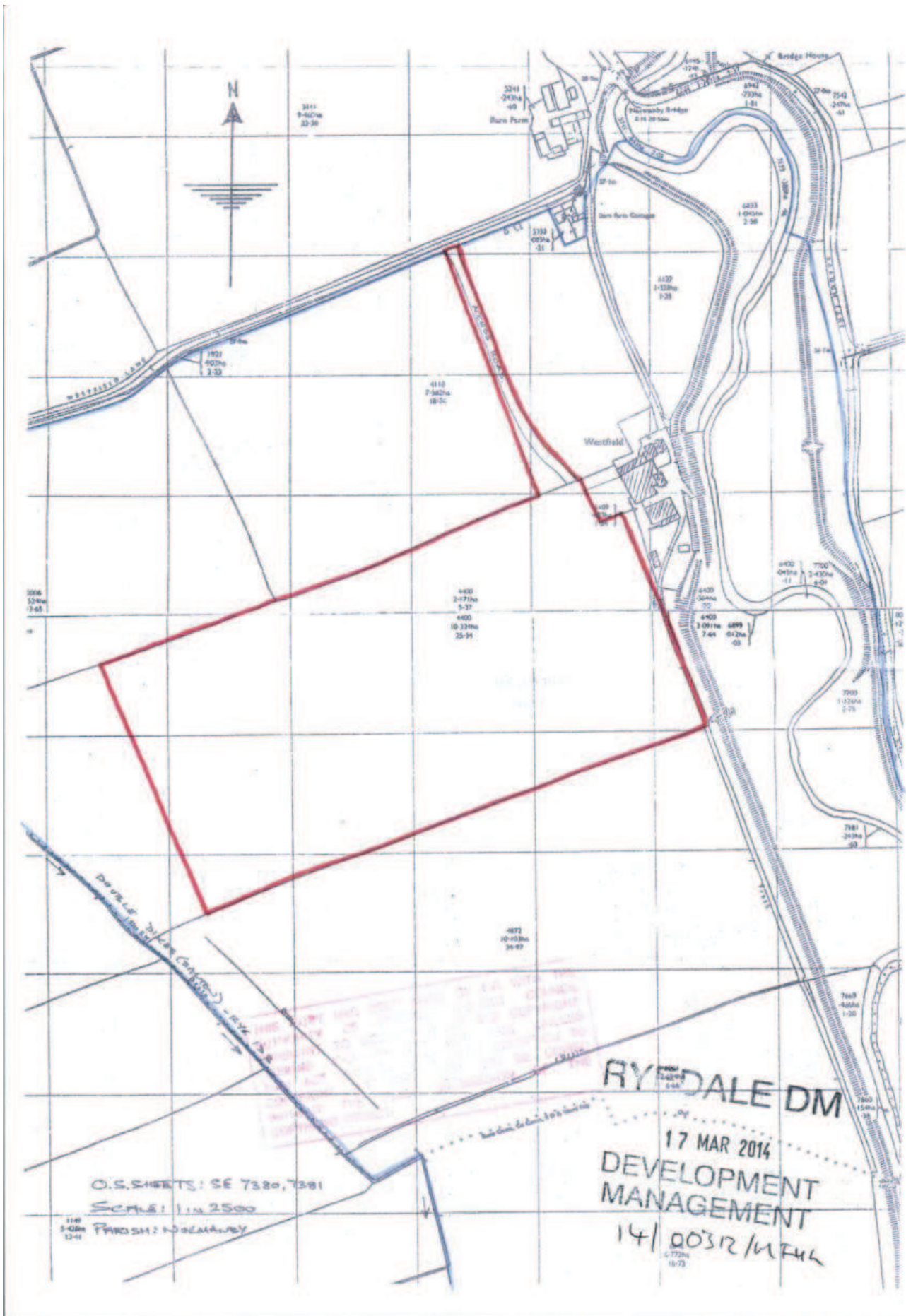
- 1 The Local Planning Authority considers that the public highway leading to the site is of insufficient width to accommodate the additional traffic allied to touring caravan touring vehicles, without serious damage to the carriageway and verges of the highway and loss in amenity value. The proposal is therefore contrary to Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 2 The applicant has failed to adequately assess the application in regard to the required Sequential Test, given the sites location within Flood Risk Zone 3a. The proposal is therefore contrary to Policy SP17 of the Ryedale Plan - Local Plan Strategy and paragraph 101 of the National Planning Policy Framework.

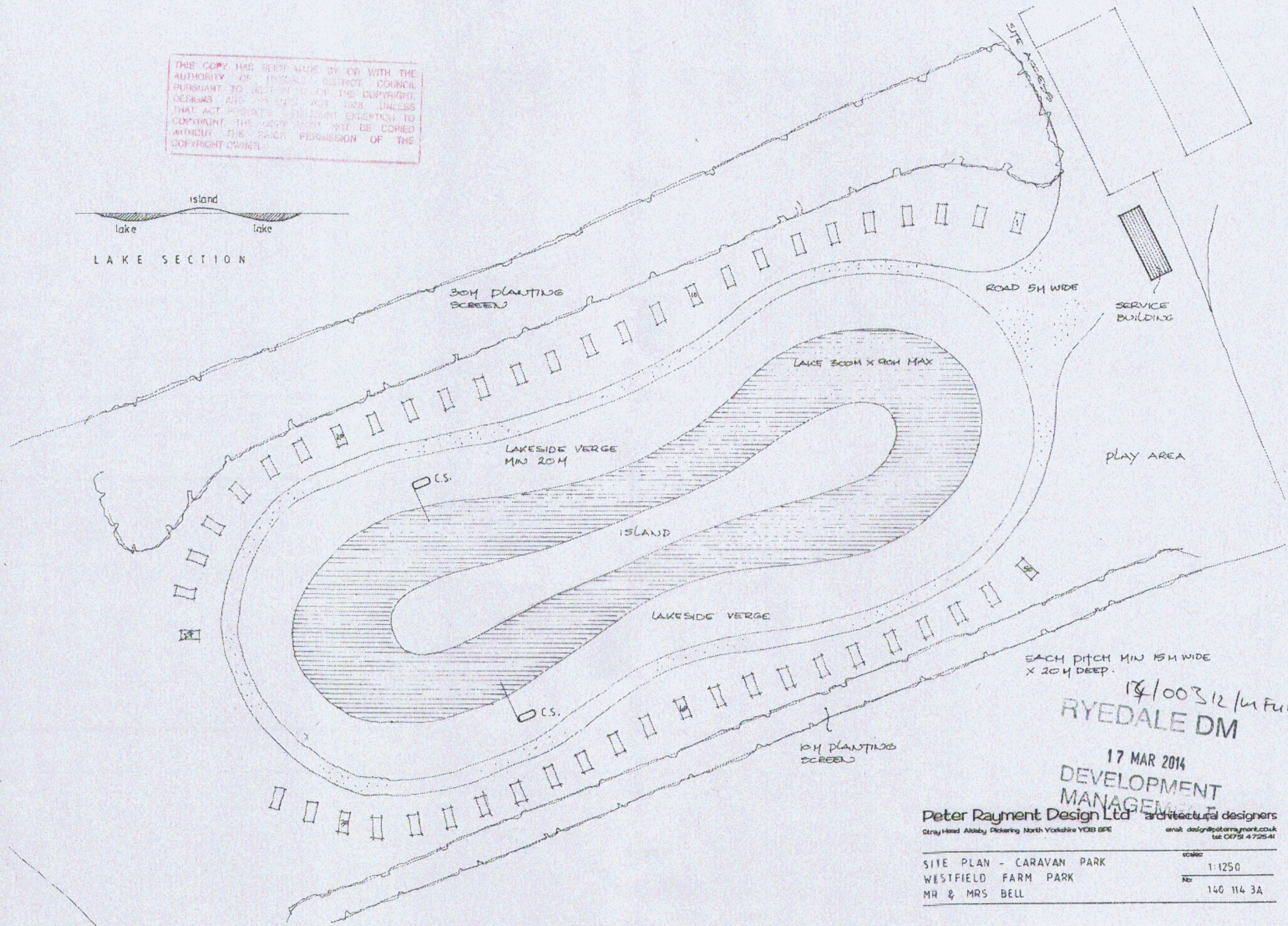
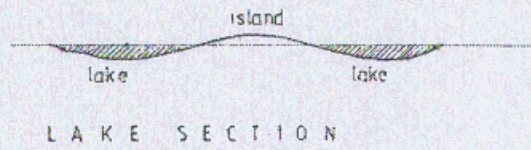
- 3 The application has not been accompanied by any information to assess the potential impact of the development on existing biodiversity that use the site in its current state. In light of the lack of this information it is not possible to determine whether the application will have any detrimental impact on protected species. The proposal is therefore contrary to Policy SP14 of the Ryedale Plan - Local Plan Strategy and paragraph 118 of the National Planning Policy Framework.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties



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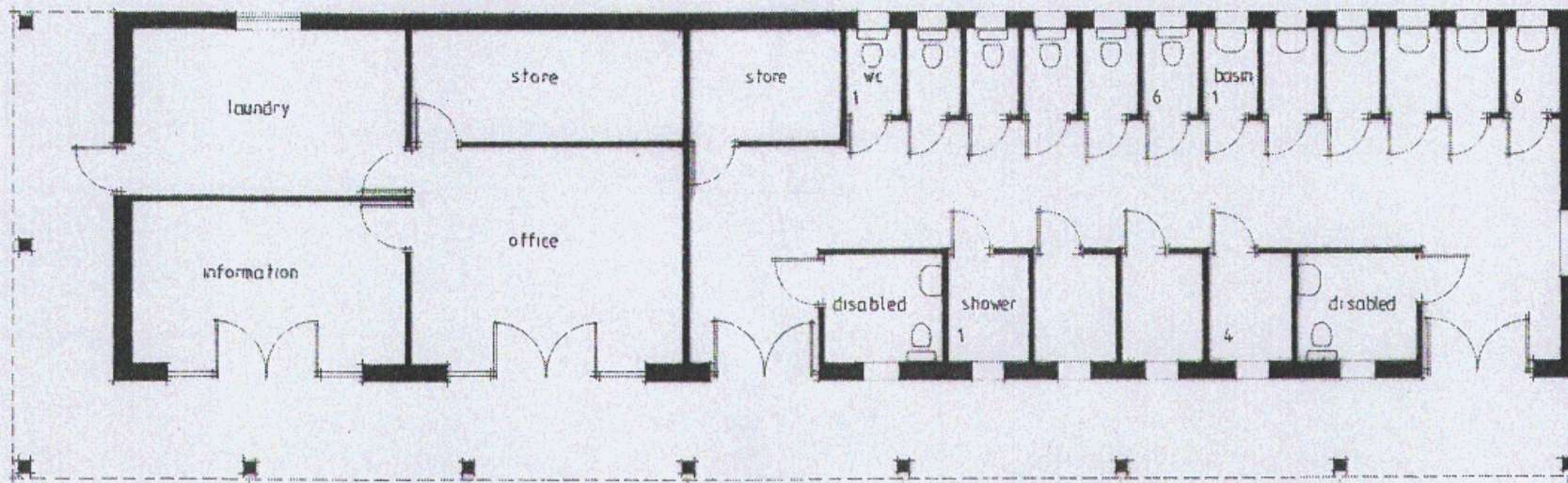
EACH PITCH MIN 15M WIDE X 20M DEEP.
 17/00312/14 Full
 RYEDALE DM

17 MAR 2014
 DEVELOPMENT
 MANAGEMENT

Peter Rayment Design Ltd architectural designers
 Stray Head Abbey Pickering North Yorkshire YO8 8PE email: design@peter.rayment.co.uk tel: 01751 472541

SITE PLAN - CARAVAN PARK	Scale: 1:1250
WESTFIELD FARM PARK	No: 140 114 3A
MR & MRS BELL	

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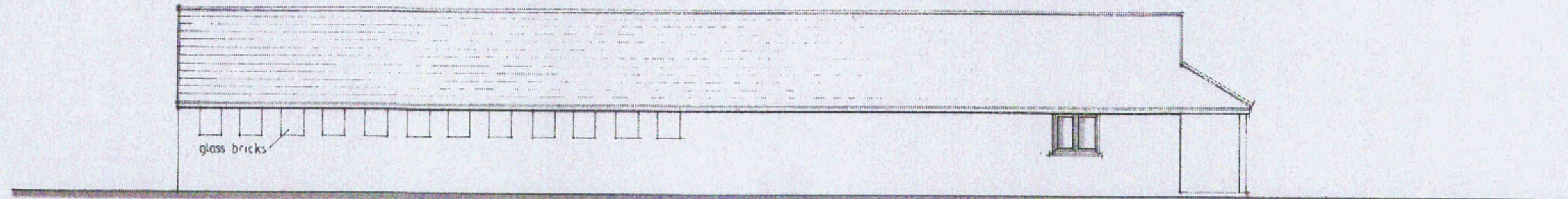
FLOOR PLAN

14/00312/14 Full
RYEDALE DM

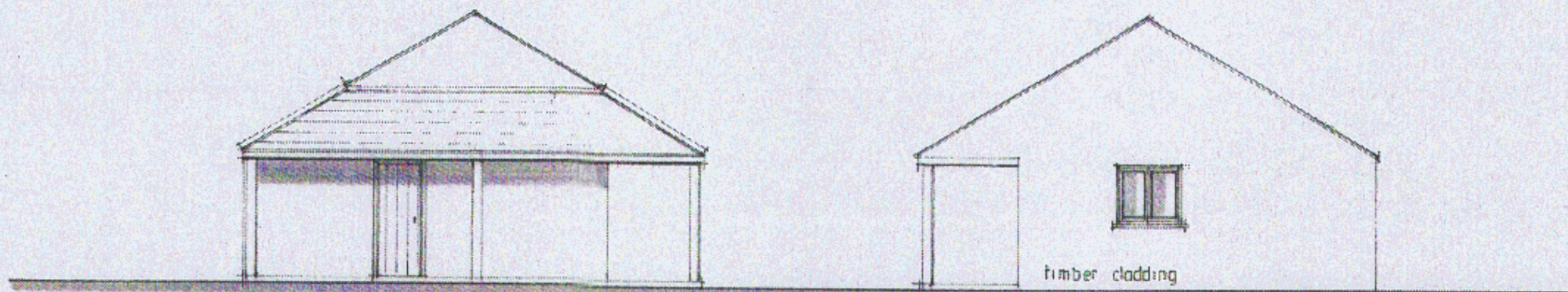
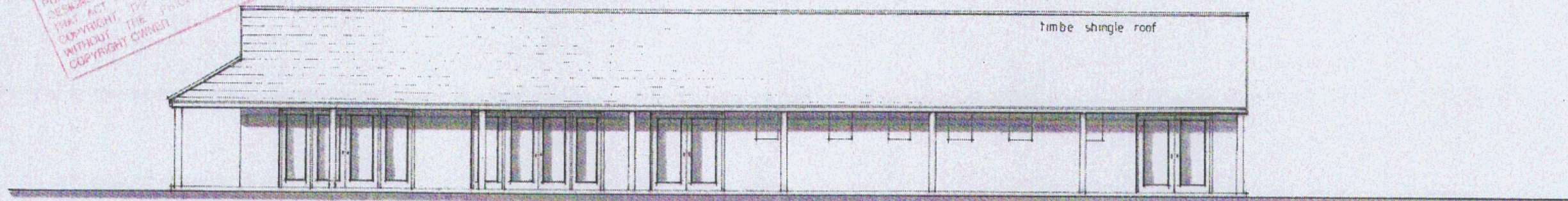
17 MAR 2014
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MANAGEMENT

Peter Rayment Design Ltd architectural designers
Gray Head Aldeby Pickering North Yorkshire YO8 8PE email: design@peterayment.co.uk tel: 0751 472544

SERVICE BUILDING - PLAN	scale:	1:100	A3
WESTFIELD FARM PARK	file:	140	114 1
MR & MRS BELL			



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14/00312/14711
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 17 MAR 2014
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SERVICE BUILDING - ELEVATIONS
 WESTFIELD FARM PARK
 MR & MRS BELL

scale: 1:100 A3
 No: 140 114 2

Westfield Farm, Normanby: Proposed Touring Caravan Site.
Design, Access and Planning Statement.

1. Background. The Bell family has been at Westfield Farm for generations. Until recently they had a dairy herd but after a serious injury in 2012 when Graham Bell was attacked by a bull he has had to sell the herd. He now rears beef but they give a lower return and he needs additional income. He wishes to diversify and after carefully considering various options has decided on touring caravans.

2. The Bells accordingly submitted a pre-application enquiry to the Council for a 50-pitch touring caravan park with an amenity block and landscaping (reference number 13/00124/PREAPP). They received a favourable response by letter, dated 23 July 2013. The Council made some suggestions which have been followed.

3. This statement describes the proposal in detail and then discusses the various planning considerations including Design and Access at paragraphs 12 and 15 respectively.

4. The site. Westfield Farm is south of the village of Normanby and west of the River Seven. It currently has 170 acres (about 69 ha), all pasture. There is a complex of farm buildings (some substantial in size) and dwellings. Existing vehicular access is from Westfield Lane to the north to the farm buildings. The caravans would be in part of a flat field, No. 4400, which has an area of 12.22 ha and established hedges on all sides. The area of the caravan site itself would be about 7.5ha.

5. The proposal. The Bells chose a caravan site above other forms of diversification as they consider that it would be a successful business. They can offer a pleasant rural location likely to be appreciated by visitors from built-up areas. They have fishing rights in the River Seven and can offer the attraction of angling. The village pub, the Sun Inn, serves meals and is in walking distance. The visitor attractions of Ryedale and elsewhere in North Yorkshire are accessible.

6. A total of 50 caravan pitches would be spread out along the north and south sides of the field. Between them would be dug a pond about 300m long with an island in the middle. Each caravan pitch would be a generous 4.5m wide and 20m deep. There would also be a play area. It would be seasonal.

7. A single storey service building would be provided at the east end, near the farm buildings. It would contain an office, information room, showers, toilets, a laundry and stores. Materials would be timber cladding walls and a timber shingle roof. Dimensions would be 30m x 9m, and about 4.8m high.

8. A new access would be made from Westfield Lane direct to the site, parallel to and about 100m west of the existing farm track. It would be about 200m long and 5m wide. A lay-by or waiting area could be provided in the wide highway verge near the entrance to help traffic flow on the lane.

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14/00312/MFK

9. Mature hedges 1.5-2m high bound the field on all sides with also a line of trees along its eastern boundary. At the Council's suggestion supplementary tree planting will be planted soon (before spring) along the hedges. Additionally a 30m planting screen is proposed on the northern side of the site and one of 10m on the south.

10 Planning Evaluation. The Council's letter of 23 July 2013 identified the following planning policies as being relevant.

- The National Planning Policy Framework (NPPF), March 2012.
- The Good Practice Guide on Planning for Tourism, DCLG, May 2006.
- The Ryedale Local Plan (March 2002), Policies TM3, TM4, ENV7 and ENV18.
- The Emerging Ryedale Plan, Policies SP8 ('Tourism') and SP14 ('Biodiversity'). To these I have added SP9 ('The Land-Based and Rural Economy'), SP13 ('Landscape') and SP17 ('Managing Air Quality, Land and Water Resources').

The emerging Ryedale plan was formally adopted on 5 Sept thereby superseding the written policies of the previous Ryedale Local Plan, but not yet its Proposals Map.

11 I shall now look at the following issues:

- A: Design and impact on the landscape.
- B: Access.
- C: Impact on residents.
- D: Economic considerations including farm diversification.
- E: Flood Risk.
- F: Biodiversity.

Most of these issues were identified in the Council's letter.

12 Issue A: Design and Impact on the Landscape. The service building, described at 7 above, would be of pleasing and appropriate design and materials. It would not be easily seen against the adjoining substantial farm buildings. As also described previously, at 9, the site is already well screened by hedges, trees and flood banks. Generous further planting is intended.

13. The site would not be easily visible from any nearby public viewpoints.
- From Barugh Lane to the east, part of the well-used route between Kirkbymoorside and Malton, the site is screened by high flood banks each side of the River Seven and the trees on the field's eastern boundary.
 - From Westfield Lane to the north, leading to Salton, the existing hedges and proposed further planting would provide good screening.

There are no footpaths or bridleways affected in the immediate vicinity. I understand that the only house the site would be clearly visible from is Hill Top Farm, over 500m away to the north: a considerable distance.

14. Local Plan Policy SP8 (Tourism) supports the provision of appropriate facilities in the open countryside including touring caravans if they do not

have "an unacceptable visual intrusion and impact on the character of the locality". By Policy SP13 (Landscapes), "the Council will carefully consider the impact of development proposals "on locally-valued landscapes including the Vale of Pickering. The site is well screened and both policies' requirements are met.

15. Issue B: Access. The proposed new access is described at paragraph 8. It will meet Westfield Lane on a straight stretch with good visibility. A lay-by is offered to accommodate waiting traffic. No problems are anticipated.

16. Issue C: Impact on Neighbours. There are two semi-detached houses on Westfield Lane about 250 metres from both the farm and the proposed site. The residents have been shown the plans. The new access will keep traffic away from them. It is not anticipated that they would be disturbed. The dwellings at Westfield Farm are occupied by the applicants and family members who do not object. Other dwellings are further away, in the village. Overall no adverse impacts on neighbours are anticipated.

17. Issue D: Economic Considerations. The farm now has a beef herd of 250 fat cattle, compared to 150 dairy cows plus 150 followers previously. Income has gone down significantly and the farm has to diversify. Mr Bell needs less strenuous work after being seriously injured by the bull. He would concentrate on the caravans. This would create the need for a replacement job on the farm, which unlike the caravans would be year-round.

18. Such diversification accords with the Council's Policy SP9, which supports "appropriate farm and rural diversification activity". Further, the NPPF advocates economic growth and job creation in rural areas and the diversification of agriculture (para 28).

19. The proposal also accords with the Good Practice Guide on Planning for Tourism, which recognises the local value of tourism and that the revenue it generates can help to aid diversification within the rural economy (2.4-5).

20. Issue E: Flood Risk. The site is identified in the Ryedale Local Plan as being within the "Approximate Extent of Area Liable to Flood". However the vicinity is protected by very high and substantial flood banks along the River Seven. Mr Bell says that the field has not ever flooded in his time on the farm.

21. A comprehensive Flood Risk Assessment dated May 2013 has been submitted with the planning application. It was prepared by Mr Phil Fisher of Cundalls, a qualified and very experienced local drainage expert. As part of the preparation Mr Fisher met an officer of the Environment Agency on site.

22. The Assessment confirms that the site is in the High Risk Probability Zone 3. However it adds that the area is protected by the substantial flood bank on either side of the river and that "Flood water has never affected either the farmstead or nearby land at Westfield Farm". The report makes a number of recommendations. It concludes that, provided these are

incorporated, *"it is considered that there will be no flood risk with the proposed caravan site location, neither will the development increase the risk of flooding elsewhere"*.

23. The proposal accords with Policy SP17 of the new Ryedale Plan, which requires flood risk to be managed in order to avoid areas where flooding is probable. It also meets the requirements of the NPPF to avoid development in flood areas (para 103).

24. Issue E: Biodiversity. Although policy SP14 was raised by the Council, there is no known special ecological interest in the site, a grass field which has been re-seeded.

25. Conclusion. The Bells wish to diversify with the proposed touring caravan site at their farm for economic reasons. It is already well screened and will be more so with the proposed generous supplementary planting. No problems concerning access, impact on neighbours, flooding or effect on wildlife are anticipated. We hope that the application will be approved.

Pat Sutor, BA, Dip TP, MRTPI
Planning Consultant for Mr and Mrs Bell.

26 Feb 2014.

Westfield Park Farm Planting Proposals

Mr & Mrs G Bell of Westfield Farm are proposing to diversify and provide a caravan site with hard standing for up to 50 caravans along with power, sewage hook ups and shower / toilet facilities. This is in a field south west of the farm house which is open countryside with views to the south over the Howardian Hills, an Area of Outstanding Natural Beauty, eight kilometres away. It is only overlooked by one property to the north at Normanby. To prevent the caravan site being a blot on the local rural landscape the following proposals are for screening and softening of the outlines.

All the planting would be done with native species of trees and shrubs with preference given to ones that provide food and habitat for the local wildlife. The new access road will be screened with a few semi-mature trees as will the northern boundary but the rest will be saplings and appropriate sized transplants. At present there are no trees in the field with the north and south boundaries of typical predominantly Hawthorne flail cut hedges and a few mature Ash and Sycamore. The future management of these hedges would be to cease cutting the top and inside to allow the hedges to grow to their natural height and shape. The outsides may have to be cut to keep up with current agricultural policy. There will be another 12 trees added to the northern hedge whereas the southern one will be enriched with Crab Apple and Field Maple.

Around the caravan bays a mixture of shrubs and trees will be planted in a random fashion to give a visual backdrop to the vans but not that close they will interfere with the facilities. On the island in the fishing lake will be planted both shrubs and water liking trees to screen the vans from both sides. Again these do not want to be too dense as this could cause future manage problems.

Species Choice

Trees

- Scots Pine, *Pinus sylvestris*. A tall growing two needled evergreen with blue/green foliage on an orange stem.
- Aspen, *Populus tremula*. A water loving tree with large blue/green leaves and white undersides that flutter in the breeze giving it its' Latin name tremula. Not very tall growing.
- Goat Willow, *Salix caprea*. Another water loving tree that doesn't grow too tall up to 10metres and has a large elliptical leaf and a March catkin, one of the earliest sources of pollen for the bees.
- Silver Birch *Betula pendula*. A nice soft tree form with white bark that will grow quickly almost anywhere.
- Alder, *Ulnus glutinosa*. Another water loving tree that could be planted in the water margins or any wet hollows in the field as it will act as a pump and help to keep the ground dry.

14/00312/4FUL
RYFDALE DM

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- Pedunculate Oak *Quercus robur*. A very large, slow growing tree that could be planted in the north hedge or along the access road. Amongst the caravans very few would be needed.
- Whitebeam, *Sorbus aria*. A good form tree with white underside to its leaves. Produces large amounts of red berries as fruit food for birds.
- Wild Cherry, *Prunus avium*. Can grow into a majestic tree with its reddish bark and soft fruit that are a favourite with lots of wild life.
- Sycamore, *Acer pseudoplatanus*. A palmate leaved tree that will grow quickly almost anywhere. Produces good timber and can be used as a nurse being taken out when it becomes overcrowded as fire wood.
- Small-leaved Lime, *Tilia cordata*. This grows into a very robust tree that is a haven for nesting birds. Not to be planted were it will be over caravans or cars as the aphids during the summer will drip honey dew on to the paintwork which will mark the paint. It should therefore be planted in the hedge or along the drive.

