



**MEMBERS ATTENTION IS DRAWN TO THE FOLLOWING MATTER. A MEMBERS BRIEFING IS SCHEDULED FOR 5.30PM ON WEDNESDAY 30 JULY 2014 IN RESPECT OF APPLICATION NOS. 14/00426/MOUTE, 14/00427/MOUTE, 14/00428/MOUTE AND 14/00429/MOUTE SUBMITTED BY COMMERCIAL DEVELOPMENT PROJECTS & FITZWILLIAM TRUST CORPORATION.**

**THERE WILL BE AN OFFICER UPDATE ON THE CURRENT PROGRESS ON THE APPLICATIONS FOR MEMBERS INFORMATION AND THE OPPORTUNITY FOR MEMBERS TO ASK QUESTIONS TO THE OFFICERS AS PART OF THE PROCESS.**

**IT IS ANTICIPATED THAT ALL FOUR APPLICATIONS ARE SUBJECT TO A FULL OFFICER REPORT TO A FUTURE MEETING OF THE PLANNING COMMITTEE.**

**THE PLANNING COMMITTEE WILL FOLLOW ON AFTER THE COMPLETION OF THE MEMBERS BRIEFING.**

## **PLANNING COMMITTEE**

Wednesday 30 July 2014 at 6.00 pm

Council Chamber, Ryedale House, Malton

### **Agenda**

- 1 **Apologies for absence**
- 2 **Minutes of the meeting held on the 1st of July 2014** (Pages 3 - 7)
- 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 PART B - Ryedale Community Infrastructure Levy - Discretionary Relief and Payment Instalment Policies** (Pages 8 - 12)
- 6 PART A - Scarborough Borough Council - Draft Local Plan** (Pages 13 - 16)
- 7 Schedule of items to be determined by Committee** (Pages 17 - 19)
- 8 14/00383/MOUT - Land To North Of Sutton Grange, Langton Road, Norton** (Pages 20 - 22)
- 9 14/00511/MFUL - Linton Mill , Wintringham, Malton** (Pages 23 - 30)
- 10 14/00574/MFUL - Musley Bank Stables, Musley Bank, Malton** (Pages 31 - 58)
- 11 07/01162/FUL - S A Bell, Old York Road, Barton Hill** (Pages 59 - 73)
- 12 13/00551/FUL - Land At Dotterel Farm, Main Road, Weaverthorpe** (Pages 74 - 166)
- 13 13/00850/FUL - Land To West, Pasture Road, Weaverthorpe, Malton** (Pages 167 - 274)
- 14 13/00851/FUL - Land To North Of, Main Road, Weaverthorpe, Malton** (Pages 275 - 377)
- 15 14/00315/FUL - Land South Of , Street Lane, Pickering** (Pages 378 - 385)
- 16 14/00362/FUL - Three Tuns Inn, Main Street, West Lutton, Malton** (Pages 386 - 404)
- 17 14/00458/FUL - Poplar House Farm, Leppington Lane, Leppington** (Pages 405 - 416)
- 18 14/00593/FUL - Village Farm, Goose Track Lane, West Lilling** (Pages 417 - 463)

- 19 **14/00695/FUL - Ropery House RDC Area Office, The Ropery, Pickering** (Pages 464 - 469)
- 20 **14/00699/FUL - Ryedale Swimming Pool, Mill Lane, Pickering** (Pages 470 - 474)
- 21 **Enforcement report - 3 Con Owl Close, Helmsley**
- 22 **Any other business that the Chairman decides is urgent.**
- 23 **List of Applications determined under delegated Powers.** (Pages 475 - 481)
- 24 **Update on Appeal Decisions** (Pages 482 - 486)

# Agenda Item 2

## Planning Committee

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Held at Council Chamber, Ryedale House, Malton  
Tuesday 1 July 2014

### Present

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Councillors Mrs Frank (Vice-Chairman), Mrs Goodrick, Hicks, Hope, Maud, Richardson, Mrs Sanderson, Mrs Shields (Substitute), Windress (Chairman) and Woodward

Substitutes: Councillor Mrs E Shields (for Councillor Mrs L M Burr MBE)

### In Attendance

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Jo Holmes, Alan Hunter, Shaun Robson, Mel Warters and Anthony Winship

### Minutes

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24 **Apologies for absence**

Apologies were received from Councillor Mrs Burr.

25 **Minutes of the meeting held on 3 June 2014**

**Decision**

That the minutes of the meeting of the Planning Committee held on 3 June 2014 be approved and signed by the Chairman as a correct record.

[For 9            Against 0            Abstain 1]

26 **Urgent Business**

There was no urgent business.

27 **Declarations of Interest**

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

<b>Councillor</b>	<b>Application</b>
Maud	6,8,13
Hope	6,12,13
Frank	8
Sanderson	8,13
Hicks	9,13

Windress 9  
Woodward 8,13

28 **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.

29 **14/00383/MOUT - Land to North of Sutton Grange, Langton Road, Norton, Malton**

**14/00383/MOUT** - Erection of 15no. dwellings (site area 0.7ha).

Decision		
<b>SITE VISIT</b>		
[For 5	Against 4	Abstain 1]

In accordance with the Members' Code of Conduct Councillors Maud and Hope declared a personal non pecuniary but not prejudicial interest.

30 **13/01141/MFUL - Land At Allotments, Broughton Road, Malton**

**13/01141/MFUL** - Erection of 27no. 4-bed dwellings, 23no. 3-bedroom dwellings, 17no. 2-bed dwellings and 16no. 1-bed dwellings, associated garages, parking, public open space and landscaping.

Decision		
<b>PERMISSION GRANTED</b> – Subject to conditions as recommended and S106 Agreement.		
[For 8	Against 0	Abstain 2]

31 **14/00340/MFUL - Cedar Barn Farm Shop, Thornton Road, Pickering**

**14/00340/MFUL** - Laying of 600m of 7¼ inch wide miniature railway track, formation of tunnel, excavation of duck pond and extension of existing car park to form 20no. additional car parking spaces.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended and addition of Highway Condition.

[For 10                      Against 0                      Abstain 0]

In accordance with the Members' Code of Conduct Councillors Maud, Mrs Frank, Mrs Sanderson and Woodward declared a personal non pecuniary but not prejudicial interest.

**32      14/00430/MFUL - Birch Farm , The Terrace, Oswaldkirk**

**14/00430/MFUL** - Erection of an agricultural grain store with associated landscaping - retrospective application (revised details to approval 12/00582/MFUL dated 20.09.2012).

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended and revised landscape/boundary planting condition.

[For 10                      Against 0                      Abstain 0]

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

**33      14/00358/FUL - Store At Fullerton House, Marishes Low Road, Low Marishes, Malton**

**14/00358/FUL** - Change of use and alterations of outbuilding to form a two bedroom dwelling to include formation of vehicular access and associated parking and amenity area.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 7                      Against 2                      Abstain 1]

**34      14/00372/FUL - Jamies Cragg Caravan Site , Castle Howard Station Road, Welburn**

**14/00372/FUL** - Change of use of land to allow the siting of 2 no. two bedroom holiday lodges and formation of parking spaces.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 8            Against 1            Abstain 1]

35    **14/00409/FUL - Building Opposite Glebe Farm, Bull Moor Lane, Flaxton, Malton**

**14/00409/FUL** - Erection of single storey extension forming office and staff amenities to serve existing marquee hire business.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10            Against 0            Abstain 0]

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

36    **13/01242/CLEUD - Steam and Moorland Garden Centre, Malton Road, Pickering**

**13/01242/CLEUD** - Certificate of Lawfulness in respect of the retail sales of goods in breach of condition 06 of approval 00/00400/OUT dated 04.08.2000 for more than 10 years before the date of this application.

**Decision**

**APPLICATION REFUSED** – Not proven on current evidence.

[For 6            Against 2            Abstain 2]

In accordance with the Members' Code of Conduct Councillors Maud, Hope, Mrs Frank, Mrs Sanderson, Hicks and Woodward declared a personal non pecuniary but not prejudicial interest.

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

The Chairman put forward a date of 15 July for the site visit at Sutton Grange. It was decided that an e-mail would be circulated to establish the best date for Members' to attend.

**38 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 Delegate Decisions.

**39 Update on Appeal Decisions**

Members' were advised of the following appeal decisions.

APP/Y2736/D/14/2217072 – The Brow, Leavening, Malton, North Yorkshire, YO17 9SR.

**Meeting Closed at 8.20pm.**





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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30 JULY 2014</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING AND HOUSING GARY HOUSDEN</b>
<b>TITLE OF REPORT:</b>	<b>RYEDALE COMMUNITY INFRASTRUCTURE LEVY. DISCRETIONARY RELIEF AND PAYMENT INSTALMENT POLICIES.</b>
<b>WARDS AFFECTED:</b>	<b>ALL WARDS EXCLUDING THE AREA OF THOSE WARDS FALLING WITHIN THE NORTH YORK MOORS NATIONAL PARK.</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 For Members to consider and agree the circumstances under which discretionary relief from CIL will be given and the use of a CIL payment instalment policy.

### **2.0 RECOMMENDATION(S)**

- 2.1 That Council is recommended to agree in principle to the:
- (i) Circumstances under which the Council, as charging authority will offer Discretionary Relief from CIL as outlined in paragraphs 6.12-6.16 and
  - (ii) Use of a CIL Instalment Policy

### **3.0 REASON FOR RECOMMENDATION**

- 3.1 To assist the transparent implementation of CIL in accordance with the regulations.

### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks associated with this report.

### **5.0 POLICY CONTEXT AND CONSULTATION**

- 5.1 Members are aware that the Council has agreed to progress the use of the

Community Infrastructure Levy (CIL). The CIL will be an important means of delivering objectives of the Council Plan and the Development Plan policies.

## **REPORT**

### **6.0 REPORT DETAILS**

- 6.1 Members are aware that the CIL Draft Charging Schedule (DCS) was agreed by this Committee on the 7 May 2014 and by Council on 15<sup>th</sup> May 2014. The DCS has been formally published and officers are currently preparing to submit it for independent examination.
- 6.2 The CIL Regulations 2010 (as amended) include provisions which give charging authorities the discretion to offer relief from CIL under specific circumstances. (CIL relief can mean either an exemption or reduction in liability to pay the levy.) These discretionary powers are in addition to the mandatory relief or exemptions which apply to specific types of development. If a Charging Authority resolves to use these discretionary powers it must give the relevant notice and state its policy on the matter.
- 6.3 The Regulations also provide a Charging Authority with the ability to allow CIL to be paid in instalments. In order for a Charging Authority to do this, it must publish an instalment policy on its web-site.
- 6.4 It is not necessary that the Council has these policies in place in order for the Draft Charging Schedule to progress through the examination. However, it is considered that an agreed position on both of these matters would ensure that the Council is entirely transparent over how it intends to implement CIL as the Draft Charging Schedule is examined.

#### **Community Infrastructure Levy Relief**

- 6.5 Members are aware that there are some types of development which will not be liable to pay CIL. Examples include:
- Buildings into which people do not normally go
  - Buildings into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery
  - Structures which are not buildings such as pylons and wind turbines
  - Development which are Charging Authority has decided should be zero rated and specified as such in a Charging Schedule
  - Vacant buildings brought back into the same use
  - Development of less than 100 square metres of gross internal floorspace which does not involve the creation of a new dwelling
  - The change of use, conversion or subdivision of a building that does not involve an increase in floorspace
  - Temporary development for a limited time period
  - The creation of a mezzanine floor within a building of less than 200 square metres
  - Houses, flats, residential annexes and residential extensions which are built by self builders (defined in the regulations)
  - Affordable housing that meets the relief criteria set out in the regulations
  - Charitable development that meets the relief criteria set out in the regulations

- 6.6 Additionally, it should be noted that where the Levy liability is calculated to be less than the £50, the chargeable amount is deemed to be zero.

#### **Discretionary Relief/Exemption**

- 6.7 The Regulations allow charging authorities to offer three forms of relief at their discretion, providing that if charging authority resolves to do so, it is satisfied that this would not breach State aid rules. The forms of discretionary relief are:
- Discretionary charitable relief
  - Exceptional circumstances relief
  - Discretionary social housing relief
- 6.8 Most forms of development by a charitable institution will be exempt for CIL where the development is used wholly or mainly for charitable purposes and subject to a range of specific criteria. However, a Charging Authority can choose to offer discretionary relief to a charitable landowner where the greater part of the chargeable development will be held as an investment from which profits are applied for charitable purposes.
- 6.9 A charging authority may also resolve to offer relief from the levy in exceptional circumstances where a specific scheme cannot afford to pay and it is deemed that the levy would have an unacceptable impact on the economic viability of a development. It should be noted, that this could only be applied in situations where a Section 106 agreement is in place as well as the Levy.
- 6.10 Mandatory Social Housing relief applies to all types of affordable housing provided by a Registered Provider, Registered Social Landlord or Local Housing Authority. A Charging Authority may offer further discretionary relief for affordable housing which does not meet the criteria required for mandatory social housing relief and which is not regulated through the National Rent Regime. This would apply, for example, to developers and private landlords providing intermediate affordable housing types.
- 6.11 Any decision to offer these discretionary forms of relief will impose an additional level of complexity in the administration and management of CIL. For this reason, it is considered that the Council should only introduce discretionary relief where it is confident that there are clear and justifiable reasons for doing so. It should be noted that a Charging Authority can introduce (or remove) discretionary relief at any stage, providing it gives the appropriate statutory notice.

#### **Discretionary Charitable Relief (DCR)**

- 6.12 Officers are not aware of any particular trend or examples of development for investment purposes by charities in Ryedale to date. It is considered that those charities which may have the resources to undertake development for investment purposes are likely to be national organisations and in this respect, it should be noted that any relief offered would not necessarily be directly felt by residents of Ryedale. This point is made as it appears that a number of charging authorities that have offered DCR have done so subject to criteria designed to ensure that the charitable investment is used to fund the provision of services to residents in the area. It is considered that this would be a particularly difficult criterion to apply to charities which operate nationwide.

- 6.13 Most of the charitable development which will be experienced in Ryedale will be covered by mandatory exemptions and officers are of the view that there is little evidence to suggest that discretionary charitable relief could be sufficiently justified at this stage. However, it is considered that this is something which the Council will keep under review as CIL is introduced and as it beds in.

#### Exceptional Circumstances Relief

- 6.14 The Council has prepared its Draft Charging Schedule taking account of economic viability matters and the requirements of the legislation to strike an appropriate balance between the need to fund infrastructure and the potential implications for the economic viability of development in Ryedale. It is considered that the circumstances which would justify exceptional circumstances relief would be very rare, given that the CIL rate is set/ informed by viability evidence. Furthermore, the Local Plan Strategy has been prepared to support the release of the types of sites which should be less challenging in terms of economic viability. For these reasons, together with the fact that such discretionary relief would also impose an additional level of complexity in the administration and management of CIL, it is considered that the Council should not offer this form of relief at this stage. It should be noted however, that such a policy could be introduced at any stage and the position can be kept under review.

#### Discretionary social housing relief

- 6.15 Members are aware that affordable social housing provided by Registered Social Landlords is exempt from CIL. However, the legislation allows for other intermediate tenures such as shared equity or discounted homes for sale to be exempt from CIL at the discretion of a Charging Authority.
- 6.16 Members are aware that it is this Council's policy to seek a proportion of these forms of affordable housing as developer contributions. It is considered that in order to ensure that the viability of affordable homes is maintained and that these forms of affordable housing can continue to be delivered, there is a need to ensure that all forms of affordable housing qualify for relief from CIL. If Members endorse this position a detailed policy statement will be prepared, notice given and the policy would be made available on the web-site, once the Council is in a position to introduce CIL.

#### Proposed Instalment Policy

- 6.17 The CIL legislation allows CIL Charging Authorities to introduce a policy which would allow CIL to be paid in instalments by developers. Normally, developers would be liable to pay CIL on commencement of development. An instalment policy would allow payments to be phased and would assist developers in terms of development finances and scheme viability. For this reason, it is considered that an instalment policy should be supported in principle. Once the draft CIL charge has progressed through examination and the Council is in a position to introduce the charge, Members will be asked to formally adopt the CIL at a future meeting.

## **7.0 IMPLICATIONS**

- 7.1 The following implications have been identified:
- a) Financial

Discretionary Social Housing Relief is unlikely to result in the loss of CIL as without the discretionary relief policy in place it is very unlikely that the relevant types of affordable housing will be delivered as they are not likely to be viable against the CIL charge. A CIL instalment policy will influence the time taken to collect CIL from developments and this may have implications for the delivery and prioritisation of infrastructure projects which will be funded through the use of CIL.

- b) Legal  
No direct implications identified
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
No other implications identified

## **8.0 NEXT STEPS**

- 8.1 After the CIL examination and once the Council is in a position to introduce the CIL charge, the Council will give notice of its intention to introduce any policy relating to discretionary relief and will publish details on its web-site. Members will be asked to agree the details of a proposed instalment policy when they consider /agree to the introduction of the charge, following the examination.

**Gary Housden**  
**Head of Planning and Housing**

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**Background Papers:**  
CIL Report - Planning Committee 7 May 2014  
Community Infrastructure Levy Guidance DCLG February 2014

**Background Papers are available for inspection at:**  
[www.ryedale.gov.uk](http://www.ryedale.gov.uk)  
[www.gov.uk/dclg](http://www.gov.uk/dclg)

# Agenda Item 6

**RYEDALE  
DISTRICT  
COUNCIL**



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<b>PART A:</b>	<b>MATTERS DEALT WITH UNDER DELEGATED POWERS</b>
<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30 JULY 2014</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING AND HOUSING GARY HOUSDEN</b>
<b>TITLE OF REPORT:</b>	<b>SCARBOROUGH BOROUGH COUNCIL DRAFT LOCAL PLAN</b>
<b>WARDS AFFECTED:</b>	<b>NONE DIRECTLY</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 To provide a response from the District Council to Scarborough Borough Council's Draft Local Plan in terms of the exercising of the Duty to Cooperate, and general policy approach.

### **2.0 RECOMMENDATION(S)**

- 2.1 It is recommended that:
- (i) Ryedale District Council confirms that Scarborough Borough Council has exercised its duty within respect of the Duty to Co-operate (Section 33A of the Planning and Compulsory Purchase Act (2004) (Local Development)) in the preparation of its Draft Local Plan.
  - (ii) The response to the consultation (as set out in section 6.2-6.5 of this report) is provided to Scarborough Borough Council.

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 Although this is not a formal stage of consultation, it is important that Ryedale District Council supports an adjacent authority in the provisions of the formation of their Local Plan. It is also important to ensure that the Council are satisfied that the objectives of the Ryedale Plan particularly the Local Plan Strategy, are not inadvertently compromised.

#### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks associated with this report. However, it is important that Members are aware of the emerging Local Plans of adjoining authorities and failure to engage could mean that District Council's ability to engage in later consultation stages is compromised. It would also acknowledge the on-going involvement under the requirements of the Duty to Co-operate.

#### **5.0 POLICY CONTEXT AND CONSULTATION**

- 5.1 Scarborough Borough Council commenced the current consultation on its draft Local Plan on the 30 May 2014. The consultation period is to run until the 8 August. The consultation is not a formal stage, but it is the precursor to the formal publication of the Plan (the formal Publication stage). The consultation taking place is a general consultation, but Scarborough Borough Council has explicitly asked that a response to the Draft Plan is provided by this Council, to demonstrate that Scarborough Borough Council is fulfilling the requirements of the Duty to Co-operate.
- 5.2 The "Duty to Co-operate in relation to planning of sustainable development" was introduced in 2013, through the Localism Act of 2011, and inserted as Section 33A of the Planning and Compulsory Purchase Act (2004) (Local Development). In summary, it places a duty on Local Planning Authorities, to engage with each other, and relevant statutory bodies, in a constructive, active and on an on-going basis in terms of, amongst other matters, the preparation of Development Plan Documents, and activities of a strategic nature which support the delivery of such documents. The Examination of Development Plan Documents will assess whether the authority has complied with this duty, and failure to demonstrate that the duty has been complied with will render the Plan unsound.
- 5.3 Both Scarborough Borough Council and Ryedale District Council have had Officer-level discussions concerning cross-boundary matters, and the general Plan approach. As the document progresses towards its formal publication it is considered that it would be timely for the District Council to provide a formal response to the current consultation.