Shrubs

- Juniper, *Juniperus communis*. A low growing evergreen that produces a dark blue berry. Good for birds nesting and food as well as flavouring for gin.
- Common Osier, *Salix viminalis*. Can be cut and re-grows for basket weaving and wattle. It has a very long spear shaped leaf that flutters in the breeze. Again it likes wet ground around ponds.
- Hazel, *Corylus avellana*. This again can be cut for spars for thatching or wattle. It produces a large nut in the autumn which is eaten by a lot of small mammals and large birds.
- Rowan, *Sorbus aucuparia*. Will grow up to 7 meters fairly quickly and can produce masses of red or orange berries depending on the variety. Again a good food source for the wildlife.
- Crab Apple, *Malus sylvestris*. Often ends up more as a multi-stemmed bush than a tree producing good nesting areas as well as the sour apples in the autumn
- Bird Cherry, *Prunus padus*. This low growing tree is often multi-stemmed and if damaged the wood rots quickly producing nesting holes as well as fruit that only the birds will eat.
- Holly, *Ilex aquifolium*. Another evergreen producing red berries and good nesting sites. Makes very good screening for storage areas.
- Field Maple, *Aces campestre*. A slow growing often multi-stemmed tall growing shrub that produces masses of seed and is red / yellow in autumn.

Planting Layout

Access Road

The drive way should be planted with Oak and Cherry to screen the house and breakup the drive line. Possibly 10 of each would be adequate.

Northern Fence line

Propose planting 12 trees in uneven groups to enhance the fence line and break up the outline as viewed from Normanby. I would plant 6 Oak 3 Lime and 3 Cherry to give different shapes and forms. Inside the hedge I would leave a walkway that can be kept cut for both dog walkers and to give access to the hedge for cutting.

Northern Caravan Bays

There is approximately 1ha of land between the bays and the hedge excluding the track. This would need 1600 trees to fill it at 2.5 meter spacing. I propose using both trees and shrubs in groups leaving gaps through to the boundary to break up the outline. With the track being for dog walking and jogging I would leave several ways through from the van bays and this would reduce the number of trees by 30% to about 1100.

30% should be trees including Scots Pine, White Beam, Sycamore, Silver Birch and Wild Cherry inter-planted with Hazel, Crab Apple, Rowan, Holly and Juniper. This would be about 90 each of the trees and 240 each of the Hazel, Crab Apple and Rowan with 15 each of Holly and Juniper

Pond Island

This will be 200meters long and up to 20meters wide. To screen the view across from the site bays I would plant this with Aspen, Alder, Goat Willow and Birch. These all have different height and form where as underneath I would plant low growing shrubs of Bird Cherry, Rowan and Common Osier to give ground cover. These should be planted randomly between 2 and 3 metres apart with 30% trees 70% shrubs. This would be 120 trees, 30 of each and 240 shrubs. Again it would be planted between 2 and 3 metres apart in random groups.

Southern Bays

This is a lot narrower area and would still need a track for access. It would be about 0.35ha and would take another 560 trees / shrubs. This would form a solid belt and would be overbearing and so again about 30% would be left as open space planting 400 trees/shrubs. The trees would

be Scots Pine, Whitebeam, Oak and Wild Cherry with the shrubs of Hazel, Rowan, Bird Cherry and Holly about 40 each of the trees and 75 shrubs with 15 Holly.

Southern Hedge

This is already a substantial hedge that should only be cut on the outside for field boundary maintenance. It could be enriched with 6 Crab Apple and 6 Field Maple.

Planting

The trees should be no older than 2+1's bare rooted stock with the Willows, Birch and Alders one year olds. The shrubs should be whips or container grown for the Holly and Juniper and again small healthy plants. The larger a plant is when it is transplanted the slower it will start to grow, it will be inclined to die-back or die and will be more likely to deform. Smaller plants will catch up with semi standards in about 4 years. The increase in cost and general appearance is not worthwhile. All the trees should be in 1.2 metre tubes for mammal protection and increased establishment speed. The shrubs should either be in 0.6metre tubes or mesh guards. Some species need air circulation to prevent fungal infection.

Plants Needed

Scots Pine	130
Aspen	30
Goat Willow	30
Silver Birch	120
Alder	30
Pedunculate Oak	50
Whitebeam	130
Wild Cherry	130
Sycamore	120
Small-leaved Lime	3
Juniper	15
Common Osier	80
Hazel	315

Rowan	395
Crab Apple	240
Bird Cherry	155
Holly	30
Field Maple	6

There are possibly too many Rowan and Crab Apple, some should be replaced by Field Maple and Common Osier depending on the wetness in areas after the pond and bays have been constructed as it is a very low lying heavy land and the water table could be affected by the landscaping.

Produced by Colin Olsson January 2014

Additional comments

J. David Jackson
Southill Cottage
Normanby, Sinnington
York YO62 6RH

RYEDALE DM

Planning Dept.,
Ryedale District Council,
Ryedale House,
Malton.

29 APR 2014

DEVELOPMENT
MANAGEMENT

28th. April, 2014.

Dear Sir / Madam,

Application No.: 14/00312/MFUL.
Proposed Caravan Site, Westfield Farm,
Normanby.

My attention has been drawn to the comments made in the final paragraph of Mr. John Riddell's submission dated 17th April 2014 on the Application quoted above. As Chairman of the meeting I feel it only right that I should point out that the meeting was conducted in a completely impartial manner. Mr. Riddell requested, from the floor, that a vote should be taken on the principle of whether the Caravan Park should be considered or not. Everyone present was given ample time to voice his or her opinion before a "show of hands" informal vote was taken.

Looking at the situation as objectively as possible the 'vested interests' suggested by Mr. Riddell could be categorised as follows :-

The Applicant and his immediate family.

Mr. Graham Bell.	Present.	
Mrs. Elaine Bell.		Absent.
Mr. Nick Bell.	Present.	

Individuals directly overlooking the proposed site.

Mr. Philip Bell.		Absent.
Mrs. Jean Bell.		Absent.
Mr. Paul Bell.		Absent.
Mrs. Rosina Bell.	Present.	
Mr. Michael Newbould.		Absent.
Mrs. Sarah Newbould.		Absent.

Continued.....page 2.

Page 2.....Mr. John Riddell's submission.

Individuals directly affected by potential caravan movements or commercial interests.

Mr. Andrew Knowles.		Absent.
Mrs. Susan Knowles.	Present.	
Mr. Philip Gospel.		Absent.
Mrs. Anna Gospel.	Present.	
Ms. Val Kavanagh.		Absent.
Miss Harriet Sanders. (publican).		Absent.

None of the above listed absentees gave their apologies to the meeting or sent written submissions, although I accept that many of them have sent separate submissions direct to your department.

On a personal level I share many of the residents concerns on caravan movements in the vicinity of the bends and bridge at the southern end of the village. However, in my view the majority of the village residents at the meeting recognised the basic fact that a long-established farm business on the edge of the village was looking at viable diversification options in a challenging economic situation and voted on the principle involved in the manner reflected in the final vote.

Yours faithfully,

J. David Jackson.
Chairman, Normanby Parish Meeting.

cc. Mr. Graham Bell.

Mr. John Riddell.

MMO 15/4/14 JC

Concerns raised
J. David Jackson
Southill Cottage
Normanby, Sinnington
York YO62 6RH

Planning Dept.,
Ryedale District Council,
Ryedale House,
Malton.

15th. April, 2014.

Both email addresses &
mobile numbers are 'live'.

Dear Sir / Madam,

Application No.: 14/00312/MFUL.
Proposed Caravan Site, Westfield Farm,
Normanby.

RYEDALE DM
15 APR 2014

An Open Meeting was held at 7.00 p.m. in Normanby Church on 9th. April, 2014 to discuss the above proposal. The Plans and associated documents were available for all to see in the church from 10.30 a.m. that morning.

A 'show of hands' vote was taken of the 19 residents present on the principle of a caravan site adjacent to the village. 13 residents voted in favour and 6 against. The following issues were raised by a number of individuals (including some issues of general agreement), but some people will be making their own submissions.

1. Some concern was raised about the scale of the site compared with the existing village and the general increase in traffic, especially on 'changeover' days. Mr. Bell said that there would be a reduction in agricultural traffic (e.g. daily milk tanker) and that the road would be widened at the entrance to the site.
2. Several residents warned about the unsuitability of caravan traffic on the Salton road due to it's width and suggested that caravans should not be allowed to leave the site in the Salton direction. There was general agreement on this point and Mr. Graham Bell offered to place signs on his property directing caravans not to turn in the Salton direction.
3. In the same vein, caravan traffic should be prohibited from approaching the site from the south-westerly direction (i.e. the Hovingham - Malton road, B1257) with suitable signage. There is an existing sign on the Barton -le - Street - Butterwick road prohibiting HGV's from crossing Butterwick Bridge: this sign needs upgrading to include caravans. General directions to the site should also stress that sat-nav guidance from this direction must be disregarded.

Continued.....Page 2.

Page 2.....Normanby Parish Meeting submission.

4. Caravans approaching from the south through Amotherby will have to negotiate an 'S' bend and a narrow bridge, itself on a bend, to reach the left hand junction with the Salton road to approach the site entrance. The bridge has been the site of a number of collisions in recent years. It was assumed that a highways assessment would recommend appropriate signage improvements.
It was suggested that, if all else fails, traffic lights on the bridge approaches might have to be considered at some point in the future.
5. A further concern was that caravans approaching over the bridge might over-shoot the left-hand turn to Salton and face difficulties turning round to make a correct approach to the site. Signing from the North direction should also be provided to ensure that the turn is not missed.
6. The owner of the property just beyond the turn to Salton expressed fears that vehicles experiencing difficulties passing each other would encroach on their property's grass verge.
7. One suggestion was that the 30 mph sign at the south of the village should be moved to well South of Normanby bridge, in the vicinity of the end of Long Lane and that the existing 'S' bend sign should be reviewed and enlarged.
8. An additional factor is the proposed traffic calming measures and their suitability with increased caravan traffic.

I trust that these points raised by Normanby Parish Meeting will be taken note of and carefully considered.

Yours faithfully,

J. David Jackson.
Chairman, Normanby Parish Meeting.

Agenda Item 8

Item Number: 8
Application No: 14/00316/MREM
Parish: Norton Town Council
Appn. Type: Approval of Reserved Matters Major
Applicant: Scothern Construction (Mr Ian Scothern)
Proposal: Erection of 3no. retail units (Use Class A1) and children's day nursery (Use Class D1).
Location: 5 Welham Road Norton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 24 June 2014
Overall Expiry Date: 23 April 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

Parish Council Recommend Approval with comments
Highways North Yorkshire No objections
Environmental Health Officer No views received to date

Neighbour responses: Miss Louise Phillips, G.S & K Youngson,

SITE:

The site of the proposed development is the former Clothing Factory and its curtilage which is sited on the east side of Welham Road, Norton and covers an area of approximately 0.73 hectares.

The site was previously occupied by a 3-storey red brick building fronting Welham Road with a single-storey factory "extension" running to the south. The site has now been cleared.

The site is bounded to the south by dwellings on Springfield Garth, to the north-east by dwellings on St Nicholas Street and a garage fronting Welham Road, to the north-west by Welham Road with dwellings opposite and the to the south-west by Springfield Garth with dwellings opposite.

The Norton Conservation Area abuts the site along its northern-east boundary and the whole of the site is within the floodplain of the River Derwent.

PROPOSAL:

Reserved Matters approval is sought for the erection of 3No. retail units and a children's day nursery with associated access, parking and landscaping.

The retail units are of a mono-pitch design reflecting those illustrative drawings submitted with the earlier outline planning permission. The retail units are contained in a single building, measuring 23.5 metres x 52 metres with eaves and apex heights of 7.3 metres and 8.8 metres respectively. Materials are a mix of Birtley Olde English Brickwork walls with silver and dark grey Kingspan cladding. The doors and windows are matching powder coated frames.

The day nursery unit is located to the rear of the site with matching Birtley Olde English Brickwork cills and a Sandtoft stone pantile roof covering. It measures 23 metres x 13.6 metres and has eaves and apex heights of 3.3 metres and 6.8 metres respectively.

Plans and elevations are appended for Members information.

HISTORY:

09/00282/MOUT: Foodstore and day nursery - Approved 25.02.2013

13/00166/MOUT: 3No. retail units and day nursery - Approved 16.07.2013 [As part of this outline permission, access and layout have already been approved]

POLICY:

The principle of this retail A1 and D1 development has already been accepted. This reserved matters application seeks permission for reserved matters approval of scale, appearance and landscaping.

In respect of the consideration of these detailed matters, the following Ryedale Plan - Local Plan Strategy policies are relevant:-

Policy SP16 - Design

Policy SP20 - Generic Development Management Issues

National Planning Policy Framework

National Planning Policy Guidance

APPRAISAL:

Matters relating to issues of the principle of the development; retail impact; ecology; archaeology; land contamination; flood risk; and highway safety have already been considered under the outline planning permission and approved under outline permission reference 13/00166/MOUT subject to the discharge of conditions.

In respect of the current application, the Local Planning Authority has received 2No. letters from local residents (1 on Welham Road and 1 on St Nicholas Street). However, both of these raise highway access and parking issues which are already approved under the outline permission. Both residents have been advised of this position under separate correspondence dated 8 May 2014.

The earlier outline permission was accompanied by illustrative drawings to show the intended scale and design of the proposed buildings. Whilst illustrative, the outline plans and elevations enabled the Local Planning Authority to grant permission subject to the further approval of the reserved matters, now applied for under the current application.

The design, proportions and scale of the buildings are as previously anticipated and are considered to be acceptable in terms of their scale and detail of the design proposed.

The Council's Tree & Landscape Officer has identified a discrepancy between the site layout (materials plan) and the Landscaping Plan. Additional tree planting has been requested for the planting beds and this will be clarified and resolved under Condition No. 18 of the outline planning permission. Negotiations are ongoing on this point and Members will be updated of progress at the meeting.

Other Matters

No other matters have been raised at the point of writing this report.

Norton Town Council has recommended approval and their comments are attached for Members information. Detailed comments on access have already been addressed earlier in this report.

Conclusion

The proposed development would bring about a much needed re-development of this semi-derelict site which is located in a prominent position in the town.

RECOMMENDATION: **Approval of Reserved Matters**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

RYEDALE DM

13/00166/MOUT

24 APR 2013

DEVELOPMENT
MANAGEMENT



GIS by ESRI (UK)



Scale: 1:1250

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Organisation	Ryedale District Council
Department	Planning Services
Comments	
Date	24 April 2013
SLA Number	100019406





Key	Number	Species Name	Height	Pot Size	Density	Notes
	3900	Vinca Minor - 'Amberpurpur'	-	1.5 - 2L	5/m ²	-
	390	Euphorbia - 'Billboard'	10-15cm	2-3L	5/m ²	-
	7	Rosa Argentea - 'Borough Wonder'	-	5L	-	-
	375	Potentilla Fruticosa - 'Rosea'	15-20cm	2-3L	5/m ²	-
	3	Cortaderia Selkoe - 'Dunkel'	60-80cm	25L	-	-
	20	Lavandula Angustifolia - 'Dwarf Huskies'	15-20cm	2-3L	3/m ²	Planted in Raised Bed with Solid Bottom and Sides
	1	Malva Compressa - 'Laxton Superb' - HF Root Stock	1.5m	25L	-	Planted in tree pit with permeable paving stone to allow free drainage into pit.
	3	Raised Bed Planters for Vegetable and Flowers - 6m long x 1.2m wide x 0.2m high	-	-	-	Raised Bed Vegetable Planters with Solid Bottom and Sides

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 ALL LEVELS ARE TO FINISH UNLESS OTHERWISE STATED
 ALL DISTANCES ARE TO CENTRE UNLESS OTHERWISE STATED
 ALL ANGLES ARE TO FACE UNLESS OTHERWISE STATED
 ALL MATERIALS ARE TO BE SUPPLIED BY THE CONTRACTOR UNLESS OTHERWISE STATED

NOT TO SCALE
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 ALL MATERIALS ARE TO BE SUPPLIED BY THE CONTRACTOR UNLESS OTHERWISE STATED

RYEDALE DM
 25 MAR 2014
**DEVELOPMENT
 MANAGEMENT**

Current Revision Information:

Client & Project Details:

SCOTHERN CONSTRUCTION
 Retail and Nursery Units
 Welham Road, Herton

Gravica

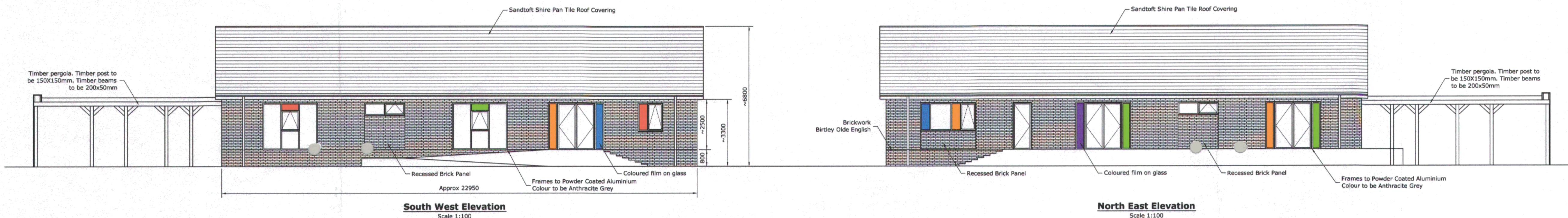
Gravica Limited
 Unit 205, Clifford House
 2-3 Clifford Street
 York, YO1 9BA
 www.gravica.co.uk
 01904 236 206
 info@gravica.co.uk

Gravica Project Supervisor:
 Daniel Cox
 01904 236 306
 info@gravica.co.uk

Status: **Approval**

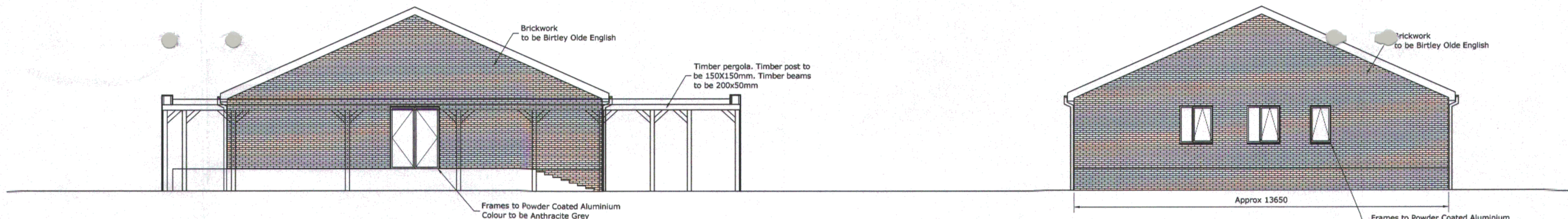
Drawing Title: **Landscaping Plan**

Drawing Number: **13cm111.105**



South West Elevation
Scale 1:100

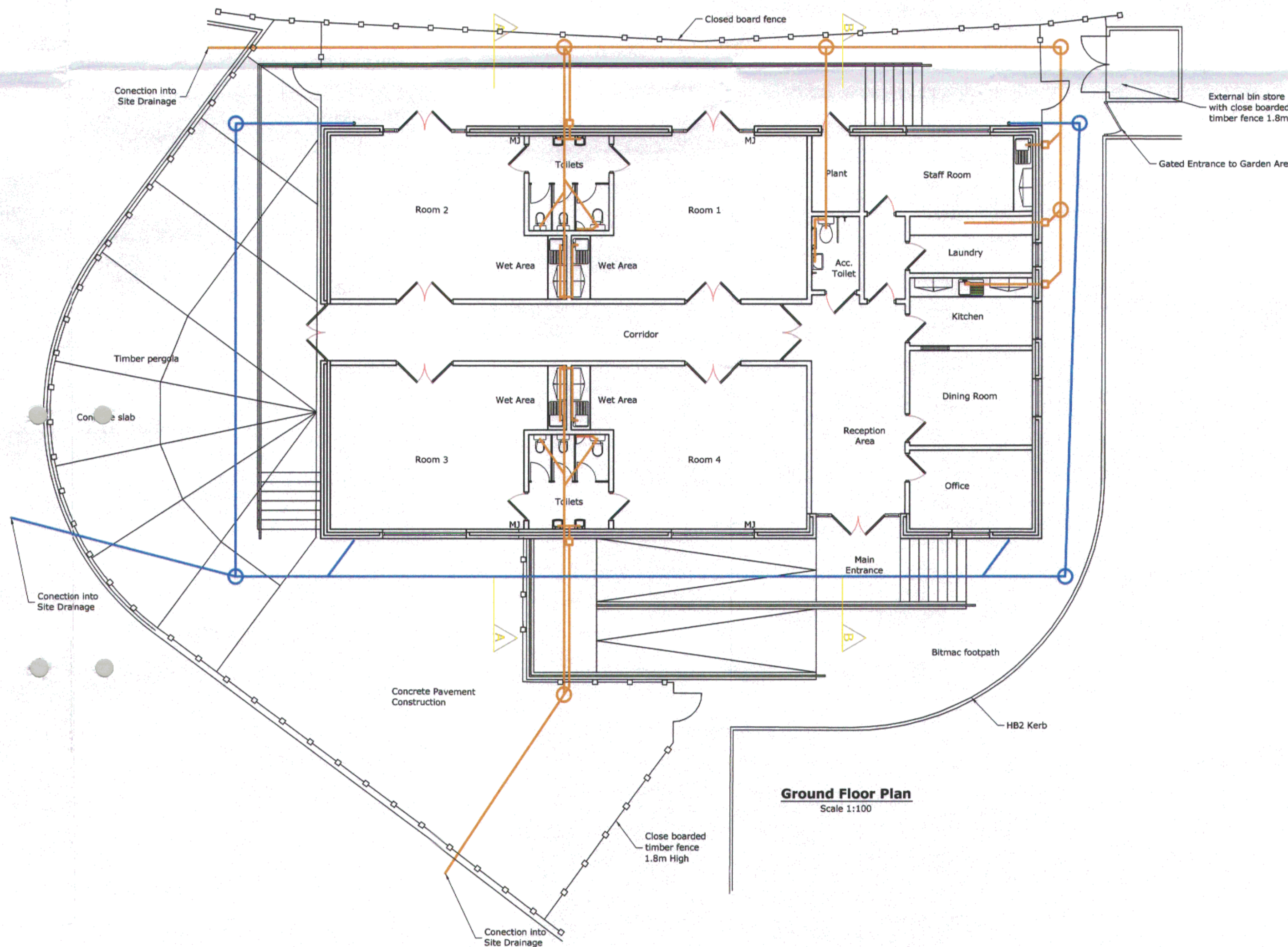
North East Elevation
Scale 1:100



North West Elevation
Scale 1:100

South East Elevation
Scale 1:100

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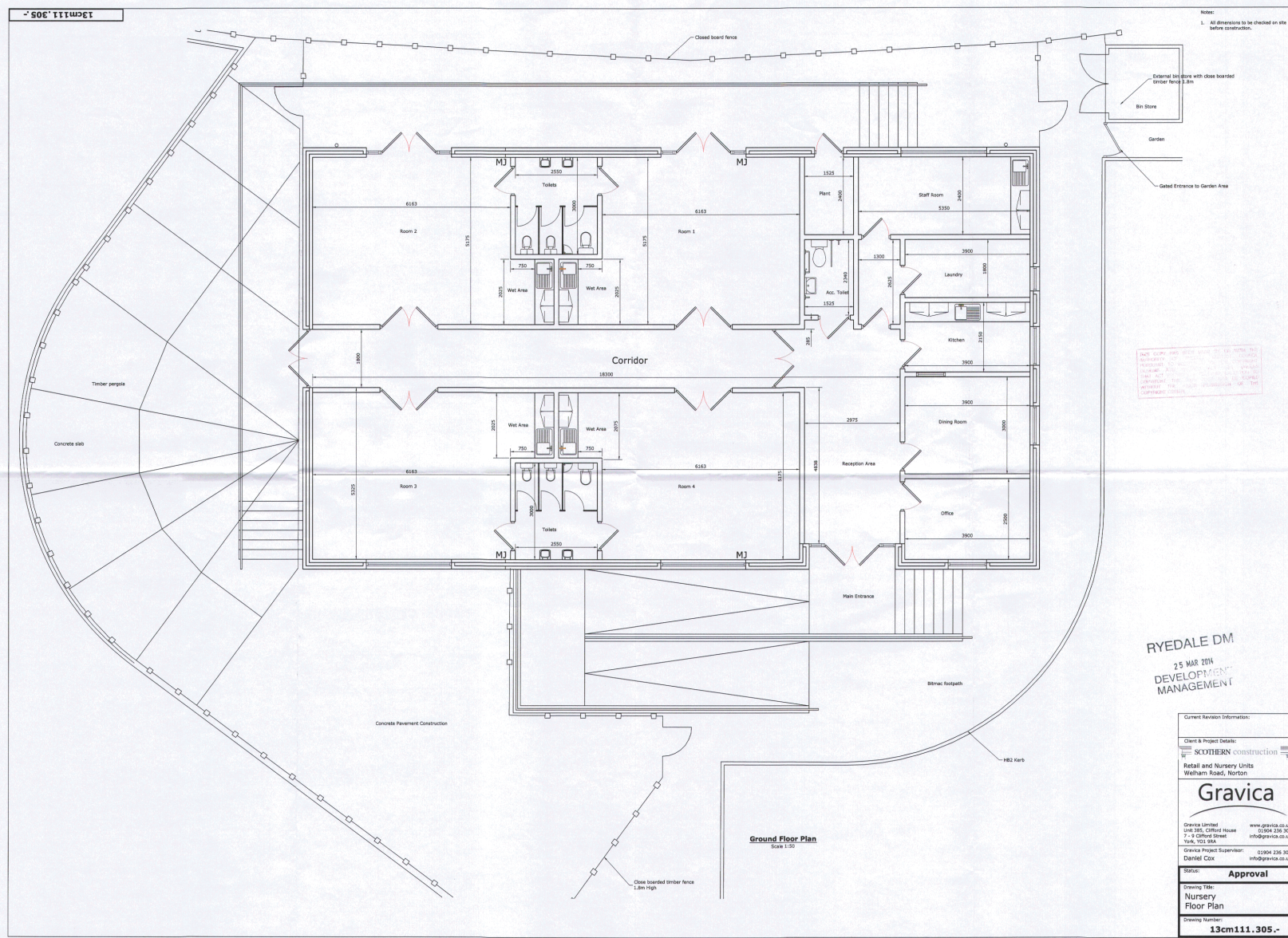


Ground Floor Plan
Scale 1:100

RYEDALE DM
25 MAR 2014
DEVELOPMENT
MANAGEMENT

Current Revision Information:	
Alterations	00/00/00
Alterations	rev/WHO
Client & Project Details:	
SCOTHERN construction	
Retail and Nursery Units Welham Road, Norton	
Gravica	
Gravica Limited Unit 385, Clifford House 7-9 Clifford Street York, YO1 9RA	www.gravica.co.uk 01904 236 306 info@gravica.co.uk
Gravica Project Supervisor: Daniel Cox	01904 236 306 info@gravica.co.uk

Status:	Approval
Drawing Title:	Nursery Plan & Elevations
Drawing Number:	13cm111.301.-



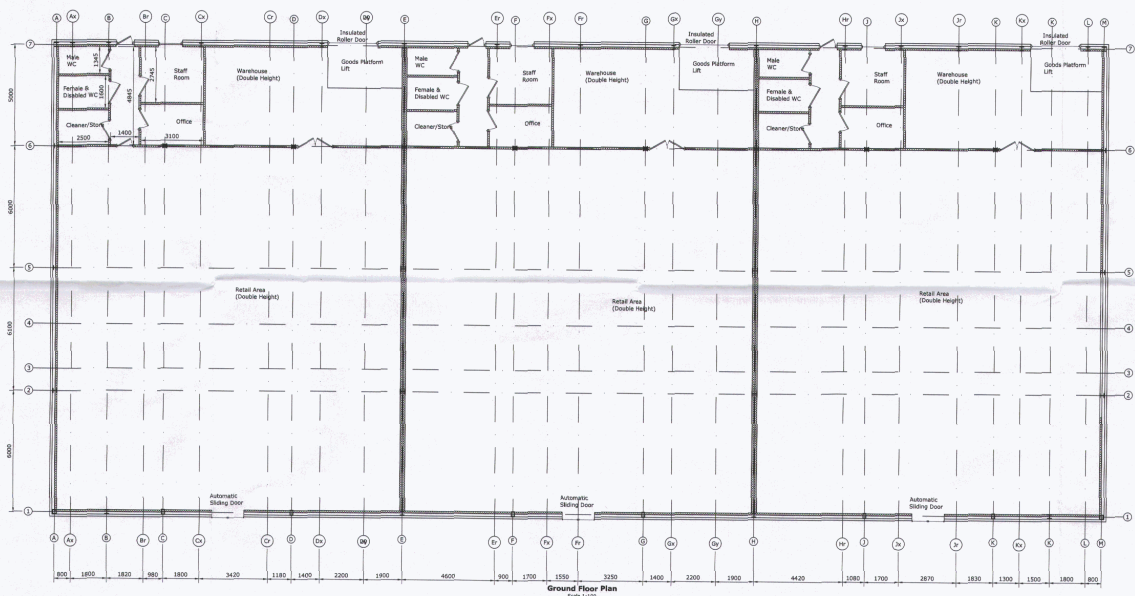
Notes:
1. All dimensions to be checked on site before construction.