### **REPORT**

#### **6.0 REPORT DETAILS**

- 6.1 Scarborough Borough Council is preparing a Local Plan, which will manage and guide development in the Borough outside of the National Park to 2030. It will contain both strategic policies, and land allocations. The Council has provided a covering letter which outlines that Scarborough Borough Council, in discussions with adjacent authorities, has identified that, owing to the Borough's relative isolation, cross-boundary issues are limited in nature, but consideration must be had to:
- The strategic road network, with particular relevance to the A64;
  - The impact of the proposed Potash Mine on the wider area
  - The delivery of the objective[ly] assessed housing need for Scarborough Borough; and
  - The shared landscapes of the Borough with East Riding District Council; Ryedale District Council and the North York Moors National Park Authority.

### **Duty to Co-operate**

- 6.2 Officers have been engaged with Scarborough Borough Council concerning the preparation, examination and adoption of a series of Development Plan Documents, recently, i.e. The Whitby Business Park Area Action Plan, and The Ryedale Plan-Local Plan Strategy. It is considered that Scarborough Borough Council, in their preparation of this Development Plan are meeting the requirements of the Duty to Co-operate through on-going engagement with this Council.

### **Cross-boundary Issues**

- 6.3 It is considered that the above cross-boundary issues as set out in paragraph 6.1 of this report are indeed important and that this list is accurate. It is considered that within the draft Local Plan they are given due recognition. The Council will continue to work with Scarborough Borough Council in respect of these matters. In particular, it is recognised in the 2011 North Yorkshire Strategic Housing Market Assessment, and though a range of other evidence documents, that the housing markets of Scarborough and Ryedale do overlap. Policy HC1 of the draft Plan for Scarborough Borough seeks to deliver around 9200 dwellings over the Plan Period, primarily through the proposed allocations within the Borough. It is considered that Scarborough Borough Council is demonstrably meeting its objectively assessed housing needs, and it does not suggest that Ryedale District should be accommodating any unmet housing need.
- 6.4 It is also considered that there a small number of further matters which could be referred to within the context of the landscape. These relate to the identification of green infrastructure and the consideration of heritage aspects, but it is recognised that paragraph 8.61 of the draft Local Plan does indeed acknowledge the relationship with adjoining Local Authorities concerning the identification and provision of Green Infrastructure.
- 6.4 It is also noted that Scarborough Borough Council is not considering implementation of a Local Needs Occupancy Condition. Whether to include the application of such a condition within their Development Plan is a matter for the Borough Council. However, it is considered that within the accompanying text of the housing section it could be appropriate to make reference to the fact that Ryedale District Council does operate Local Needs Occupancy condition, which is applied to certain forms of residential development within the lower tiers of the Settlement Hierarchy. This is because the requirements of the condition are applicable to individuals (or their dependents) who are living in an adjacent parish (which could be outside of the District, and therefore be from a Scarborough Borough Parish).

### **Allocations and relationship to any cross-boundary matters**

- 6.5 The Scarborough Borough Local Plan is to contain a series of allocations of land for residential and employment (B use classes). Of the allocations, there is one site which is close to Ryedale District. This is a Strategic Growth Area at South Cayton; covering 112ha of land, and providing around 2400 homes, community facilities and services, and providing links to the Scarborough Business Park, as well as associated infrastructure. It will also involve improvements to the wider road network, and links into the A64. It is considered that whilst it is a sizable site, it represents the best opportunity to meet Scarborough Borough's housing needs in a coordinated manner whilst providing commensurate facilities and services.



- 6.6 In conclusion, Ryedale District Council considers that the Spatial Strategy, Policies and allocations of the Scarborough Borough Draft Local Plan, would not be in conflict with the provisions of The Ryedale Plan- Local Plan Strategy. There is consistency of approach in terms of cross-boundary issues, and such matters that would not undermine our Plan.

## **7.0 IMPLICATIONS**

7.1 The following implications have been identified:

- a) Financial  
No financial implications.
- b) Legal  
No legal implications.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
No other implications

## **8.0 NEXT STEPS**

- 8.1 The agreed response will be provided to Scarborough Borough Council prior to the consultation deadline. Scarborough Borough Council is aiming to Publish the Plan in the last quarter of 2014. At this point the District Council will be required to provide a formal response to the consultation, which will be answered as part of the Examination into the Plan, and importantly to evidence that Scarborough Borough Council can demonstrate legal compliance with the Duty to Co-operate.

**Gary Housden**  
**Head of Planning and Housing**

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**Background Papers:**  
Draft Scarborough Borough Local Plan

**Background Papers are available for inspection at:**

<http://scarborough.objective.co.uk/portal>

# Agenda Item 7

## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 30/07/14

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**Application No:** 14/00383/MOUT  
**Application Site:** Land To North Of Sutton Grange Langton Road Norton Malton North Yorkshire  
**Proposal:** Erection of 15no. dwellings (site area 0.7ha)

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9

**Application No:** 14/00511/MFUL  
**Application Site:** Linton Mill Wintringham Malton YO17 8HP  
**Proposal:** Change of use of 2no. steel portal framed sheds from commercial warehousing to agricultural storage.

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10

**Application No:** 14/00574/MFUL  
**Application Site:** Musley Bank Stables Musley Bank Malton North Yorkshire YO17 6TD  
**Proposal:** Erection of stabling buildings with ramp, toilet block, temporary portable office building and horse treadmill building (revised details to part of approval 08/00630/MFUL dated 01.10.2008) - part retrospective application.

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11

**Application No:** 07/01162/FUL  
**Application Site:** S A Bell Old York Road Barton Hill York YO60 7JX  
**Proposal:** Change of use of building to include Use Class B1 (light industrial) in addition to existing Use Class B8 (storage and distribution)

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12

**Application No:** 13/00551/FUL  
**Application Site:** Land At Dotterel Farm Main Road Weaverthorpe Malton North Yorkshire  
**Proposal:** Erection of 1no. 55m high (overall tip height 81m) 500kw wind turbine to generate electricity for the National Grid with associated sub station, crane pad, access track and temporary construction compound.

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## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 30/07/14

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13

**Application No:** 13/00850/FUL

**Application Site:** Land To West Pasture Road Weaverthorpe Malton North Yorkshire

**Proposal:** Erection of 1no. 40m high (overall tip height 67m) 500kw wind turbine to generate electricity for the benefit of the local community with associated crane pad, transformer kiosk, access track, vehicular access and 40.5m high temporary meteorological monitoring mast.

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14

**Application No:** 13/00851/FUL

**Application Site:** Land To North Of Main Road Weaverthorpe Malton North Yorkshire

**Proposal:** Erection of 1no. 40m high (overall tip height 67m) 500kw wind turbine to generate electricity for the benefit of the local community with associated crane pad, transformer kiosk, access track, vehicular access and 40.5m high temporary meteorological monitoring mast.

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15

**Application No:** 14/00315/FUL

**Application Site:** Land South Of Street Lane Pickering North Yorkshire

**Proposal:** Erection of an agricultural building for the housing of livestock and storage of machinery and feed, together with formation of additional hardstanding.

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16

**Application No:** 14/00362/FUL

**Application Site:** Three Tuns Inn Main Street West Lutton Malton North Yorkshire YO17 8TA

**Proposal:** Change of use and alterations of public house to form a 4 bedroom dwelling.

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17

**Application No:** 14/00458/FUL

**Application Site:** Poplar House Farm Leppington Lane Leppington Malton North Yorkshire YO17 9RL

**Proposal:** Erection of an agricultural livestock building for calf housing

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**APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL**

**PLANNING COMMITTEE - 30/07/14**

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**18**

**Application No:** 14/00593/FUL

**Application Site:** Village Farm Goose Track Lane West Lilling YO60 6RP

**Proposal:** Demolition of existing dwelling and agricultural buildings to allow erection of 1no. four bedroom replacement dwelling with detached double garage, erection of two storey and single storey extensions to existing farmhouse to form a five bedroom dwelling following demolition of single storey outbuildings and erection of a terrace of 3no. three bedroom dwellings with block of 3no. detached garages

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**19**

**Application No:** 14/00695/FUL

**Application Site:** Ropery House RDC Area Office The Ropery Pickering North Yorkshire YO18 8DY

**Proposal:** Installation of automatic doors to west elevation to replace existing manual doors.

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**20**

**Application No:** 14/00699/FUL

**Application Site:** Ryedale Swimming Pool Mill Lane Pickering North Yorkshire YO18 8DJ

**Proposal:** Replacement of existing hardwood windows on south elevation with aluminium double glazed units and replacement of UPVC windows in bay window with aluminium double glazed units together with installation of flat roof on bay window.

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## 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

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**Item Number:** 8  
**Application No:** 14/00383/MOUT  
**Parish:** Norton Town Council  
**Appn. Type:** Outline Application Major  
**Applicant:** Mr David Tatham  
**Proposal:** Erection of 15no. dwellings (site area 0.7ha)  
**Location:** Land To North Of Sutton Grange Langton Road Norton Malton North Yorkshire

**Registration Date:** 1 April 2014                      **8/13 Week Expiry Date:** 1 July 2014  
**Case Officer:** Shaun Robson                      **Ext:** 319

#### CONSULTATIONS:

<b>Public Rights Of Way</b>	Contributions Advised
<b>Parish Council</b>	Recommend refusal
<b>Property Management</b>	Contributions required
<b>Countryside Officer</b>	No objection subject to conditions
<b>Land Use Planning</b>	No objections
<b>Housing Services</b>	No objection
<b>Building Conservation Officer</b>	No objection, recommend conditions
<b>North Yorkshire Education Authority</b>	Contributions required
<b>Tree &amp; Landscape Officer</b>	Recommend conditions
<b>National Grid Plant Protection</b>	No views received to date
<b>Building Conservation Officer</b>	No views received to date
<b>Sustainable Places Team (Yorkshire Area)</b>	No consultation required
<b>Archaeology Section</b>	No known archaeological constraints
<b>Housing Services</b>	No views received to date
<b>Forward Planning &amp; Conservation</b>	No views received to date
<b>Highways North Yorkshire</b>	Recommend previous conditions
<b>Mr Jim Shanks</b>	No further comments to add

**Neighbour responses:** Mrs Myers,Sally    McGibbon,Alison    Tuer,Charlotte  
McGibbon,Jackie    McGibbon,S    Munroe,P J    Gray,Stone  
And Bean Associates,Jean    Thorpe M.B.E.,Mrs S  
Goodchild,Mrs Christine    Davenport,K.B & J    Fisher,Mr  
Barker,Mrs J Power,A    Henderson,E M    Shaw,Margaret  
Mackinder,  
**Overall Expiry Date:** 30 June 2014

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This application was deferred at the Planning Committee on the 1 July 2014 in order for Members of the Planning Committee to undertake a site inspection.

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PLANNING COMMITTEE

30 July 2014

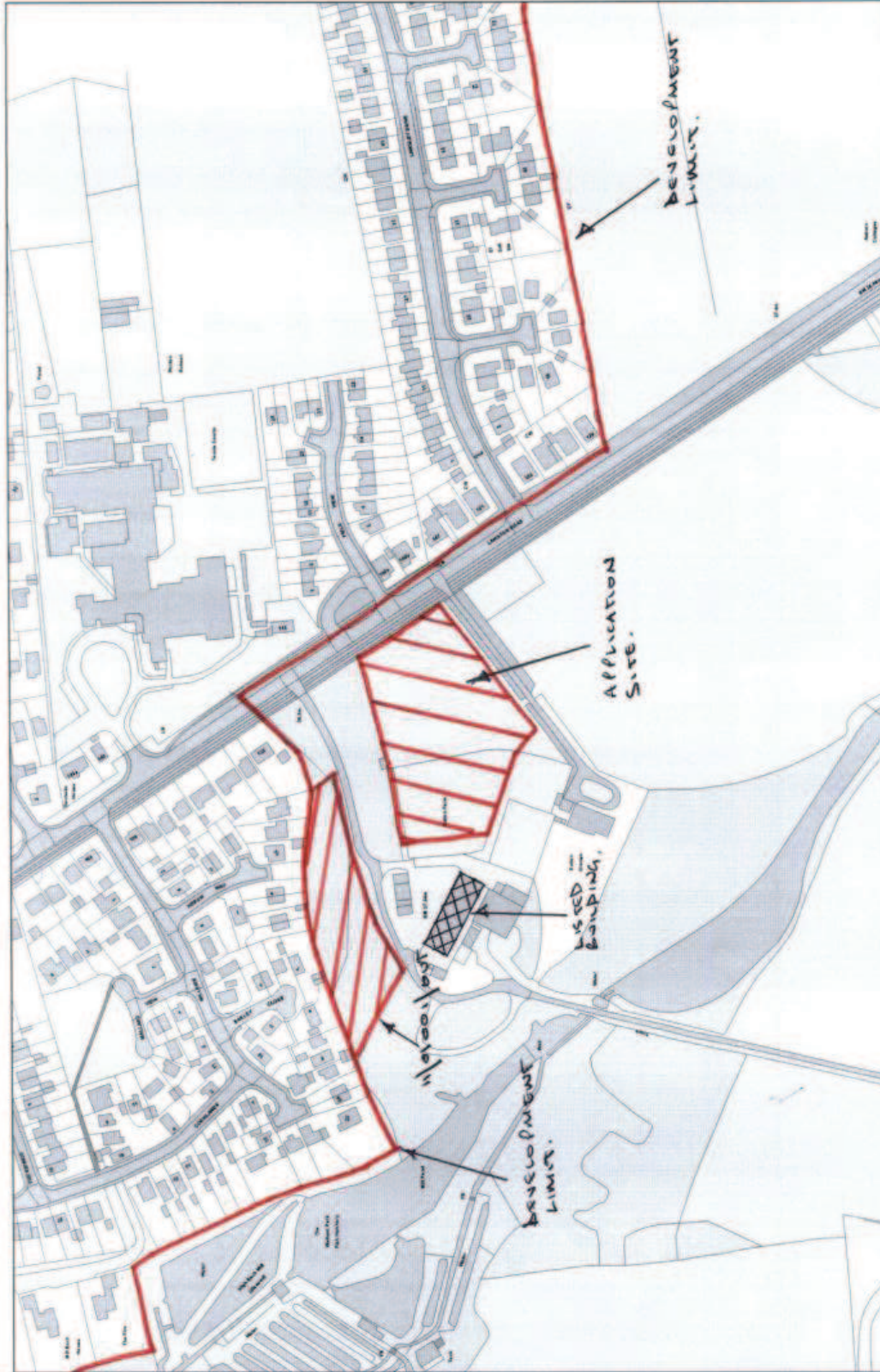
Members are asked to refer to the papers attached for the previous report details of the proposal, the officer report, objections and Town Council comments. Following the publication of the late pages and the Committee, 6 further responses have been received on behalf of and from residents. The comments raised reflect those comments already received and do not raise any further issues.

**RECOMMENDATION:                      Refusal**

- 1            The proposed development by reason of its proximity to Sutton Grange Barn would result in an unacceptable level of harm to the setting and character of the Listed Building. Insufficient public benefits are derived from the development that outweighs the harm to the designated asset. The application is therefore considered to be contrary to Policy SP12 of the Ryedale Plan - Local Plan Strategy and the provisions of Section 12 of the National Planning Policy Framework, specifically paragraphs 129, 131, 132, 133, 134 and the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Background Papers:**

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



Date: 23 June 2014  
 SLA: Not Set  
 Scale: 1:2500

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# Agenda Item 9

**Item Number:** 9  
**Application No:** 14/00511/MFUL  
**Parish:** Wintringham Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** T Mason Services Ltd. (Mr Tom Mason)  
**Proposal:** Change of use of 2no. steel portal framed sheds from commercial warehousing to agricultural storage.  
**Location:** Linton Mill Wintringham Malton YO17 8HP

**Registration Date:**  
**8/13 Wk Expiry Date:** 7 August 2014  
**Overall Expiry Date:** 6 August 2014  
**Case Officer:** Shaun Robson **Ext:** 319

## CONSULTATIONS:

**Sustainable Places Team (Yorkshire Area)** No response received to date  
**Parish Council** No response received to date  
**Highways North Yorkshire** Recommend conditions  
**Environmental Health Officer** Concerned with potential change of use to livestock building - recommend conditions  
**Land Use Planning** No comments required by Yorkshire Water  
**Neighbour responses:** None

.....

## SITE:

The application site comprises two existing 'agricultural style' buildings at Linton Mill, which previously operated as an agricultural holding and a warehouse.

The buildings are of a similar height with a variation in the floor space of the buildings, 1771.6 and 1051.2 square metre internal floor space.

The site is outside the development limits of any defined settlement, as such, it lies within the open countryside. It is also within Flood Zones 2 and 3.

## PROPOSAL:

The proposal seeks planning permission for the change of use of the existing steel portal framed sheds from commercial warehousing to storage of agricultural machinery/equipment.

## HISTORY:

09/00335/FUL Change of use and alteration of former mill buildings and attached offices to form 2no. three bedroom dwellings and 2no two bedroom dwellings with amenity/parking areas and alteration of existing vehicular access – WITHDRAWN 12.01.2012

06/00798/73 Variation of Condition 05 to allow the premises to be additionally used for general parcel/pallet distribution and Variation of Conditions 07 and 08 to allow the times stated to be amended from Monday to Saturday 08.00 - 18.00 to Monday to Saturday 07.00 - 22.00 (approval 3/153/2J/FA dated 24.03.1995 refers) – REFUSED 25.09.2006



- 3/153/2L/FA Amendment to working housing (from 0800 - 1800 to 0700 - 2000 hours) and vehicle weight restrictions (from 1.5 tonnes un-laden to 7.5 tonnes gross vehicle weight) imposed by Condition 07 and 08 of decision 3/153/2J/FA – REFUSED 19.06.1995
- 3/153/2K/FA Erection of extension and alterations to office block – APPROVED 27.03.1995
- 3/153/2J/FA Erection of a double span warehouse (1778SM) and extension to existing warehouse (384SM) – APPROVED 24.03.1995
- 3/153/2H/FA Cladding of existing warehouse – APPROVED 24.05.1994
- 3/153/2G/FA Change of use and alteration of Brick Mill buildings to form 3 houses and demolition of fabricated Mill Buildings and erection of four detached houses and garages – REFUSED 04.03.1993
- 3/153/2E/PA Construction of a mill extension to house blending system – APPROVED 07.08.1984
- 3/153/2D/PA Erection of a building to house machinery used in the manufacture of animal food stuffs – APPROVED 14.08.1980
- 3/153/2C/PA Erection of agricultural building for the storage of animal feeds – APPROVED 30.10.1979
- 3/153/2B/PA Construction of an agricultural building for the storage of animal feeds – APPROVED 01.08.1977
- 3/153/2A/PA Extension to existing site to increase bulk storage – APPROVED 07.05.1976
- 3/153/2/PA Erection of Boythorpe Cropstore – APPROVED 03.09.1974

**POLICY:**

National Planning Policy

National Planning Policy Framework  
National Planning Practise Guidance

Ryedale Plan - Local Plan Strategy

Policy SP6 – Delivery and Distributing of Employment Land and Premises  
Policy SP9 – The Land-Based and Rural Economy  
Policy SP13 – Landscapes  
Policy SP16 – Design  
Policy SP20 – Generic Development Management Issues

**PUBLICITY:**

No responses received.

**APPRAISAL:**

The main material considerations in relation to this application are:

- Principle of development in policy terms
- Impact on the character of the area

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**PLANNING COMMITTEE**  
30 July 2014

- Impact of development on residential amenity
- Impact on highway safety; and
- Flooding

#### Principle of development

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.

Policy SP6 of the Ryedale Local Plan supports employment proposal in the wider open countryside, specifically it states:

*“Expansion land for existing major employers/established businesses; small scale conversion of existing buildings of new buildings to support appropriate rural economic activity...”*

Policy SP9 of the Ryedale Local Plan Strategy also supports the land-based economy, specifically it supports the conversion of existing buildings to sustain the rural economic activity.

#### Impact on the character of the area

The application site is located within the open countryside and despite the size of the buildings are screened approaching the site from the east and west.

Given that the proposal involves the use of the internal area of the buildings, officers do not considered that the proposal will have a detrimental impact on the surrounding area. No security lighting is proposed.

In terms of the landscape impact, the landform of the area is generally flat but as stated the site is already well screened.

It is considered, therefore, that the development is not contrary to Policy 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 dwelling to the north and east of the site.

The previous use of the site as general warehousing operated within limited hours of operation, from 08.00-18.00hrs. That use is considered to be fundamentally different to the current proposal. However, in order to ensure that the proposal does not have a detrimental impact on the identified residential properties the Environmental Health Officer (EHO) has been consulted. A formal response has yet to be received from the EHO and Members will be updated in either the late pages or verbally at Committee.

#### Impact on highway safety

In terms of highway safety, the highway authority has been consulted and raised no objection to the application subject to the imposition of a condition.

Therefore the development is amended to be acceptable in highway terms.

### Flooding

The application site is located in flood zone 2 and 3 on the Environment Agency's flood map.

The NPPF states that buildings or land used for agricultural purposes are classified as less vulnerable development and these are considered to be compatible uses in flood zones 2 and 3.

The Environment Agency has been consulted but has yet to formally respond. Members will again be updated in the late pages or verbally at the committee.

### Conclusion

In view of the above, the recommendation is one of approval.

### **RECOMMENDATION:                      Approval subject to the views of statutory consultees**

- 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            There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility to the extremities of land shown in blue as being under the control of the applicant with the public highway Main Street, Wintringham from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policy SP16 and SP20 of the Ryedale Plan – Local Plan Strategy and in the interests of road safety.

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

Site Layout Plan dated stamped 8th May 2014.

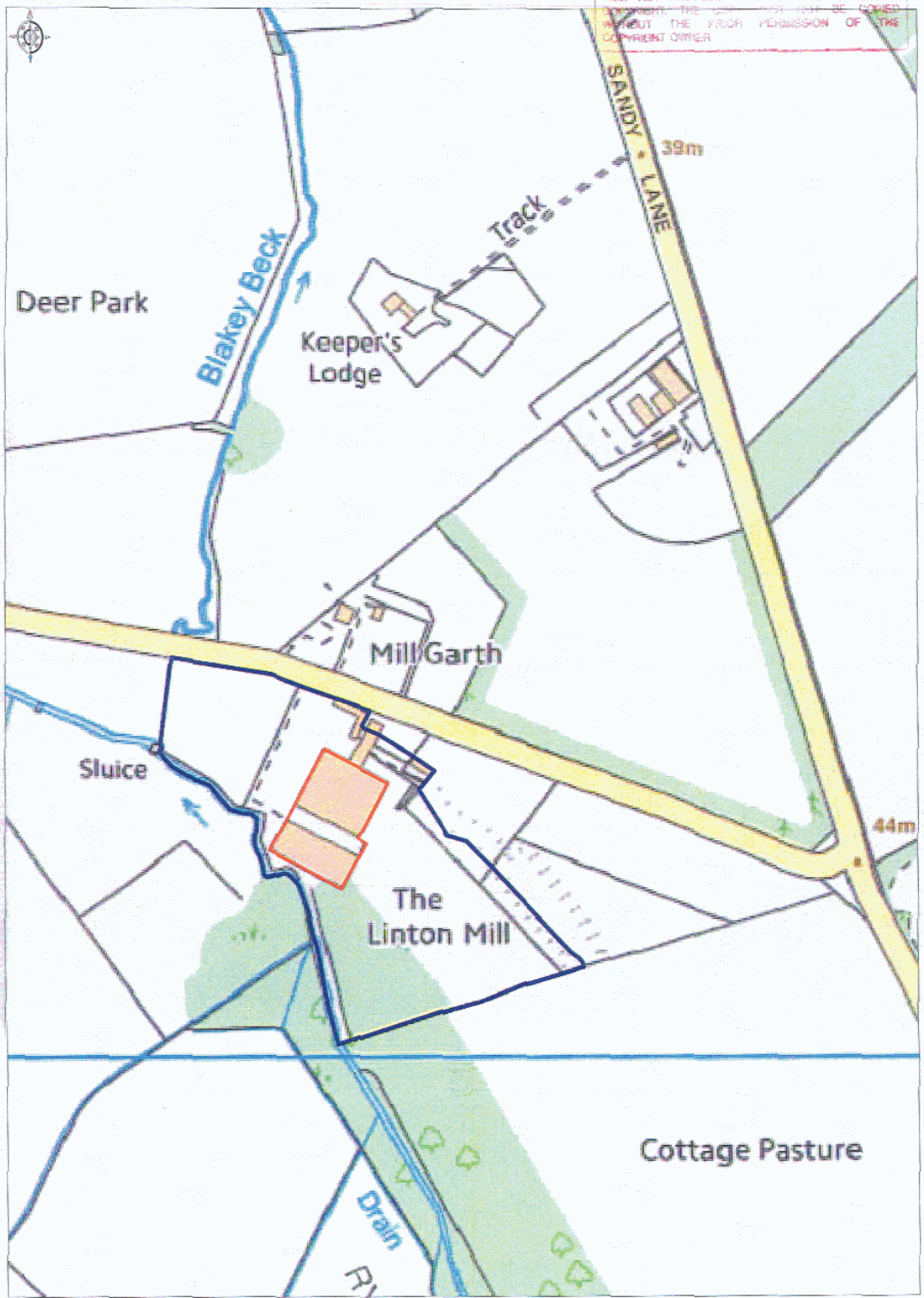
Reason: For the avoidance of doubt and in the interests of proper planning.

### **Background Papers:**

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

Linton Mill - Site Location Plan

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RYEDALE DISTRICT COUNCIL  
DEVELOPMENT  
MANAGEMENT  
14/05/11  
8 MAY 2014





**George F. White**  
MAXIMISING VALUE

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YO17 7HH

Direct Dial: 01430 876016  
Mobile: 07894 096226  
Email: killiangallagher@georgefwhite.co.uk  
Our Ref: KG/CN/SHP900792  
Your Ref:  
Date: 08th May 2014

RECEIVED  
14/05/14/MFC  
- 8 MAY 2014  
DEVELOPMENT  
MAY

Dear Sir / Madam

**CHANGE OF USE PLANNING APPLICATION: LINTON MILL, WINTRINGHAM, MALTON YO178HP**

Please find enclosed a planning application to change the use of two steel portal frames sheds and associated curtilage from commercial warehousing to agricultural use at a property known as Linton Mill near Wintringham. The application is submitted on behalf of T. Mason Services Ltd.

The application comprises the application forms (the application has been submitted online via the planning portal), certificates, a site location plan and a site layout plan prepared by George F White and a cheque made payable to Ryedale District Council for the sum of £385 by way of the planning application fee.

The gross internal floor space of the larger shed is 1771.6 sqm and the second provides 1051.2 sqm floor space.

The owner of the buildings wishes to change their use from commercial warehousing to agricultural storage. It is our view that the proposed use would represent a de-intensification of the site and present an improved residential amenity to those living in the vicinity of the site. The buildings have lain empty for many months and the previous owners struggled to find tenants due to the restrictive operating conditions of the site.

The owner is involved in agriculture and would use the buildings to complement the existing agricultural business, mainly for the storage of agricultural produce and equipment.

The applicant spoke to Mr Shaun Robson of the Council's planning department on an informal basis about the proposed change of use. We have also consulted the Ryedale Plan and feel that the proposed development is policy compliant.

A member of the George F White Group  
Northumberland, Alnwick 01665 603231  
County Durham, Wolsingham 01388 527886  
County Durham, Barnard Castle 01833 890390  
North Yorkshire, Bedale 01677 425301  
East Yorkshire, Shiptonthorpe 01430 876010  
London 0207 409 8307  
Regulated by RICS

George F. White Limited Liability Partnership  
Registered in England & Wales No: OC304694  
A list of members' names is open to inspection at our  
Registered Office: 4-6 Market Street, Alnwick, Northumberland NE66 1TL



**Flood Risk**

The site is located in flood zone 2 as set out in the Environment Agency's most recent flood map. An extract is provided below.

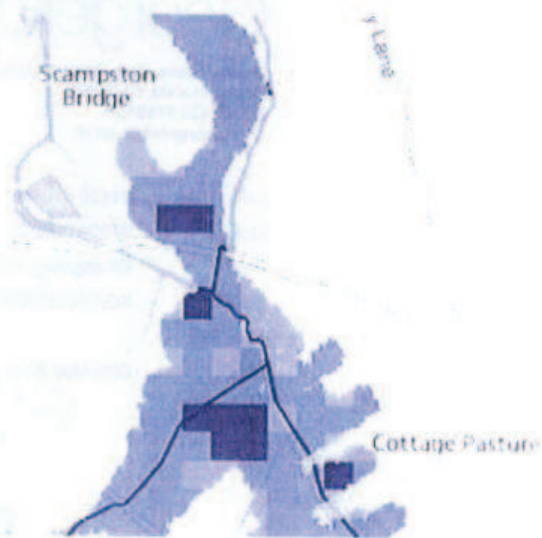


Image 1: Extract Environment Agency flood map. Source; <http://watermaps.environment-agency.gov.uk/>

The National Planning Policy Framework and its Technical Guidance state that buildings or land used for agricultural purposes are classified as less vulnerable development which is considered compatible in flood zones 2 and 3. There is therefore no requirement to prepare a sequential or exception test.

In addition, no built development is proposed. As such the proposed change of use does not raise any concerns in flood risk terms.

Please feel free to contact us with any queries. We will in any event be in touch in the coming weeks to discuss the planning application.

Yours Sincerely

Killian Gallagher BA (Hons) MRUP MRTPI  
Planning Consultant

For and on behalf of George F White LLP

# Agenda Item 10

**Item Number:** 10  
**Application No:** 14/00574/MFUL  
**Parish:** Huttons Ambo Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** R F Racing Ltd (Mr Richard Fahey)  
**Proposal:** Erection of stabling buildings with ramp, toilet block, temporary portable office building and horse treadmill building (revised details to part of approval 08/00630/MFUL dated 01.10.2008) - part retrospective application.  
**Location:** Musley Bank Stables Musley Bank Malton North Yorkshire YO17 6TD

**Registration Date:**  
**8/13 Wk Expiry Date:** 26 August 2014  
**Overall Expiry Date:** 11 July 2014  
**Case Officer:** Alan Hunter **Ext:** Ext 276

## CONSULTATIONS:

<b>Parish Council</b>	Object
<b>Archaeology Section</b>	Representations received
<b>Tree &amp; Landscape Officer</b>	Recommends implementation of landscaping scheme form previous application and attachment of similar condition
<b>Countryside Officer</b>	Updated ecological assessment required
<b>Highways North Yorkshire</b>	No objection
<b>Land Use Planning</b>	No comments required
<b>Highways Agency (Leeds)</b>	No objection
<b>Howardian Hills AONB JC</b>	Comments made
<b>Environmental Health Officer</b>	Recommend conditions

**Neighbour responses:** John M Drummond, Mr I Brisby, Mr S M Newby,

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## SITE:

Musley Bank Stables are situated west of Malton close to the western access point on/off the A64. The stables are used for racehorse training purposes and have long been established, although expanded in the recent past.

The complex sits on the lower slope of Musley Bank and comprises stabling, storage buildings, horse walkers, staff accommodation, a trainer's house, paddocks and circulation space. Access is via the slip road close to the western A64 junction.

Residential properties abut the site on its eastern side.

## PROPOSAL:

Planning permission is sought for the erection of a stabling building with ramp, toilet block, temporary portable office building and horse treadmill building (revised details to part of approval 08/630/MFUL dated 01.10.2008).

The main changes are:

1. The introduction of a horse treadmill approximately measuring 4.6m by 12.3m and 4.5m to the ridge height. It is proposed to erect this from brickwork and Yorkshire Boarding under a slate grey corrugated sheeted roof.

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**PLANNING COMMITTEE**  
**30 July 2014**



2. The introduction of a toilet block approximately measuring 3.5m by 5.4m and 3.4m to its highest point (retrospective application). This is constructed of brick under a slate roof.
3. A temporary office building that will approximately measure 14.4m by 4m and 3.5m to its highest point (retrospective application). The building is of metal construction finished in dark green.
4. Revisions to an approved stabling building in terms of its siting, scale, and design. The proposed will approximately measure 84.5m by 13.39m and be 4m to the eaves height and 5.6m to the ridge height (retrospective application). The building is constructed of blockwork to 1.2m with Yorkshire Boarding above under a slate grey corrugated sheet roof. The design includes two open covered areas.

The stabling building is located in the middle of the complex of buildings with its roof ridge running west-east. The proposed treadmill building is to be located between the proposed stabling building and an adjoining building. The office building and toilet building are proposed to be located on the western side of the complex.

### **HISTORY:**

1990: Change of use of stud farm to racehorse training establishment - Approved

2004: Erection of accommodation block for stable staff - Approved

2004: Erection of dwelling - Restricted Approval

2006: Erection of replacement stable block – Approved

2008: Erection of stabling buildings, veterinary and storage buildings, covered exercise track for horse schooling and assessment, additional horsewalkers, building to form staff welfare facilities, administration facilities and owners suite and formation of associated parking and access road - Approved

### **POLICY:**

#### National Policy Guidance

National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance (NPPG) 2014

#### Local Plan Strategy – adopted 5 September 2013

Policy SP9 - The Land Based and Rural Economy

Policy SP12 – Heritage

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP16 – Design

Policy SP19 – Presumption in favour of sustainable development

Policy SP20 – Generic Development Management Issues

### **APPRAISAL:**

This application arose as a result of an Enforcement investigation following complaints. Members are advised that this is a 'Major' application and a decision on the application has been made on or before 26 August 2014, this being the only Committee meeting available to determine this application.

Three of the components on this application have been built and in this respect the proposals are 'retrospective'. It is important to advise Members that the fact these developments have been completed already, is not a material planning consideration.

The proposed development is an expansion of a well established racehorse training yard situated within the Howardian Hills Area of Outstanding Natural Beauty (AONB).

The main issues are considered to be:-

- the size, scale, siting and design of the proposed buildings and their impact on the AONB;
- archaeology;
- biodiversity/ecology;
- impact on neighbouring property; and
- access and highway safety.

The proposed development relates to the expansion of an established racehorse trainer's yard which in principle is supported by Policy SP9 of the Local Plan Strategy.

#### Proposed Stabling building

Members are advised that there is an extant planning permission granted in 2008 for a stabling building on this site, this measured 14m in width and 90m in length and 3.7m to the eaves height and 7m to the ridge height. The agent has stated that due to constraints with ground levels and the interrelationship between the stabling building and the adjacent covered horse schooling area it was not possible to build the stabling building in the approved location. The proposed building will approximately measure 84.5m in length and 13.39m in width and 4m to the eaves height and 5.6m to the ridge height. The current proposal is therefore 5.5m shorter in length and 0.6m shorter in width, and 1.4m lower at its ridge height.

The proposed building is also located approximately 12m to the north eastern side of the approved location. The nearest property outside of the applicant's ownership, Grooms Cottage, the approved building was 41m from and the proposal is 31m from Grooms Cottage. The design previously had a louvered design feature across its roof ridge. The current proposal does not include this design detail. Instead, it features a simple pitched roof representative of other agricultural/equestrian buildings in the District.

It is understood that trees were removed from the site in order to facilitate the siting of the proposed building; however there was no protection afforded to these trees. It was also clear from the site inspection that there have been some re-grading of land levels between the location of the proposed stabling building and the exercise building to the south. However, this area is also contained between existing buildings on an existing slope and not readily visible from public vantage points, with the exception of the public footpath and bridleway within an adjacent to the site.

In summary, and in view of the extant permission, the siting, scale and design of the proposed stabling building is considered to be acceptable. It is considered that additional planting is required to integrate the proposal into the surrounding landscape. A landscaping condition was also imposed previously for this purpose.

#### Proposed new treadmill building

The proposed treadmill building is the only part of the application that is not retrospective. It is proposed to be located between the proposed stabling building and an existing stabling building. It is proposed to be clad in identical materials to that of the proposed stabling building. In view of its discrete location between existing buildings, and its lower roof height, the proposal is considered in terms of its siting, scale, and design.

#### Proposed toilet block

The proposed toilet block is constructed of brick and slate and located adjacent to existing buildings on the western side of the complex of buildings. There is considered to be no objection to the siting, scale or design of this part of the proposal.

#### Proposed temporary office building

The proposed office building is metal portakabin, and the applicant is seeking its use for a temporary period before he completes the remainder of the development approved on the 2008 planning permission. This building is located adjacent to existing buildings and for a temporary three-year period this proposal is considered to be acceptable.

#### Landscape impact

Whilst the economic benefits of the proposed expansion are important considerations with the retention and expansion of employment, and the local economic spin-off being material considerations. The site is within an environmentally sensitive area; the Howardian Hills AONB. The applicant states that he employs 70 members of staff, and the agent states that the training yard is nationally recognised.

Policy SP13 and NPPF attach importance to the protection of the Howardian Hills Area of Outstanding Natural Beauty. The whole site slopes significantly from north to south. The proposed development is located within the established complex of buildings. A Landscape Assessment submitted with the 2008 application concluded that development would not result in a significant change in the landscape. This view was formed on the basis that there are limited long/medium range views of the site from public areas, although a public footpath runs adjacent to the development. Natural screening from landform and tree and hedgerows make the site generally secluded. In addition, the site currently accommodates significant buildings and the previously approved development would be integrated into this existing built form and utilises land which benefits from good screening. The main changes from the proposed development relates to the stabling building being slightly smaller and lower and being approximately 12m to the north east. This proposed building nevertheless is read as part of a tight group of buildings. The building will be located on slightly higher ground than the approved building and there is no doubt that there has been some re-grading of the land between the stabling building and the exercise building to the south. The Joint Advisory Council to the Area of Outstanding Natural Beauty (AONB) has no objection to the proposals and recommends a condition regarding additional planting to soften the impact of the proposed buildings. It is therefore considered that the proposed development will not have a material adverse effect upon the special scenic quality of the surrounding landscape.

#### Archaeology

A condition was imposed on the 2008 permission in respect of ground disturbance work and potential archaeology. That condition was discharged by the Local Planning Authority and a report prepared by MAP Archaeology. In the circumstances the County archaeologist has recommended a condition regarding the ground disturbance works arising from the development not already undertaken (the proposed treadmill building).

### Protected species

The Council's Countryside Management Officer has requested an ecological survey of the site due to the group of nearby ponds. This survey is currently outstanding and Members will be updated at the meeting. Discussions with the Countryside Management Officer confirm the aim of the survey is to obtain environmental enhancements and not necessarily related to the principle of the developments. In this respect, if the survey has not been received when the application is debated by Committee, and members are minded to approve the application this issue could be delegated to Officers.