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OR HIS AUTHORIZED REPRESENTATIVE

RYEDALE DM
25 MAR 2014
DEVELOPMENT
MANAGEMENT

Current Revision Information:	
Client & Project Details:	SCOTHERN construction
Retail and Nursery Units Welham Road, Norton	
Gravica	
Gravica Limited Unit 101, Colford House 7 - 9 Colford Street Norton, N10 6BA	www.gravica.co.uk 01904 236 306 info@gravica.co.uk
Gravica Project Supervisor: Daniel Cox	01904 236 306 info@gravica.co.uk
Status:	Approval
Drawing Title:	Nursery Floor Plan
Drawing Number:	13cm111.305.-

Notes:
1. All dimensions to be checked on site before construction

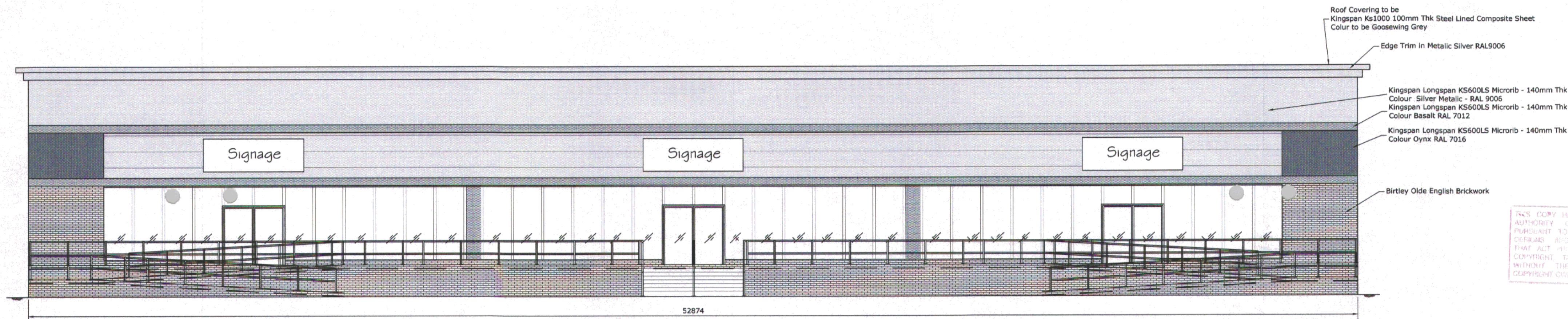


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 DATE: 25/03/2014
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 APPROVED BY: [Name]

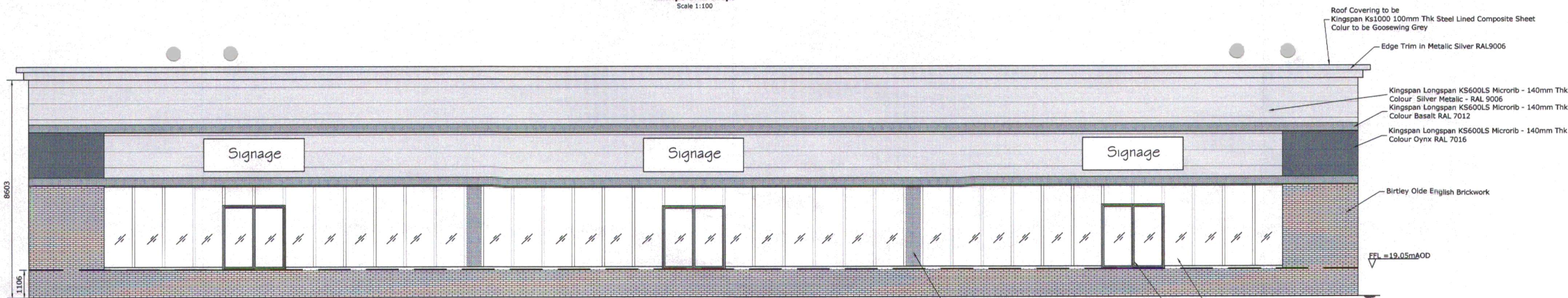
RYEDALE DM
 25 MAR 2014
 DEVELOPMENT
 MANAGEMENT

Current Revision Information:	00/00/00
Alterations:	00/00/00
Client & Project Details:	
SCOUTER construction	
Retail and Nursery Units Wilham Road, Norton	
Gravica	
Gravica Limited Unit 385, Colford House 7, J. Colford Street Towce, MK13 8JX	www.gravica.co.uk 01904 236 306 info@gravica.co.uk
Gravica Project Supervisor: Daniel Cox	01904 236 306 info@gravica.co.uk
Stage:	Approval
Drawing Title:	Retail Units Ground Floor Plan
Drawing Number:	13cm111.202.-

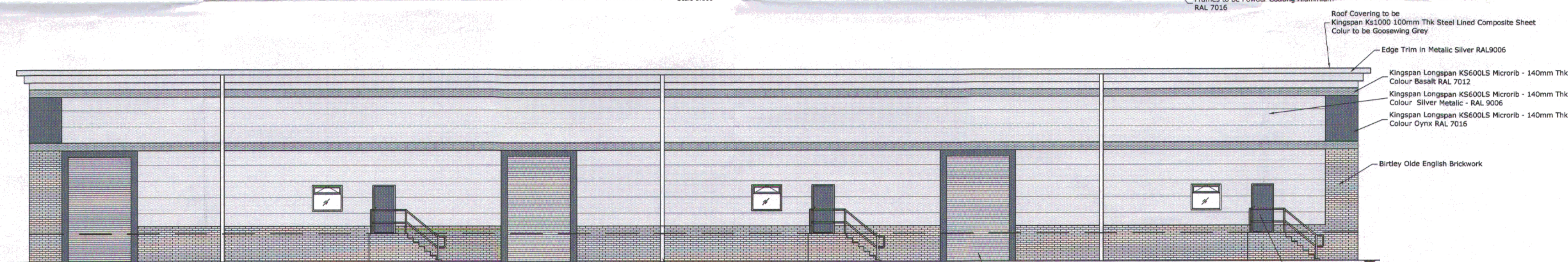
Notes:
1. All dimensions to be checked on site before construction.



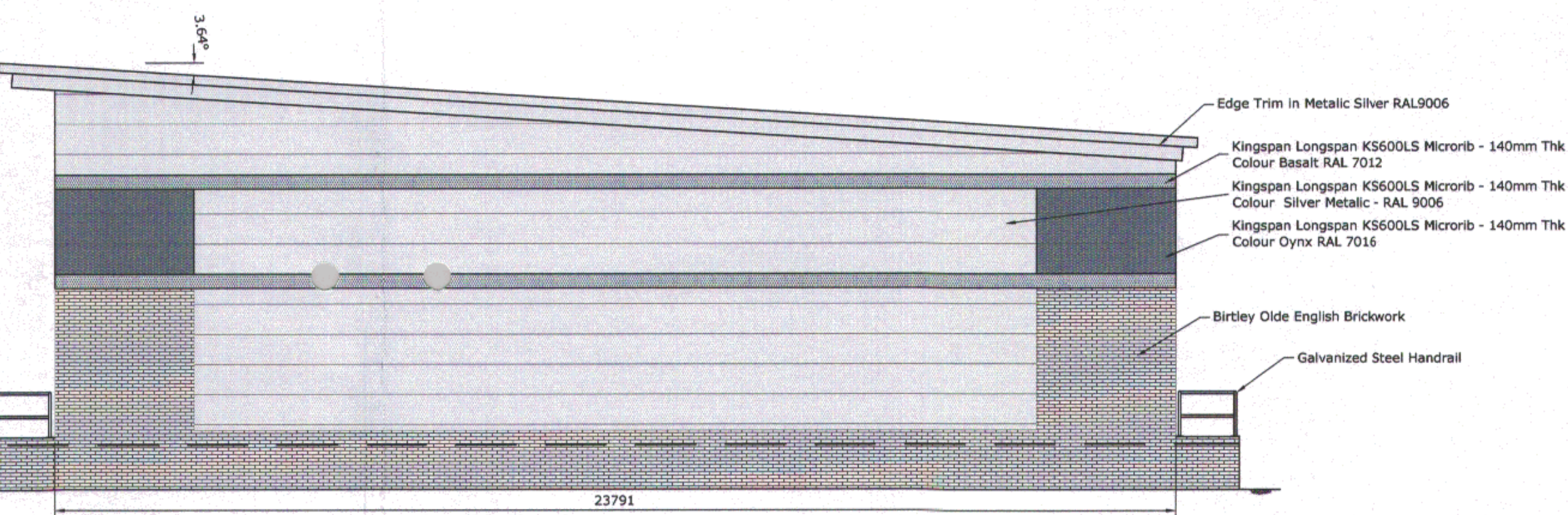
Front Elevation with Ramps and Steps
Scale 1:100



Front Elevation without Ramps and Steps
Scale 1:100



Rear Elevation
Scale 1:100



Side Elevation (other Similar)
Scale 1:100

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RYEDALE DM
25 MAR 2014
DEVELOPMENT
MANAGEMENT

Current Revision Information:	
Alterations	00/00/00
Alterations	rev WHD
Client & Project Details:	
SCOTHERN construction	
Retail and Nursery Units Welham Road, Norton	
Gravica	
Gravica Limited Unit 385, Clifford House 7 - 9 Clifford Street York, YO1 9SA	www.gravica.co.uk 01904 236 306 info@gravica.co.uk
Gravica Project Supervisor: Daniel Cox	01904 236 306 info@gravica.co.uk
Status:	Approval
Drawing Title:	Retail Units Elevations
Drawing Number:	13cm111.204.-

GH 25/4/14 JC.

Recommend approval

NORTON-ON-DERWENT TOWN COUNCIL

Town Clerk: Mrs R.Tierney
Tel/Fax: 01653 695348
Council Chamber and Office
The Old Courthouse
84B Commercial Street
Norton-on-Derwent
Malton
North Yorkshire YO17 9ES



23 April 2014

Head of Planning Services,
Ryedale District Council.
Ryedale House,
Malton.
YO17 7HH

RYEDALE DM

25 APR 2014

DEVELOPMENT MANAGEMENT

Dear Sir,

PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Tuesday, 22 April 2014 the Town Council made the following recommendations in respect of the applications listed below:-

14/00316/MREM

Erection of 3no. retail units (Use Class A1) and children's day nursery (Use Class D1)
5 Welham Road, Norton, Malton
For: Scothern Construction (Mr Ian Scothern)
RESOLVED Recommend Approval, with a request that if possible the entrance for the Children's Nursery be offset slightly so as to avoid being directly opposite the driveway of a resident of Springfield Garth

14/00383/MOUT

Erection of 15no. dwellings (site area 0.7ha).
Land to the north of Sutton Grange, Langton Road, Norton, Malton
For: Mr David Tatham

RESOLVED Recommend Refusal on the following grounds;

- That this development is outside current development limits and that until such time as the sites allocations are completed for the Local Plan no development outside the limits should be allowed.
- Access on to Langton Road, this development brings yet another junction on to a very congested area of Langton Road and in being close to the access for Norton College makes for serious highway issues on parking etc.
- Infrastructure issues, more development on to a sewage system that is already over capacity and not fit for purpose. Road congestion throughout the town with even more pressure on Castlegate.
- School place provision, especially at primary level.

Continued.....

E. Mail: norton.tc@btconnect.com

Agenda Item 9

Item Number: 9
Application No: 14/00347/MFUL
Parish: Wombleton Parish Council
Appn. Type: Full Application Major
Applicant: Mr D Dale Sunley
Proposal: Change of use of concrete hardstanding to provide caravan storage area.
Location: Area Of Hardstanding To East Of Wombleton Caravan Park Moorfields Lane Wombleton Kirkbymoorside

Registration Date:
8/13 Wk Expiry Date: 30 June 2014
Overall Expiry Date: 7 May 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Highways North Yorkshire No objection
Parish Council Object

Neighbour responses: Mr & Mrs D Willoughby,

SITE:

The application site, located to the east of Wombleton Caravan Park, previously formed part of Wombleton Airfield. The site is situated in the open countryside.

PROPOSAL:

The proposal seeks planning permission for the change of use of the land to provide a caravan storage area. To accommodate the use existing hardstanding areas will be utilised and landscaping/screening will be provided by the formation of an earth mound and associated landscaping approved under Planning Application 12/00905/FUL. A metal security fence will be provided around the perimeter of the site to ensure security. If permitted the site would accommodate up to 100 touring caravans for all year round storage.

HISTORY:

03/00158/FUL: Change of use of land for storage of materials for buildings/ landscaping together with erection of 2.1m high perimeter fence - Application withdrawn

12/00349/MFUL: Change of use of concrete hardstanding to provide caravan storage area - Application withdrawn

12/00905/FUL: Formation of earth mound with associated landscaping to east of area of hardstanding - Application permitted

13/00710/MFUL: Change of use of concrete hardstanding to provide caravan storage area - Application withdrawn

POLICY:

National Planning Policy

Ryedale Plan - Local Plan Strategy

Policy SP8 - Tourism
Policy SP13 - Landscapes
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The Parish Council have objected to this application. In addition, a letter of objection has been received for the nearby Wombleton Caravan Park. The concerns raised include:

- Visual impact of the development;
- Increased traffic levels through Wombleton and the surrounding area;
- Security related issues, including lighting;
- Impact on local tourist facilities, including nearby caravan park.

In considering this proposal, Members will note that Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework, is supportive of the need to promote a strong rural economy in rural areas. Nevertheless, regard is also to be had to the material considerations of the development and the impact the proposal would have on the character of the surrounding countryside.

The Ryedale Local Plan Strategy does not contain a policy specific to the storage of touring caravans. However, the impact of the application can be assessed against the criteria of Policy SP8 (Tourism) which states:

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

The wider open countryside

- *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.”*

In light of the above policy, the main issues relating to the assessment of this application are:

- i) Impact on the Open Countryside
- ii) Impact on Residential Amenity
- iii) Highway Considerations

Impact on the Open Countryside

This proposal is a resubmission of planning applications ref. 12/00349/MFUL and 13/00710/MFUL which were both withdrawn because of concerns relating to the landscape impact. Planning application 12/00905/FUL was submitted in order to provide screening to the site. At the time of the site visit for this application, the approved landscaping had been implemented however it was not yet established or matured.

The application site is situated within an open section of land that is visible from a number of areas and public roads within the locality. Officers have concerns that the visual impact of 100 touring caravans within the site would be highly visible within the landscape resulting in harm to the character of the area. The applicant has advised that security fencing will be provided around the perimeter of the site, however no construction details of the fencing has been provided. The possibility of security fencing could worsen the visual impact of the development, although details

could be agreed through the inclusion of a condition if Members be minded to approve the application. No security lighting is proposed.

In terms of the landscape impact, the landform of the area is generally flat and there are wide views of the application site, particularly from the east. There is existing screening located on the boundary to the west which is shared with the nearby caravan park. Members will note that this screening has recently been reduced which has resulted in increasing the visual prominence of the existing caravan park. The screening approved under planning application 12/00905/FUL is not yet established and at this stage the landscape impact of the proposal when the screening is established cannot be fully determined. Nevertheless, serious concerns do remain that even when the landscaping is fully matured, that the development would result in harm to the visual appearance and character of the landscape. To this regard, the criteria of Policy SP8 of the Local Plan Strategy (as identified earlier within this report) is relevant.

The application does seek to protect the character of the open countryside through the screening methods approved under planning permission ref. 12/00905/FUL. However until such time that the screening is fully established and matured, the visual impact of the development is considered to be materially harmful the character of the open countryside. If in the future, the site is appropriately landscaped the visual impact of the proposal can be re-assessed at that time. At the present time however the development is contrary to Policy SP8, SP13 and SP20 of the Ryedale Local Plan Strategy.

Impact on Residential Amenity

With respect to residential amenity, the main concern of the proposal is related to the impact of the development on the nearby caravan park. The concerns raised by the owners of the caravan park are noted. It is considered however, that the details surrounding the operation of the facility (i.e. hours of use) could be controlled by the implementation of planning conditions. Therefore, whilst concerns do exist regarding residential amenity, the concerns raised could be overcome.

Highway Considerations

If permitted, the application would result in additional levels of traffic that would increase the total number of vehicles passing through Wombledon village itself. The subsequent impact this would have on the character of the settlement and on the amenity of nearby residents does form a material consideration.

In assessing this impact it is important to give consideration to the nature of the development. The proposal is for caravan storage. It is likely that a large number of the caravans stored at the site will remain in storage for significant periods of the year. During the warmer months, it is recognised that more traffic would occur however, it is not considered that the levels of activity that would occur would be comparable to a caravan park which has visitors / customers accessing the site on a daily basis.

On balance, it is not considered the increase in traffic levels would be so significant that it would warrant refusal of the planning application for this reason. The Highway Authority has raised no objection to the application on the grounds of highway safety. The impact of the development on the local highway network is therefore considered to be acceptable.

Conclusion

To conclude, whilst Section 3 of the NPPF is supportive of economic growth in rural areas, the existing landscaping is considered to be insufficient to screen the proposed development to acceptable levels. The planning history of the site is noted. However until such time that the landscaping is established and matured, the impact of the proposal on the character and appearance of the open countryside cannot be fully determined. The recommendation is one of refusal as the proposal would

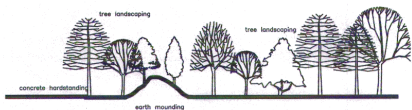
result in a *'unacceptable visual intrusion and impact on the character of the locality'* contrary to the requirements of the Policy SP8, SP13 and SP20 of the Ryedale Local Plan Strategy.

RECOMMENDATION: Refusal

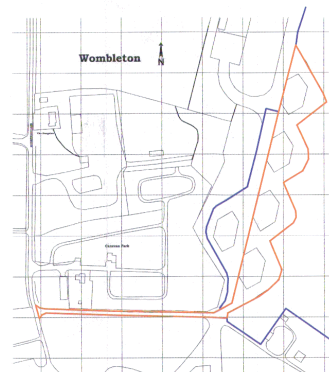
- 1 The proposed development would be visually prominent within the landscape resulting in harm to the character and appearance of the open countryside. The landscaping required to screen the development has been planted however is not yet fully established or matured. The impact of the development is therefore considered to be currently unacceptable. It is therefore considered that the development is contrary to the requirements of Policies SP8, SP13 and SP20 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties

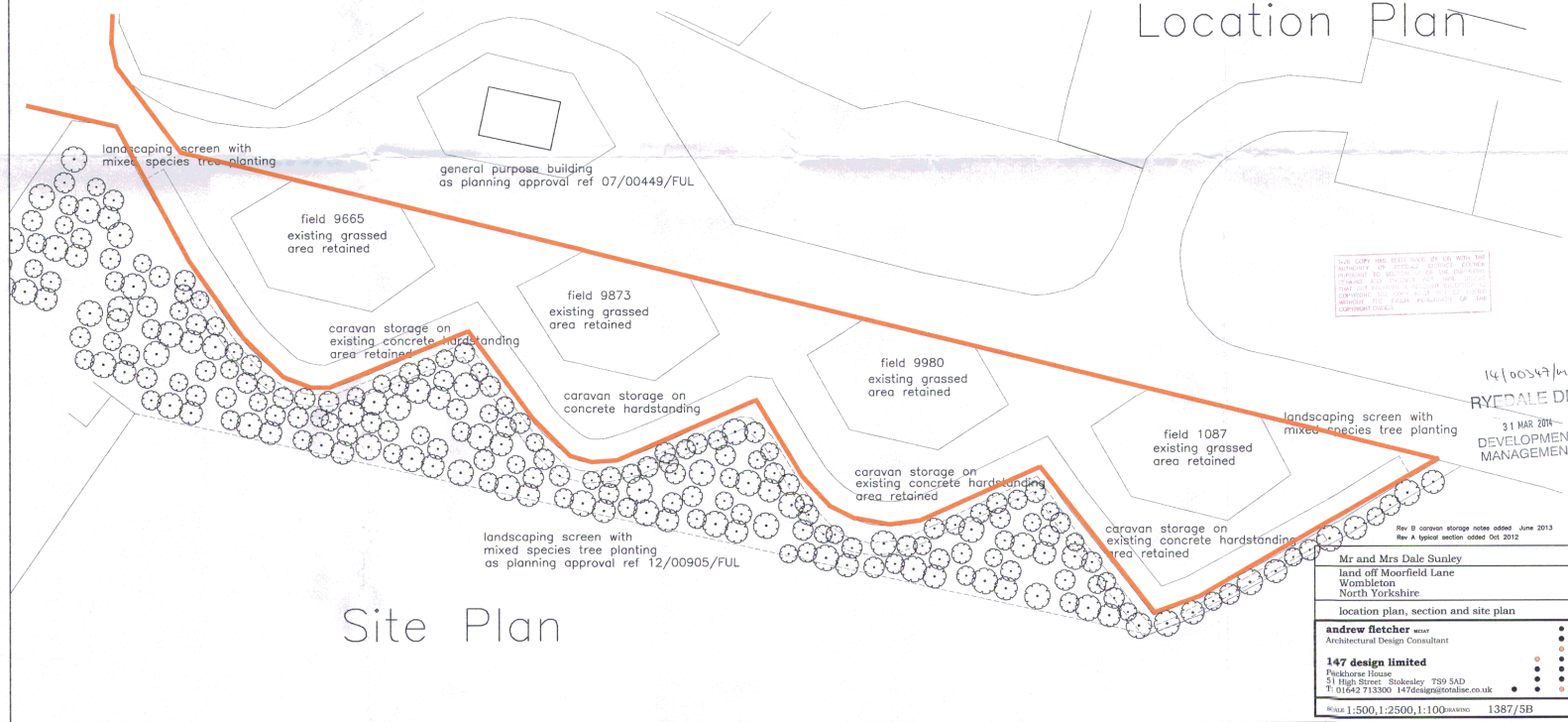


typical section



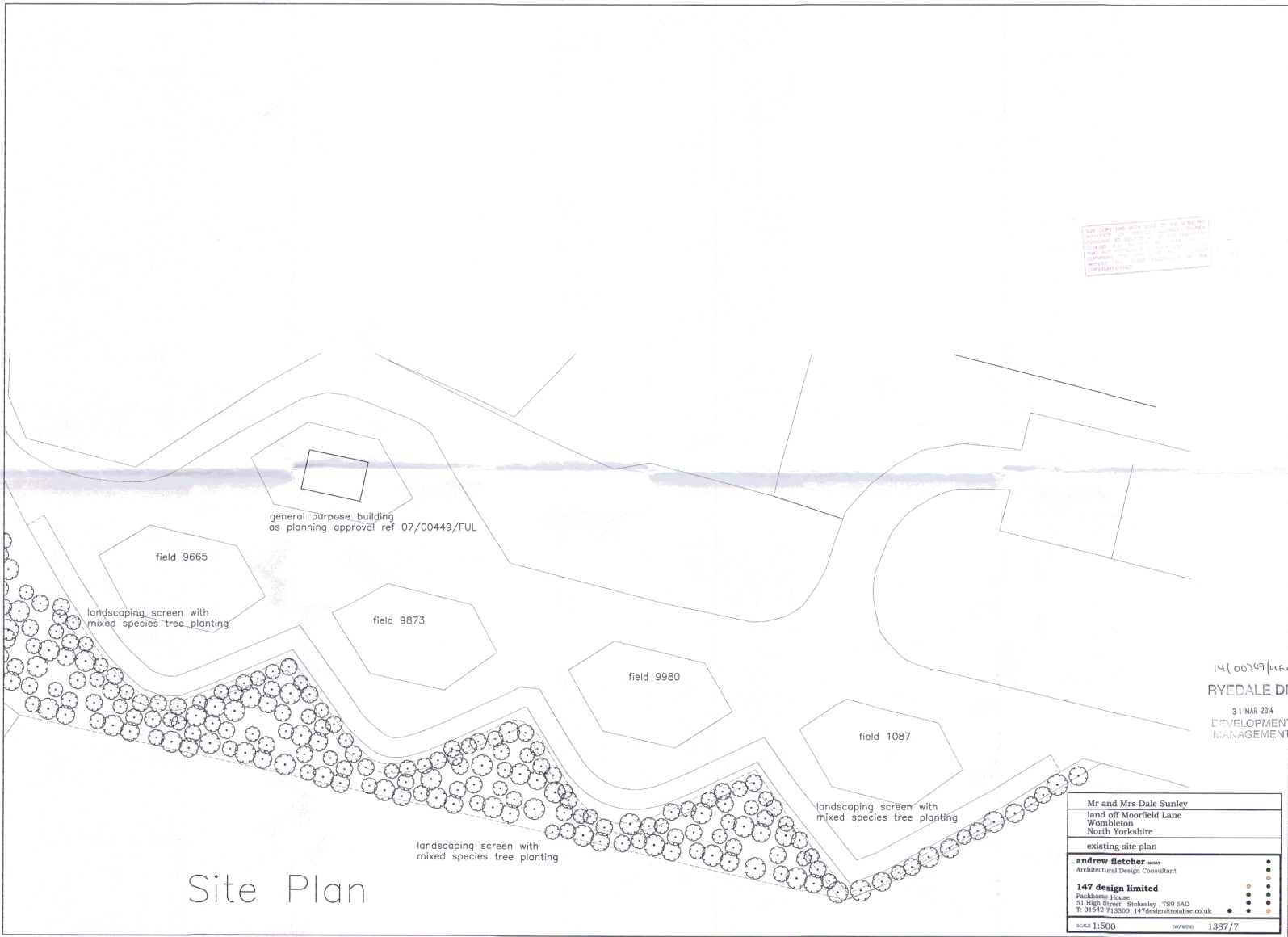
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Location Plan



Site Plan

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Site Plan

14/00349/INF
RYEDALE DM
31 MAR 2014
DEVELOPMENT
MANAGEMENT

Mr and Mrs Dale Sunley land off Moorfield Lane Wombleson North Yorkshire	•
existing site plan	•
andrew fletcher <small>owner</small> Architectural Design Consultant	•
147 design limited Packhorse House 51 High Street, Stokesley TS9 5AD T: 01642 713500 147design@totalise.co.uk	•
SCALE 1:500	DRAWING 1387/7

14/00 347/MFW

RYTHM DM

Rev A

31 MAR 2014

DEVELOPMENT
MANAGEMENT

Design statement for the change of use of land off Moorfield Lane, Wombledon to provide caravan storage

This statement is in support of a full planning application for 'change of use' of the land off Moorfield Lane, Wombledon on behalf of the site owners, Mr and Mrs D Dale-Sunley

INTRODUCTION

The current application is a resubmission of an earlier planning application which was withdrawn during the consultation process for the change of use of the concrete areas on the land owned by my clients off Moorfield Lane. The site consists of concrete hardstanding areas which were originally constructed during the World War Two and which surround 4 grassed areas.

This application is similar to the earlier application which was withdrawn except that the landscaping which was proposed in the earlier application has now been planted and has grown sufficiently and we therefore now consider that the application to be acceptable and in line with the officers comments which were made during the consultation period for the earlier application (principal of the development acceptable subject to adequate screening), As there was previously no adequate screening the previous application was withdrawn and the issue of the landscape screening has now been complied with and it is therefore felt appropriate to resubmit the application.

The site is located to the east of Moorfield Lane, which links the villages of Harome (1.5km south west) and Wombledon (1 km north east). The land sits adjacent to a concrete road way which was constructed as part of Wombledon Airfield during the Second World War and to the east of a caravan site (Wombledon Caravan and Camping Park) and is accessed from Moorfield Lane via a private roadway which is approximately 4m to 4.5m in width and is currently used by agricultural vehicles including combine harvesters.

SITE DESCRIPTION

The concrete surfaced areas surround four grass fields (numbers 1087, 9980, 9873 and 9665) and are of varying widths but approximately 14.5m wide and to the south and east of the concrete hardstanding lies extensive landscaped areas containing mixed variety trees.

THE PROPOSALS

Land use

The concrete hardstanding areas will be used for the year round storage of touring caravan and the caravans will be located around the outermost perimeter of the concreted areas, there will be spaces for approximately 100 touring caravans evenly spaced to provide the owners with enough space to access their caravan. The concrete areas are of sufficient width to allow the caravans to be towed into the area and manoeuvred into the space and to allow the towing vehicles to be able to carry out a three point turn to leave the site in a forward gear. The caravan storage area will be used by families who do not have sufficient space at their property to store their caravan but wish to be able to gain easy and close access to their caravan whenever they wish. The storage area will be open all year round.

Landscaping

The eastern side of the hardstanding areas was granted planning permission on the 12th December 2012 for the formation of an earth mound and associated landscaping under reference 12/00905FUL. The construction of the earth mound and the landscaping of the area with trees of mixed species has now been fully completed

The existing grassed areas within the concrete hardstanding are currently rough grass and these areas will be maintained in a neat manner to enhance the site within the boundary fence.

A metal security fence will also be provided around the site to ensure the security of the site and the user's property and also to prevent caravans being stolen and towed away.

Access

The site is accessed via a tarmac road leading from Moorfield Lane to the site and this roadway is sufficiently wide (4 – 4.5m wide) to allow two vehicles to pass should this be required. The entry to the storage area site will have double metal security gates which will be kept locked at all times, the owners of the caravans will be provided with numerical or key lock to gain access when required and to prevent unauthorised access

Other material consideration

The current proposal would complement the existing adjacent Wombleton Caravan and Camping Park and the many other campsites in the locality by providing a service and/or an option for the local storage of private touring caravans all year round as this service is not currently provided between 1st November and 28th February in the vicinity.

The site is not proposed to have 24 hour opening as it is felt that this is not required or necessary. It is proposed to operate the site during business opening hours and consequently, there is no need for any artificial lighting of the site as it will not be used during the hours of darkness.

CONCLUSION

Development of this site represents a suitable commercial use for the previously developed land. The land was originally of commercial use and is immediately adjacent to a touring caravan site. The site will be well screened from view from the east by the approved tree landscaping.

The site is adjacent to a commercial use. It is also not designated as part of a Visually Important Undeveloped Area, and should therefore be considered as a suitable location for the proposed development.

147 Design Limited
51 High Street
Stokesley

MMO 8/5/14 JC

OBJECT.

WOMBLETON

Mrs M L Slater, Parish Clerk,
Ryecroft,
Main Street,
Wombledon,
North Yorkshire.
YO62 7RX.
Tel 01751 432272.

Email louise@wombledon.wanadoo.co.uk

FAO Karen Hood, Senior Technical Officer,
Ryedale District Council,
Ryedale House,
Malton,
North Yorkshire.
YO17 7HH.

RYEDALE DISTRICT COUNCIL

- 8 MAY 2014

DEVELOPMENT
MANAGEMENT

7th May 2014

Dear Sirs,

Re Application 14/00347/MFUL Mr D Dale-Sunley – Change of use of concrete hard standing to provide caravan storage area at an area of Hardstanding to East of Wombledon Caravan Park, Moorfields Lane, Wombledon.

I refer to the above application. My Council unanimously recommends rejection of this application for the following reasons:-

1. The increase of traffic through the village and surrounding areas. Despite assurances Councillors see no impediment to the site being accessed 24/7 as the owners will be provided with a numerical or key lock – it would appear there will be no one to police the area to stop access at all times. This could cause problems to residents in the village and visitors on the Caravan site next door. The busiest times for the retrieval and depositing of caravans would be Friday evenings and Sunday evenings which would cause problems for the neighbouring caravan site and residents as many would be accessing the site from the A170 and through the village.
2. The site is still extremely exposed from all sides and would be highly visible from roads and the village. It is noted that the Planning Officer's report dated 28th August 2013 recommended rejection of the application no 13/00710/MFUL which was then withdrawn by the applicant as he stated in accordance with the Ryedale local Plan "the landscaping should be established and matured to ensure the visual impact of the development is not materially harmful". Although the landscaping has been planted it has only been planted in the last few weeks my Council is of the opinion it is neither established or matured and

Mrs M L Slater, Parish Clerk, Ryecroft, Main Street, Wombledon, YO62 7RX
Tel 01751 432272.

Councillors: Mrs S Sharples (Chairman), Mr B Grice (Vice Chairman), Mrs A Oliver, Mr R Colley and Mrs S Turnbull

WOMBLETON

therefore it cannot be said to ensure the visual impact of the development is not materially harmful.

3. The metal security type fence will be highly visible and intrusive in Councillors' opinion, security would necessitate this being very high and industrial type fencing and gates which would be highly visible and very obtrusive in the open countryside.
4. Councillors remain of the opinion (despite the statement made in supporting information) that some lighting would be needed for health and safety and security reasons. Especially as the site would be open all year round. This would be extremely obtrusive and detrimental to the open countryside and neighbouring Caravan site. It would make the site very visible from the village and surrounding roads.
5. It was considered that such an operation should also potentially be manned for security reasons – there was nothing in the application about this.
6. Councillors remain concerned as to whether the entry/exit route was suitable for caravans. The proposed route from Moorfield Lane to the site is very narrow indeed and has a very sharp bend which would be very difficult for large caravans to negotiate.
7. The proposed application has, in my Council's opinion worrying implications for the tourist industry both locally and for the adjoining Caravan site in particular.

A site meeting at the Airfield is again recommended as this would show the Planning Committee members how very exposed the proposed site was. This would also reveal any potential inadequacies in the proposed access and the proximity to the Caravan site. In addition to which Councillors note that the site is next to the Control Tower which is now used as offices with further amounts of traffic entering and exiting.

To summarise my Council recommends rejection of this application.

Yours faithfully,

Louise Slater.

Clerk to Wombledon Parish Council.

Mrs M L Slater, Parish Clerk, Ryecroft, Main Street, Wombledon, YO62 7RX
Tel 01751 432272.

Councillors: Mrs S Sharples (Chairman), Mr B Grice (Vice Chairman), Mrs A Oliver, Mr R Colley and Mrs S Turnbull

Agenda Item 10

Item Number: 10
Application No: 13/00880/73A
Parish: Normanby Parish Meeting
Appn. Type: Non Compliance with Conditions
Applicant: Mrs J Storrie
Proposal: Variation of Condition 02 (agricultural occupancy condition) of approval 3/94/7B/PA dated 15.05.1978 to allow local needs occupancy
Location: Eastfield Lodge Long Lane Great Barugh Malton YO17 6XE

Registration Date:
8/13 Wk Expiry Date: 19 September 2013
Overall Expiry Date: 13 September 2013
Case Officer: Shaun Robson **Ext:** 319

CONSULTATIONS:

Parish Council

Neighbour responses:

.....

SITE:

The application site is located to the south of Long Lane and to the east of Eastfield Farm. The site lies outside of the development limits of Great Barugh within the 'open countryside'.

PROPOSAL:

Planning permission is sought for variation of conditions 02 of approval 3/94/7B/PA which states:

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290 (1) of the Town and Country Planning Act, 1971, (including and dependents of such a person residing with him) or a widow or widower of such a person.

HISTORY:

13/00973/FUL – Erection of single-storey detached log cabin for use as a residential annex – PENDING

78/00527/OLD (3/94/7B/PA) – Construction of a detached bungalow at Eastfields Great Barugh Malton – APPROVED 15th May 1978

78/00526/OLD (3/94/7A/PA) – Outline application for the construction of a three bedroom bungalow for an agricultural worker at Eastfields Farm Great Barugh Malton – APPROVED 6th March 1978

POLICY:

National Planning Guidance

National Planning Policy Framework (NPPF)

National Planning Procedure Guidance (NPPG)

Ryedale Plan – Local Plan Strategy

Policy SP1 – General Location of Development and Settlement Hierarchy

Policy SP2 – Delivery and Distribution of New Housing

Policy SP19 – Presumption in Favour of Sustainable Development

Policy SP21 – Occupancy Restrictions

APPRAISAL:

This application is made following a change in the personal circumstances of the occupant and their family.

The main consideration in relation to this application is therefore:-

- whether it is acceptable to remove the condition.

The building, the subject of this permission, was erected in connection with an identified need with regard to agriculture and specifically the requirements of Eastfield Farm.

Some forty years ago the dwelling was erected in connection with the requirements of Eastfield Farm. The requirement subsequently diminished sometime thereafter following the sale of the agricultural land and then disused farmhouse. The disused farmhouse and outbuildings were subsequently purchased and renovated, by the current owners, and the site is now used in connection with their fairground business.

The current occupant of Eastfield Lodge (Mrs Storrie) purchased the property approximately 12 years ago and resided in the dwelling as the widow of an agricultural worker with her two sons. The eldest son was also employed in agriculture therefore Mrs Storrie complied with the agricultural restriction on two counts, namely as a dependent and the widow of a former agricultural worker.

Following a recent change in circumstances the eldest son has left the property but remains a resident within Ryedale. Mrs Storrie's youngest son, who resides in the property with his young family, now wishes to take over the financial mortgage responsibility for the property. Unfortunately, whilst he works within Ryedale he is not employed in agriculture. Mrs Storrie still wishes to reside on the property and a separate application (13/00973/FUL) for the erection of an annex, which is also presented before Members, has been submitted to the Council for consideration.

In determining an application for the removal of an occupancy restriction, Policy SP21 of the Local Plan Strategy is of relevance the Policy states (in part):-

d) Ancillary Residential Accommodation

Where further residential accommodation within the curtilage of an existing dwelling is proposed to complement the existing living arrangements, such as to provide a 'granny annexe', the proposed development shall remain ancillary to the existing house and shall not be separately occupied. Accommodation that has a separate access and the ability to be fully self-contained will be discouraged.

g) Lifting of Occupancy Restrictions

(i) The lifting of occupancy restrictions will be carefully considered on a case by case basis. The capability and suitability of the unit being occupied as a permanent residential unit together with any changes in circumstances which mean the occupancy restriction is no longer applicable, will be carefully considered.

(ii) Changes in the scale and character of farming/ forestry/other enterprise may affect the longer-term requirement for dwellings that are subject to an occupancy condition. For an agricultural occupancy condition to be lifted, up to date documentary evidence provided by an independent consultant will be required showing that there is no demand for the accommodation in its current

status. This would be established over a period of at least 12 months through the advertisement of the property by agents specialising in the sale of agricultural land and property in the Ryedale area, with regular advertisement within agricultural journals and local papers. The property advertisement must refer to the existence of the agricultural occupancy condition, and for the property be priced accordingly.”

The policy identifies the criterion when an agricultural restriction may be lifted. Specifically it is imperative that *“the lifting of occupancy restrictions will be carefully considered on a case by case basis”*.

It would normally be expected that in order to lift the restriction that the property would have been market for a period of at least 12 months to establish a need for the property and at a price that reflects the tied condition. In this particular case this has not occurred. However, this particular application differs from most other similar proposals for the lifting of occupancy restrictions. The applicant is applying to lift the tie, in order to allow her son to reside in the main property whilst she will reside on-site within a proposed annex (the subject of a separate application). The case for the applicant, in this particular case, is that:-

- the dwelling has been the applicants home for 12 years and she has resided there in full compliance with the restriction;
- it is not the intention to lift the tie for the disposal of the property;
- the applicant has suggested that due to a number of health conditions it is essential that a relative resides in close proximity;
- the applicant has agreed to the imposition of local needs occupancy on the dwelling.

In terms of the policy requirements, if it is applied rigidly the applicant and her son could become homeless if they continued to occupy the dwelling in breach of the original agricultural occupancy condition. Policy SP21 states that proposals of this nature will be *“considered on a case by case basis”*. In this particular case it is considered that the lifting of the restriction and imposition of the ‘Local Occupancy’ condition together with the fact that the applicant is not disposing of the property as an unfettered open market dwelling is considered to be appropriate in this instance.

Conclusion

To conclude, whilst the proposed changes to the condition would remove a building from the local stock which has the potential to be occupied by an agricultural worker, the specific circumstances of this case together with the imposition of the ‘Local Needs Occupancy’ condition is considered to result in an appropriate form of development.

National Planning Policy Framework

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

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP21 Occupancy Restrictions

RECOMMENDATION: Approval

1 The dwelling shall only be occupied by a person(s) who:

- Have permanently resided in the Parish, or adjoining parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
- Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the parish after leaving military service; or

- Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.

Reason:- To meet the requirements of Policies SP2 and SP21 of the Ryedale Plan – Local Plan Strategy.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

For locational
Purposes.

13/00880/73A



Scale : 1:10000

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Organisation	Ryedale District Council
Department	Planning Services
Comments	
Date	01 August 2013
SLA Number	100019406

13/880

Eastfield Lodge
Great Barugh
RYEDALE DM Malton

25 JUL 2013

YO17 6XE

23/7/13.

Dear Sir/Madam.

I am submitting an application for the removal of the occupancy restriction on this home.

I came into your offices last year to make enquiries as my son and his family could, in theory, be one day be in a position where they would be living here contrary to the restriction.

When the house was originally built, it was intended for the occupation in connection with the farm. Upon completion (40 yrs ago!) the then owner moved in and the original farmhouse was abandoned to become derelict.

Eventually, some 14 yrs ago, the farmhouse was purchased and renovated by its current owners, Mr & Mrs John Warrington, who operate their fairground business from there.

Eastfield Lodge, itself was sold, and I purchased it some 12 yrs ago, widowed and dependent on my son (who works in agriculture) along with my younger son, who at that time was still in education.

You confirmed, last year, that I can legally continue to live here, however, there is a grey area concerning my younger son doing so.

As he, David, and his young family will be living here with me we became worried as to THEIR future, in years to come when I eventually

leave (or die).

We want to stay here and as I am now retired it is sensible that they take over the mortgage.

As I was very worried as to what may happen when I am no longer here, you suggested that I should consider applying for the restriction to be removed.

I would like to do that now.

The house has not been attached to the original Farm for several decades and as I mentioned before, the Farm land and then the derelict Farmhouse both sold off many years ago.

We are NOT applying in order to sell the property but to ensure my family can continue to live here in secure knowledge, that we are doing so, legally, as at present.

Thankyou

Kind regards

(JACQUELINE STORRIE)

Agenda Item 11

Item Number: 11
Application No: 13/00973/FUL
Parish: Normanby Parish Meeting
Appn. Type: Full Application
Applicant: Mrs J Storrie
Proposal: Change of use of land to form an extension to domestic curtilage and erection of single-storey detached log cabin for use as a residential annex
Location: Eastfield Lodge Long Lane Great Barugh Malton YO17 6XE

Registration Date:
8/13 Wk Expiry Date: 18 October 2013
Overall Expiry Date: 2 June 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Parish Council
Parish Council

Neighbour responses:

SITE:

This application is associated with application 13/00880/73A proceeding this item.

The application site currently comprises a 3 bed room, single storey dwelling situated in the open countryside, on Long Lane to the north of Great Barugh. The nearest dwelling to the site is a farmhouse situated to the immediate east. The curtilage of the site is well screened, with the western boundary formed by a tall Lleyandii hedge. There is a group of outbuildings to the east of the dwelling. The dwelling is subject to an agricultural occupancy condition which states:

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290 (1) of the Town and Country Planning Act, 1971 (including dependents of such a person residing with him), or a widow or widower of such a person.

PROPOSAL:

Permission is sought for a detached residential annexe for use in connection with Eastfield Lodge. It will be constructed from timber under a metal tiled roof. It will have a footprint of 11m by 6.2m with a ridge height of 3.4m. As submitted the location of the annexe is to the south east of the existing dwelling, with drainage to the current septic tank.

HISTORY:

Appln 3/94/7A/PA - March 1978 application approved in outline, for the erection of a three bedroom dwelling for an agricultural worker at Eastfield Farm
Appln 3/94/7B/PA - April 1978 Application approved for the erection of a detached bungalow for an agricultural worker.
Appln 13/00880/73A – removal of occupancy condition on bungalow.

POLICY:

Ryedale Plan - Local Plan Strategy

Policy SP 1 General Location of Development and Settlement Hierarchy

Policy SP 2 Delivery and Distribution of New Housing

Policy SP 4 Type and Mix of New Housing

Policy SP 13 Landscapes

Policy SP 16 Design

Policy SP 19 Presumption in Favour of Sustainable Development

Policy SP 20 Generic Development Management Issues

National Policy Guidance

National Planning Policy Framework

National Planning Policy Guidance

APPRAISAL:

The applicant has advised that she has lived at Eastfield Lodge for 12 years with her family, her elder son complying with the occupancy condition. He eventually moved out with his family, leaving the applicant to live there alone. Her younger son has since returned to live with her, together with his wife and child. A second baby is due in December. The proposed annex would enable the family to remain together whilst enabling the applicant, who is now retired, to have her own space in the annexe. They would share some meals together, and part of the annex would be used for hobbies and as an extra family room. The applicant provides some childcare for her son and his wife whilst they are at work.

The material considerations in respect of the application are therefore:

- Principle of locating an annex in this location
- Impact of development on the character of the area which lies within the Vale of Pickering, which is a locally valued landscape as identified in policy SP13 Landscapes of the Ryedale Plan – Local Plan Strategy.
- Appropriateness of the design.
- Impact of development on existing amenities
- Highway Considerations

Principle of Development

Policies SP1 and SP2 of the Ryedale Plan – Local Plan Strategy, includes a settlement hierarchy for the location of development. Most new development is directed to the market towns, with service villages identified as a tertiary focus for growth. Development in other villages is restricted to local needs occupancy. The application is situated in 'wider open countryside' where residential development is restricted to conversions, and new build dwellings to support the land based rural economy.

In this case however permission is sought for an annex which will be used in connection with the existing main dwelling. Subject to this criteria, there is no policy reason against the principle of the development. Members will be note however, that this officer level view is subject to the agricultural occupancy condition on the principle dwelling being removed, to enable it to be occupied by the applicants son and his family whilst fulfilling 'local occupancy' criteria.

Impact of the development on this locally valued landscape.

The site is situated in the open countryside, and accessed by a lightly used narrow lane. It is well screened to the east by a plantation of trees, together with a hedge around the western, southern and northern boundaries. The roof of the bungalow is visible as one approaches the site. However the remainder of the site is not visible. Nevertheless, it is considered that annex accommodation should be well related to the principle dwelling to enable the shared facilities to occur; to provide cohesion when viewed in the landscape and to ensure that there is no pressure at a later date to separate the two buildings. Negotiations have been carried out with the applicant, and revised plans received which show the annex relocated to the immediate south of the principal dwelling. The original plans for the site have been micro filmed, so the exact boundary of the domestic curtilage is unclear. For the avoidance of doubt therefore, the description has been changed to include the change of use of the land for the siting of the annex.

Given the proximity of the annex to the principal dwelling (together with its small scale) it is not considered that the development will have a significant adverse impact on the character of this part of the Vale of Pickering. It is noted that the tall Leylandii hedge restricts light to this part of the site, and is not a native species. It is therefore considered that if the applicant seeks to remove part of the hedge, its replacement with one including native species would be acceptable, and improve the setting of the site in the landscape.

Appropriateness of Design

The existing dwelling is a simple, single storey dwelling constructed from Bradstone. The proposed annex has a similar form. However the use of timber will ensure that it recedes into the landscape. It is considered that, any approval should be conditioned to ensure that the proposed metal tiles are dark grey which are less obtrusive than some other lighter coloured materials.

Neighbour impact.

The proposed annex will be sited on the far side of the site from the neighbouring property. Furthermore it will not result in any greater comings and goings than currently exists at the property. Accordingly, it is not considered that it will have a significant adverse impact on the existing amenities of neighbouring occupiers.

Highway considerations

The development will not result in the need for any change to the current access.

Conclusion

It is considered that subject to the satisfactory resolution of application 13/00880/73A, the proposed development accords with policy, and the recommendation is one of approval.

National Planning Policy Framework

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

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP13 Landscapes

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

RECOMMENDATION: **Approval subject to: (i) approval of application 13/00880/73A**
(ii) expiry of re-consultation period

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 used only insofar as it forms an annex/extension to the dwelling currently known as Eastfield Lodge, and shall at no time be sold/leased or occupied as a separate or self-contained dwelling unit.

Reason:- The application site is within an area where planning policy precludes the provision of new dwellings other than those essential in the interests of agriculture or forestry. And to satisfy the requirements of policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

3 Notwithstanding the submitted details, precise details for the colour of the timber for the walls, and the roofing material shall be submitted to, and approved in writing by the local planning authority.