### Residential amenity implications

It was stated on the 2008 committee report:

*'The nearest neighbour abuts the site on its eastern side and is already subjected to a level of disturbance resulting from the operation of the existing yard. Whilst the proposal will probably increase activity on the site, the new access to the site, by the formation of a road running alongside the southern side of the proposed training ring, will bring about an alternative and better means of access. This should lessen vehicle movements in the vicinity of the neighbour.'*

The proposed stabling building will be approximately 12m closer to Grooms Cottage, (giving a separation distance of 31m) than the approved building. Part of the eastern side of the building will be visible from Grooms Cottage and Musley Bank House. The block plan also indicates that there was a building that existed previously where the eastern side of the proposed building is located. However there is no right to a view, and the view from these properties is not a material planning consideration. The proposed treadmill building, office building and toilet building is not considered to give rise to a material adverse effect upon the amenities of nearby properties.

After discussion with the agent it is understood that the southern access arrangement which has been created, is used by all vehicles entering and leaving the site, with the exception of the horse transporters. The larger Horse Transporter vehicles, due to turning and gradient constraints use the access point to the north of Mews Cottage and adjacent to Grooms Cottage. Objections have been made regarding the operation of vehicles leaving the site from this side and using the bridleway. Although, it is noted that the applicant does have a right of way across the bridleway. The agent has stated that the daily movements are approximately 4-8 a day along this bridleway.

The Environmental Health Officer has stated:

*"My main concerns about this type of development relate to the potential disturbance and loss of amenity to neighbouring residents from noise and smells from machinery and stable activities and animals and smoke from stable waste burning. I would therefore recommend that the applicant submits a plan for manure management to cover the storage and disposal of manure waste and noise management plan is provided to address noise from vehicle movements and deliveries, operation of external machinery (horse walkers/treadmill) and general work activities (this would centre around an agreed limitation of hours of operation)".*

It is apparent from the above, that when the 2008 application was approved it was accepted that there would be some noise and disturbance from the existing yard. This was because the racing yard was existing and the proposals were an expansion of the existing yard. However, it would appear that the current operations are giving rise to amenity concerns from the adjoining properties. Before concluding on this aspect, discussions are on-going with the agent to establish if it's possible to agree:

- an internal loop arrangement for vehicles on site to ensure all movements are routed through the newly created southern access point;
- an hours of use arrangement;
- and a noise plan relating to on-site operations, and deliveries.

In trying to negotiate with the agent, Members should also note that the applicant has an extant planning permission for a slightly larger building in a similar location (without such controls) to which the associated impacts for residents could be the same as the current situation.

#### Access and highway safety

The access to the site from the Highway will remain as existing and both the Highway Agency, responsible for the A64(T), and North Yorkshire County Council have not raised any objection to the proposal. The movements to and from the site will be very similar to the extant planning permission on the site. The application site is located within a reasonable distance from Malton with good public transport links. The access to the site is owned by a neighbour and it is understood that the applicant has rights over the access. The objections raised state that the access road requires maintenance and a request for an S106 agreement for this purpose has been made. Given that the access track is privately owned, there is considered to be no legitimate basis to insist on a S106 agreement regarding the maintenance and condition of the private road. This is a civil issue between the respective landowners.

#### Other issues raised

The Parish Council (Huttons Ambo) has objected and there have been objections from three other parties, these letters are available to view online under the application reference number. The following issues have been raised:

1. The applicant did not own the land within the red line.
2. The position of other buildings/structures within the site and shown on the block plan are not accurate;
3. Objections to the siting, design and scale of the proposed stabling building;
4. The use of the private access to the highway from Musley Bank Stables;
5. Position of the horsewalker;
6. Burning of waste and refuse collection;
7. The routing of vehicles around the complex and the use of the access and bridleway on the eastern side to the south of Grooms Cottage;
8. Whether there is sufficient on-site parking;
9. The applicant's alleged disregard to planning legislation;
10. Removal of trees;
11. Other alleged breaches of planning control.

The Parish Council has also stated that it supports the points raised by the occupiers of Grooms Cottage and Musley Bank House. The Parish Council has also suggested that any new conditions imposed should be strictly enforced.

The following suggested remedies have been suggested by the local residents objecting to the proposals:

1. Access and vehicle routing
2. Restrictions on burning of waste
3. A reduction in the size of the building on the eastern side;
4. A landscaping plan
5. Measures to address the condition and management of the roadway.
6. Designated areas within the site for specified uses; a new barn storage area; a HGV parking area; a vehicle wash bay; a manure store; a grease pit; a fuel depot; perimeter loading bay; bio-security fencing around vulnerable areas.

The agent has amended the application by extending the red up to the public highway, and served notice on the owner on 18 July 2014. This is a procedural issue and the Local Planning Authority cannot issue a decision until 21 days after the serving of this notice. Although, given that the notice is served on an objector who originally raised this along with several other issues in their objection, it unlikely to generate additional objections to those already raised.

The positions of other structures on the site, which are not the subject of this application, are not relevant considerations on this proposal. It is considered that the block plan contains adequate information in order for the proposed developments to be assessed. It should be noted that this application solely relates to the proposed developments the subject of this application.

The above appraisal contains a detailed assessment of the impact of the proposed stable building. A reduction in the size of the building on the eastern side was discussed with the agent, and the applicant is not willing to reduce the size of this building. However, subject to the conditions recommended there is considered to be no grounds to refuse the application based on the proposed stabling building.

The trees removed from the site did not have any protection. A landscaping scheme is recommended to assist with integrating the proposals into the landscape.

The breaches of planning control do not represent a material planning consideration on this planning application.

The local Highway Authority has no objection to the parking provision on-site. The issue of the access to the site from the public highway and the condition of the access track has been addressed above. To confirm the condition of the access track is a civil issue and it is not a material planning consideration, there is therefore no requirement to insist on a s106 in this respect. A condition is recommended to prevent any burning on-site and to require a refuse management plan. The routing of vehicles around the site is not a material planning application.

This application cannot consider other alleged breaches of planning control. The Enforcement Officer has been made aware of these and issues and his investigations are ongoing.

The remedies proposed by the objectors in relation to the residential amenity impacts are being discussed with the agent and Members will be updated at the meeting.

In view of the above assessment and subject to the expiry of the ownership certificate and receipt of a satisfactory ecological report, the application is recommended for approval.

**RECOMMENDATION: Approval subject to the expiry of the ownership certificate and a satisfactory ecological report**

1 The Treadmill building 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 office building hereby permitted shall be removed and the land restored to its former condition at or before 30 July 2017 unless an extension of the period shall first have been approved in writing by the Local Planning Authority.

Reason:- The development permitted would be unacceptable on a permanent basis because of its temporary design and to protect the character and appearance of the Area of Outstanding Natural Beauty, and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

3 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.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 Before any part of the development hereby approved commences, 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 trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. 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 Policies SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 There shall be no means of external lighting associated with the development hereby approved, unless with the prior written approval of the Local Planning Authority.

Reason:- To ensure that the character and appearance of the area is not prejudiced by night time glare, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 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 no. PD141-02 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.

- 7 No development of the horse treadmill building shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:- The site is of archaeological interest and investigation/protection and observation of the site is required by the National Planning Policy Framework.

- 8 Within 3 months of the date of this permission, sa scheme for the storage and disposal of stable waste shall be submitted to and approved in writing by the Local Planning Authority. There shall be no burning of stable waste. Thereafter, stable waste shall be disposed of in accordance with the approved scheme.

Reason:- To ensure that stable waste is stored and disposed of in a manner which is not prejudicial to the local environment, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 Within 3 months of the date of this permission, full details of the means of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be completed in its entirety prior to any part of the scheme coming into use, unless with the prior written approval of the Local Planning Authority.

Reason:- In the interests of the satisfactory drainage of the site, to prevent pollution and to accordance with Policy SP18 of the Ryedale Plan - Local Plan Strategy.

- 10 There shall be no on-site burning of waste associated with this development.

Reason: In order to protect the amenity of adjoining neighbours and to satisfy Policy SP20 of the Ryedale Plan.

- 11 Within 3 months of the date of this permission a refuse management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details thereby agreed.

Reason: In order to protect the amenity of the adjoining neighbours and to satisfy Policy SP20 of the Local Plan Strategy.

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

Drawing No. PD141-01-B;  
Drawing No. PD141-02;  
Drawing No. PD141-03;  
Drawing No. PD141-04; and  
Drawing No. PD141-05

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



**Notes**

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Note: Point shown approximately.

The proposed layouts are subject to the following, although not exhaustive:

1. Structural Engineers Requirements.
2. Mechanical and Electrical Engineers Requirements.
3. Planning Requirements.
4. Planning approvals.
5. Building Regulations approvals.

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**OS SITE LOCATION PLAN**  
 (Scale 1:1250)

Client  
**R. F. RACING LTD**  
 MEWS HOUSE  
 MUSELY BANK, MALTON,  
 N YORKS, YO17 6TD

Job Title  
**PROPOSED DEVELOPMENT OF  
 RACEHORSE TRAINING CENTRE.**

**REVISED PLAN**

Drawing Title <b>OS SITE LOCATION PLAN</b>	
Scale 1:500 @ A1	Drawn R. W.
Date 07/05/2014	Checked

Drawing Number <b>PD141-01-B</b>
-------------------------------------

B	Amendable following planning comments	16.07.14
A	Amendable following planning comments	01.07.14
REP	AMENDMENT	DRAWN DATE

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 2. Mechanical and Electrical Engineers Requirements;  
 3. Drainage Requirements;  
 4. Building Regulations approvals.

1:048, 0:000  
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REF	AMENDMENT	DRAWN	DATE
CONTINUATION FROM SHEET PD141-01. REVISIONS AND DATE SHOULD COMMENCE WITH WORK OR MAKING ANY STOP DRAWINGS			

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Client  
**R. F. RACING LTD**  
 MEWS HOUSE  
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 N YORKS. YO17 6 TD

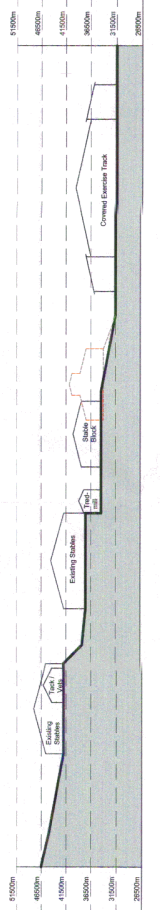
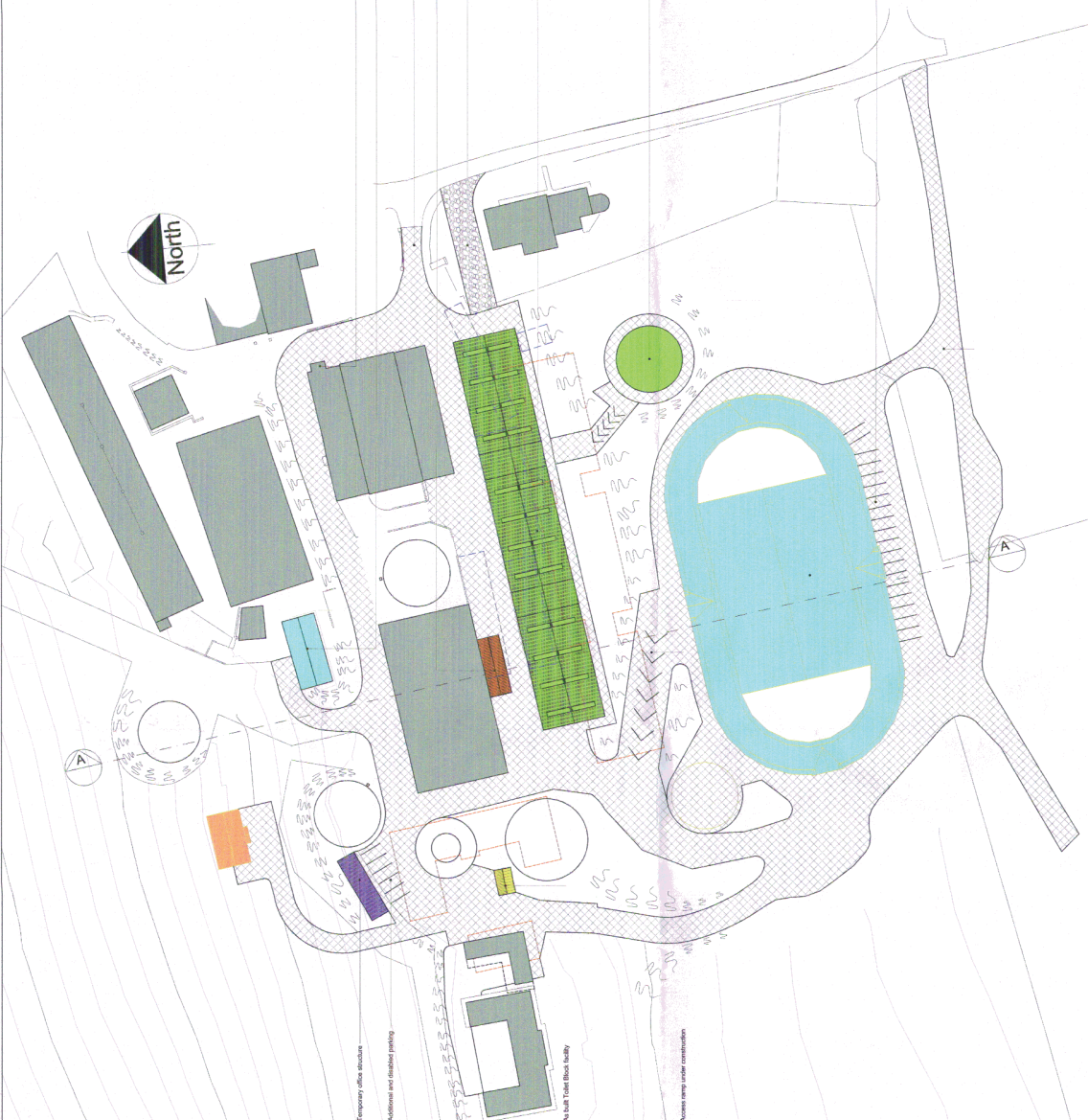
Job Title  
**PROPOSED DEVELOPMENT OF  
 RACEHORSE TRAINING CENTRE.**

Drawing Title <b>SITE BLOCK PLAN</b>	
Scale 1:500 @ A1	Drawn R.W.
Date 07.05.2014	Checked

Drawing Number  
**PD141-02**

- Key**
- Existing Buildings
  - Approved App; 04/00972/REM
  - Approved App; 08/00630/MFUL
  - Approved Under App; 08/00630/MFUL
  - Demolished Under App; 08/00630/MFUL
  - Currently under construction
  - Temporary Office Structure
  - Replacement Toilet Block
  - Proposed Treadmill Building
  - Existing and Proposed Handstanding

- Proposed site block used in construction of new facility
- Vehicle and storage building as approved under application 08/00630/MFUL
- Drainage Access
- Proposed Treadmill Building
- Temporary access to facilitate construction of new facility to be removed once work is complete
- Proposed stable building under construction as approved under application 08/00630/MFUL
- Existing and proposed ramp covers as approved under application 08/00630/MFUL
- Schooling and Training Building as approved under application 08/00630/MFUL
- Proposed parking spaces
- New access road as approved under application 08/00630/MFUL

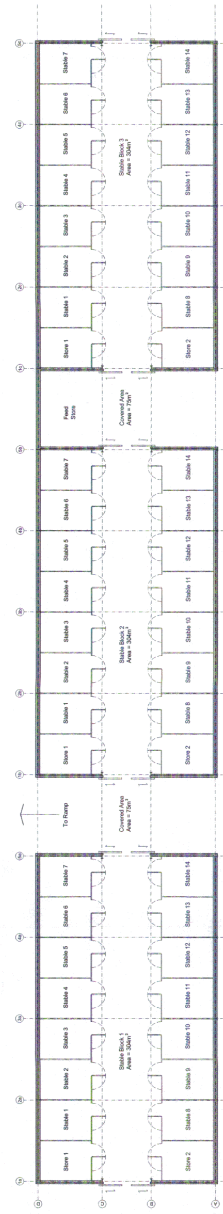


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 2. Mechanical Engineers Requirements.  
 3. Drainage Requirements.  
 4. Electrical Requirements.  
 5. Building Regulations approval.

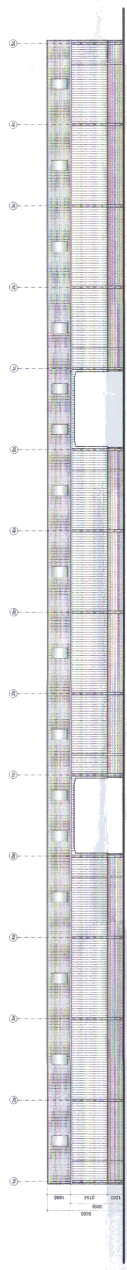
North Point shown approximately.

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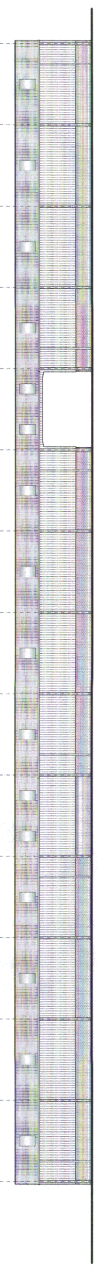
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2. Mechanical Engineers Requirements.
3. Drainage Requirements.
4. Electrical Requirements.
5. Building Regulations approval.



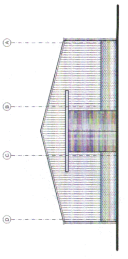
**GROUND FLOOR PLAN**  
 (Scale 1:150)



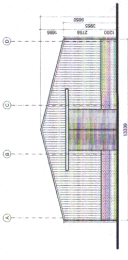
**NORTH ELEVATION**  
 (Scale 1:150)



**SOUTH ELEVATION**  
 (Scale 1:150)



**EAST ELEVATION**  
 (Scale 1:150)



**WEST ELEVATION**  
 (Scale 1:150)

REV	AMENDMENT	DATE

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 MEWS HOUSE  
 MUSELY BANK, MALTON,  
 N YORKS, YO17 6TD

Project:  
 PROPOSED DEVELOPMENT OF  
 RACEHORSE TRAINING CENTRE.

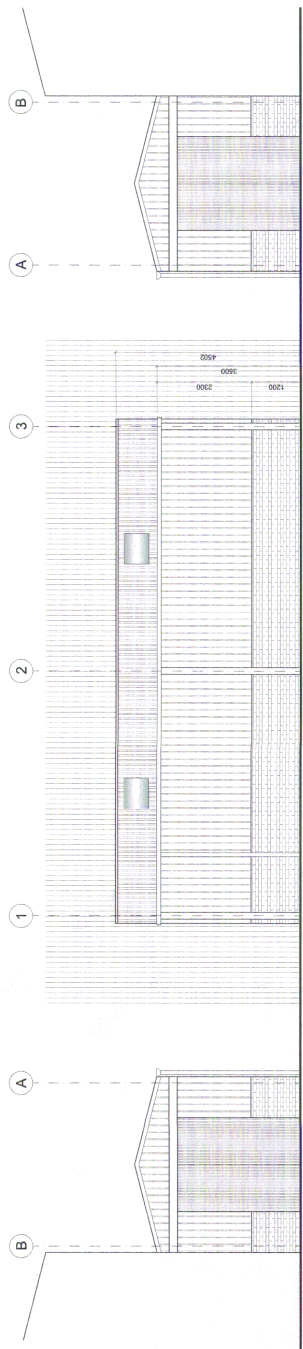
Issued For: <b>STABLE BLOCK FLOOR PLAN          AND ELEVATIONS</b>	
Scale	1:150 @ A1
Drawn	R. W.
Date	07.05.2014
Checked	

Drawing Number  
**PD141-03**

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 3. Drainage Requirements.  
 4. Electrical Requirements.  
 5. Building Regulations approval.