4 Unless otherwise agreed in writing by the Local Planning Authority, and prior to the removal of any boundary hedging, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of native trees and shrubs. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in 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 comply with the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

5 The development hereby permitted shall be carried out in accordance with the following approved plan(s):.

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

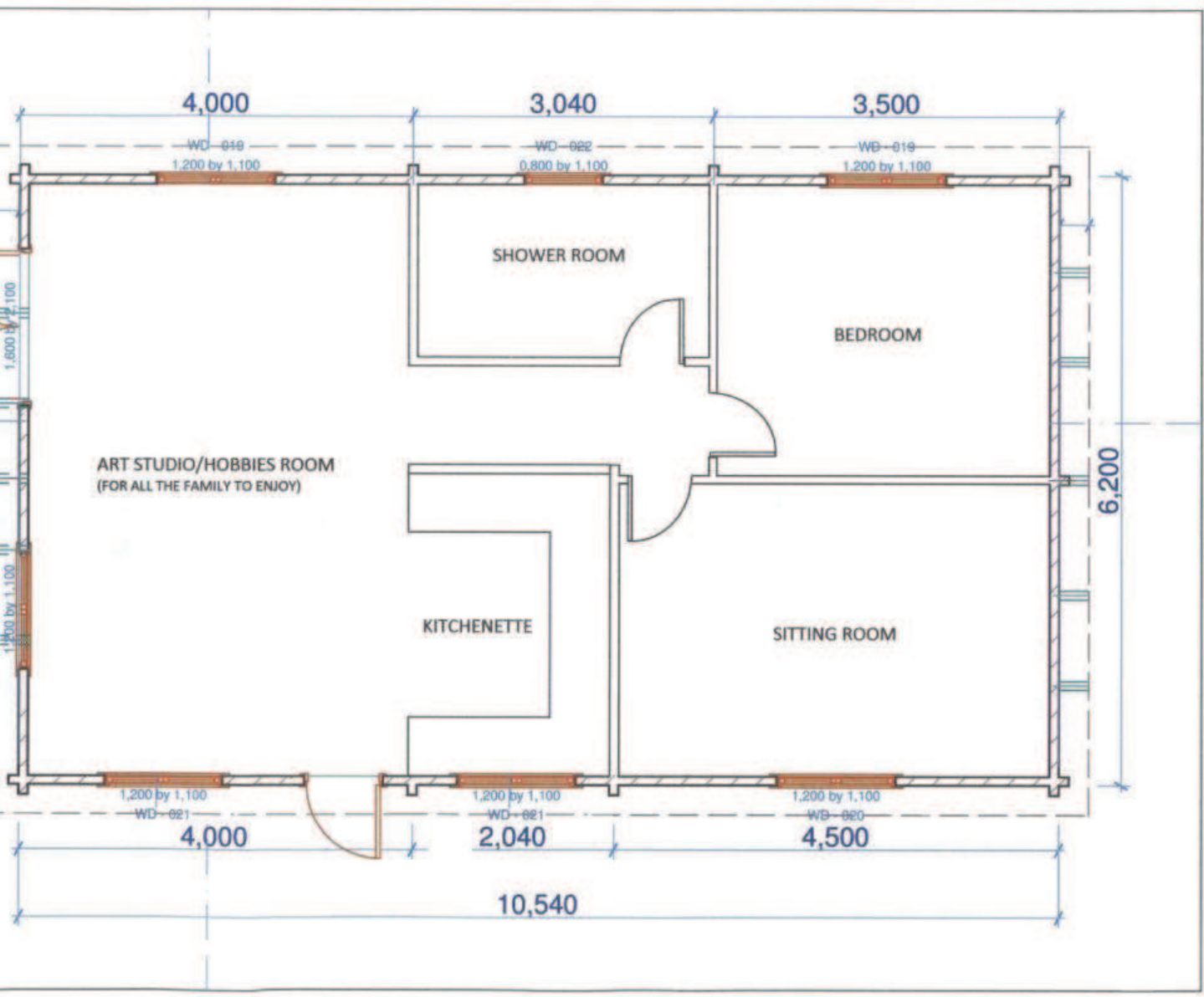
Background Papers:

- Adopted Ryedale Local Plan 2002
- Local Plan Strategy 2013
- National Planning Policy Framework
- Responses from consultees and interested parties

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23 AUG 2013

DEVELOPMENT MANAGEMENT

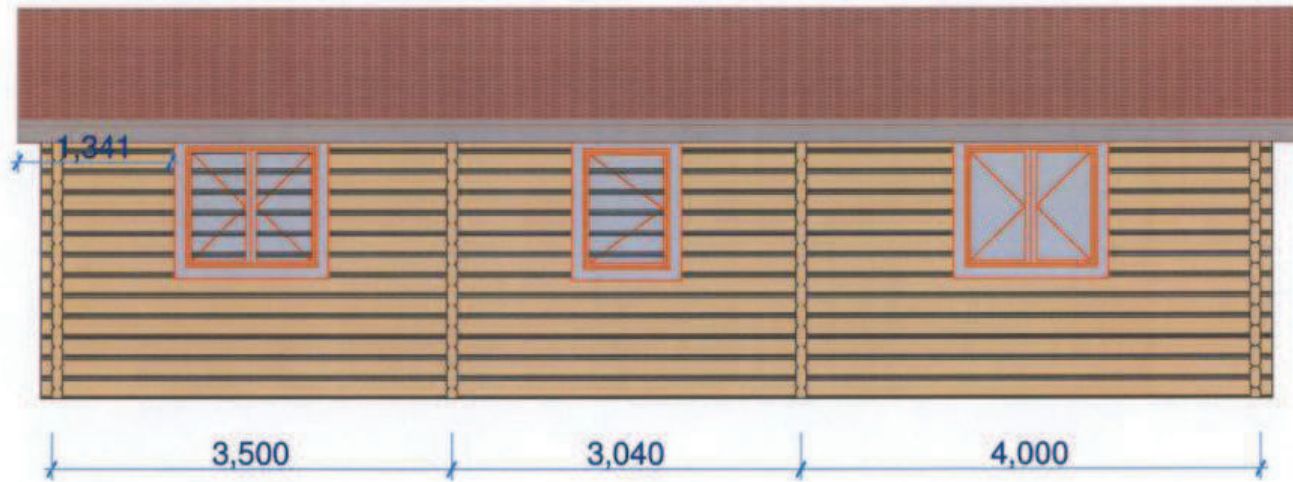


RYEDALE DM

23 AUG 2013

DEVELOPMENT
PLANNING

13/00573/ML

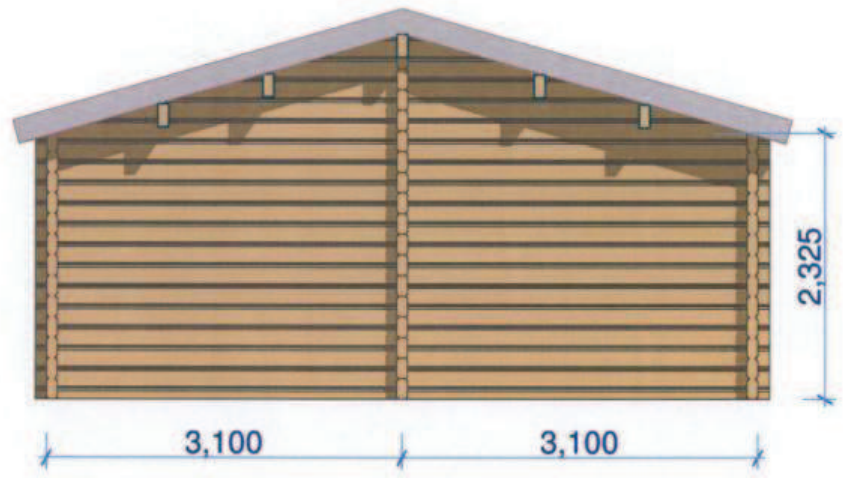


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DEVELOPMENT
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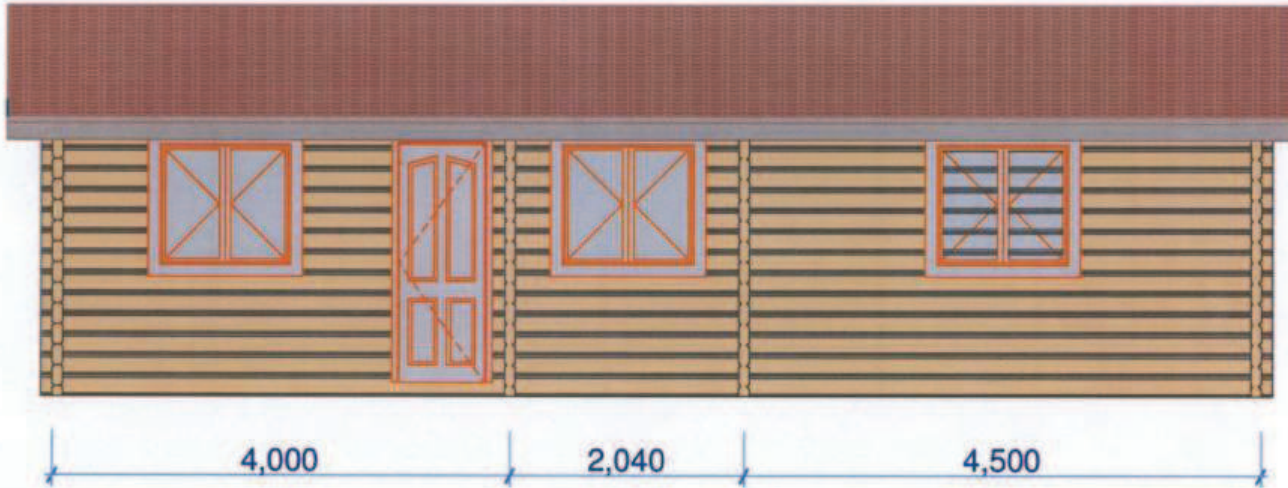


EAST SIDE
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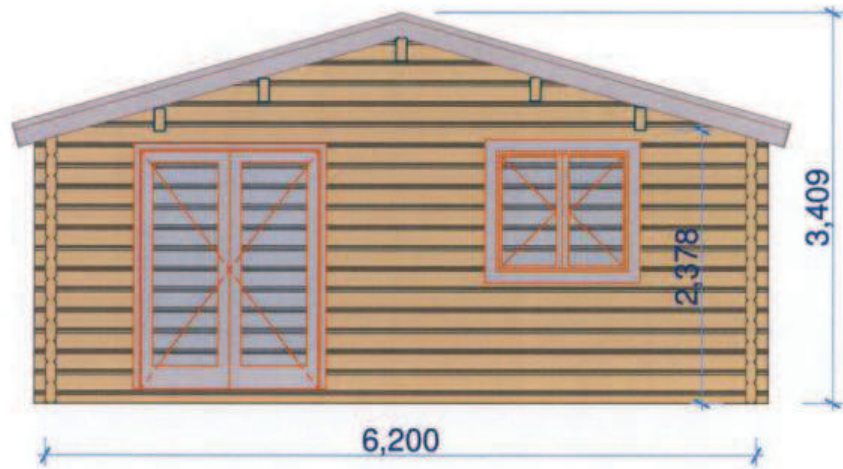
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23 AUG 2013
DEVELOPMENT
MANAGEMENT

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SOUTH SIDE
SCALE 50:1

13/02/13/ML
23 AUG 2013
DEVELOPMENT
MANAGEMENT



WEST SIDE
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13/973

RYE
23/01/00
Rye
10/01/00

Eastfield Lodge
Long Lane
Great Barugh
Malton
N. Yorkshire
YO17 6XE.

Dear Sir/Madam

I am writing to explain our need for extra occasional accommodation.

I am now retired and have only my state pension to live off. Now my son and his wife have one small child with a second due in December, our 3 bed home is going to become increasingly 'cramped'.

I feel that I need my own space yet we want to remain together as a family. Also the space used for office/home gym/my studio is now gone.

As I would like to join Friends and live overseas for part of the year (the winter months!!) the 'log cabin', the new annex/hobbies room, would give us all the freedom to live 'together' but each with our own 'space', when I am here.

I have several hobbies which, now I am retired, I have the time to pursue more and my own 'clutter', as well as my own few bits of furniture etc just do not fit in the home anymore.

It would 'tidy up' an unsightly area near the sheds/stable and would fit in well, utilising the existing access.

It would mean the growing family could remain together, enjoy meals, together yet give us all our own bit of privacy and dignity and possibly prevent 'tensions' that can develop. We are close and wish to remain so.

Thank you, kind regards, Mrs Jackie Storr.

Agenda Item 12

Item Number: 12
Application No: 14/00412/FUL
Parish: Brawby Parish Meeting
Appn. Type: Full Application
Applicant: Mr S Thackray
Proposal: Erection of a two-bedroom bungalow, detached garden store and formation of 2no. parking spaces
Location: Land Adj Cro's Nest Brawby Lane Brawby Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 3 June 2014
Overall Expiry Date: 9 May 2014
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Property Management	Developer contributions required
Sustainable Places Team (Yorkshire Area)	Proposal falls outside scope of matters to be consulted on
Highways North Yorkshire	Recommend Conditions
Parish Council	Objection
Environmental Health Officer	No comments to make on this development.
Land Use Planning	No comments required from Yorkshire Water
Neighbour responses:	Mrs E Messruther, Mr Michael Timms,

.....

SITE:

The application site is located within the development limits of Brawby. The site is accessed via a track from Brawby Lane. The plot approximately measures 10m by 20m. The application site is located within Flood Zone 1.

PROPOSAL:

Planning permission is sought for the erection of a two-bedroom dwelling, detached garden store and formation of 2no. parking spaces. The proposed dwelling is single storey and measures 10m by 11.3m at its greatest, and has an eaves height of 2.4m and a ridge height of 5m. The building is to be constructed of brick under a pantile roof with timber windows and doors.

HISTORY:

There is no planning history relating to this site, other than a withdrawn application for a dwelling earlier this year.

POLICY:

National Planning Policy Framework 2012 (NPPF)

Local Planning Strategy; Ryedale Plan adopted 5 September 2013

Policy SP1 – General Location of Development and Settlement Hierarchy
Policy SP2 – Delivery and Distribution

Policy SP4 – Type and Mix of New Housing

Policy SP11 – Community Facilities and Services
Policy SP16 - Design
Policy SP19 – Presumption in favour of sustainable development
Policy SP20 – Generic Development Management Issues
Policy SP21 – Occupancy Restrictions

APPRAISAL:

The main considerations in relation to this application are:-

- 1) The principle of the proposed development.
- 2) The site, scale and design of the proposed dwelling and how it relates to the character of the area.
- 3) Whether the proposal will have a material adverse effect upon the owners of the adjoining neighbours;
- 4) Whether the dwelling will have a satisfactory level of amenity
- 5) Highway safety;
- 6) Developer contributions;
- 7) Drainage;
- 8) Other issues.

The applicant withdrew an earlier application because of concerns relating to the scale and design of the proposal, and to ensure the correct ownership certificate was completed. Certificate D has now been completed, as the owner of the track leading from the site to the public highway is unknown. As a result the applicant has confirmed that the relevant notice in this regard has appeared in the local press. Land ownership is a civil matter, and now that the correct Certificate has been completed this procedural part of the application is complete. The scale and design of the proposed dwelling has also been altered following officer concerns.

Principle of the development

Policy SP2 states that development in locations such as Brawby should be limited to infill development 'within a continually built up frontage', subject to Local Needs Occupancy. The application site has a dwelling to either side; with one fronting Brawby Lane, and the other accessed via the aforementioned trackway. Opposite the site, is a pair of two semi-detached dwellings with a detached property to the south of those properties. In view of this arrangement, it is considered that the proposal can, in this particular case can be considered to be within a continually built up frontage. The applicant, within their submission has also indicated that the application has been prepared on the basis of it being for Local Needs Occupancy. The principle of the proposed development is therefore considered to be acceptable subject to the imposition of a local needs occupancy condition.

Siting, scale, and design

The siting of the proposed dwelling is considered to be acceptable on the plot, and its single storey modest appearance is also considered to ensure a satisfactory design that relates well to the character and appearance of the settlement.

Impact upon the residential amenity of the adjoining neighbours

Given the single storey design, the separation distances to the surrounding properties and window positions, it is not considered that the proposed will have an adverse effect upon the amenity of the adjoining neighbours in terms of its scale and bulk, or potential overlooking.

Whether the proposal dwelling will have a satisfactory level of residential amenity

The proposed dwelling is also considered to provide a satisfactory level of residential amenity space of approximately 85m², with further curtilage areas to the sides and front of the proposed dwelling.

Highway safety

Access to the site is gained from Brawby lane via a private track. The local Highway Authority has sought a minor change to the access to ensure that the two spaces are accessible. This change has been made, which was very minor and does not require further consultation. As a result the Highway Authority now recommends standard conditions. In doing so, the Highway Authority have considered that safe access to the site from the public highway can be achieved, there is no requirement for a turning facility within the site, and the parking provision is satisfactory.

Developer contributions

The Council's Valuer has requested a financial contribution towards POS of £2,120. This has to be secured by s106 agreement.

Drainage

The proposal is to drain foul water to the mains and surface water to a soakaway. No objections have been received from the relevant drainage consultees (Environment Agency, Yorkshire Water, and Environmental Health).

Other issues

The Environmental Health Officer has no objection to the proposal in terms of potential ground contamination. The site is located within Flood Zone 1; as such there is no requirement for the application of the sequential test, or indeed a Flood Risk Assessment. The Environment Agency has confirmed that the application falls outside their remit for commenting on applications.

An objection has been received from the Parish Meeting. The objection relates to highway safety regarding access onto Brawby Lane and the provision of a turning area within the application site. There are no other grounds for objection contained within the response from the Parish Meeting. The Highway Authority has considered in detail the highway safety implications of the proposed development, who consider that there are no grounds to refuse the application in terms of highway safety. Furthermore given the rural location and trackway, there is no requirement for turning provision within the site.

Two objections have also been received that raise the following issues; ownership of the trackway in relation to guidance on village greens and common land, highway safety particularly in relation to other developments in the locality, and opposing the idea of the proposed house. The trackway is not a registered village green or common land. The applicant does not claim ownership of the trackway on the application, but has served notice in the form of Certificate D, as the owner of the track is unknown. Each application has to be considered on its merits in relation to current policies and all relevant material considerations. The highway safety issue has been appraised above. The objector referred to previous applications that were refused on highway safety grounds. Application 06/00675/OUT (land to the rear of Lilac House) was refused for 4 reasons; one of these was as a result of a recommendation by the Highway Authority. However, that site was larger and has more potential to create additional vehicle movements than the single dwelling proposed. The Highway Authority has included their reasons for not objecting to this application and has confirmed that this has been undertaken after careful consideration.

In view of the above the application is recommended for approval subject to an s106 agreement in respect of the Public Open Space contribution.

RECOMMENDATION: Approval subject to S106 Agreement

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 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building 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 Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 Before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 1995 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable materials and/or structure(s) and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number 030 414 1A for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 6 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority.

These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strateg and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

7 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strateg and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

8 The dwelling hereby approved shall only be occupied by a person(s) who:

- Have permanently resided in the Parish, or adjoining parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
- Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the Parish after leaving military service; or
- Are taking up full time permanent employment in an already established business which has been located within the Parish, or adjoining Parish, for at least the previous three years; or
- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.

Reason: To meet the requirements of Policies SP2 and SP21 pf the Ryedale Plan – Local Plan Strategy.

9 Prior to the commencement of the development hereby approved precise details of the existing ground levels and proposed finished ground floor levels measured in relation to fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 of The Ryedale Plan – Local Plan Strategy.

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

APP; 030 414 1A; SITE LOCATION PLAN

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

INFORMATIVE:

- 1 You should satisfy yourself, prior to commencement of any work related to this project, that no part of the works hereby approved (including foundations and/or guttering) extended onto or over adjoining land unless you have first secured the agreement of the appropriate landowner(s).

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

Brawby

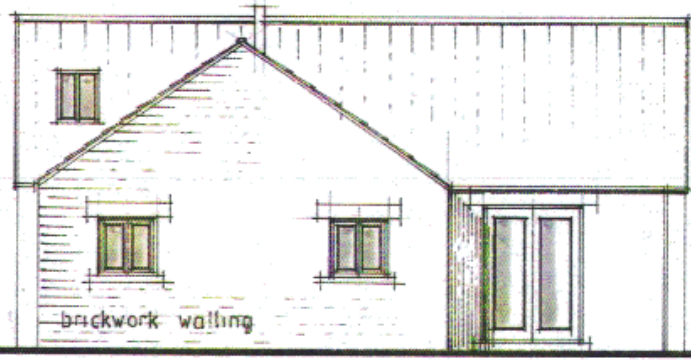
Proposed dwelling for Mr Simon Thackray
On land adjoining Cro's Nest
Brawby
Malton
YO17 6PX

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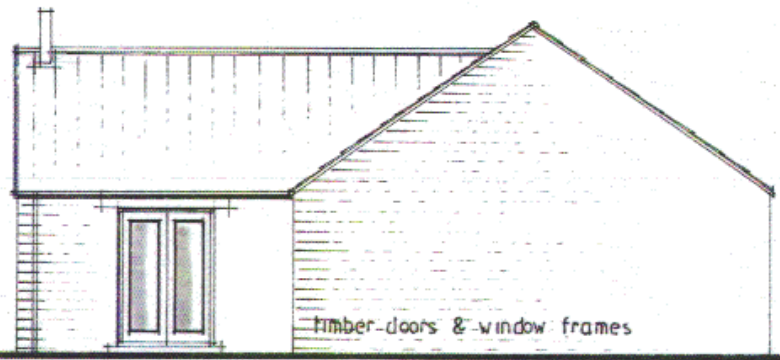
LOCATION PLAN
Scale 1:1250



DEVELOPMENT
MANAGEMENT



WEST

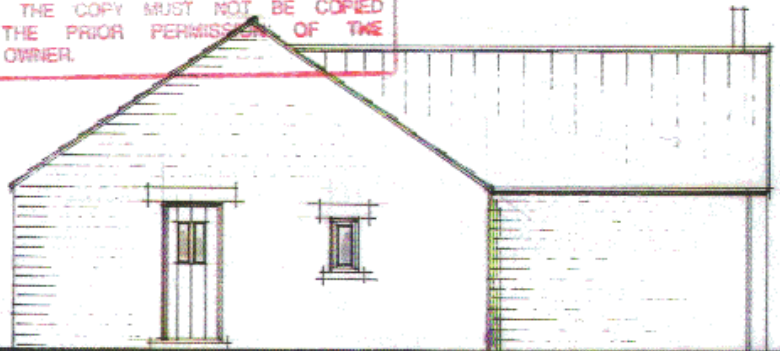


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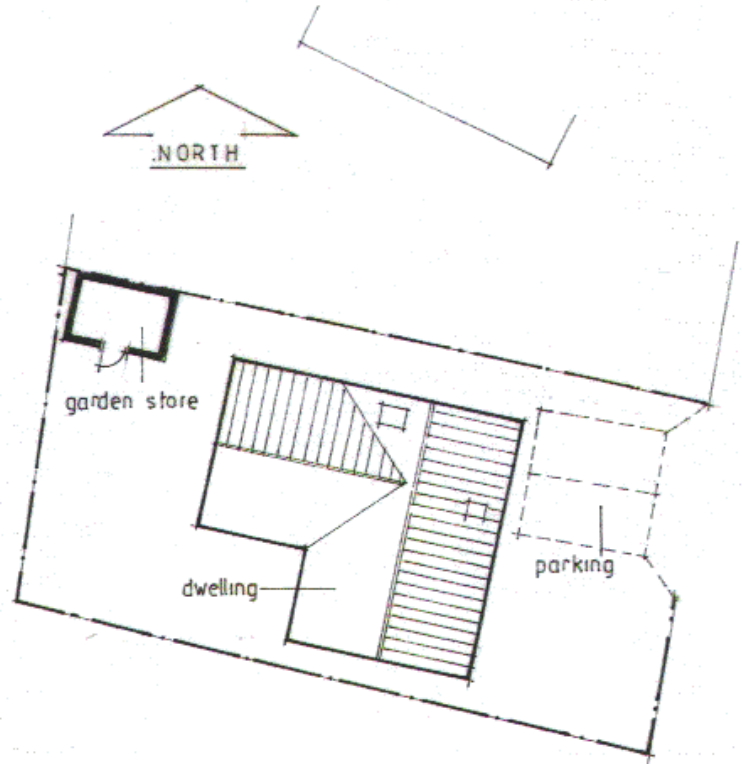
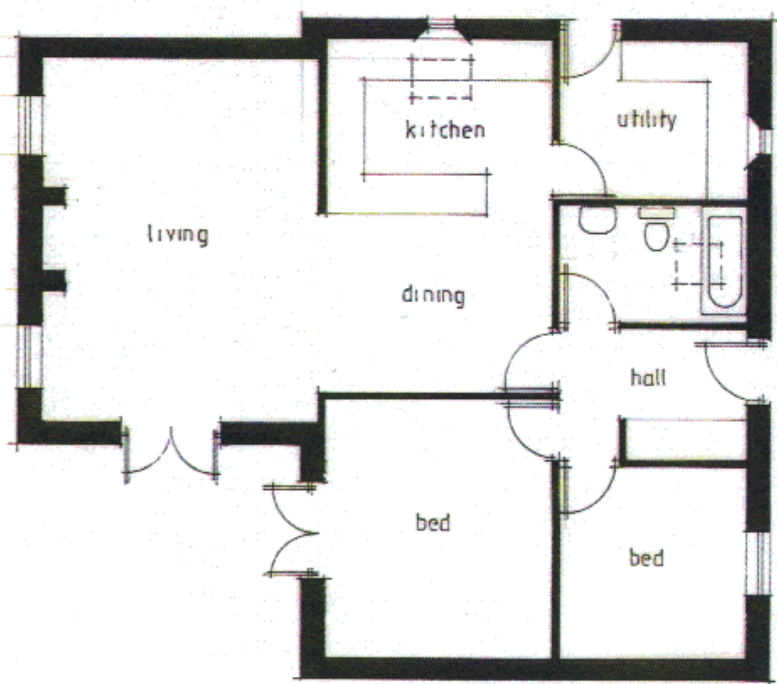


EAST



NORTH

FLOOR PLAN



SITE PLAN 1:250

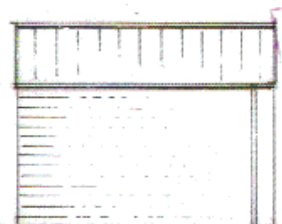
REVISED PLAN



SOUTH



E & W



NORTH

GARDEN STORE

Peter Rayment Design Ltd architectural designers
 6 Gray Head, Aisby, Pickering, North Yorkshire YO8 8PE
 email: design@peterayment.co.uk
 tel: 01751 472541

PROPOSED DWELLING
 LAND AT BRAWBY
 MR S THACKRAY

scale:
 A3 1:100 1:250
 No: 030 414 1 A

Supporting statement.

Erection of a new 2 bedroom dwelling on land adjoining Cro's Nest, Brawby.

Supporting statement in relation to the Local Plan Strategy document policies and the NPPF.

SP2 – Delivery and Distribution of new houses – other villages: The proposed dwelling is on infill land.

SP3 – Implementation and Monitoring - Type and Mix of new housing. The proposal is for a bungalow style dwelling that addresses the “noticeable shortfall of flats and bungalows across much of the district”.

SP4 – Type and Mix of new housing: Bungalow-style dwelling “increasing housing choice”.

SP16 – Design: the proposed dwelling incorporates materials used in the construction of neighbouring properties. The houses and bungalows in the immediate vicinity of the site are built from sand-coloured brick (house to the north) and a red brick and timber clad bungalow (to the south). On the eastern side of the access lane are a pair of brick (former council) houses, a light-grey engineered stone bungalow, and a sandstone village hall. The old school house (diagonally opposite) is half brick, half white painted render.

This application replaces an earlier application (14/00076/FUL) that was withdrawn in order to address the views of the immediate neighbours and also to incorporate the suggestions of the planning officer. The resulting application is for a much smaller house, two bedrooms rather than three, and one with a more simplified 'barn conversion' appearance. The dwelling will be constructed using red brick walls and a pantile roof to create a single-storey comfortable home that will also be economical to run.

SP19 – Presumption in favour of sustainable development: The proposal will create a sustainable home and should be approved without delay.

SP20 – Character: The design of the proposed new dwelling respects the character of its surroundings as far as possible and is 'in-keeping' with other properties in the vicinity.