**REVISIONS**

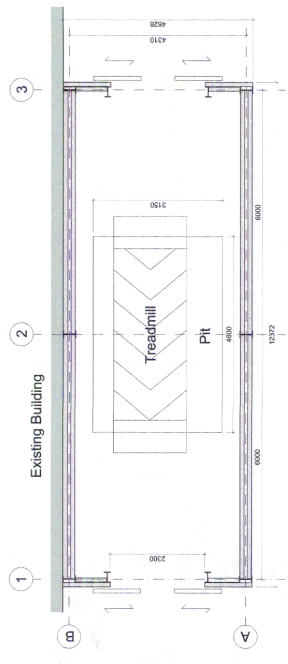
NO.	DATE	DESCRIPTION
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2	15/05/2014	ISSUED FOR PERMIT
3	15/05/2014	ISSUED FOR PERMIT
4	15/05/2014	ISSUED FOR PERMIT
5	15/05/2014	ISSUED FOR PERMIT
6	15/05/2014	ISSUED FOR PERMIT



**EAST ELEVATION**  
 (Scale 1:50)

**SOUTH ELEVATION**  
 (Scale 1:50)

**WEST ELEVATION**  
 (Scale 1:50)



**GROUND FLOOR PLAN**  
 (Scale 1:50)

REV	DESCRIPTION	DATE
1	CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS	

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**CLIENT:**  
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 N YORKS. YO17 6 TD

**PROJECT:**  
 PROPOSED DEVELOPMENT OF  
 RACEHORSE TRAINING CENTRE.

Drawing Title:  
**PROPOSED TREADMILL  
 BUILDING FLOOR PLAN AND  
 ELEVATIONS**

Scale: 1:50 @ A1  
 Date: 07/05/2014  
 Drawn: DRW/AGEN  
 Checked:

Drawing Number: **PD141-04**

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North Point shown approximately.

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2. Mechanical and Electrical Engineering Requirements.
3. Planning Requirements.
4. Planning Approval.
5. Building Regulations approval.

DATE: 07/05/2014

PROJECT: PROPOSED DEVELOPMENT OF RACEHORSE TRAINING CENTRE.

CLIENT: R. F. RACING LTD  
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RYEDALE DM  
7/19/14

DRIVING TITLE: TEMPORARY OFFICE DEVELOPMENT STRUCTURE AND AS BUILT TOILET BLOCK FLOOR PLAN AND ELEVATIONS

Scale: 1:50 @ A1  
Date: 07/05/2014  
Drawn: R. W.  
Checked:

Drawing Number: PD141-05

**SOUTH ELEVATION**  
(Scale 1:50)

**WEST ELEVATION**  
(Scale 1:50)

**NORTH ELEVATION**  
(Scale 1:50)

**EAST ELEVATION**  
(Scale 1:50)

**EAST ELEVATION**  
(Scale 1:50)

**WEST ELEVATION**  
(Scale 1:50)

**NORTH ELEVATION**  
(Scale 1:50)

**SOUTH ELEVATION**  
(Scale 1:50)

**FLOOR PLAN**  
(Scale 1:50)

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REV	DESCRIPTION	D.W.	D.T.
A	As amended following planning comments	R.W.	01.07.14

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 N YORKS, YO17 6TD

Project:  
 PROPOSED DEVELOPMENT OF  
 RACEHORSE TRAINING CENTRE

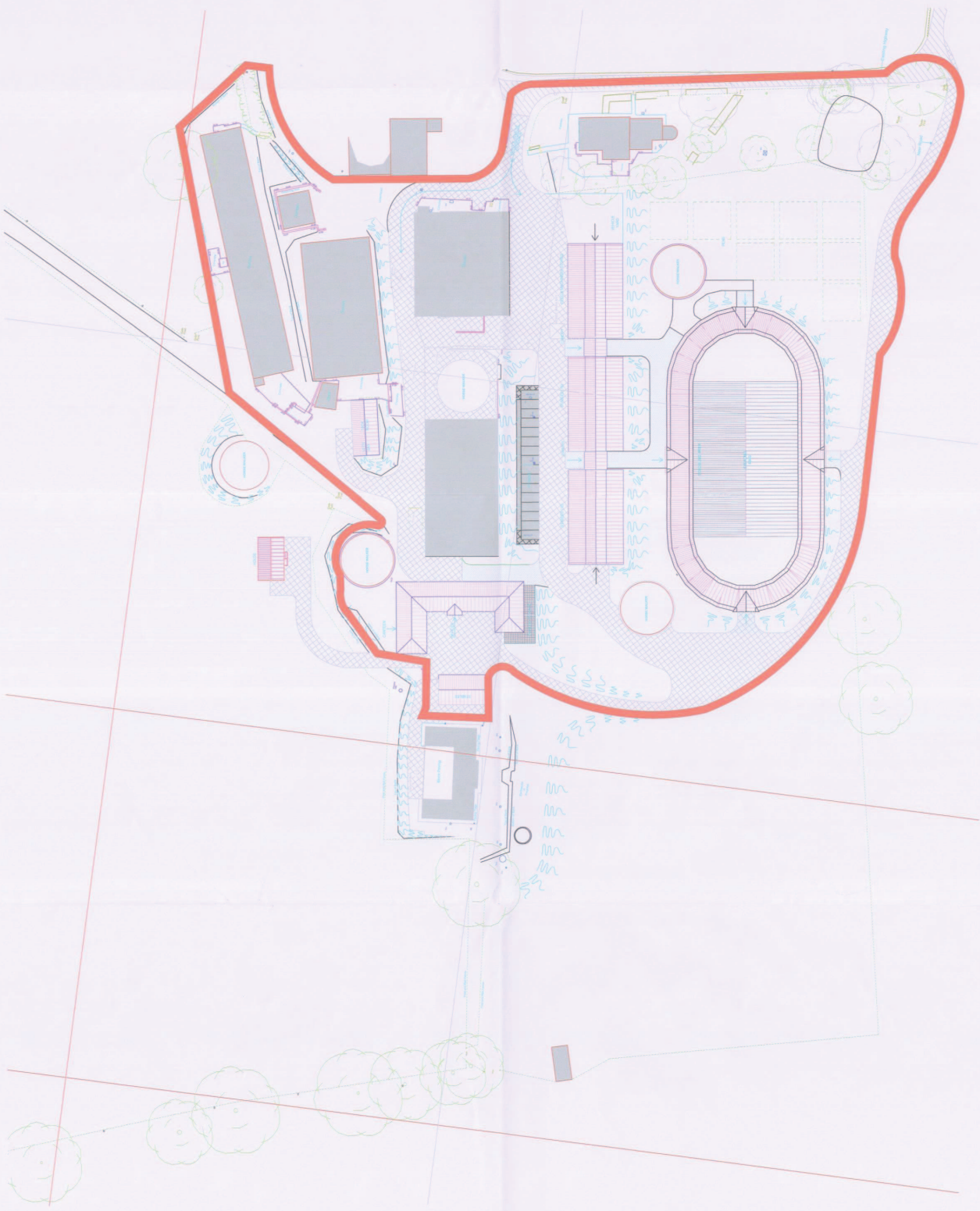
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Scale: 1:500 @ A1	Drawn: R.W.
Date: 07.05.2014	Checked:
Drawing Number: <b>PD141-01-A</b>	



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**OS SITE LOCATION PLAN**  
 (Scale 1:1250)

ADDITIONAL PLANS

Application Boundary



04.06.08 Stabling & storage arena area RP D  
 20.06.08 Application Boundary added RP C  
 27.06.08 Horse wash relocated RP B  
 30.10.07 Horse wash bay and new training circle added. MH A

Date	Description	Drawn	CHK'd	Rev

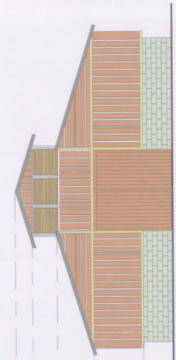
**PLANNING**

Client: RF Racing  
 Project: Extension to Racing Stables  
 Title: Proposed Site Plan - Application Boundary

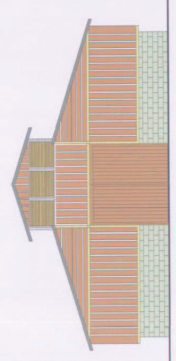
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Scale	1:500 @A1	Drawn/No.		Rev	
					<b>3262 - A - 02</b>
					<b>D</b>

**mhi**  
 Architects • Civil & Structural Engineering • Project Management  
 11th Floor, 100 Broad Street, London, E14 4JF  
 T: 020 7463 1000 F: 020 7463 1113 E: info@mhiplanning.co.uk W: www.mhiplanning.co.uk

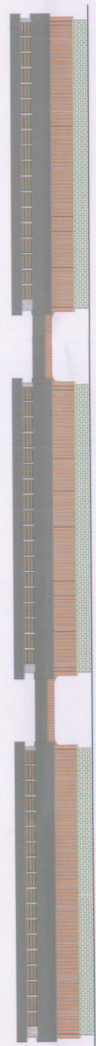
- Ridge Level  
0944
- Eaves Level 2  
Level 3  
5100
- Eaves Level 1  
3500
- Top of Brickwork  
1300
- Ground Floor  
0



West Elevation  
1 : 100



East Elevation  
1 : 100



North Elevation  
1 : 200



South Elevation  
1 : 200

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Date	Description	Drawn	Checked	Rev

### Planning

Client  
R F Racing Ltd, Malton, N Yorkshre

Project  
Proposed Development of Racehorse  
Training Centre

Title  
Stabling & Storage Barns - Elevations

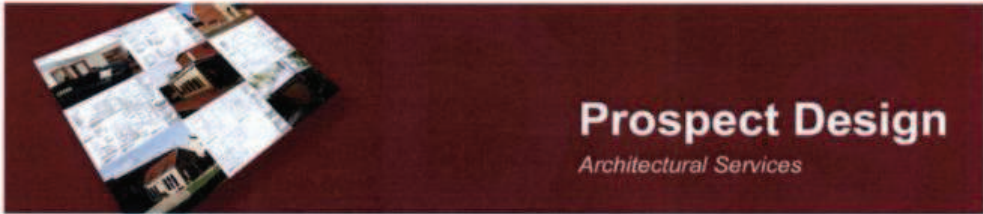
Drawn / Author / Date 25.06.08

Scale @ A1 / Drawing No. / Rev  
As Indicated / 3262 - A - 12 /

**mhi**

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SUPPORTING INFORMATION INCORPORATING DESIGN AND  
ACCESS STATEMENT

For

R F Racing Ltd  
Mews House  
Musley Bank  
Malton  
North Yorkshire  
England  
YO17 6TD



By  
Richard Webster  
Of

Prospect Design  
64 Newbiggin  
Malton  
N Yorks  
YO17 7JF

RYEDALE DM  
100574  
27 MAY 2014  
DEVELOPMENT  
MANAGEMENT

Project number                      Project title

PD141	Rationalizing developments at Musley Bank (R F Racing Ltd) following approved planning application 08/00630/MFUL to include Erection of stabling buildings, veterinary and storage buildings, covered exercise track for horse schooling and assessment, additional horse walkers, building to form staff welfare facilities, administration facilities and owners suite and formation of associated parking and access road.
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Assessment carried out by

Date

Richard Webster	14 <sup>th</sup> May 2014
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#### 1.1     **SITE ANALYSIS**

- 1.1     The site is located to the South West of Malton and is located in the Eastern fringe of the Hawardian Hills Area of Outstanding Natural Beauty. The site is best accessed off the (A64) York Road slip road (B1248) via a private access road.
- 1.2     All the proposed developments are within the curtilage of R F Racings Ltd's Musley Bank facility as identified on the site block plan and site location plan drawings.
- 1.3     Given that the rational for the above facilities has been established and approved in planning application 08/00630/MFUL this statement deals with rationalizing the developments that have / are been carried out and are currently under construction.
- 1.5     The site slopes considerably from North to South.
- 1.6     The existing footprint of the site is 120 acres approx.

#### 2.0     **BACKGROUND, PROPOSALS AND RATIONAL**

- 2.1     As stated above planning application 08/00630/MFUL was approved on the 1<sup>st</sup> October 2008. The first phase of works involving the formation of a new access road to the South of the site, the construction of the veterinary and storage buildings and covered exercise track for horse schooling and assessment was completed in 2010. In 2013 the second phase of works started which involved demolishing existing stable and storage buildings to make way for the new stable block and the construction of a new horse walker.

- 2.2 Due to the sloping nature of the site it became apparent that the position of the proposed stable block would need to be adjusted as the proposed ramp from the stable block to the new covered exercise track would be too steep and unusable. Mr Fahey of R F Racing Ltd was advised by specialists to reposition the building to the North East to allow a usable ramp to be constructed to the West of the proposed stable block.
- 2.3 As part of phase two a temporary office structure (portakabin) has been erected on site. The office building is designed as a temporary measure until the permanent administration and owners suite approved in application 08/00630/MFUL can be developed.
- 2.4 Also as part of the phase two works a new toilet block has been erected to replace the existing toilet.
- 2.5 As part of this application R F Racing would like to apply to erect a building housing a horse treadmill to further improve the facilities at Musley Bank.
- 2.6 As described above the proposed developments are seen by R F Racing Ltd as vital for the consolidation and expansion of the business at the Musley Bank (Malton) site.
- 2.7 Refer to R F Racing Ltd's statement.

### **3.0 DESIGN STATEMENT**

- 3.1 As described above the new stable block has been constructed to the North East of its location as described in planning application 08/00630/MFUL. As discussed above the reason for relocating the building was to provide a practical access ramp at a usable gradient. The location of the building as approved did not allow for a practical access ramp at a usable gradient (see photo 1).
- 3.2 The original stable block design was thought to be too complicated with fussy detailing. The design has been simplified to match the existing buildings on site with one roof pitch and brickwork and Yorkshire boarded elevations refer to drawing PD141-03. This has also had the effect of reducing the ridge height by 819mm from 40.909m to 40.090m.
- 3.3 The proposed ramp is under construction (see photo 2) and runs diagonally up the slope from the new covered exercise track to terminate to the West of the as built stable block. This would not have been possible with the original layout as the building would have blocked of this route.
- 3.4 As discussed above a temporary office structure has been placed on site refer to drawing PD141-05 (see photo 3). This structure replaces the original timber office structure which was demolished in order to clear the site for the stable block. The new "portakabin" type structure will be removed from site on completion of the approved administration facilities and owners suite.

- 3.5 A new toilet block has been constructed on site refer to drawing PD141-05 (see photo 4 & 5). The toilet block replaces the existing toilet which has been locked shut. The existing toilet was poorly positioned adjacent to neighbouring housing and provided inadequate facilities for the 70 plus employees. The new toilet block will be demolished and relocated within the administration facilities and owners suite when completed.
- 3.6 The toilet block is constructed as detailed on drawing PD141-05 using traditional brickwork, clay pantiles, and timber windows and doors.
- 3.7 As part of the continual investment in the Musley Bank yard R F Racing are seeking approval within this application to erect a new horse treadmill building. This facility will add to the already impressive facilities available at Musley Bank maintaining its place as one of the top race horse training yards in the country.
- 3.8 The building is located on the position of a previously demolished structure refer to drawing PD141-02. The building is designed to match existing and adjacent buildings. The elevations consist of brickwork plinths with Yorkshire boarding above. The roof is finished with a pressed metal cladding to match the adjacent stable block. Two timber sliding doors allow access for horses to walk in access the treadmill and out without having to turn.
- 3.9 The developments as described above and in the submitted drawings comply with policies SP6 and SP9 of the Ryedale Plan – Local Plan Strategy in delivering local employment and supporting the land based & rural economy. The new buildings proposed / under construction / constructed are necessary to support land-based activity and a working countryside, including equine purposes. The buildings are vital for the consolidation and expansion of the business at the Musley Bank (Malton) site and the benefits this brings to the local economy in terms of jobs, suppliers and prestige.
- 3.10 A landscaping plan was approved under application 08/00630/MFUL it is the intention that this design be implemented.

#### **4.0 ACCESS STATEMENT**

- 4.1 As stated above the existing vehicular and pedestrian access is provided from the private access road of the (A64) slip road. Under 08/00630/MFUL a new access has been established to the South of the new covered exercise track to alleviate traffic from the existing access which passed close to neighbouring properties.
- 4.2 The parking arrangements have had to change from those detailed in application 08/00630/MFUL to the repositioning of the stable block. New parking is provided to the south of the covered exercise track as detailed on drawing PD141-02.

## **5.0 DESIGN SOLUTIONS**

5.1 The following drawings show the Design Solution and form the basis of the Planning Application:

- |   |          |  |
|---|----------|--|
| 1 | PD141-01 | OS Site Location Plan.                             |
| 2 | PD141-02 | Site Block Plan.                                   |
| 3 | PD141-03 | Proposed Stable Block Plan & Elevations.           |
| 4 | PD121-04 | Proposed Treadmill Building Plan & Elevations.     |
| 5 | PD121-05 | Proposed Admin & Toilet Block Plan and Elevations. |

## **6.0 PLANNING POLICY**

We believe the following planning policies have being considered and satisfied, above, while developing this scheme;

6.1 Ryedale Plan – Local Plan Strategy

SP6 – Delivering & Distribution of Employment

SP9 – The Land Based & Rural Economy

SP16 – Design

SP20 – Generic Management Issues

SP13 – Landscapes

6.2 National Planning Policy Framework

Chapter 1 - Building a strong, competitive economy

Chapter 3 - Supporting a prosperous rural economy

Chapter 7 - Requiring good design

Chapter 11 - Conserving and enhancing the natural environment

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## 7.0 SUPPORTING STATEMENTS

The following supporting statements which accompanied the previous application 08/00630/MFUL should be referred to when read when assessing this application

Archaeology Assessment by MAP  
Ecology – Extended Phase 1 Report  
Landscape and Visual Impact Assessment

## 7.0 R F RACING LTD SUPPORTING STATEMENT

*I am writing this statement to help explain the plans and intentions for R F Racing and to explain how important our company is to Malton and how much we put back into the area.*

*We first moved to Musley Bank in 2003, we had approximately 21 members of staff on our books. Since then we have grown in size. We currently employ over 70 members of staff. We also use local vets, farriers, transport, racetracks, gallops and farmers to get hay and straw, all of these are just in the day to day running of the company.*

*The improvements to the property have all been made by local tradesmen from roofers, steelworkers and builder and where possible materials have come from local suppliers. I feel like I am one of the biggest employers in the local area. Thanks to you we have been able to develop Musley Bank into one of the most state of the art facilities in the country.*

*As regarding the moving of the stable block, I am afraid it was necessary to do this as the walk way out of the indoor school and through the stable block was too steep. It looked correct on the plans but it just would have been impossible for the horses to negotiate up and down. The stable block was moved to put a lesser gradient on the hill so the horses come out diagonally in front of the stable block instead of going straight up. I know for a fact the moving of the stable block is less intrusive of the neighbours view and a lot better than the old view. I do apologise, I was sure it would not be a problem.*

**Richard Fahey**

**8.0 PHOTOGRAPHS**

8.1 Showing gradient from stable block to covered exercise track



8.2 Showing ramp under construction



8.3 Showing temporary office structure



8.4 Showing existing toilet





8.5 Showing new toilet block



A11

OBJECT.

## HUTTONS AMBO PARISH COUNCIL

Chairman: Cllr. A.G. Dorman, White Cottage, High Hutton, YORK. YO60 7HW  
Clerk: Mr J N Charles, Ambo Cottage, High Hutton, Huttons Ambo, YORK YO60 7HW  
[parishclerk@huttonsambo.com](mailto:parishclerk@huttonsambo.com)

Karen Hood  
Managing Development Team Leader  
Ryedale District Council  
Ryedale House  
MALTON  
North Yorkshire  
YO17 7HH

RYEDALE DISTRICT COUNCIL  
14 JUL 2014  
DEVELOPMENT  
MANAGEMENT

11 July 2014

Dear Ms Hood

### APPLICATION 14/00574/MFUL – R F RACING

Councillors are grateful for the opportunity to comment on this application after the published deadline. Please note that this supersedes the Council's response sent on the 26<sup>th</sup> of June.

**We have strong reservations about this application and consider that it should not be approved in its current form.** The Council would comment:

1. We are astounded and dismayed at the utter disregard that has been shown by the applicant to planning legislation and the planning process. A large part of the building work that has been undertaken under Approval 08/00630/MFUL has not been in accordance with the approved plans. It appears that, despite timely notification from neighbours, the District Council took no enforcement action.
2. The divergence from approved plans has resulted in very considerable detriment to neighbouring properties' amenity. Of particular concern are:
  - a. the height of the stable block being increased and its location being moved North-eastwards
  - b. the use of the public bridleway as a primary access route to/from the training complex despite the construction of a new route for this purpose. This is to the considerable detriment, not only of neighbouring residents, but also of other users of the PRow.
  - c. the increase in size of the new horse walker and
  - d. the removal of mature trees which would have provided some screening.

3. In our view, should the District Council consider granting of retrospective approval for this work, then it should **only** be on condition of considerable mitigation works. We understand that the owners of the neighbouring properties; Musley Bank House and Groom's Cottage, have submitted documents (of which we have copies) outlining possible mitigation measures. We consider these to be entirely reasonable and ask that these be adopted **as a minimum** should approval be granted. Please note, though, that agreement on a traffic management plan may result in the proposed siting of the treadmill being inappropriate.

4. We also consider it important that:  
a. these conditions should be strictly enforced and  
b. immediate enforcement action is taken if further divergences from approved plans takes place.

5. We are aware, also, of other issues arising from the current mode of use of the training complex; environmental, waste disposal (including veterinary waste), Health and Safety and the blocking of a public bridleway, all of which are of serious concern to the Parish and will be followed up in due course.

We would welcome an opportunity to discuss this application, on site, with the appropriate planning officer.

We hope that these comments will prove informative and help guide the District Council in its deliberations.

Yours sincerely

J N Charles  
Clerk to the Parish Council

# Agenda Item 11

**Item Number:** 11  
**Application No:** 07/01162/FUL  
**Parish:** Barton-le-Willows Parish  
**Appn. Type:** Full Application  
**Applicant:** S.A Bell Ltd  
**Proposal:** Change of use of building to include Use Class B1 (light industrial) in addition to existing Use Class B8 (storage and distribution)  
**Location:** S A Bell Old York Road Barton Hill York YO60 7JX

**Registration Date:**  
**8/13 Wk Expiry Date:** 15 February 2008  
**Overall Expiry Date:** 27 March 2014  
**Case Officer:** Gary Housden **Ext:** 307

## CONSULTATIONS:

<b>Parish Council</b>	Object
<b>Environmental Health Officer</b>	Conditional support
<b>Highways North Yorkshire</b>	Conditional support
<b>Highways Agency (Leeds)</b>	No objection

**Neighbour responses:** H Allen Thew, M J Glen, J Denton & R Harwood, Charlie Charters, Mr R E Polley, Peter Diggle, Graham Allaway, Mr & Mrs Forbister & Mr Dunning, Simon Howard,

.....

## SITE:

The site is located to the north of the old A64 and in total, covers approximately (4 acres) 1.6 hectares. There are three large buildings located on the site which have a floor area of approximately 3,200sq. metres.

The site was last used for agricultural storage and haulage around 2005. The use of the site is restricted as set out in the planning history detailed later in this report.

The site has a direct access onto the 'old' York Road known as Spittle Beck Lane which then obtains access onto a local County Road, the C61 that leads to Castle Howard. The junction with the C61 is in very close proximity to the A64 Barton Hill crossroads junction. When the application was originally submitted, the Highways Agency issued a 'holding' direction to the Council preventing the grant of planning permission.

The holding direction remained in effect until 19 November 2013.

## PROPOSAL:

The application proposes the change of use from the restricted B8 (agricultural storage and distribution use) to Class B1 (light industrial) and also to unrestricted B8 (storage and distribution use).

## HISTORY:

June 1975: Use of cattle house to agricultural storage - Conditional Approval

June 1981: Construction of building for agricultural storage - Conditional Approval

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**PLANNING COMMITTEE**  
**30 July 2014**

- March 1997: Raising of roof on existing grain and fertiliser stores - Conditional Approval
- November 1997: Continued use of land and buildings as general haulage and storage depot - Refused
- Appeal dismissed 20.03.1998
  - Appeal against enforcement notice dismissed 20.03.1998
  - A copy of the appeal decision letter is appended to this report

**POLICY:**

National Policy Guidance

National Planning Policy Framework

Section 1 - Building a strong, competitive economy:

**Para 18:** The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

**Para 19:** The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

**Para 20:** To help achieve economic growth, Local Planning Authorities should place proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup> Century.

**Para 21:** Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, servicing or housing. In drawing up Local Plans, Local Planning Authorities should:

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they area expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
- plan positively for the location, promotion and expansion of clusters or networks or knowledge drivers, creative or high technology industries;
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and
- facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

Section 3 - Supporting a prosperous rural economy:

**Para 28:** Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Section 11 - Conserving and enhancing the natural environment:

**Para 109:** The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

**Para 115:** Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

**Para 123:** Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses and wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Determining Applications:

**Para 196:** The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

**Para 197:** In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development.

Planning Conditions and Obligations:

**Para 203:** Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

**Para 205:** Where obligations are being sought or revised, Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

**Para 206:** Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

#### National Planning Policy Guidance

Use of Planning Conditions Grampian conditions

#### Ryedale Local Plan

#### **Policy SP6 - Delivery and Distribution of Employment/Industrial Land and Premises**

Major industrial processes involving the extraction, utilisation, working or harnessing of natural materials or land assets will be supported where:

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

#### **Policy SP9 - Land Based and Rural Economy**

Ryedale's land-based economy will be sustained and diversified with support for:

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes
- Replacement dwellings for land management activity if no other existing available buildings suitable or capable of conversion
- Replacement of non-traditional general-purpose storage buildings to support farming, forestry or equine related activity
- Conversion of traditional buildings for tourism or residential uses (subject to the occupancy conditions set out in Policy SP21)
- Conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6
- Appropriate farm and rural diversification activity including innovative approaches
- Local food production and sales. Farm shops which will meet a demand for local produce and which contribute to the local economy will be supported where they do not adversely affect easily accessible convenience shopping.
- Appropriate new uses for land including flood management and energy production related research and education in this field
- Small-scale extraction of local building stone and limited aggregate provision

And indirectly by supporting:

- The retention of a livestock market within Ryedale on a site which is convenient to users, well related to the main road network and in a
- location which is close to a Market Town but will not harm its character, landscape setting or the amenities of nearby residents
- Local weekday and Saturday markets, farmer's markets and events
- Proposals or actions that would assist in utilising and retaining traditional rural skills including land and woodland management, farming,
- Conservation, local traditional building techniques

**Policy SP13 - Landscapes**

**Policy SP19 - Sustainable Development**

**Policy SP20 - Generic Development Management Issues**

**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

**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

Access into and within buildings will be expected to be of a standard that allows all to access the building unimpeded



Development will be expected to comply with the relevant standards in place at the time a planning application is made to the Local Planning Authority. A Travel Plan may be required to set out how the use of the building can be made more sustainable by reducing the need to travel by private car

Where applicable, proposals will need to demonstrate the inclusion of safe and effective vehicular servicing arrangements

#### **APPRAISAL:**

The key issues in relation to the consideration of the current application relate to:-

- application of local and national policy;
- impact on highway safety;
- impact on amenity; and
- impact on landscape

Members will be aware that this site has an extensive planning history spanning many years, culminating with decisions taken on appeal in 1997 in the context of the former PPG's 4 and 7, the County Structure Plan 1995 and the deposit draft of the former Ryedale Local Plan.

Current National Policy and more detailed guidance is set out in the NPPF and NPPG.

The Government is committed to serving economic growth and developing planning policies that support economic growth in rural areas in order to create jobs and to promote a strong rural economy. As part of this, plans should promote the development and diversification of agricultural and other land-based rural businesses.

The key local policies in the Council's Local Plan Strategy (which was adopted following the NPPF) are SP6 and SP9. SP6 states that:-

“Processes in open countryside locations will be supported where:-

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

In principle, the further change of use of these premises accords with the thrust of both national and local policy subject to satisfying site specific criteria. These centre around highway safety, local amenity and landscape impact.

#### Highway safety

Members will note that this application was originally submitted in December 2007 and was subject to objections from both NYCC Highways and the Highways Agency. The Highways Agency issued a ‘permanent’ holding direction because of safety concerns in respect of the nearby junction on the A64, at the Barton Hill crossroads.

However, the holding objection from the Highways Agency was lifted in November 2013 and in March 2014, the Council was able to re-consult all statutory consultees on the basis of an improvement scheme for the junction that had been produced by the HA (see attached plan). The HA have recently confirmed that detailed design work has been commissioned on the junction improvement with work anticipated to start in Spring 2015.

Following receipt of the plan, NYCC have confirmed that they also no longer object to the proposal subject to conditions, including the carrying out of the works specified in the proposed HA improvement scheme and localised improvements to signage and additional haunching (widening) of the carriageway on Spital Beck Lane to 5.5 metres. The full comments of NYCC Highways are appended for Members information.

Officers consider that the highway implications of this proposal are a key consideration and that the proposed additional uses are only acceptable in highway terms of the required improvements to the local road network and to the A64 were carried out in full before the uses proposed commence on site.

This can be delivered by way of a 'Grampian' style condition and as set out in the recommendation from NYCC Highways. It is considered that the commitment from the HA and the likelihood of the works going ahead within the 'life' of the permission mean that the imposition of a Grampian condition satisfies the current advice set out in the NPPG in respect of the use of planning conditions.

Members will note the comments received from Barton-le-Willows Parish Council. However, the A64 scheme is funded, detailed designs have been commissioned and a Spring 2015 start is anticipated. Once constructed, the improvement scheme makes safe provision for large vehicles to exit and to re-enter the A64 (including right turning movements), therefore, resolving the previous objections from both Highway Authorities.

#### Impact on local amenity

Concern had previously been raised in respect of adverse impacts on local residents, in terms of a general haulage use. This proposal includes B1 (light industrial use), which by definition only relates to 'non-polluting' business uses that can be carried out in residential areas.

The Council's Environmental Health Officer has been re-consulted on the proposal and concluded that there will be no increased noise impact on residential properties based on how the site could legally operate now and the existing noise impact from the adjacent A64.

The proposed use is, however, more extensive and in the absence of a noise impact assessment, the Environmental Health Officer has recommended hours of loading/unloading and deliveries and the operation of vehicle refrigeration units and diesel engines should be prohibited between the hours of 11pm at night and 6am in the morning.

On balance, subject to the mitigation of the above restrictions, the uses are considered to be acceptable in terms of impacts on residential amenity.

#### Impact on landscape

The site is located in open countryside close to the Howardian Hills Area of Outstanding Natural Beauty. It is also visible from the adjacent Malton-to-York mainline railway and a Public Right of Way crosses the site. It is noted that previously in 1997 (on appeal), a 'No outside storage' condition was considered to be appropriate by the Planning Inspector. In the light of the Inspector's previous assessment of the case and the rural character of the surrounding area, it is considered necessary to similarly re-impose a 'No open storage' condition on this permission in order to mitigate the impact of the proposed uses.

#### Conclusion

Subject to the conditions recommended by consultees and control over external storage, the application is considered to satisfy both Local and National policy.

**RECOMMENDATION: Approval**

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

(i) The details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii) A programme for the completion of the proposed works has been submitted.

The required highway improvements shall include:

(a) Haunching (widening) of the carriageway of Spital Beck Lane to give an overall width of 5.5 metres from the junction with the C61 southwards over Spital Beck bridge up to and including the local link road up to the A64 eastbound carriageway (formally the route of the C61 to Barton Hill railway crossing) and in accordance with Standard Detail No. HAU.1a and specification of the local Highway Authority.

(b) Introduction of a northbound priority one-way traffic system on Spital Beck Lane over Spital Beck bridge way of prescribed traffic signs and road markings in accordance with the requirements of the Traffic Signs Regulations and General Directions 2002.

(c) Improvement on the road junction with the C612 Main Lane by way of construction of the carriageway widening to accommodate left turn vehicle movements at a minimum radius of 10 metres as shown on the Highways Agency drawing number 430547-SK-05 and the junction road markings as shown on drawing number 430547-SK-06 and in accordance with the specification of the local Highway Authority and Traffic Signs Regulations and General Directions 2002.

(d) Improvement to driver v. driver inter-visibility by removal of the existing hedgerow in order to provide for item (c) with new stock-proof fencing/hedgerow on a revised position at an agreed position clear of the new widening carriageway kerbing in accordance with the specification of the local Highway Authority.

Reason:- In accordance with Policy and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

3 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under Condition 2:

(a) Haunching (widening) of the carriageway of Spital Beck Lane to give an overall width of 5.5 metres from the junction with the C61 southwards over Spital Beck bridge up to and including the local link road up to the A64 eastbound carriageway (formally the route of the C61 to Barton Hill railway crossing) and in accordance with Standard Detail No. HAU.1a and specification of the local Highway Authority.

(b) Introduction of a northbound priority one-way traffic system on Spital Beck Lane over Spital Beck bridge way of prescribed traffic signs and road markings in accordance with the requirements of the Traffic Signs Regulations and General Directions 2002.

(c) Improvement on the road junction with the C612 Main Lane by way of construction of the carriageway widening to accommodate left turn vehicle movements at a minimum radius of 10 metres as shown on the Highways Agency drawing number 430547-SK-05 and the junction road markings as shown on drawing number 430547-SK-06 and in accordance with the specification of the local Highway Authority and Traffic Signs Regulations and General Directions 2002.

(d) Improvement to driver v. driver inter-visibility by removal of the existing hedgerow in order to provide for item (c) with new stock-proof fencing/hedgerow on a revised position at an agreed position clear of the new widening carriageway kerbing in accordance with the specification of the local Highway Authority.

Reason:- In accordance with Policy and in the interests of the safety and convenience of highway users.

- 4 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCV's brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy and in the interests of highway safety and the general amenity of the area.

- 5 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason:- In accordance with Policy and to establish measures to encourage more sustainable non-car modes of transport.

- 6 No part of the site outside any building shall be used for the storage of any equipment, materials or produce without the prior approval in writing of the Local Planning Authority.

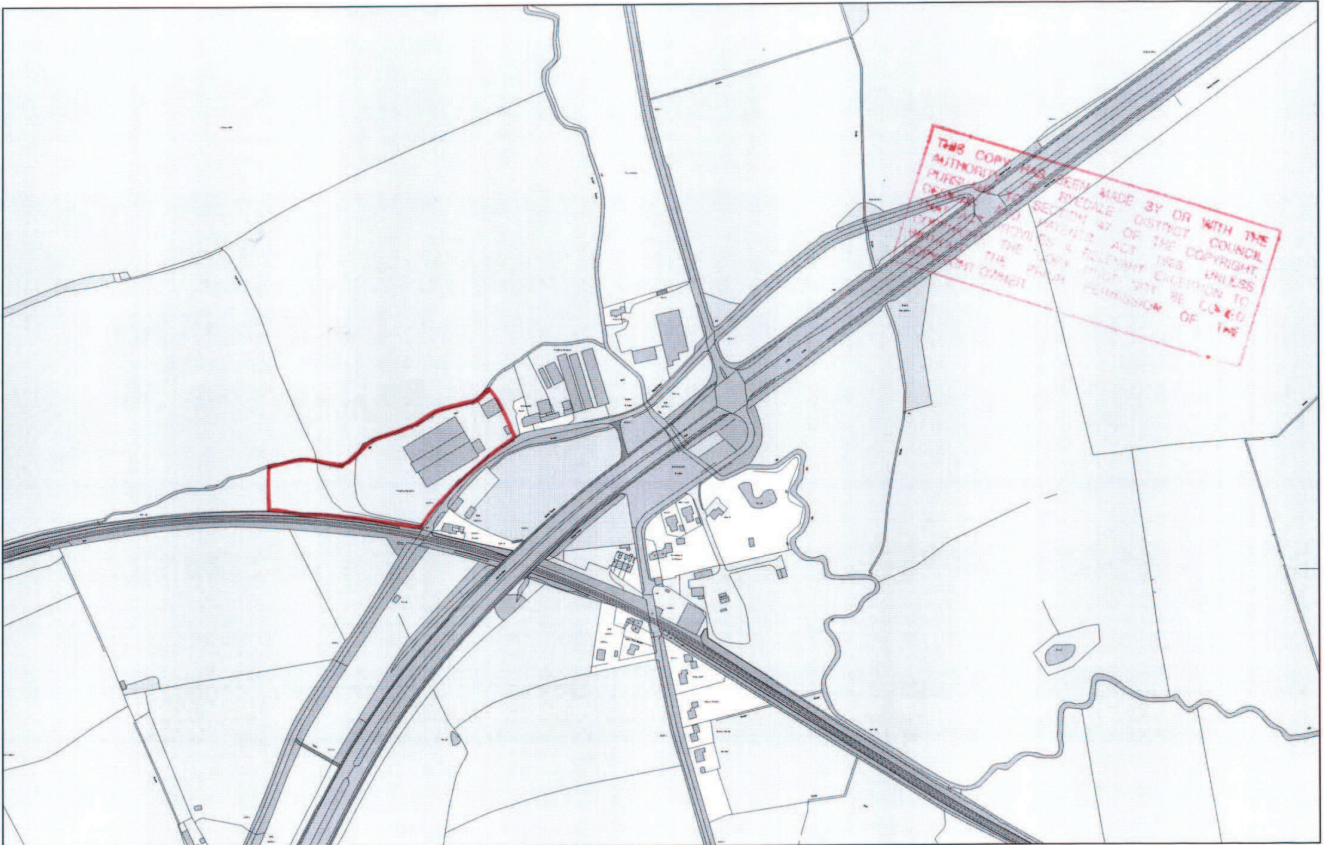
- 7 No loading/unloading; deliveries; operation of vehicle refrigeration units and/or diesel engines after 11pm and before 6am.

**INFORMATIVE:**

- 1 There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.

**Background Papers:**

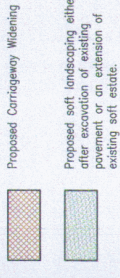
Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties



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Date: 22 July 2014  
SLA:  
Scale: 1:5000

**KEY**



**NOTES**

- Proposed layout introduces the following features:
  - 14m wide centre reserve at the proposed A64 access point to accommodate right turning very long vehicles (DMRB TD42/95 Para 7.38).
  - Retention of existing centre reserve stopping off the existing access to A64 to allow one way traffic only exiting the A64.
  - Construction of a new section of carriageway to accommodate vehicle movements whilst retaining existing mature trees.
  - Widening of existing carriageway to accommodate vehicular movements.
  - Existing footways and NMU provision along the A64 shall be accommodated.
  - Introduction of one way traffic system.
  - New road signing throughout to reflect revised road layout.
- Refer to Drawing Number 430547-SK-05 for information relating to the geometric parameters of the proposed highway layout.
- Non motorised facilities shall be required accommodation adjacent to the A64.