SP21 - Local Needs Occupancy:

The Ryedale Local Plan states that, “to help create and sustain mixed and balanced vibrant communities there is a clear need to provide opportunities for younger people to live and work in the District”.

The proposed development addresses local housing need in a non-service village by creating a simple, modern home, suitable for, but not exclusive to, young people, older people, people with disabilities and families with young children. The proposed single-storey dwelling will incorporate modern building techniques, using timber frame construction (Structurally Insulated Panels) and will be highly insulated. This will also address the stated need to combat the effects of fuel poverty, which is the net result of people being forced to live in older, less well insulated, housing stock.

Brawby, and its neighbouring parishes, is home to many families with young children. It is served well by buses transporting children to Amotherby and Malton Schools. Other children travel to Ryedale School or Pickering School via bus services that run through Great Barugh, which is just a one-mile walk away.

There are also many young people of working age still living at home with limited prospects of finding suitable independent housing within the parish. The proposed dwelling will be subject to a Local Needs Occupancy condition, which, in accordance with the Ryedale Local Plan, will directly address the problem of the “clear need to provide opportunities for younger people to live and work in the District”.

The proposal meets, head-on, the need to “help and sustain mixed and balanced vibrant communities.” The definition of a vibrant community is not readily explained by the Ryedale Local Plan but it should be seen as a community whose residents comprise a lively mix of working and retired people, young and old, and people and families from all economic backgrounds who live, work and perhaps play together, in one

2
14/00412/KJ
8 APR 2014
DEVELOPMENT

place. Brawby has very few facilities and those it has require continued use and protection by all types of people in order to be sustainable for the future. The provision of Local Need Housing is a small step in the direction of creating a sustainable vibrant community for the future. The proposed dwelling, therefore, will give local people, with a defined local need, the opportunity to establish their own home in the place and community in which they were brought up. The proposal accords with Policy SP2.

National Planning Policy Framework:

The proposed new dwelling will create a simple, high quality home in line with the principals of the National Planning Policy Framework. The design responds to local character and history and reflects the identity of local surroundings and materials, whilst not being prevented or discouraged from appropriate innovation. The proposal will create a flexible home for families with children, older people, people with disabilities, and people wishing to build their own home.

AH. 28/4/14

JC

OBJECT

Brawby Parish Meeting 26: Minutes

Chairman	Glenn Garrett	Minutes	Glenn Garrett
Date	7.00pm, Thu 24th Apr 2014	Venue	Brawby Village Hall

Attendees	Address	Apologies
Glenn Garrett	Brawby Grange	Jenny Thackray
June Brook	Chapel Garth	Janette Timms
Roger Crosier	Cro's Nest	
Pat Crosier	Cro's Nest	
Michael Timms	6 West End Terrace	
Graham Sutcliffe	The Old School House	
J Sutcliffe	The Old School House	
Joyce Ward	Up Yonder	
Robert Ward	Up Yonder	
<i>9 total</i>		

RYEDALE DM

28 APR 2014

DEVELOPMENT 2 total

Item 1 - Simon Thackray's revised planning application 14/00412/FUL for a new 2 bedroom bungalow to be built in Brawby between Cro's Nest and Up Yonder.

1. Glenn Garrett gave a summary of the changes to the application now in revised form as he saw them:
 - a) Now 2 bedrooms on one floor rather than 3 bedrooms on two floors.
 - b) Garage omitted and garden store with two parking spaces added.
 - c) Simon received advice from planning officer Alan Hunter regarding "scale, siting and overall design of dwelling". The revised application takes account of comments of neighbours and planning officer.
 - d) Walls now brick (were brick and timber).
 - e) Following the publication of a notice in the Mercury newspaper, no-one has claimed ownership or tenancy rights relating to the application.
 - f) Proposal has a more simplified 'barn conversion' appearance.

2. Several people again commented that it was confusing that the planning map showed a red outline of both the building plot and its access to the main street. Glenn confirmed that this was done at the insistence of the highways officer. Colin Douthwaite (Managing Development Officer) confirmed by email on 4 March 2014:

"It is a requirement of a planning application to include the route to the public highway from a site within the Red line. This is to clearly show the access route to the site. If it was not shown then a plot is isolated from the public highway and any access would have to be assumed. This is not always clear. The Highways authority require an access to be shown so that when consulted they can assess its suitability and it also makes it clear to neighbours what route is proposed."

3. It was mentioned that previous planning applications made by others relating to the same plot had been refused on the basis that Highways had said that there was lack of visibility to the left when pulling out from the lane onto the main street. It was questioned as to why this application might be treated any differently because the junction remains the same.

4. Several people were worried about the lack of turning area on the property, so anyone who drove into the plot would either need to reverse in or reverse out, which may create difficulties due to the small width of the lane. It was suggested that the planning application plan should have provision for a turning area within the plot.

5. A vote was taken as to whether the parish meeting should recommend to the council that the planning application be approved or refused. One person voted that it should be approved, five voted that it should be refused and two abstained. The chairman confirmed he would therefore recommend to the council that the application be refused.

- END -

Agenda Item 13

Item Number: 13
Application No: 14/00424/ADV
Parish: Pickering Town Council
Appn. Type: Advert Application
Applicant: Enterprise Inns PLC
Proposal: Display of 1no. externally illuminated name board sign and 1no. non-illuminated fascia sign to south elevation, 2no. non-illuminated amenity signs and 1no.externally illuminated sign comprising individually applied enamel letters to east elevation, 1no. externally illuminated name board sign, and 1no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2no. wall-fixed lanterns either side of east entrance door, to replace existing signage.
Location: The Rose 9 Bridge Street Pickering North Yorkshire YO18 8DT

Registration Date:
8/13 Wk Expiry Date: 12 June 2014
Overall Expiry Date: 3 June 2014
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council No objection - further views awaited
Building Conservation Officer No objection
Highways North Yorkshire No views received to date

Neighbour responses: Mrs Kathleen Grayston, Mrs Mandy Walker, Mrs Mandy Walker, Mr Peter Croot, Ann Leigh, Mrs S Foot,

SITE:

The application site comprises a Public House; The Rose, a Grade II Listed Building located on Bridge Street, Pickering. The application site is also located within the Pickering Conservation Area and the Town Centre Commercial Limits.

PROPOSAL:

Advertisement Consent is sought for the display of 1 no. Externally illuminated name board sign and 1 no. Non-illuminated fascia sign to south elevation, 2 no. Non-illuminated amenity signs and 1 no. Externally illuminated sign comprising individually applied enamel letters to east elevation, 1 no. Externally illuminated name board sign, and 1 no. Non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2 no. Wall fixed lanterns either side of east entrance door, to replace existing signage.

The majority of the proposed signage replaces existing signs with additional signs on the eastern and western elevations.

HISTORY:

1995: Planning permission and Listed Building Consent granted for the erection of a pergola (retrospective application)

1985: Planning permission and Listed Building Consent granted for the erection of a single storey kitchen extension to the Public House

1982: Advertisement Consent granted for the installation of 2 externally illuminated pictorial panels

1982: Advertisement Consent refused for the installation of 2 illuminated wall boards

1976: Planning permission granted for the erection of an illuminated box sign

POLICY:

National Policy Guidance

National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance (NPPG) 2014

Local Planning Strategy; Ryedale Plan adopted 5 September 2013

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The two considerations in relation to this application are:

1. The impact of the proposed signs upon the visual amenity of the area; and
2. Highway safety.

Following officer concerns the previously proposed sign on the northern elevation, and the rose symbol on the western side have been withdrawn from the scheme.

The remaining proposals are largely replacement signs, with the exception of more elaborate signage on the eastern elevation, and the introduction of a non-illuminated sign on the western elevation stating 'Pub & Kitchen' between the ground and first floor windows.

Visual amenity

The proposed replacement signage is considered to be acceptable and not to prejudice the visual amenity of the area on the western and southern elevation. The external illumination is also considered to be acceptable in this location and relate well to the character of the area.

The proposed additional sign on the western elevation is not illuminated and is considered to relate well to the character of the building when viewed across the river. The proposed signage on eastern elevation will feature a picture of a 'rose' together with individual lettering and two replacement name boards. This elevation is proposed to be painted in a cream colour to hide the current appearance of buff brick, and also to remove unsympathetic additions to this side elevation, such as redundant hanging stands. The proposed painted finish and proposals are considered to represent an enhancement to the current appearance on the eastern elevation. In view of this, the proposals are not considered to adversely affect the visual amenity of the area. S72(1) of the Listed Building Act 1990 requires the Local Planning Authority to have special attention to the desirability of preserving r enhancing the character and appearance of the Conservation Area. In regard to the northern, southern, and western elevations the proposals are considered to preserve, and in regard to the eastern elevation the proposals are considered to enhance the Conservation Area. Furthermore in terms of Policy SP12 the proposals are considered to represent less than substantial harm to the character of the Conservation Area, and the public benefits in terms of the improvement in the appearance of this public house is considered to outweigh any harm.

Highway safety

At the time of preparing this report the highway safety implications of the proposals are not known. Members will, however, be updated at the meeting. It is however considered unlikely that there will be any objection in terms of highway safety given that the signage is on the sides of the buildings and not directly facing onto Bridge Street.

There have been six letters of objection received. The issues raised relate to the impact of the signs upon the visual amenity of the area. A lot of the objections made reference to the signage on the northern elevation and the rose symbol on the western elevation. These two elements has since been withdrawn, and re-consultation is currently taking place with all interested parties. Members will be updated of any further views received.

The Town Council has no objection to the original proposal, and has also been re-consulted.

In view of the above the recommendation on this application is one of approval subject to any further issues raised during the consultation period.

RECOMMENDATION: Approve subject to expiry of consultation period

1 The consent hereby granted shall continue for a period of five years ending .

Reason:- To ensure compliance with Section 220 of the Town & Country Planning Act 1990 and with Regulation 13 of the Town & Country Planning (Control of Advertisements) Regulation 1992.

2 No advertisement shall be sited or displayed so as to

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

6 No advertisement the subject of this permission shall be displayed until such time as the building has been finished in the cream colour as shown on plan 102635 rev.D.

Reason: In order to ensure a satisfactory external appearance.

7 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

102635 rev. D

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

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties



OS MasterMap 1:250,000/1:000 scale
 09 April 2014, ID: CM-00314913
 www.centremapslive.co.uk
 1:1250 scale print at A4, Centre: 479635 E, 484103 N
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BRIDGE

STREET

Hall

PH

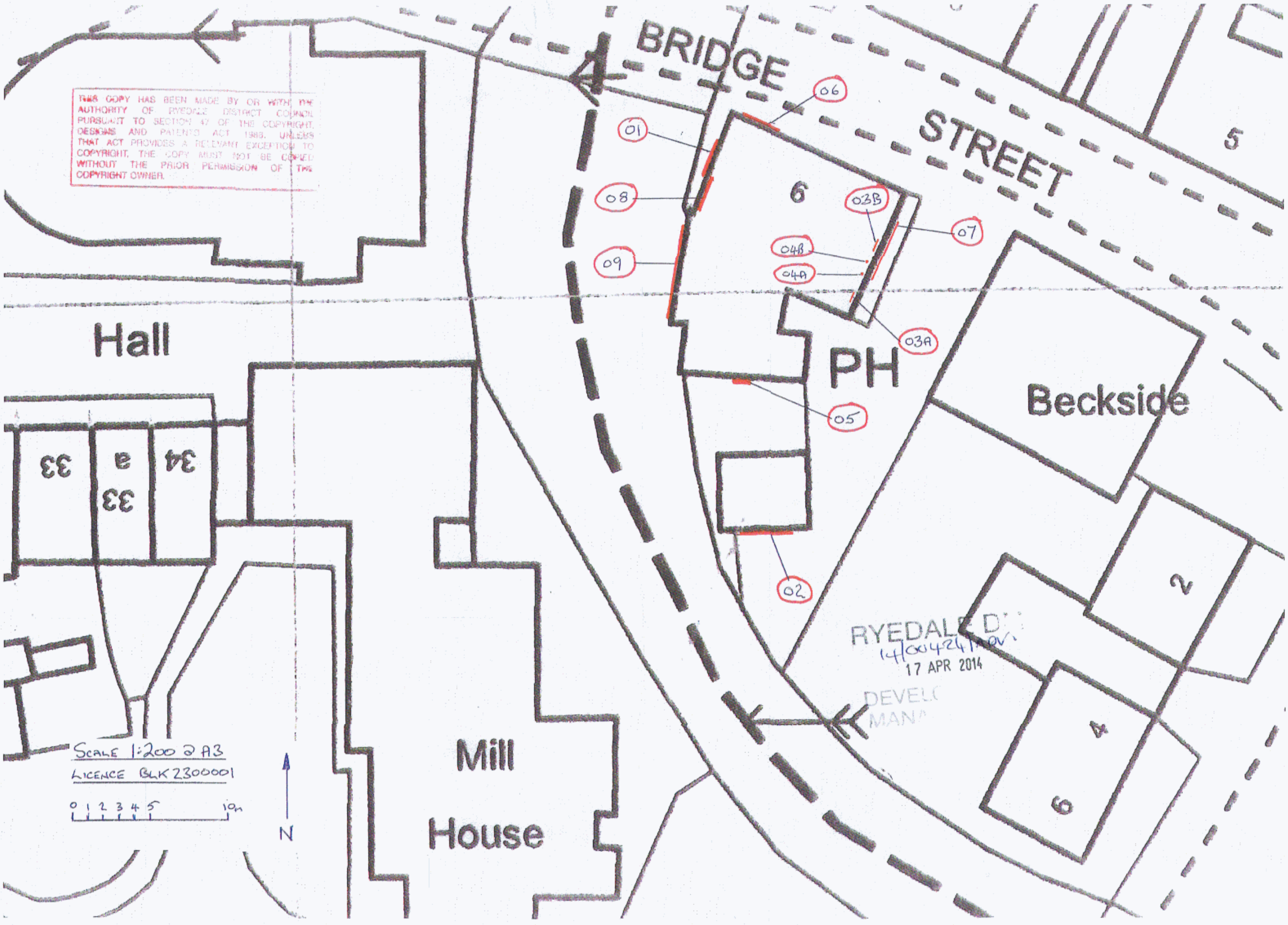
Beckside

Mill House

RYEDALE D.
14/00424/001
17 APR 2014
DEVELOP
MANA

SCALE 1:200 @ A3
LICENCE BLK 2300001

0 1 2 3 4 5 10m



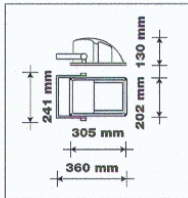
PLANNING SHEET 1 OF 3

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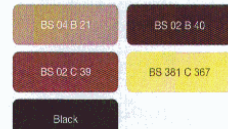
ITEM 01 (Qty 1)
Single sided nameboard sign, with a set of individual letters. And applied vinyl logo & secondary text. Illuminated by a 70w HQI Flood light above (black casing).
Scale 1:20



70w HQI Flood light Scale 1:20



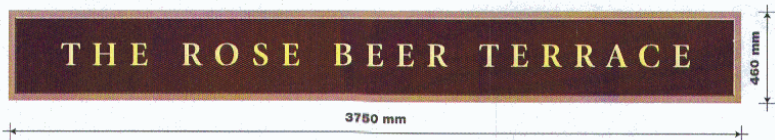
sign colours



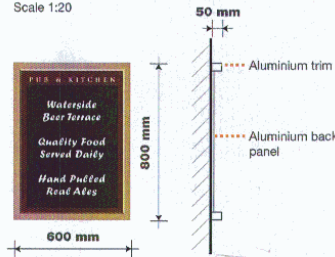
typefaces

house name Brannboll Fet Regular
secondary text ITC Giovanni Std Bold
Black Italic

ITEM 02 (Qty 1)
Single sided fascia sign, applied vinyl text. Existing bracketwork.
Scale 1:20



ITEM 03 (Qty 2)
Single sided amenity signs, with applied vinyl graphics & a chalkboard area.
Scale 1:20

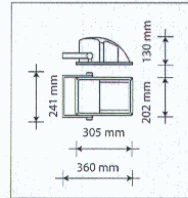


ITEM 04 (Qty 2)
Black Noral Regent lanterns.
Scale 1:20

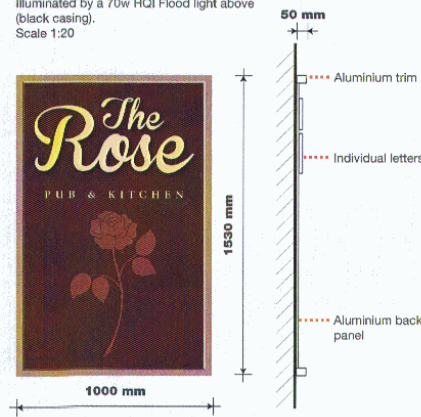


REVISED PLAN

70w HQI Flood light Scale 1:20



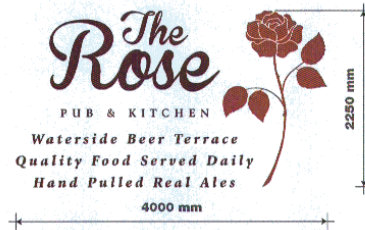
ITEM 05 (Qty 1)
Single sided nameboard sign, with a set of individual letters. And applied vinyl logo & secondary text. Illuminated by a 70w HQI Flood light above (black casing).
Scale 1:20



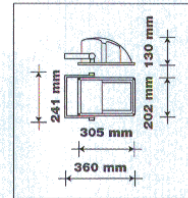
PLANNING SHEET 2 OF 3

ITEM 06 (Qty 1)
DELETED

ITEM 07 (Qty 1)
Signwritten text to the wall area.
Illuminated by a 70w HQI Flood light above (black casing).
Scale 1:50



70w HQI Flood light Scale 1:20



ITEM 08 (Qty 1)
DELETED

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ITEM 09 (Qty 1)
Signwriting to the rear of building.
Scale 1:50

PUB & KITCHEN
6000 mm (width)

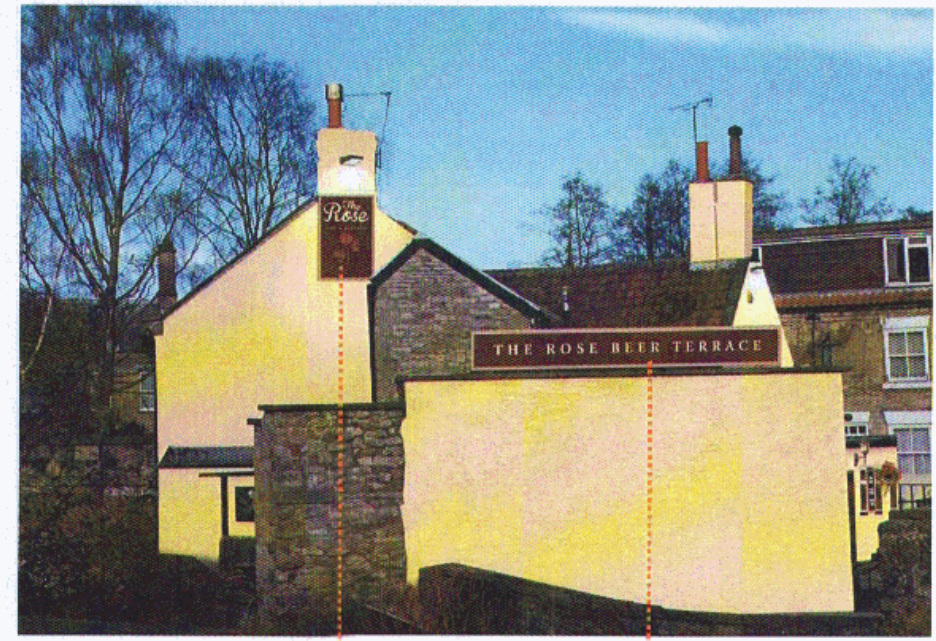
REVISED PLAN

PLANNING SHEET 3 OF 3

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REVISED PLAN



Page 134

Enterprise Inns, **The Rose**, Bridge Street, Pickering, North Yorkshire, YO18 8DT, 102635 (Revision D) - 19/05/14 - AS - Items removed from planning drawing
 Copyright: The above designs and illustrations are intended solely for, and should only be used by, those to whom this design specification is addressed. The contents are strictly private and confidential. Any form of reproduction, dissemination, copying, disclosure, modification or distribution is strictly prohibited without the prior written consent of Ashleigh Signs Ltd (Company Number: 1325080) whose registered address is Ashleigh House, Marsh Street, Rothwell, Leeds, LS26 0AG
 Phone +44 (0) 113 2826292 Fax +44 (0) 113 2829155 www.ashleighsigns.co.uk

ashleighsigns.co.uk

AH 7/5/14 JC

NO OBJECTION.

Glenys Yates

From: Pickering Town Council [townclerk@pickering.gov.uk]
Sent: 06 May 2014 09:48
To: Development Management
Subject: Recent planning applications

The council has considered the five applications listed below and has no objection to any of them:

- a) 14/00387/HOUSE - erection of detached garage to rear of 112A Outgang Road;
- b) 14/00315/FUL - erection of an agricultural building for the housing of livestock and storage of machinery and feed, together with formation and additional hardstanding on land south of Street Lane;
- c) 14/00406/FUL - change of use of paddock to camp site with twelve pitches together with change of use and alteration of part of existing stable block/store to form toilet/shower block on land at Ingledene, Mill Lane;
- * d) 14/00424/ADV and 425/LBC – display of non-illuminated and illuminated signage at the Rose Inn, Bridge Street.

Andrew Husband
Clerk to Pickering Town Council

_____ Information from ESET Smart Security, version of virus signature database 9761 (20140505)

The message was checked by ESET Smart Security.

<http://www.eset.com>

RYAN LE DM

- 7 MAY 2014

DEVELOPMENT
MANAGEMENT

Agenda Item 14

Item Number: 14
Application No: 14/00425/LBC
Parish: Pickering Town Council
Appn. Type: Listed Building Consent
Applicant: Enterprise Inns PLC
Proposal: Display of 1 no. externally illuminated name board sign and 1 no. non-illuminated fascia sign to south elevation, 2 no. non-illuminated amenity signs and 1 no. externally illuminated sign comprising individually applied enamel letters to east elevation, 1 no. externally illuminated name board sign, and 1 no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2 no. wall-fixed lanterns either side of east entrance door, to replace existing signage
Location: The Rose 9 Bridge Street Pickering North Yorkshire YO18 8DT

Registration Date:
8/13 Wk Expiry Date: 5 June 2014
Overall Expiry Date: 3 June 2014
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council No objection
Building Conservation Officer No objection
Neighbour responses: None

.....

SITE:

The application site comprises a Public House; The Rose, a Grade II Listed Building located on Bridge Street, Pickering. The application site is also located within the Pickering Conservation Area and the Town Centre Commercial Limits.

PROPOSAL:

Listed Building Consent is sought for the display of 1 no. Externally illuminated name board sign and 1 no. Non-illuminated fascia sign to south elevation, 2 no. Non-illuminated amenity signs and 1 no. Externally illuminated sign comprising individually applied enamel letters to east elevation, 1 no. Externally illuminated name board sign, and 1 no. Non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2 no. Wall fixed lanterns either side of east entrance door, to replace existing signage. Listed Building Consent is also sought to apply a cream paint finish to the building.

The majority of the proposed signage replaces existing signs with additional signs on the eastern and western elevations.

HISTORY:

1995 - Planning permission and Listed Building Consent granted for the erection of a pergola (retrospective application)

1985: Planning permission and Listed Building Consent granted for the erection of a single storey kitchen extension to the Public House.

1982: Advertisement Consent granted for the installation of 2 externally illuminated pictorial panels

1982: Advertisement Consent refused for the installation of 2 illuminated wall boards

1976: Planning permission granted for the erection of an illuminated box sign

POLICY:

National Policy Guidance

National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance (NPPG) 2014

Local Planning Strategy; Ryedale Plan adopted 5 September 2013

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application is:

1. The impact of the proposed signs upon the character of the Listed Building.

Following officer concerns the previously proposed sign on the northern elevation, and the rose symbol on the western side have been withdrawn from the scheme. There are no objections received to this application. However, this application is directly related to application 14/00424/ADV which is currently being considered by Members. As the applications are inter-related, it is considered appropriate for Members to determine this application

The remaining proposals are largely replacement signs, with the exception of more elaborate signage on the eastern elevation, and the introduction of a non-illuminated sign on the western elevation stating 'Pub & Kitchen'.

The proposed replacement signage is considered to be acceptable and not to adversely affect the Listed Building on the western and southern elevations. The external illumination is also considered to be acceptable in this location and relate well to the character and setting of the building.

The proposed additional sign on the western elevation is not illuminated and is considered to relate well to the character of the building when viewed across the river. The proposed signage on eastern elevation will feature a picture of a 'rose' together with individual lettering and two replacement name boards. This elevation is proposed to be painted in a cream colour to hide the buff brick, and also to remove unsympathetic additions to this side elevation, such as redundant hanging stands. The cream painted finish, together with the proposals are considered to represent an enhancement to the current appearance of the Listed Building on the eastern elevation.

In terms of Policy SP12 the proposal are considered to represent less than substantial harm to the character of the listed building, and the public benefits in terms of the improvement in the appearance of this public house is considered to outweigh any harm. It is also considered that the proposals will not have an adverse effect upon the character and appearance of the Listed Building or its setting, neither is it considered that they would result in a significant loss of historic fabric from the building.

The Conservation Officer has no objection to the proposals as amended.

In view of the above the recommendation on this application is one of approval.

RECOMMENDATION: Approval

1 No signage the subject of this permission shall be displayed until such time as the building has been finished in a cream paint finish in accordance with Plan 102635 rev. D.

Reason:- In order to enhance the appearance of the building and the signs and to satisfy Policy SP12 of the Ryedale Plan - Local Plan Strategy.

2 No signage the subject of this permission shall be displayed until such time as the eastern elevation has had all redundant wall fittings removed.

Reason: In order to enhance the appearance of the building and the signs and to satisfy Policy SP12 of the Ryedale Plan - Local Plan Strategy.

3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

102635 rev. D

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

Background Papers:

- Adopted Ryedale Local Plan 2002
- Local Plan Strategy 2013
- National Planning Policy Framework
- Responses from consultees and interested parties

DESIGN & ACCESS STATEMENT

The Rose @ Pickering

General

Originally built in the 17thc, Grade II listed.

1 Layout

The proposition is to replace the existing signs with new in similar locations.

2 Scale

Scale of development is as drawing 102635 Rev C

3 Landscape

There are no landscape issues with signs.

4 Appearance

The appearance is Bespoke signage in the form of signwriting direct to the building & Aluminium signs secretly fixed

5 Access

There are no access issues as the existing access is to remain as is.