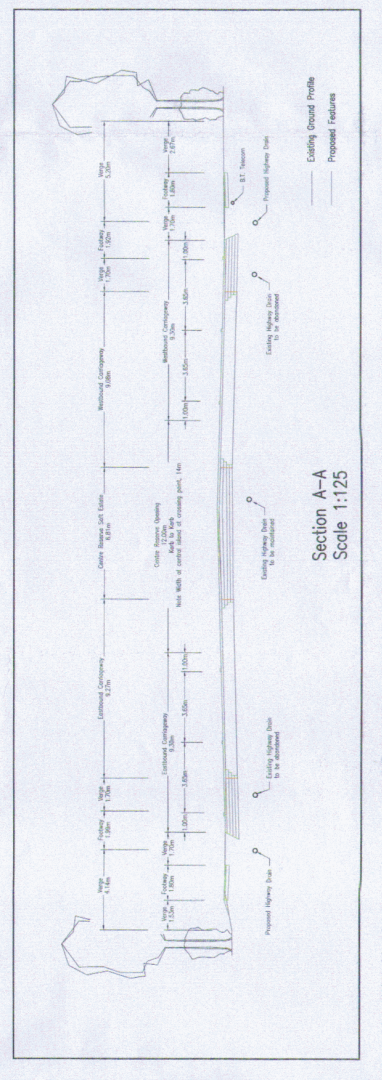
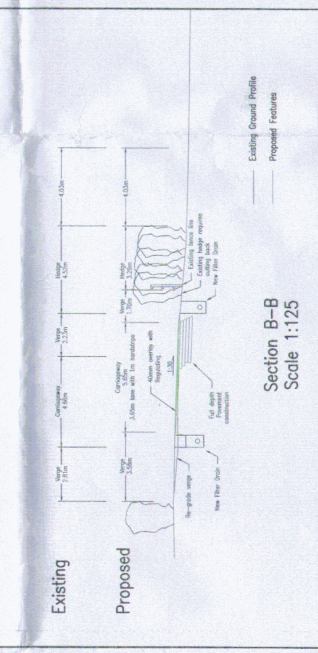
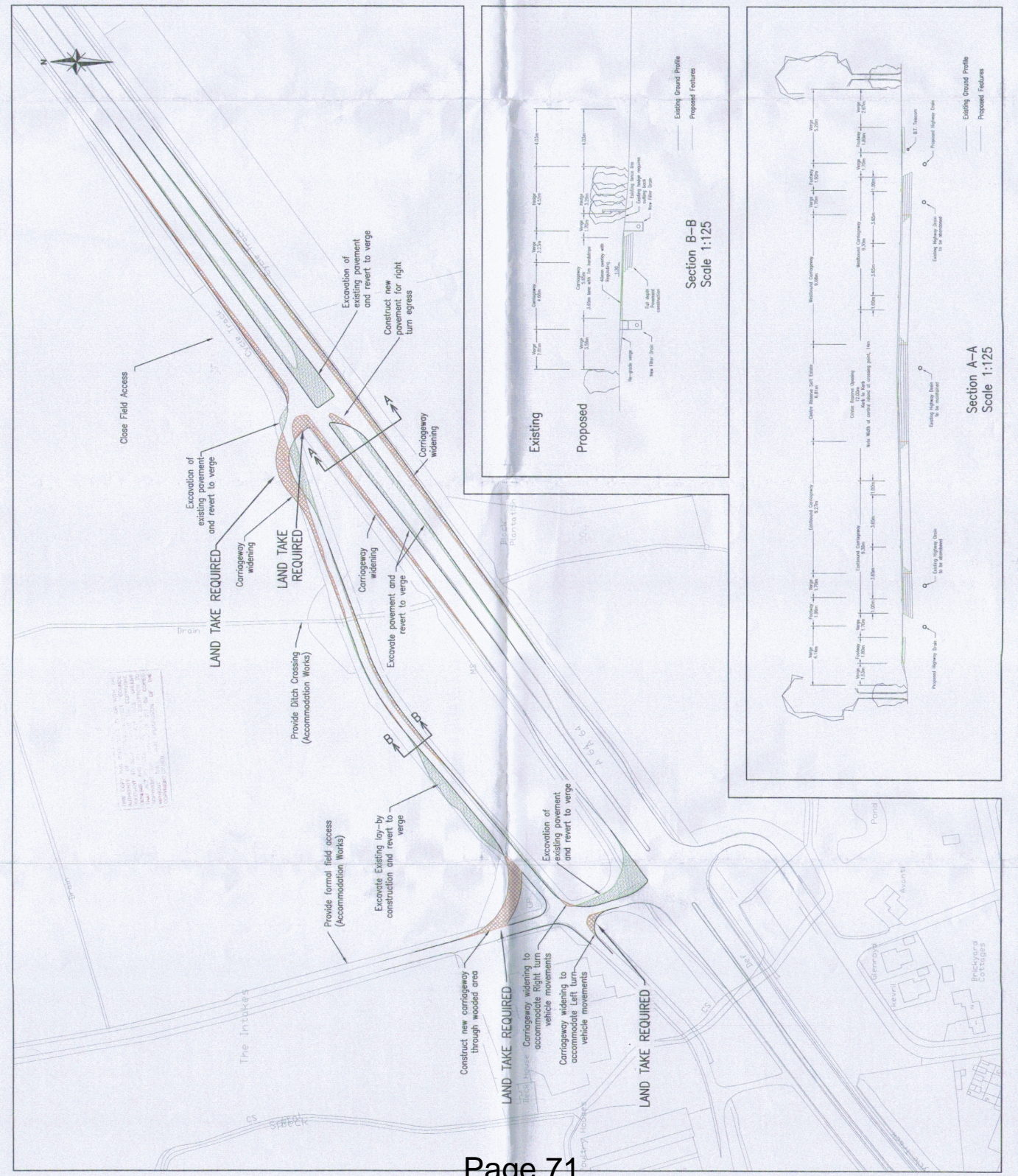
**PRELIMINARY**

Client: **HIGHWAYS AGENCY**  
 Approved by: [Signature]  
 Checked by: [Signature]  
 Drawing No: 430547-SK-05

**AG4 BARTON HILL (PHASE 2)**  
**SAFETY**  
 Preliminary Layout  
 Swan Neck Junction Arrangement  
 General Overview

Checklist: C Summary  
 Checked: S Holmworth  
 Approved: P Shagger

Drawing No: 430547-SK-05  
 Revision: 0  
 Drawing Scale: 1:1000 @A1  
 DO NOT SCALE FROM DRAWINGS



07/01162/FVL



AMcB/JL – Direct Line 01653 690888  
18<sup>th</sup> December 2007

Planning Department  
Ryedale District Council  
Ryedale House  
Malton  
YO17 7HH

Dear Sirs

**Re: Barton Hill Site – Planning Application**

**RYEDALE D.C.**  
**21 DEC 2007**  
**DEVELOPMENT CONTROL**

Please find enclosed planning application forms relating to the above location.

The site comprises approximately 1.62 Ha (4 acres) developed with a range of industrial buildings that provide approximately 3200 sq m of space. The majority of this space is contained within 3 interlinked buildings.

The site currently has B8 use with a restriction for use as an agricultural store and haulage depot.

Our proposal is to lift the agricultural use restriction to allow standard B8 uses and B1c light industrial uses.

Currently the owners are no longer running their haulage business from the site but as an alternative to this planning application will renew their operating licence as below.

When they were in operation they most recently had a vehicle licence that allowed 15 HGV vehicles and 50 trailers to operate from the site. Additionally there were movements to and from the site by the owners clients. The majority of these additional movements were slow moving vehicles including tractors, Land Rovers with trailers and farm trucks.

Our estimates are that at peak times there were in the region of 60 movements to and from the site on any given day. Research indicates that when the depot renews agricultural storage and distribution there will be between 10 - 40 vehicle movements a day depending on the season.

In the 29 years that SA Bell and their predecessors ran their business from the site they did not have a single accident involving theirs or customers vehicles in the vicinity.

Our proposal is to sell or lease the buildings to businesses within the B8 and B1(c) classes. Whilst we anticipate the use of commercial vehicles by such businesses it is highly unlikely that the site will experience anything like the volume of traffic generated by the existing use. Our estimates are that there will be between 5 and 10 commercial vehicle movements a day from the site with the benefit of the revised use.

**MCBEATH PROPERTY CONSULTANCY LIMITED**

2 CLIFTON MOOR BUSINESS VILLAGE, JAMES NICOLSON LINK, YORK YO30 4XG

TEL 01904 692 929 FAX 01904 690 488 WEB [mcbeathproperty.co.uk](http://mcbeathproperty.co.uk)

REGISTERED IN ENGLAND NO. 5491610

CHARTERED SURVEYORS, AGENTS, VALUERS, DEVELOPMENT CONSULTANTS  
PROPERTY AND LAND SALES, LETTINGS, ACQUISITIONS, APPRAISALS, RENT REVIEWS



07/01162/WL

2.

We have advised previously that we are prepared to place a commercial vehicle restriction on the site to ensure that no more HGVs and trailers can be operated from the site than was previously allowed under the most recent vehicle licence.

It is important to be aware that we have identified a number of interested parties that would retain existing jobs but also create new jobs for the Ryedale District. Furthermore we have had interest from employers that would move into the area from other locations. Without the opportunity presented by the existing site many, if not all of these jobs will be lost to other areas.

We have attached plans to the application that illustrate how the actual access to the site is from a private road and not the A64 nor the Castle Howard Road.

Regards.  
Yours faithfully

Andrew McBeath <sup>V</sup>BSc MRICS  
**MANAGING DIRECTOR**

Enc. Planning Applications

Cheque in the sum of £265.00

RYEDALE D.C.

21 DEC 2007

DEVELOPMENT CONTROL

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PROPERTY AND LAND SALES, LETTINGS, ACQUISITIONS, APPRAISALS, RENT REVIEWS

OBJECT

**Glenys Yates**

---

**From:** joanandjess@btinternet.com  
**Sent:** 26 March 2014 14:35  
**To:** Development Management  
**Subject:** Application 07/01162/FUL S.A.Bell Ltd

I am forwarding the views of Barton le Willows Parish Council with regard to the above application. It was unanimously agreed that any further traffic flow at this dangerous junction should be put on hold until the the Highways Agency carries out the road improvements long promised, as the plan from Highways is just a preliminary one, and maybe subject to change. They state that it is in their funded programme for 2014/15 but promises have been made before and reneged upon!

Thankyou  
Joan Gibbs  
Clerk to Barton le Willows Parish Council  
2 Festival Cottages  
Barton le Willows  
YORK YO60 7PD  
Tel: 01653 618680

RYSDALE DM  
27 MAR 2014 27/3  
DEVELOPMENT  
MANAGEMENT

# Agenda Item 12

**Item Number:** 12  
**Application No:** 13/00551/FUL  
**Parish:** Weaverthorpe Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Anthony Milner  
**Proposal:** Erection of 1no. 55m high (overall tip height 81m) 500kw wind turbine to generate electricity for the National Grid with associated sub station, crane pad, access track and temporary construction compound.  
**Location:** Land At Dotterel Farm Main Road Weaverthorpe Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 15 July 2013  
**Overall Expiry Date:** 3 July 2013  
**Case Officer:** Shaun Robson **Ext:** 319

## CONSULTATIONS:

<b>Neighbouring Parish Council - Sherburn</b>	No observations
<b>Neighbouring Parish Council - Luttons</b>	Object
<b>East Riding of Yorkshire Council</b>	No response received
<b>Neighbouring Parish Council - Weaverthorpe</b>	Object
<b>National Air Traffic Services (NATS)</b>	No objection
<b>The Joint Radio Company Ltd</b>	Cleared with respect to radio link infrastructure
<b>Wind Farm Enquiries</b>	No objection
<b>Tree &amp; Landscape Officer</b>	No response received to date
<b>Natural England</b>	Comments Only
<b>Environmental Health Officer</b>	Object
<b>Countryside Officer</b>	No objection
<b>Civil Aviation Authority</b>	No objection
<b>National Grid Plant Protection</b>	No response received
<b>Archaeology Section</b>	Recommends Conditions
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Building Conservation Officer</b>	Object
<b>Ministry Of Defence</b>	Satisfied no impact from proposed development.

**Neighbour responses:** Ms Lynne Porter, Mrs Caroline Garrod, Mr Evan Ferguson, Mr Graham Perry, Mr Eddie Startup, Dr Dave Parrott, Mrs Jill Wilson, Mr Kenneth Wright, Mr Maurice Daniel, Dr Peter Wilson, Mrs Angela Ewbank, Mrs Judith Tiplady, Mr Paul Stephens, Mrs Annette Mitchell, Mrs Paula Conner, Mrs Caroline Bradshaw, Jean Whiteley, Mr Keith Lewindon, Mr Paul Millward, Mrs M A Carr Mr J B Lawty, Mrs Kate Lyon, Mr Andy Boothroyd, Mr Ben Burgess, Robert William Buck, Mrs Lyndis Millward, Mr Chris Dale, Mrs Caroline Clark, Mr P Carpenter, Mr Thomas Webborn, Mrs Sherry Parrott, Mr Michael Rowland, Mr Ian Stubbings, Mr Tim Stubbings, Mr Andrew Lockwood, Mr Stuart Lockwood, Mrs Ann Lockwood, Mr Frank Bannister, Mr Stanley Bell, Lynn Wraith, EJ And JE Sleightholme, Dr Mark Whyman, Mr Christopher Googe, Mr Nicholas John, Mr Neil Ford, Margaret Stevens, Mr Andy Thompson, Mr David Hinde, Mr David Milner, Mr John Grindrod, Mrs Helen Chapman, Mr Robert Stubbings, Mrs Brenda Mellor, Mr Alan Mclean, Mr Stuart Taylor,

**SITE:**

The application site is located on elevated land approximately 1.9 km to the north-west of Weaverthorpe, to the north of the Weaverthorpe to Butterwick road.

The site currently consists an agricultural field within part of the Dotteral Farm holding and is within an area designated as an Area of High Landscape Value.

**PROPOSAL:**

Planning permission is sought for the erection of 1500kW turbine with a hub height of 55.0m and a tip height of 81.0m, associated crane pad, substation, access track and temporary construction compound. The development is proposed to be operational for 25 years.

The grid connection for the turbine will be underground and run parallel with the proposed access track, therefore the connection to the grid will not be visible.

The applicant has indicated that the turbine will produce sufficient energy to power up to 350 homes, as well as providing a small amount of the energy produced to the farm. The turbine will produce a small amount of energy to be utilised on the farm with the remaining amount fed into the National Grid.

**HISTORY:**

91/00493/OLD Erection of 18m diameter wind turbine on 30m high tower at Dotteral Farm, Weaverthorpe – APPROVED 14/02/1992

**POLICY:**National Planning Policy Framework (March 2012)

Section 7: Requiring good design.

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

National Planning Practice Guidance (March 2014)

Climate change

Conserving and enhancing the historic environment

Design

Determining a planning application

Renewable and low carbon energy

Use of planning conditions

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990Ryedale Plan - Local Plan Strategy

Policy SP12 – Heritage

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP18 – Renewable and Low Carbon Energy

Policy SP19 – Presumption in Favour of Sustainable Development

Policy SP20 – Generic Development Management Issues

## National Guidance

The Climate Change Act 2008

The Renewable Energy Strategy 2009

National Policy Statement for Renewable Energy Infrastructure (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

### **PUBLICITY:**

43 letters of objection have been received from residents of Weaverthorpe, Helperthorpe, East Lutton, West Lutton, Kirby Grindalythe, Malton, Pickering, West Heslerton, Bempton (East Yorkshire) and Leeds. Weaverthorpe and Luttons Parish Councils have also objected to the application. The received objections from the Parish Councils and residents cite one or more of the following points:-

- Impact of the development on the Area of High Landscape Value;
- Cumulative impact of the development;
- Supporting photomontages are incorrect;
- Devaluation of properties;
- Visual impact of the proposal;
- The Wolds will not receive AONB status if the application is approved;
- The turbine is too large;
- Impact on wildlife;
- Impact of the proposal on heritage assets;
- Impact on tourism to the area;
- The development will have a detrimental impact of Grade I and Grade II designated historic assets in the area;
- The proposal will detrimental impact on aircraft safety at a private airstrip (Moor Farm);

17 letters of support have been received from residents from Weaverthorpe, Helperthorpe, East Lutton, Kirby Grindalythe, Thorpe Bassett and York citing one or more of the following points:-

- Wind energy meets future needs;
- The visual impact of the development would not be too obtrusive;
- No negative impacts will be created through the scheme;
- Good farm diversification;

### **APPRAISAL:**

It has been assessed that taking into account the scale and location of the development, it does not constitute 'Environmental Impact Assessment' development in accordance with Schedule 2 of the Town and Country Planning Environmental Impact Assessment Regulations 2011 (as amended).

The main material considerations are:

- Principle of development in policy terms
- Landscape and cumulative impact
- Impact of development on residential amenity
- Heritage impact
- Ecology
- Transport
- Aviation, radar implications and aircraft safety
- Impact on Tourism

## Policy Context

### National Planning Policy

The most relevant paragraphs of the NPPF state;

*93. Planning plays a key role in helping shapes places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*

*97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources;*

- Have a positive strategy to promote energy from renewable and low carbon sources;*
- Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impact;*
- Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- Support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

*98. When determining planning applications. Local planning authorities should:*

- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

The relevant policies in the Ryedale Plan – Local Plan Strategy are:

SP14 – Biodiversity

SP18 – Renewable and Low Carbon Energy

SP19 – Presumption in Favour of Sustainable Development

SP20 – Generic Development Management Issues

Para 7.32 of the Local Plan Strategy advises that one of the main ways in which climate change can be mitigated is through a reduction in greenhouse gas emissions. In order to assist in the decarbonisation of the UK's electricity and heat supply, Ryedale will realise its potential for renewable and local carbon energy sources. Para 7.37 is also relevant to this application and states;

7.37 It is important to recognise and support the contribution of community-led and farm scale renewable and low carbon solutions.

Policy SP18 is criteria based and supports the principle of renewable and low carbon energy, and states;

***SP18 Renewable and Low Carbon Energy***

*Developments that generate renewable and/or low carbon energy will be supported providing that individually and cumulatively proposals;*

- *Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- *Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on air quality, soil and water resources in Policy SP17, unless their impact can be acceptably mitigated.*

It is clear therefore that there is strong policy support at both National and Local level for the principle of renewable and low carbon solutions.

Landscape impact

The application is accompanied by supporting documents including aviation data, acoustic data, visual impact assessment, archaeological survey and a photomontage. The area is described in the Local Plan Strategy as – an upland chalk landscape with a string of medieval (and earlier) villages following the spring line of the Gypsy Race. The designation of the area ‘Area of High Landscape Value’ has been retained in the Local Plan Strategy, and demonstrates the value placed on the character of the area. It also adds weight to the requirement to take account of the impact of development on the landscape.

The proposed turbine would be sited in isolation on rising ground to the north-west Weaverthorpe. Given the proximity of the existing operational turbines the development will be viewed in combination with those turbines.

Officers consider that those single turbines that have best been assimilated into the landscape are those which are visually associated with farm buildings, because they are not as isolated. Nevertheless the District Council has approved other single turbines at distance from existing development where it is considered that the benefits of renewable energy outweigh the harm.

The turbine will introduce a tall vertical structure which is at odds with the more horizontal rolling slopes of this part of the Wolds. Nevertheless from most view points the greatest impact is relatively localised. Indeed other turbines in the area have been approved by the District Council on that basis. Examples are Gara Farm, and Manor Farm, Weaverthorpe, and Boythorpe Farm at Butterwick.

In relation to cumulative impact, there is little guidance on how to accurately assess cumulative impact. It is necessary to balance the strong policy support for renewable energy with the need to ensure that the number, location, design etc of the turbine does not cause significant demonstratable harm to the Wolds Area of High Landscape Value. The following is a list of turbines that have been approved in the area.