National Planning Policy Framework Conserving & enhancing the historic environment

Description of the asset its history & setting

Grade 2 Listed building (See attached English Heritage documents)

It is situated in the city centre conservation area.

128 Assessment of significance.

Part of a group of buildings along Bridge street that are listed.

129 Impact on asset

The signs are replacements of existing with additional area's to be signwriting direct to the building. The building will be repainted to give it a more presentable appearance & along with the signage scheme will enhance the asset.

131 Justification

The signs are to advertise the buildings usage as a public house & the offers available.

The access is not affected by the signage as this is either flat back to the wall or above head height.

RYE ALE DM
10 APR 2014
DEVELOPMENT
MANAGEMENT
14/00425/LSE

You are here: [Home](#) > Details for IoE Number: 328155[Update Details](#) [Log Out](#)[Print Page](#)[Home](#)[Basic Search](#)[Advanced Search](#)[About Searching](#)[Learning Zone](#)[Links](#)[Cookies](#)[FAQ](#)[Feedback](#)[Contact Us](#)

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[EH Archives](#)[EH Prints](#)[English Heritage](#)[Heritage Explorer](#)[Heritage Gateway](#)[National Heritage List for England](#)[PastScape](#)[ViewFinder](#)

IoE Number:	328155
Location:	THE ROSE INN, BRIDGE STREET (south side) PICKERING, RYEDALE, NORTH YORKSHIRE
Photographer:	Mr John Turner
Date Photographed:	03 March 2001
Date listed:	02 May 1974
Date of last amendment:	02 May 1974
Grade	II

The Images of England website consists of images of listed buildings based on the statutory list as it was in 2001 and does not incorporate subsequent amendments to the list. For the statutory list and information on the current listed status of individual buildings please go to [The National Heritage List for England](#).

BRIDGE STREET

5340

(South side)
The Rose Inn
2.5.74.

SE 7984 1/121

BRIDGE STREET 1, 5340 (South side) The Rose Inn SE 7984 1/121 2.5.74. GV II 2. Probably C17 origins, on an early site to the side of Pickering Bridge. Much altered, but said to contain the remains of the original crucks. Bridge Street elevation of 1 storey with modern semi-dormer. Slopes into rise of bridge. Coursed stone, painted and repointed. New pantile roof. Stone coped gable end part repaired. 2 basement windows and part plinth. Gable end part rendered has 2 windows to ground and 1 above, modern glazing but probably old openings. Riverside wing is late C18 or early C19. 2 storeys in brick. Pantile roof with stone coped gable ends with kneelers. 1 brick stack. Brick dentil eaves cornice. 2 windows, hung sashes with glazing bars, lintels. 2 modern windows to ground floor, which is part coursed rubble. Nos 1 and 2 and premises formerly occupied by John Hague form a group with the Rose Inn, Nos 5 to 8 (consec) and the Masonic Hall.

Royal Photographic
Society

English Heritage

Heritage
LOTTERY FUNDED

Heritage Lottery Fund

Department of Culture
Media and Sport

Agenda Item 15

Item Number: 15
Application No: 14/00426/MOUTE
Parish: Malton Town Council
Appn. Type: Major Outline Environmental Statement
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Proposal: Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1, B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha).
Location: Land At Edenhouse Road Old Malton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 19 August 2014
Overall Expiry Date: 18 June 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

NY Highways & Transportation	No views received to date
Parish Council	No views received to date
Vale Of Pickering Internal Drainage Boards	No views received to date
Environmental Health Officer	No views received to date
Housing Services	No views received to date
Tree & Landscape Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No views received to date
Head Of Planning Services	No views received to date
Archaeology Section	Recommend scheme of archaeological evaluation be undertaken.
Highways Agency (Leeds)	No views received to date
Land Use Planning	No views received to date
Countryside Officer	No views received to date
Economic Development	No views received to date
National Grid Plant Protection	No views received to date
Natural England	No views received to date
Mr Jim Shanks	Recommends (PTED) guidance be given consideration on the detailed proposal

Neighbour responses: Mr Tom Pycock,

INTRODUCTION:

Members will be aware that the Council has received four separate major applications at Malton from Commercial Development Projects and the Fitzwilliam Trust Corporation for the following proposals.

14/00426/MOUTE: Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1,

B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha) - Land at Eden House Road, Old Malton

14/00427/MOUTE: Demolition of existing buildings and structures and erection of circa 227 residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, cut and fill, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 11.90ha) - The Showfield, Pasture Lane

14/00428/MOUTE: Demolition of existing buildings and structures, conversion of retained buildings to residential dwellings and erection of new residential dwellings (Use Class C3) (circa 35 dwellings in total) along with all associated development including drainage, landscaping, boundary treatments, provision of services and access and associated highway works (site 2.0ha) - Land South of Westgate, Old Malton

14/00429/MOUTE: Erection of circa 45no. affordable residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 3.4 ha) - Land at Rainbow Lane

The applications are accompanied by a detailed Environmental Statement and are subject to extensive consultations with statutory consultees; third parties and are the subject of ongoing negotiations.

The applications are not presented for any formal decision to be made at this meeting.

However, the proposals are significant, including new commercial development in the vicinity of Eden Camp; additional residential development at Malton and Old Malton; and also the re-location of a livestock market and an associated business centre also near to Eden Camp.

It is anticipated that all of these applications will be presented to a future meeting of the Planning Committee. In advance of that meeting, however, officers consider that a 'fact finding' inspection of all of these sites would be of assistance prior to making any final decisions.

RECOMMENDATION: **Site Inspections be carried out**

Notes 

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RYEDALE DM

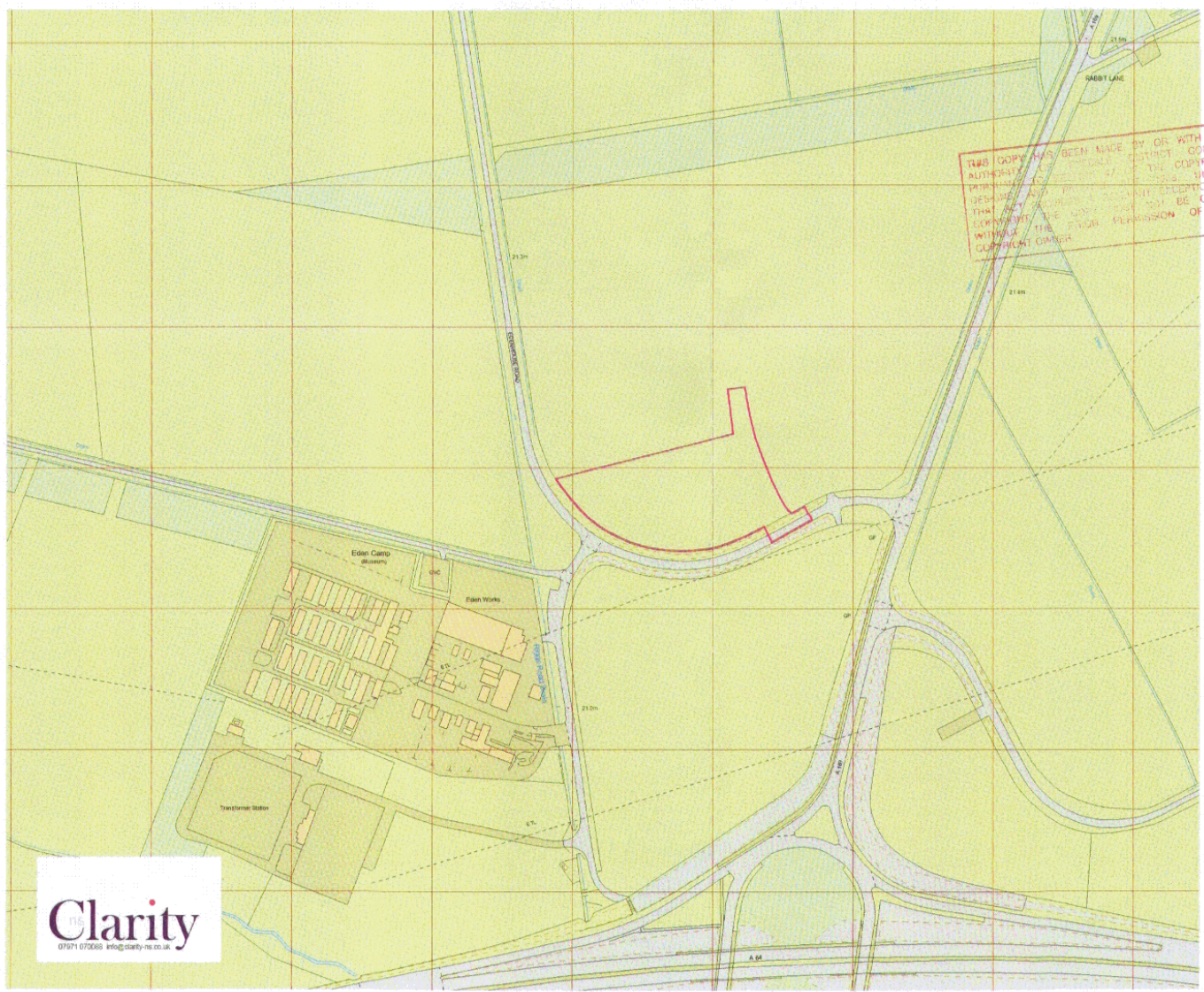
29 APR 2014
DEVELOPMENT
MANAGEMENT
14/00426/DATE

Malton

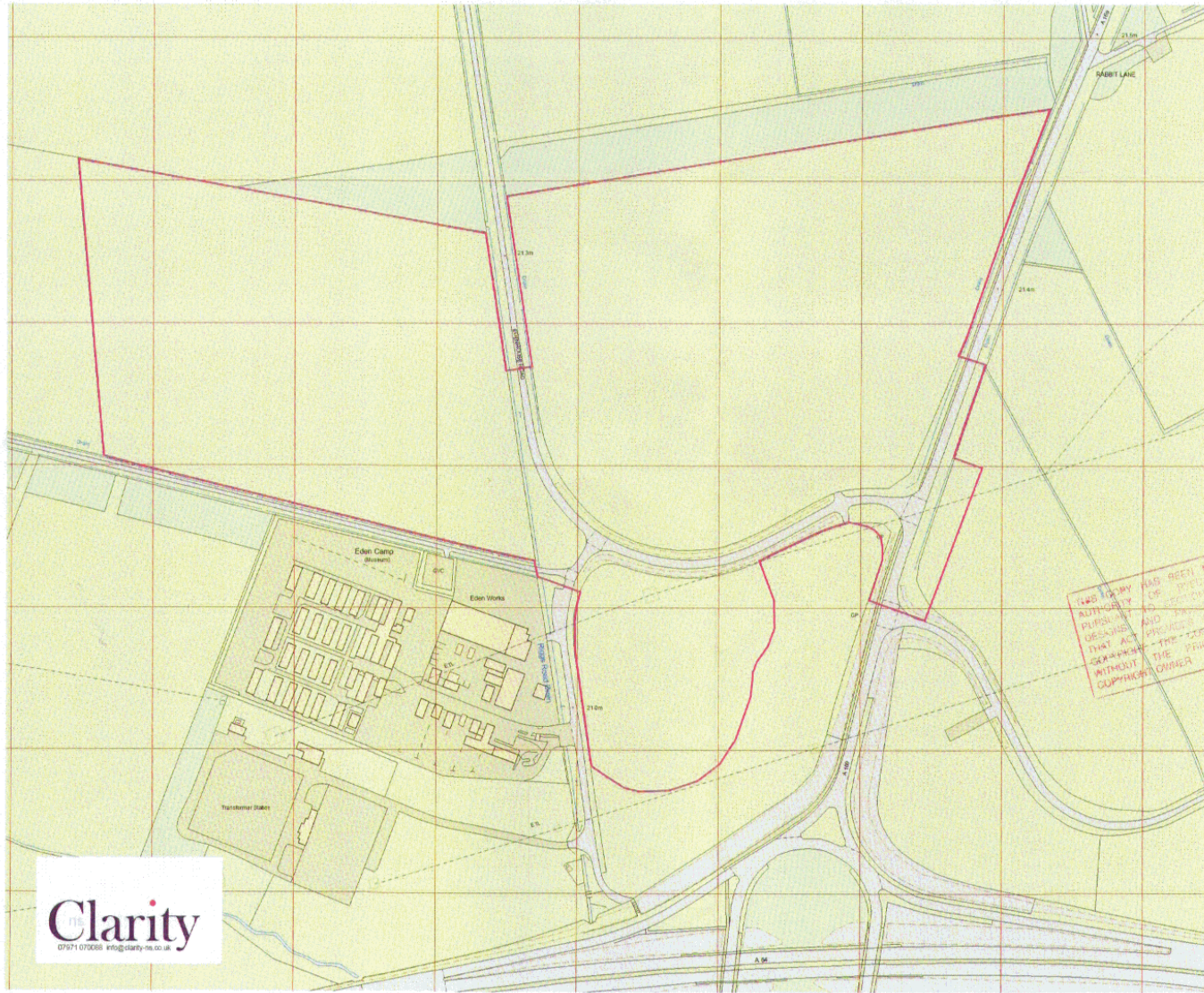
EDEN CAMP
Ginger Pig
Location Plan

Dwg 050a
1:2500@A3
Malton
Marshall CDP

0m 125m



Notes 



RYEDALE DM

29 APR 2014
DEVELOPMENT
MANAGEMENT

14/00426/outline

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Malton

EDEN CAMP
Location Plan

Dwg 052
1:2500@A3
Malton
Marshall CDP

0m 125m



Agenda Item 16

Item Number: 16
Application No: 14/00427/MOUTE
Parish: Malton Town Council
Appn. Type: Major Outline Environmental Statement
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Proposal: Demolition of existing buildings and structures and erection of circa 227 residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, cut and fill, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 11.90ha)
Location: The Showfield Pasture Lane Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 19 August 2014
Overall Expiry Date: 18 June 2014
Case Officer: Gary Housden **Ext:** 307

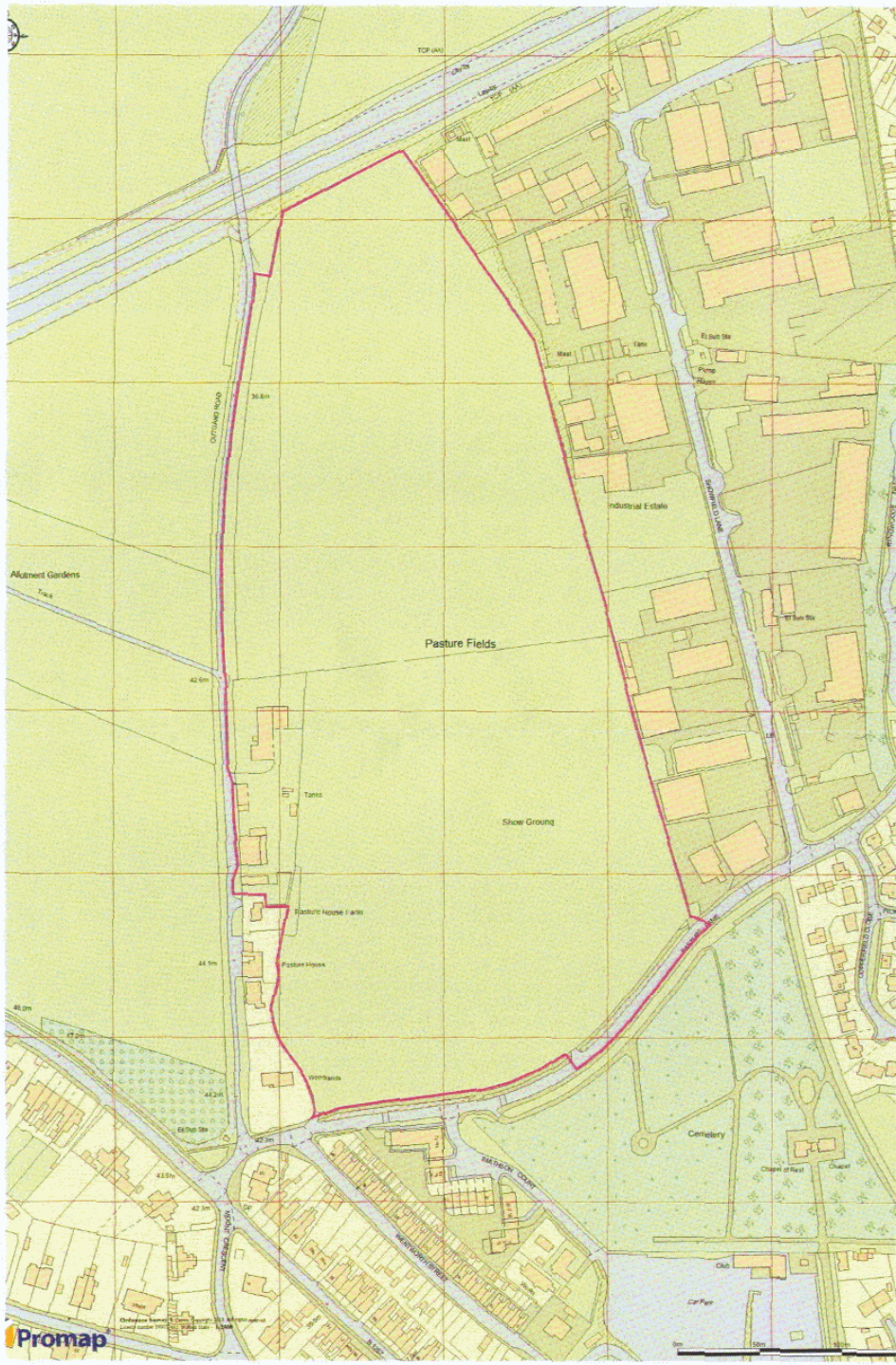
CONSULTATIONS:

Parish Council	No views received to date
Mr Jim Shanks	Recommendations and advice on "designing out crime"
Environmental Health Officer	No views received to date
Vale Of Pickering Internal Drainage Boards	No views received to date
Housing Services	No views received to date
Tree & Landscape Officer	No views received to date
Countryside Officer	No views received to date
Head Of Planning Services	No views received to date
NY Highways & Transportation	No views received to date
Archaeology Section	Recommend scheme of archaeological evaluation be undertaken
Highways Agency (Leeds)	No views received to date
Land Use Planning	No views received to date
Economic Development	No views received to date
National Grid Plant Protection	No views received to date
Natural England	No views received to date
North Yorkshire Education Authority	Developer contributions sought
Sustainable Places Team (Yorkshire Area)	No views received to date
Public Rights Of Way	No views received to date
Neighbour responses:	Mr Colin Jennings,

Please refer to Item No. 15 for officer report.

RECOMMENDATION: **Site Inspections be carried out**

Notes 



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RYEDAIF EDM

29 APR 2014

DEVELOPMENT
MANAGEMENT

14/00427/1000/15

Clarity
01971 070988 info@clarity-ny.co.uk

0m 250m

Malton SHOWFIELD LOCATION PLAN
Dwg 048a 1:2500@A3 Marshall CDP

Agenda Item 17

Item Number: 17
Application No: 14/00428/MOUTE
Parish: Malton Town Council
Appn. Type: Major Outline Environmental Statement
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Proposal: Demolition of existing buildings and structures, conversion of retained buildings to residential dwellings and erection of new residential dwellings (Use Class C3) (circa 35 dwellings in total) along with all associated development including drainage, landscaping, boundary treatments, provision of services and access and associated highway works (site 2.0ha)
Location: Land South Of Westgate Old Malton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 19 August 2014
Overall Expiry Date: 18 June 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

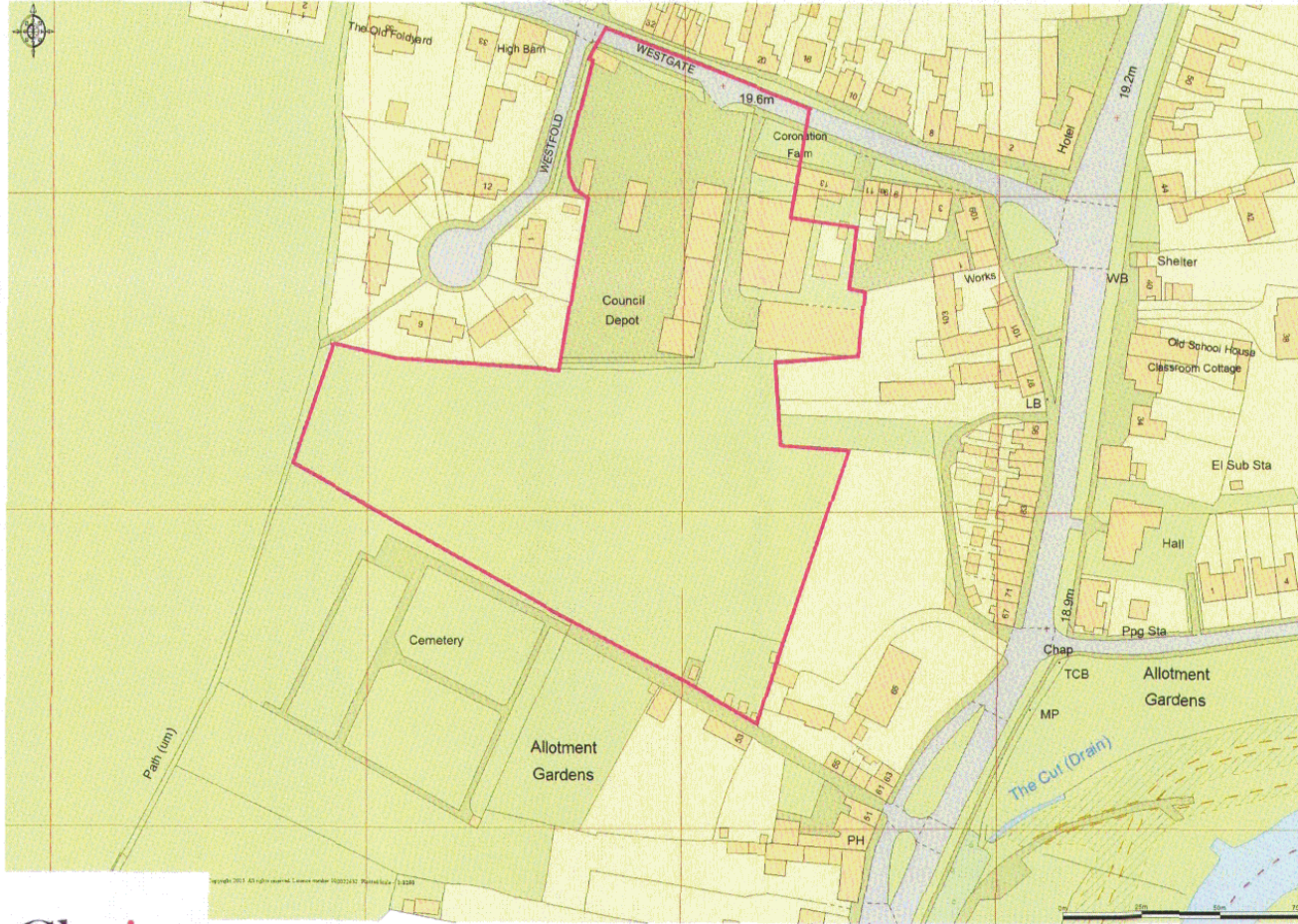
Vale Of Pickering Internal Drainage Boards No views received to date
Environmental Health Officer No views received to date
Housing Services No views received to date
Tree & Landscape Officer No views received to date
Countryside Officer No views received to date
Archaeology Section Recommend scheme of archaeological evaluation be undertaken.
Highways Agency (Leeds) No views received to date
Land Use Planning No views received to date
Sustainable Places Team (Yorkshire Area) No views received to date
Economic Development No views received to date
Building Conservation Officer No views received to date
National Grid Plant Protection No views received to date
English Heritage No views received to date
Natural England No views received to date
NY Highways & Transportation No views received to date
North Yorkshire Education Authority Developer contributions sought.
Head Of Planning Services No views received to date
Parish Council No views received to date
Mr Jim Shanks Recommendations and advice on "designing out crime"

Neighbour responses:

.....

Please refer to Item No. 15 for officer report.

RECOMMENDATION: **Site Inspections be carried out**



Notes



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RYEDALE DM

29 APR 2014

DEVELOPMENT
MANAGEMENT

14/00428/mw

Malton

OLD MALTON
CORONATION FARM
Location Plan

Dwg 043c
1:1250@A3
Malton
Marshall CDP

0m 62.5m

Agenda Item 18

Item Number: 18
Application No: 14/00429/MOUTE
Parish: Malton Town Council
Appn. Type: Major Outline Environmental Statement
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Proposal: Erection of circa 45no. affordable residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 3.4 ha)
Location: Land At Rainbow Lane Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 19 August 2014
Overall Expiry Date: 18 June 2014
Case Officer: Gary Housden **Ext:** 307

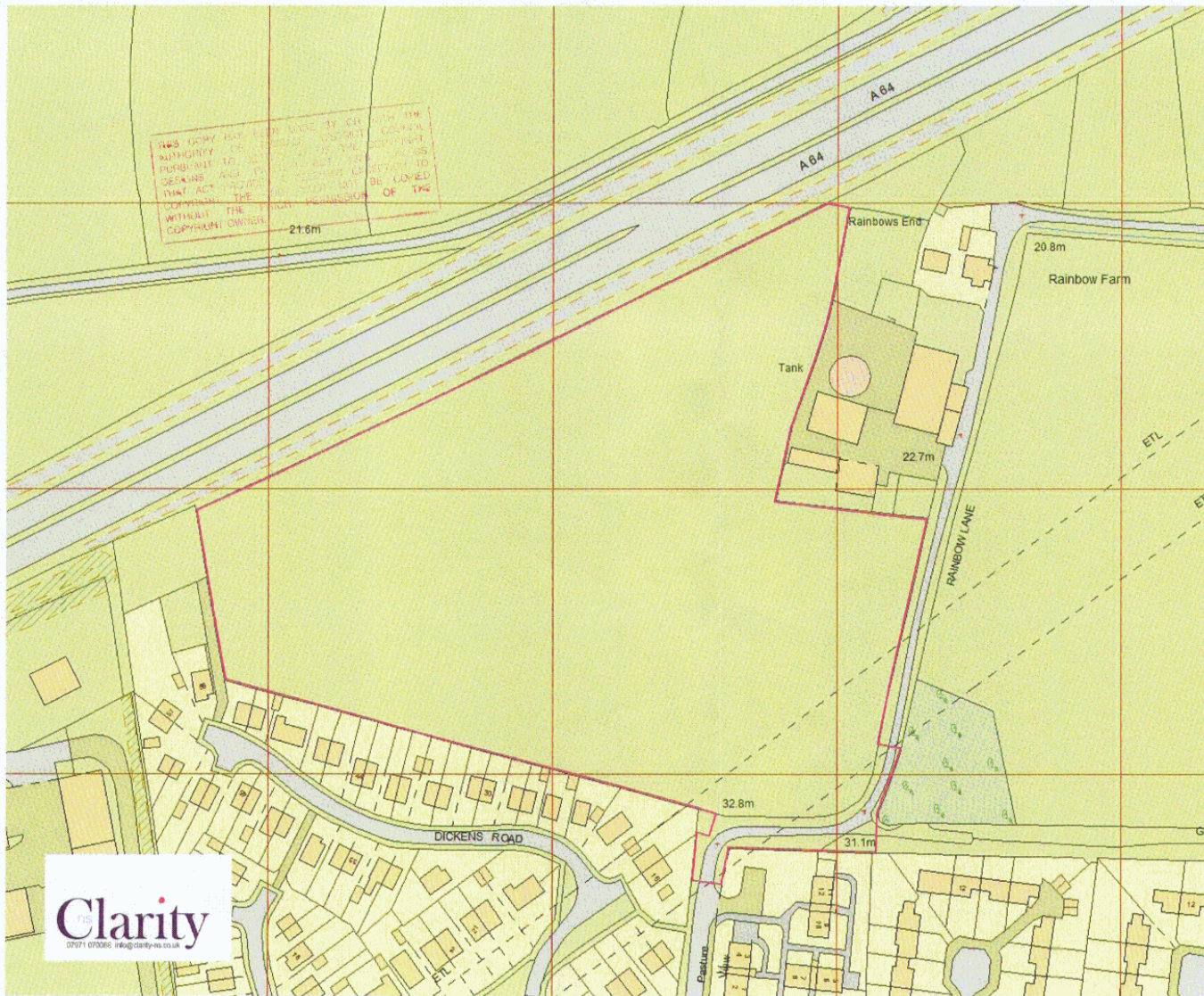
CONSULTATIONS:

Vale Of Pickering Internal Drainage Boards	No views received to date
Environmental Health Officer	No views received to date
Housing Services	No views received to date
Tree & Landscape Officer	No views received to date
Countryside Officer	No views received to date
NY Highways & Transportation	No views received to date
Archaeology Section	No views received to date
Highways Agency (Leeds)	No views received to date
Land Use Planning	No views received to date
Sustainable Places Team (Yorkshire Area)	No views received to date
Economic Development	No views received to date
National Grid Plant Protection	No views received to date
Natural England	No views received to date
North Yorkshire Education Authority	Developer contributions sought
Public Rights Of Way	No views received to date
Parish Council	No views received to date
Mr Jim Shanks	Recommendations and advice on "designing out crime"
Head Of Planning Services	No views received to date

Neighbour responses: Mrs Debbie Walls, Miss Melissa Hewitson, Mr Nigel Sutherland, Mrs Joanne Pople, Mr Wayne Fox,

Please refer to Item No. 15 for officer report.

RECOMMENDATION: **Site Inspections be carried out**



Clarity
 07971 07006 info@clarity-ns.co.uk

Notes 

RYDALE DM
 29 APR 2014
 DEVELOPMENT
 MANAGEMENT

14/00429/mark

Malton

PEASEY HILLS
 Location Plan

Dwg 049a
 1:1250@A3
 Peasey Hills
 Malton
 Marshall CDP

0m 62.5m

GLADMAN PLANNING APPEAL - KIRKBYMOORSIDE - ARRANGEMENTS FOR DEFENDING THE APPEAL

Members are advised that Gladman Developments Limited have lodged an appeal against the decision of the Planning Committee meeting on 4 February 2014 to refuse planning application 13/01314/MOUT for up to 225 dwellings, etc on Land at Westfields, New Road to Kirkdale Lane, Kirkbymoorside.

It has been confirmed that the matter will be dealt with by Public Inquiry.

The timetable for processing the appeal is prescribed by the Planning Inspectorate.

Accordingly, officers have sought independent professional opinions from a Planning Consultant and a Landscape Consultant and legal advice on the reasons for refusal, and a late report will be circulated to Members on defending the appeal.

Agenda Item 21

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

1.

Application No: 11/01325/FUL **Decision: Approval**
Parish: Middleton Parish Council
Applicant: Mr & Mrs P & C Cockerill
Location: Ashgrove Farm Marton Lane Pickering North Yorkshire YO18 8LW
Proposal: Change of land and buildings to a mixed use of agricultural and B1 and B8 uses to include use of workshop for agriculture and servicing of mobile drilling rig, siting of portable units for office accommodation and ancillary facilities, siting of mobile unit for the bottling of water and use of building for storage of bore hole liners and pallets of drilling mud (retrospective application)

2.

Application No: 13/00552/FUL **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: Mrs J Wilson
Location: Stable Building At Rarey Farm Main Road Weaverthorpe Malton North Yorkshire
Proposal: Change of use and alteration of former agricultural outbuildings to form a tea rooms, art gallery, studio, teaching facility and office to include vehicle and cycle parking spaces and outside seating area

3.

Application No: 13/00553/LBC **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: Mrs J Wilson
Location: Stable Building At Rarey Farm Main Road Weaverthorpe Malton North Yorkshire
Proposal: External and internal alterations to former agricultural outbuildings to allow conversion to a tea rooms, art gallery, studio, teaching facility and office to include fully glazed screens in existing openings, replacement external doors, formation of internal opening and underfloor heating

4.

Application No: 14/00029/FUL **Decision: Approval**
Parish: Broughton Parish Meeting
Applicant: A Raines & Son
Location: Land East Of Beachcroft Lane Broughton Malton North Yorkshire
Proposal: Siting of temporary 3 bedroom mobile home for use as agricultural worker's dwelling to include formation of parking and amenity areas.

5.

Application No: 14/00059/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estate
Location: Kings Head Yard Market Place Malton North Yorkshire YO17 7LP
Proposal: Erection of two storey retail extension to existing store with attached stairwell building on three levels and external flight of steps together with formation of retail unit(s) on two floors within Building D to include installation of new shop fronts, windows and chimneys all following removal of three existing outbuildings

6.
Application No: 14/00060/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estate
Location: Kings Head Yard Market Place Malton North Yorkshire YO17 7LP
Proposal: Erection of two-storey retail extension to existing store with attached stairwell building on three levels and external flight of steps to include alterations to existing building to allow linking of the extension together with formation of retail unit(s) on two floors within Building D to include installation of new shop fronts, windows and chimneys all following removal of three existing outbuildings

7.
Application No: 14/00064/FUL **Decision: Approval**
Parish: Middleton Parish Council
Applicant: Mr & Mrs Wilson
Location: Bee And Poultry Farm Main Street Middleton Pickering North Yorkshire YO18 8NX
Proposal: Erection of a general purpose agricultural building

8.
Application No: 14/00171/HOUSE **Decision: Approval**
Parish: Ampleforth Parish Council
Applicant: Mr And Mrs Paul Connor
Location: Orchard House Back Lane Ampleforth Helmsley YO62 4DE
Proposal: Erection of link extension with additional domestic accommodation above.

9.
Application No: 14/00173/FUL **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: M Field
Location: Ling Farm Green Lane Langtoft Malton North Yorkshire YO25 3BN
Proposal: Erection of 4 no. farrowing houses.

10.
Application No: 14/00174/FUL **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: M Field
Location: Ling Farm Green Lane Langtoft Malton North Yorkshire YO25 3BN
Proposal: Erection of a sow house

11.
Application No: 14/00175/FUL **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: M Field
Location: Ling Farm Green Lane Langtoft Malton North Yorkshire YO25 3BN
Proposal: Erection of a sow house

12.
Application No: 14/00188/FUL **Decision: Approval**
Parish: Burythorpe Parish Council
Applicant: F J Hodsman And Sons Ltd
Location: Kennels Farm Eddlethorpe North Yorkshire YO17 9QT
Proposal: Erection of an agricultural grain store

13.
Application No: 14/00189/FUL **Decision: Approval**
Parish: Burythorpe Parish Council
Applicant: F J Hodsman And Sons Ltd
Location: Kennels Farm Eddlethorpe North Yorkshire YO17 9QT
Proposal: Erection of an agricultural building to cover the existing grain dryer

14.
Application No: 14/00197/FUL **Decision: Refusal**
Parish: Sheriff Hutton Parish Council
Applicant: Mr D J Weston & Mrs H P Spath
Location: Land East Of Stone Lodge Main Street Sheriff Hutton Malton
Proposal: Erection of a 3 bedroom detached dwelling with attached garage and associated parking/amenity space following demolition of existing outbuilding.

15.
Application No: 14/00208/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr John Ellis
Location: 16 Westgate Pickering North Yorkshire YO18 8BA
Proposal: Erection of single storey rear extension following demolition of outbuildings

16.
Application No: 14/00216/HOUSE **Decision: Approval**
Parish: Staxton/Willerby Parish Council
Applicant: Mr M Norris
Location: Willerby Cottage Willerby Carr Lane Willerby Scarborough North Yorkshire YO12 4SH
Proposal: Erection of two-storey extension to east elevation

17.
Application No: 14/00226/HOUSE **Decision: Approval**
Parish: Nawton Parish Council
Applicant: Mrs J Teasdale
Location: 16 The Sidings Nawton Helmsley North Yorkshire YO62 7TJ
Proposal: Erection of canopy over front entrance door and garden shed adjacent to rear parking space

18.
Application No: 14/00232/LBC **Decision: Approval**
Parish: Wombledon Parish Council
Applicant: Nawton Tower Estate
Location: Boon Woods Highfield Lane Nawton Helmsley YO62 7TU
Proposal: Internal alterations to attached shed to form replacement bathroom, utility and wc enclosure with associated foul drainage and treatment plant with 2no. light tunnels and removal of 2no. stainless steel external flues

19.
Application No: 14/00242/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Heron Foods Ltd (Mr Michael Heuck)
Location: 37 - 43 Wheelgate Malton North Yorkshire YO17 7HT
Proposal: Amalgamation of 3no. retail units to form 1no. retail unit to include new shop front, replacement of first floor windows, erection of single storey rear extension following

demolition of 4no. toilet blocks, erection of brick lift shaft & rear first floor service bridge to car park and installation of cooling plant.

20.

Application No: 14/00259/HOUSE **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr J Ellis
Location: 16 Westgate Pickering North Yorkshire YO18 8BA
Proposal: Erection of single-storey rear extension following demolition of outbuildings

21.

Application No: 14/00262/LBC **Decision: Approval**
Parish: Slingsby Parish Council
Applicant: Mrs Catharine Spooner
Location: The Grapes Inn Railway Street Slingsby York YO62 4AL
Proposal: External alterations to include installation of 5 no. conservation rooflights to rear (west) roofslope and formation of external rear stair of 5 no. stone steps and iron balustrade with replacement of window by entrance door to allow access to owners first floor residential accommodation

22.

Application No: 14/00265/HOUSE **Decision: Refusal**
Parish: Pickering Town Council
Applicant: Mr Edward Arthur
Location: 8 Castlegate Pickering North Yorkshire YO18 7AX
Proposal: Replacement of 10 no. single glazed timber windows by 10 no. double glazed UVPC windows

23.

Application No: 14/00267/FUL **Decision: Approval**
Parish: Westow Parish Council
Applicant: Mr Simon Webb
Location: Fishers Yard Main Street Westow Malton YO60 7NE
Proposal: Alteration and extension of domestic outbuilding to form a self-contained 1 bedroom domestic annex to include erection of single storey extension to the north, replacement of garage door with full length glazed double door and side windows, and installation of flue to west elevation roof slope

24.

Application No: 14/00272/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: The Patisserie Malton (Mr A Walker)
Location: 16 Saville Street Malton North Yorkshire YO17 7LL
Proposal: Conversion and alteration of retail shop (Use Class A1) to a mixed use of cafe (Use Class A3) and retail shop (Use Class A1) to include removal of 2no. internal walls, re-painting of existing fascia and wall signs and display of 2no. non-illuminated double-sided hanging name signs at the corner of Saville Street and St Michael Street

25.

Application No: 14/00273/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: The Patisserie Malton (Mr A Walker)
Location: 16 Saville Street Malton North Yorkshire YO17 7LL
Proposal: Change of use of retail shop (Use Class A1) to a mixed use of cafe (Use Class A3) and retail shop (Use Class A1) to include associated signage

26.

Application No: 14/00278/LBC **Decision: Approval**
Parish: Langton Parish Meeting
Applicant: Mr J Atkinson & Ms J Smith
Location: Reading Room Cottage Main Street Langton Malton North Yorkshire YO17 9QP
Proposal: Erection of rear garden room extension following demolition of existing rear lean-to extension, installation of first floor and stairway to replace existing ceilings, replacement of glass pantiles with 3 no. conservation rooflights to rear roof slope, and re-slating of front roof slope

27.

Application No: 14/00293/HOUSE **Decision: Approval**
Parish: Amotherby Parish Council
Applicant: Mr Richard Hopkinson
Location: Haygates Hildenley Amotherby Malton North Yorkshire YO17 6QU
Proposal: Erection of first floor extension with balcony to the north elevation (revised details to refusal 13/01340/HOUSE dated 14.01.2014)

28.

Application No: 14/00294/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: K Vincer & B Botzen
Location: 16 Castlegate Pickering North Yorkshire YO18 7AX
Proposal: Erection of single storey rear extension following demolition of existing rear conservatory, removal of sections of existing walling to west elevation to allow access to proposed extension, replacement of staircase, replacement of first floor joists, replacement of east facing windows with Yorkshire sliding sash double glazed units and alterations to internal layout.

29.

Application No: 14/00296/REM **Decision: Approval**
Parish: Staxton/Willerby Parish Council
Applicant: R A Smith And Son (Mr R. Smith)
Location: West Binnington Farm Binnington Carr Lane Staxton Scarborough North Yorkshire YO12 4SW
Proposal: Erection of a two bedroom agricultural workers dwelling with attached open fronted double garage (outline approval 11/00098/OUT dated 04.04.2011 refers)

30.

Application No: 14/00297/ADV **Decision: Approval**
Parish: Pickering Town Council
Applicant: Thomas Of York Limited
Location: 33 Market Place Pickering North Yorkshire YO18 7AE
Proposal: Alterations to graphics and lettering on existing non-illuminated fascia boards, change of finished colour to shop front, alterations to graphics and background colour of existing non-illuminated hanging sign, and installation of surface applied coloured graphic to glazing of windows and doors to west elevation

31.

Application No: 14/00300/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Roddy Bushell (Fitzwilliam Malton Estate)
Location: Private Parking Area To Rear Of 2 - 14 Railway Street Malton North Yorkshire

Proposal: Minor regrading and tarmac surfacing of parking area to include installation of drainage gully and marking out by paving setts of 22 no. parking spaces

32.

Application No: 14/00308/FUL **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr & Mrs Blades
Location: Listers Cottage Main Street Hovingham Helmsley YO62 4LF
Proposal: Erection of two storey and single storey rear extensions to provide additional domestic accomodation and shop space following demolition of existing rear single storey flat roof extension

33.

Application No: 14/00309/LBC **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr & Mrs Blades
Location: Listers Cottage Main Street Hovingham Helmsley YO62 4LF
Proposal: External and internal alterations to include erection of two storey and single storey rear extensions following demolition of existing single storey flat roof extension, repair and refurbishment of existing windows and doors to main building and outhouse with timber single glazed windows and doors, windows to have secondary glazing, reuse and relocation of some windows, alterations to internal layout to include removal of ground floor internal walls, together with LED hidden lighting to front fascia shop sign

34.

Application No: 14/00310/HOUSE **Decision: Approval**
Parish: Amotherby Parish Council
Applicant: Neil Harper
Location: Greystones Main Street Amotherby Malton YO17 6UN
Proposal: Erection of two storey side extension with integral garage, single storey rear extension and alterations to existing vehicular access following demolition of existing garden room extension and detached garage (revised details to approval 12/00876/HOUSE dated 12.12.2012).

35.

Application No: 14/00311/FUL **Decision: Refusal**
Parish: Sinnington Parish Council
Applicant: Mr Stuart Boyes
Location: Land At Lime Road Little Edstone Kirkbymoorside
Proposal: Erection of 1 no. 29.33m high (overall tip height 39.63m) 75Kw wind turbine to generate electricity for on farm use with surplus to the national grid together with formation of temporary access track

36.

Application No: 14/00313/FUL **Decision: Approval**
Parish: Cropton Parish Council
Applicant: Mr L Gibson
Location: Cowpasture Cottage Coppice Lane Wrelton Pickering North Yorkshire YO18 8HD
Proposal: Erection of single storey extension to north elevation of holiday cottage

37.

Application No: 14/00319/HOUSE **Decision: Approval**
Parish: Ebberston Parish Council
Applicant: Mrs Sheila Jane Stephens

Location: Rutland Place 130 Main Street Eberston Scarborough North Yorkshire YO13 9NF
Proposal: Formation of vehicular access with parking and turning area.

38.

Application No: 14/00320/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Keith Davies (Fitzwilliam MALTON Estate)
Location: Talbot Hotel 45 - 47 Yorkersgate Malton North Yorkshire YO17 7AJ
Proposal: Replacement of stone steps to upper terrace of villa garden and demolition of 1.3m section of boundary wall

39.

Application No: 14/00325/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mrs Patricia Dring
Location: 45 Potter Hill Pickering North Yorkshire YO18 8AD
Proposal: Replacement of 6 panelled front entrance door with 4 panelled door, replacement of 2no. stone cills to front elevation.

40.

Application No: 14/00327/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr B Brewer.
Location: 6 Castle Howard Drive Malton North Yorkshire YO17 7BA
Proposal: Erection of first floor side extension, single storey rear extension and detached single garage, following demolition of existing conservatory and attached garage

41.

Application No: 14/00329/FUL **Decision: Approval**
Parish: Brawby Parish Meeting
Applicant: Mr J Waind
Location: River House Brawby Lane Brawby Malton North Yorkshire YO17 6QA
Proposal: Erection of roof over existing cattle feeding yard

42.

Application No: 14/00345/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estates (Keith Davies)
Location: Old Talbot Yard Yorkersgate Malton North Yorkshire
Proposal: Erection of retaining wall to units 3 and 4, following demolition of existing masonry cross walls

43.

Application No: 14/00352/HOUSE **Decision: Approval**
Parish: Terrington Parish Council
Applicant: Mr Chester Hoy
Location: Church View Farmhouse Main Street Terrington Malton YO60 6PT
Proposal: Alteration to include repositioning of rear cat slide dormer window, replacement of 3 no. front first floor windows and 2 no. rear first floor dormer windows with timber casement windows and dormer windows, enlargement of existing front ground floor vertical sliding sash windows and rear glazed double doors to replace existing window

44.

Application No: 14/00353/HOUSE **Decision: Approval**
Parish: Appleton-le-Street Parish Meeting
Applicant: Mr Studdart
Location: Glebe House Main Street Appleton Le Street Malton North Yorkshire YO17 6PG
Proposal: Installation of timber Yorkshire sliding sash double glazed windows to replace existing windows to include formation of 2 no. enlarged window openings to north (front) elevation

45.
Application No: 14/00367/ADV **Decision: Approval**
Parish: Pickering Town Council
Applicant: Yorkshire Building Society
Location: 46 Market Place Pickering North Yorkshire YO18 7AE
Proposal: Display of 1no. non-illuminated hanging sign and 1no. non-illuminated fascia sign comprising individual pin-fixed letters.

46.
Application No: 14/00368/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr D Breslin
Location: 37 Pottergate Helmsley YO62 5BX
Proposal: Replacement of a mix of 12no. single glazed timber and double glazed UPVC windows with 12no. UPVC double glazed windows and matching door frames.

47.
Application No: 14/00370/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Yorkshire Building Society
Location: 46 Market Place Pickering North Yorkshire YO18 7AE
Proposal: Display of 1 no. non-illuminated hanging sign using existing bracket and 1 no. non-illuminated fascia sign comprising individual pin-fixed letters

48.
Application No: 14/00371/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr Simon Ravis
Location: 2 Bells Court Helmsley York YO62 5BA
Proposal: Replacement of entrance door and ground floor window with 2no. double glazed casement UPVC windows to front elevation and replacement of double garage door with single garage door and 1no. double glazed casement UPVC window to rear elevation.

49.
Application No: 14/00386/FUL **Decision: Approval**
Parish: Great & Little Barugh Parish Council
Applicant: Ms Clair Dobson
Location: Willow Garth Farm Barugh Lane Great Barugh Malton North Yorkshire YO17 6UZ
Proposal: Erection of single storey amenity block to serve approved extension to existing touring caravan park.

50.
Application No: 14/00388/FUL **Decision: Approval**
Parish: Cropton Parish Council
Applicant: Mrs Sally Wilson
Location: Land Adj To Rose Cottage High Street Cropton Pickering North Yorkshire

Proposal: Erection of a four bedroom dwelling with amenity area and detached double garage and garden together with amenity areas (revised details to 13/00372/FUL)

51.

Application No: 14/00396/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Old Malton War Memorial Hall Committee (Mr David Sawdon)
Location: Memorial Hall Town Street Old Malton Malton North Yorkshire YO17 7HD
Proposal: Reconstruction of external front access steps

52.

Application No: 14/00436/TPO **Decision: Approval**
Parish: Habton Parish Council
Applicant: Mr Bulmer
Location: Manor House Kirby Misperton Lane Great Habton Malton North Yorkshire YO17 6TU
Proposal: Remove 1 large Beech tree in G2 of TPO 90/1986, remove a single limb on a single Ash alongside driveway, remove dangerous Ash near driveway entrance, remove any branches interfering with bt wires on roadside Beech trees

Appeal Decision

Site visit made on 7 May 2014

by M Seaton BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 May 2014

Appeal Ref: APP/Y2736/D/14/2216568

The Barn, 5 Mistle Corner, Wilton, Pickering, North Yorkshire, YO18 7LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Andrea Morgan against the decision of Ryedale District Council.
 - The application Ref 13/01166/HOUSE, dated 6 October 2013, was refused by notice dated 15 January 2014.
 - The development proposed is described as "to erect a close board panel wooden fence to the inner edge of the existing stone wall to retain the existing Beech hedge and prevent it from growing over the wall. The existing wall varies in height from 0.92 metres to 1.1 metres with a substantial step which exposes the garden to both the main street through the village and the A170. The fencing takes the overall height of the wall from 1.65 metres at its lowest adjoining the dwelling, to 2.0 metres parallel to the A170. The fence itself is level and consistent with the hedging. The variation in height is caused by the uneven external ground which varies between path and grass verge. The fencing is designed to retain the hedge from growing over the wall and thereby improves the view from the village street junction to the A170. This is effectively my back garden and the combined fence and wall affords me privacy as per human rights Article 8. It also provides security for both my property and any future domestic pets."
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a timber close boarded boundary fence (maximum height 2 metres) between the existing stone wall and the hedge at The Barn, 5 Mistle Corner, Wilton, Pickering, North Yorkshire, YO18 7LZ in accordance with the terms of the application, Ref 13/01166/HOUSE, dated 6 October 2013, and the submitted drawing titled 'Site and Location Plans' (stamped 18 October 2013).

Procedural Matters

2. The appellant has provided a full and detailed description of the development on the planning application form. The Council has amended the description of the proposal during the course of the planning application, and whilst there is nothing in the submissions to indicate that this was agreed with the appellant, I am satisfied that the revision represents a more concise, yet still accurate description of the proposal. I have therefore determined the appeal on the basis of the following.

"Erection of a timber close boarded boundary fence (maximum height 2 metres) between the existing stone wall and the hedge."

3. The Council assessed the application on a retrospective basis, and given that the fence had clearly been installed at the time of my visit, I have determined the appeal on the same basis.
4. The content of the recently published national Planning Guidance has been considered, but in light of the facts in this case the national Planning Guidance does not alter my conclusions.

Main Issue

5. The main issue in this instance is the effect of the development on the character and appearance of the area.

Reasons

6. The appeal site occupies a prominent position adjacent to the road junction between High Street and the A170, with the boundary treatment comprised of a low stone wall with a close boarded fence behind.
7. The Council has highlighted that boundary treatments within the vicinity of the site are generally characterised by low stone boundary walls, which is considered to be consistent with the agricultural character of the settlement. Nevertheless, it was clear from my observations at the site visit that there are also other examples of boundary treatment, including timber fencing, in evidence nearby. I also noted that whilst the Council has expressed concern over the introduction of a feature of domestic character and appearance, the fence and low stone wall form the boundary to a domestic garden and dwelling, albeit one created by the conversion of a former agricultural building. In addition, it was also possible to observe a more domestic character to parts of the settlement in the form of residential gardens, and garden structures and buildings, some of which also occupy prominent positions along part of the A170. Whilst I accept that the use of timber fencing is not particularly common in the vicinity, in this instance the design, general appearance and colour of the fencing assists with its assimilation with the existing stone wall and surrounding stone buildings, and therefore does not result in a visually jarring or harmful feature in this location.
8. The Council has expressed concern over the potential for a precedent to be set regarding the introduction of other similar fences in relation to the converted barns. However, whilst I have considered the Council's contention, from my observations of existing boundary treatments and screening along the garden boundaries to the A170, there is no reason to suspect that similar developments will come forward. In any event, each application must be considered on its own individual merits, and a generalised concern of this nature does not justify withholding permission in this case.
9. For these reasons, the development does not have an adverse effect on the character and appearance of the area. There would not be any conflict with Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy with Main Modifications and Additional Modifications (2013), which seek to ensure that development responds to the context provided by its surroundings, and respects the character and appearance of the surrounding area. Furthermore, the proposed development would not conflict with the objectives of the National Planning Policy Framework, which seek to protect against development of poor design.

Other Matters

10. Representations were made to the effect that Mrs Morgan's rights under Article 8 of the European Convention on Human Rights would be violated if the appeal were to be dismissed. As I have decided to allow the appeal, I do not need to deal with the question of whether the decision would result in a violation of her rights.
11. I have had regard to the support on highway safety grounds for the proposal from North Yorkshire County Council as the Highway Authority, and the support for the development from Allerston and Wilton Parish Council. However, whilst these matters would also weigh in favour of the development, these have not been decisive factors in my decision-making.

Conditions

12. The Council has not suggested the imposition of any conditions were the appeal to be allowed, and as the fence has already been installed I do not consider that a time limit condition or any others would be necessary in this instance.

Conclusion

13. For the reasons given above, the appeal should be allowed.

M Seaton

INSPECTOR