## APPROVED

09/00906/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18.3m tip 25m  
10/01311/FUL – Duggleby Wold Farm, Weaverthorpe – hub 32m tip 48m (x2 turbines)  
11/00336/FUL (*installed*) – Barrow Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00337/FUL (*installed*) – Cat Babbleton Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00541/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18m tip 24.5m  
11/00615/FUL (*installed*) – Ling Farm, Green Lane, Langtoft – hub 24.6m tip 34.2m (x2 turbines)  
11/00744/FUL (*installed*) – Spaniel Farm, Main Road, Weaverthorpe – hub 37.18m tip 53.88m  
12/00201/FUL (Appeal Allowed) – Manor House, Long Hill, Helperthorpe – hub 36.4m tip 46m  
12/00566/FUL (*installed*) – Gara Farm, Weaverthorpe – hub 24.6m tip 34.2m  
12/00602/FUL (*installed*) – Manor Farm, Main Road, Weaverthorpe – hub 24.6m tip 34.2m  
12/00822/FUL – Allison Wold Farm, Simon Howe, Sherburn – hub 30.5m tip 44m (x2 turbines)  
13/00534/FUL – Boythorpe Farm, Butterwick – hub 31.5m tip 46m (x2 turbines) – 5km  
13/00675/FUL – Kirby Wold House, Low Road, Kirby Grindalythe – hub 30.1m tip 41.6m

## PENDING

13/00850/FUL – Land West of Pasture Road, Weaverthorpe – hub 40m tip 67m  
13/00851/FUL – Land North of Main Road, Weaverthorpe – hub 40m tip high 67m  
13/01091/FUL – Land to the West of Grange Farm, Main Road, Weaverthorpe – hub 24.8m tip 34.5m

It should be noted that the majority of the above turbines are all within 5.0km of the application site.

The list is quiet extensive, however when taken in isolation it can be misleading in terms of assessing cumulative impact. The reason for this is that the Wolds include a number of valley's which means that whilst the location of turbines can appear to be close on a map (see the attached plan to the report), they may not appear in the same viewpoint when seen on site. In view of this, and as part of the assessment of the application, officers have visited the area to assess the impact of the turbines already erected, and also looked at key views for those proposed. In relation to this application officers identified a key view point on the road from Weaverthorpe to Sherburn. Whilst the road is not classified, it is a main route from the A64 to the Wolds, and regularly used. From this point turbines at Dotterel Farm, and Manor Farm, Weaverthorpe are presently visible. Permission was granted on appeal at Manor House Helperthorpe. The proposed turbine would be the fourth in this particular vista, if the application is approved.

A recent refusal at High Barn Helperthorpe is the subject of an appeal which is yet to be determined. Officers are of the opinion that this accumulation will result in a further change in the character of the landscape to the extent that it will become a turbine dominated view. The variation in height and design, together with the irregular spacing is considered to add to their incongruous appearance.

Para 98 of the NPPF, states that such applications should be approved if its impacts are (or can be made) acceptable. SP13 of the Local Plan Strategy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individual and cumulating proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering.

Members will note that Weaverthorpe Parish Council has expressed concern regarding the cumulative impact of turbines on the Wolds Area of High Landscape Value. Their full response is appended to this report. It is also worth noting the recent decision from the Secretary of State (SoS) decision on the Heselton Wind Farm development, particularly his comments on the landscape and visual impact on the Yorkshire Wolds Area of High Landscape Value.



The SoS states, in paragraph 12, that:-

*“...the Wolds is a highly valued landscape...”*

On balance, taking into account the permissions already granted it is considered that the proposed additional turbine will result in significant and demonstratable harm to the character of this part of the Wolds Area of High Landscape Value.

#### Neighbour impact

##### (i) Noise

The application is accompanied by a site specific noise survey. The applicant advises that it has been prepared in accordance with ETSU-R-97, and also a new guidance document ‘A Good Practice Guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise May 2013). This is the acknowledged method of assessing potential noise impact.

The Councils Environmental Health Officer has objected to the application, stating the following comments:

*“This has been a difficult proposal to assess, not least because of the complicated nature of assessing the existing and proposed cumulative impact of a variety of turbines in this locality. However the applicants noise consultants have carried out their own assessment in accordance with the Institute of Acoustics document ‘A Good Practice Guide to the application of ETSU-R-97 for the assessment and rating of Wind Turbine Noise’ and have concluded that at Highdale Farm and Waddale End the predicted noise levels fail to comply with the ETSU criteria. It is worthy of note that this is not because of the proposed turbine’s impact but because of the already high predicted noise levels from the existing/permitted turbines”.*

##### (ii) Shadow flicker

It is noted that concerns have been received regarding visual flicker. Given the proposed turbine will be positioned in excess of 800m from any occupied building it is not considered that shadow flicker is an issue in this instance.

#### Archaeology

The applicants have supplied information in support of the application. The County Archaeologist has responded and raised no concerns, subject to the imposition of an appropriate condition were the application approved.

#### Highway considerations

The NYCC Highway Officer has raised issues in relation to the information submitted in support of the application, specifically the routing of the apparatus and components to the site.

The additional information/clarification required, however, has been included within a condition by the Highway Officer.

No further concerns have been raised.

#### Heritage impact

Members are advised that there are a number of historic assets, specifically Listed Buildings, located in the surrounding landscape and that the Local Planning Authority has a statutory **duty** under legislation relating to Listed Buildings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.*

National policy guidance regarding the impact on heritage assets is set out in the National Planning Policy Framework (NPPF) and the recently published National Planning Practice Guidance (NPPG).

Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise.

Paragraph 133 goes on to say that where a proposed development will lead to substantial harm Local Planning Authorities should refuse permission, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In terms of development within the setting of heritage assets, paragraph 137 is relevant and advises local authorities to *"look for opportunities for new development within Conservation Areas....and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*

The National Planning Practice Guidance (NPPG), paragraph 013 amplifies the relevance of an assets setting stating *"Setting is the surroundings in which an asset is experienced..."*. The paragraph continues and goes on to say *"The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance."*

The proposal has been assessed by the Council's Building Conservation Officer, her comments are as follows: -

*"The NPPF requires at paragraph 129 that Local Planning Authorities should 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset)'.*

*It is apparent with this application that no heritage asset will be physically directly affected by the proposal. This response therefore focuses on the impact that the proposal will have on the setting of heritage assets.*

*In my opinion the built heritage asset most affected by this application are the Grade I Listed church of St Andrew at Weaverthorpe and the Grade II Listed Dotterel Cottage. Whilst the Grade II Listed church of St. Peter at Helperthorpe is roughly equidistant from the application site to St. Andrew's, due to its heavy screening by trees and its proximity to the built up village, I am of the opinion that this will not affect the setting of the church of St. Peter.*

*In my opinion the setting of Dotterel Farm cottage consist of 2 aspects. The wider view of how the farm is experiences in the landscape and the closer view of how the farmhouse is experiences within the farmstead.*

*When viewed from the principle road running east-west, the wider setting gives clear distant views of an elevated isolated historic farmhouse set along a long open access road. Due to its distance from the public highway, the views are distant and set against a background of farmbuildings, an existing wind turbine to the rear, an existing wind turbine offset in the foreground and a shelter of trees. This view can also be experienced from the minor road running south between Helperthorpe and Weaverthorpe albeit at a greater distance.*

*The immediate setting of the listed building is formed by a neat grassed front garden and a working rear yard. Horse paddocks and farmbuilding form the boundary to these and the immediate setting is also created by concrete hardstanding and redundant farmbuildings. When looking out from within the immediate setting of the farmhouse, views of the existing turbine to the north of the site are limited by the buildings and shelterbelt to the north. Views to the south are of views down the slope of the Wold to the south over arable countryside.*

*In my opinion the setting of the Grade II listed Dotterel Cottage is formed by the function of the building as a working farm. This includes the attractive historic farmhouse but also includes structures that detract from the listed building. These are however, structures that you would expect to find in this context and are proportionate to the use of the farm. The exception to this is the Manor Farm wind turbine which adds a large and competing element into the landscaping in the foreground of the listed building.*

*Due to the height of the proposed turbine it will be clearly visible when looking towards the farmhouse from the east-west road and the road running south between Helperthorpe and Weaverthorpe and from within the farm complex. This will introduce a large competing element into the landscaping that will dominate views of the listed building and be clearly seen as a backdrop to the listed building. I am of the opinion that the setting of the listed building had already been compromised to some degree of harm caused is less than substantial and according to the NPPF that this should be weighed against the public benefits of the scheme.*

*The Grade I listed church of St Andrew at Weaverthorpe is situated in an isolated position above the village on the northern slope of the woldside. It has an austere beauty partly derived from its position away from the village which predominantly sits at the bottom of the valley. At various points in the landscape St Andrew's is a dominant building giving it some presence within the landscape. The setting of the church extends for a long distance as the church can be seen within the landscape from a number of positions within the public realm most notably when travelling east along the east-west road and glimpsed through openings in hedges along the East Heselton Wold road running north out of Helperthorpe. This setting has already partly been compromised by various turbines in the vicinity. Two turbines exist within near vicinity of the proposed turbine, a newly erected 24.6m (34.2 to tip) turbine for on farm use at Manor Farm, Weaverthorpe and a turbine at Dotterel farm for on farm use (height unknown). These however are likely to be at least 20m lower in height than the proposed turbine.*

*When looking west into the landscape from the churchyard, there are clear distance views out into open countryside. Due to the lie of the land and tree screening, Dotterel Farm is not clearly visible and the predominant view is rolling arable fields. Within this view, 2 existing turbines can be seen however the predominant views are of wide and distant arable landscapes.*

*Due to the height of the proposed turbine it will clearly be visible when looking west from within the churchyard. It will also be visible when looking at the church when travelling east along the public highway and along the road running north out of Helperthorpe. I am of the opinion that this will have a harmful effect on the setting of the Grade I listed church as it will add a distracting and competing element into the landscape and affect the serenity and calmness of the landscape when looking from the church.*

*In my opinion the degree of harm caused will, be less than substantial and according to the NPPF should be weighed against the public benefits of the scheme.”*

Members will be aware of the Secretary of States (SoS) recent decision on the East Heslerton Wind Farm (11/00270/MFULE). The SoS disagreed with the Planning Inspector's assessment of the impact of the proposal upon the setting of a Grade I Designated Historic Asset (St.Andrew's, East Heslerton). The SoS concluded that the impact of the turbine's created a harmful distraction to the Asset's setting. In this particular case the view of and from the designated Historic Asset will be affected by the proposed turbine. This proposal, as reflected in the Building Conservation Officer's comments results in a similar adverse impact.

Paragraph 132 of the NPPF states: -

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.”*

The Building Conservation Officer has identified that the development will cause harm to the setting of a number of listed buildings.

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy reflects the NPPF. Specifically it requires that the *“historic environment will be conserved and where appropriate, enhanced.”*

The Legislation, specifically Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting...”*

Whilst the development has the potential of delivering a large amount of renewable energy (sufficient to power 350 homes) it is considered to be of sufficient weight, in the decision making balance, to outweigh the identified harm caused to the setting of the Grade I Listed Church and Grade II Listed cottage.

#### Ecology

The information submitted in support of the application includes a report in respect of the potential impact of the turbine on ecology. The turbine location takes account of the surrounding area and accordingly there is no objection from the Councils Countryside Officer.

#### Aviation, radar and Aircraft Safety

##### *Aviation and Radar*

There been no objections received from the relevant aviation and radar consultees.

The Ministry of Defence (MoD) originally objected to the application due to the potential interference with the AD Radar at Staxton Wold. However following the submission of additional information from the applicant the MoD withdrew their objection to the proposal.

##### *Aircraft Safety*

The application has been accompanied by an aviation assessment by Wind Farm Aviation Consultants (All Wind UK) Ltd.

An objection has been received from the owner/operator of the private airstrip at Moor Farm, citing aircraft safety as a significant concern. The objector (owner/operator of Manor Farm) has produced a report focussing on the perceived impact of the development upon what appears to be unlicensed private airfield.

Given the specific technical information submitted by the applicant and objector, RDC commissioned its own aviation consultant to assess the submission and effectively provide the Authority with an independent assessment of the perceived impact on the private airfield.

RDC consultant has confirmed that the development will not have a detrimental or safety impact on the operation of the Moor Farm airstrip subject to some minor changes to the circuit dimensions currently operated from the airstrip.

In conclusion, the Authority's aviation consultant has advised that the proposals provided by the applicant are sufficient for the safe operations at Moor Farm airstrip from an aviation perspective if the wind turbine application is permitted.

Members should note that the operation of a private airfield is the direct responsibility of the owner.

#### Impact on Tourism

A number of objections have been received stating that the turbine has the potential to have a detrimental impact on tourism.

However, whilst concerns have been raised in relation to this issue there is no conclusive proof in terms of the effect of wind turbines on tourism.

In the absence of any conclusive evidence that the proposed development would harm tourism significantly, it is concluded that the development would be acceptable, in terms of its impact on the tourism industry in surrounding area.

#### Other Matters

A concern has been received from a number of residents in regard to the potential devaluation of their property. However this is not a material planning consideration.

#### Conclusion

The District Council is supportive of the principle of renewable energy and this is demonstrated by the number of turbines that have been approved in the District.

However, it is considered that the proposed turbine would create an accumulation of turbines that would change the perception of the Wolds Area of High Landscape Value in this locality. This is in particular when viewed from the Weaverthorpe to Sherburn road.

It is also considered that the harm to the settings of St. Andrew's Church and Dotterel Cottage outweighs the benefits of the proposed development.

As such the recommendation is one of refusal.

#### **RECOMMENDATION: Refusal**

- 1 The proposed development would result in an accumulation of the turbines locally in the landscape when viewed from the Sherburn to Weaverthorpe road. This is considered to be detrimental to the character of the Wolds Area of High Landscape Value. As such the development would be contrary to the principles of para 98 of the NPPF and Policies SP13 and SP18 of the Local Plan Strategy.

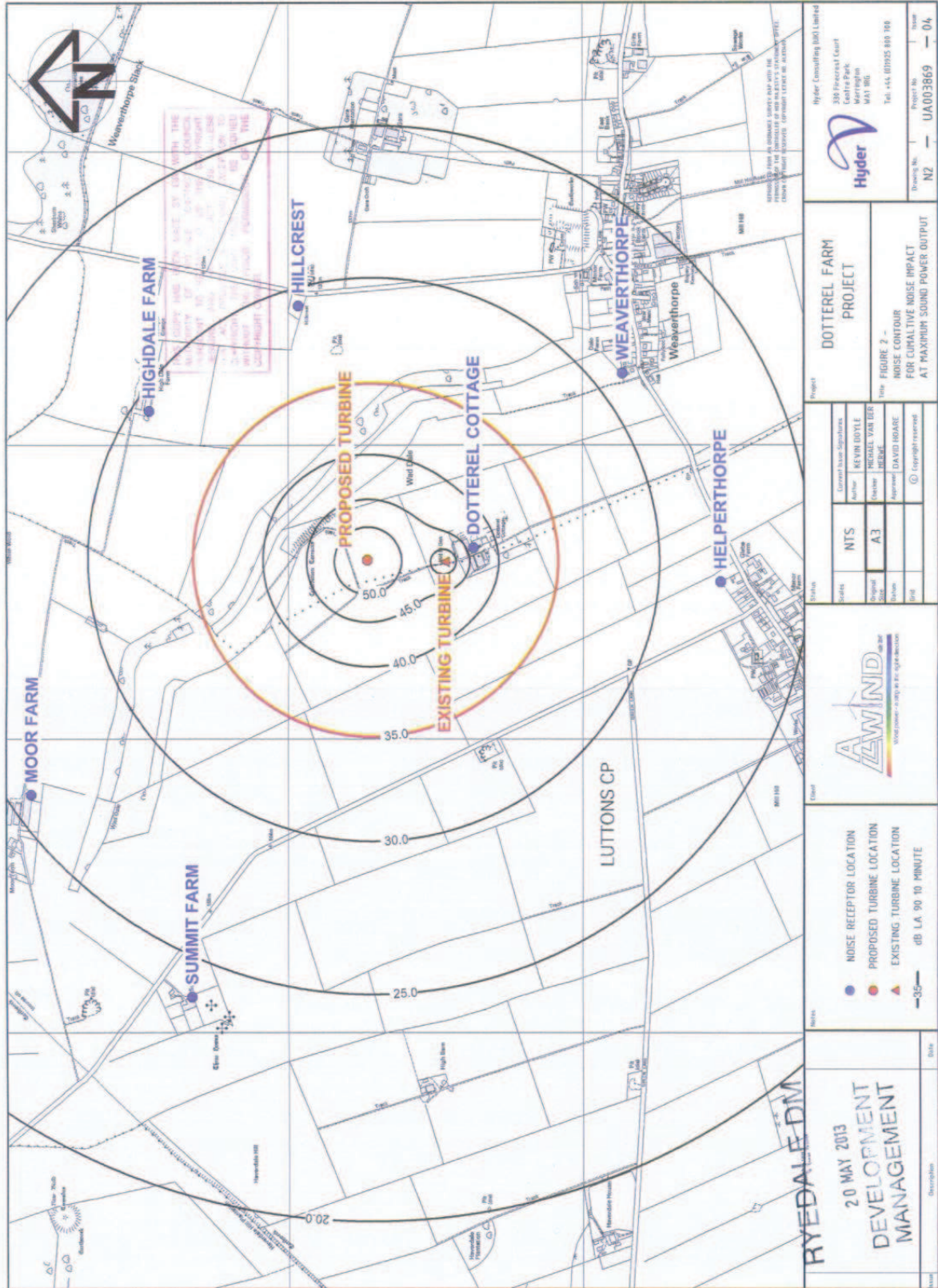
- 2 The proposed development by reason of its prominent position in the landscape proximity will result in an unacceptable level of harm to the setting of both the Listed Church (St. Andrew's) and Dotterel Cottage. Insufficient public benefits are derived from the development that outweigh the harm to the designated asset. The application is therefore considered to be contrary to Policy SP12 of the Ryedale Plan – Local Plan Strategy and the provisions of Section 12 of the National Planning Policy Framework, specifically paragraphs 129, 131, 132, 133, 134 and the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 The noise consultants report submitted in support of the application identified that the predicated noise levels to 2 out of the 5 closest noise receptors (Highdale Farm and Waddle End) fails to comply with ETSU criteria. The existing and permitted turbines are predicted to be above the 35db LA90 ETSU criteria.

The proposed wind turbine would further compound this situation which will create a further adverse impact on the identified residential properties.

The proposed wind turbine is therefore considered to be contrary to Policies SP18 and SP20 of the Ryedale Plan - Local Plan Strategy and guidance contained in paragraph 123 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



<b>RYEDALE DM</b> 20 MAY 2013 <b>DEVELOPMENT          MANAGEMENT</b>		Date Description	
<b>Notes</b> ● NOISE RECEPTOR LOCATION ● PROPOSED TURBINE LOCATION ● EXISTING TURBINE LOCATION — dB LA 90 10 MINUTE			
<b>Client</b> 		<b>Revision</b> Rev# Description 01 Initial 02	
<b>Author</b> KEVIN DOYLE <b>Checker</b> REGGIE VAN DER MERWE <b>Approver</b> DAVID ROARE		<b>Project</b> DOTTEREL FARM PROJECT FIGURE 2 - NOISE CONTOUR FOR CULTURAL NOISE IMPACT AT MAXIMUM SOUND POWER OUTPUT	
<b>Hyder Consulting (Pty) Limited</b> 200 Riverside Court Centurion Park Morningside 2010 Tel: +27 (0)21 551 8100		Drawing No. N2 - UA003869 - 04	



1:1250 @ A1  
 Date: 22.03.2013  
 Checked by: TH  
 Drawn by: AD

**KEY**

- Application Site Boundary (0.3ha)
- Substation
- Cable Route
- Wind Turbine Co-ordinate-  
E495609, N471729

**Dotterel Farm,  
Weaverthorpe, Malton**

Site Location plan









Drawn by : AD  
 Checked by : TH  
 Date : 22.03.2013  
 A.0176\_16-A



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**KEY**

-  Application Site Boundary (0.2ha)
  -  Crane Pad (20 x 35m)
  -  Turbine Foundation (12m x 12m)
  -  Temporary Construction Compound (30m x 30m)
  -  Transformer
  -  Cable Route
- Wind Turbine Co-ordinate:  
E495609, N471729

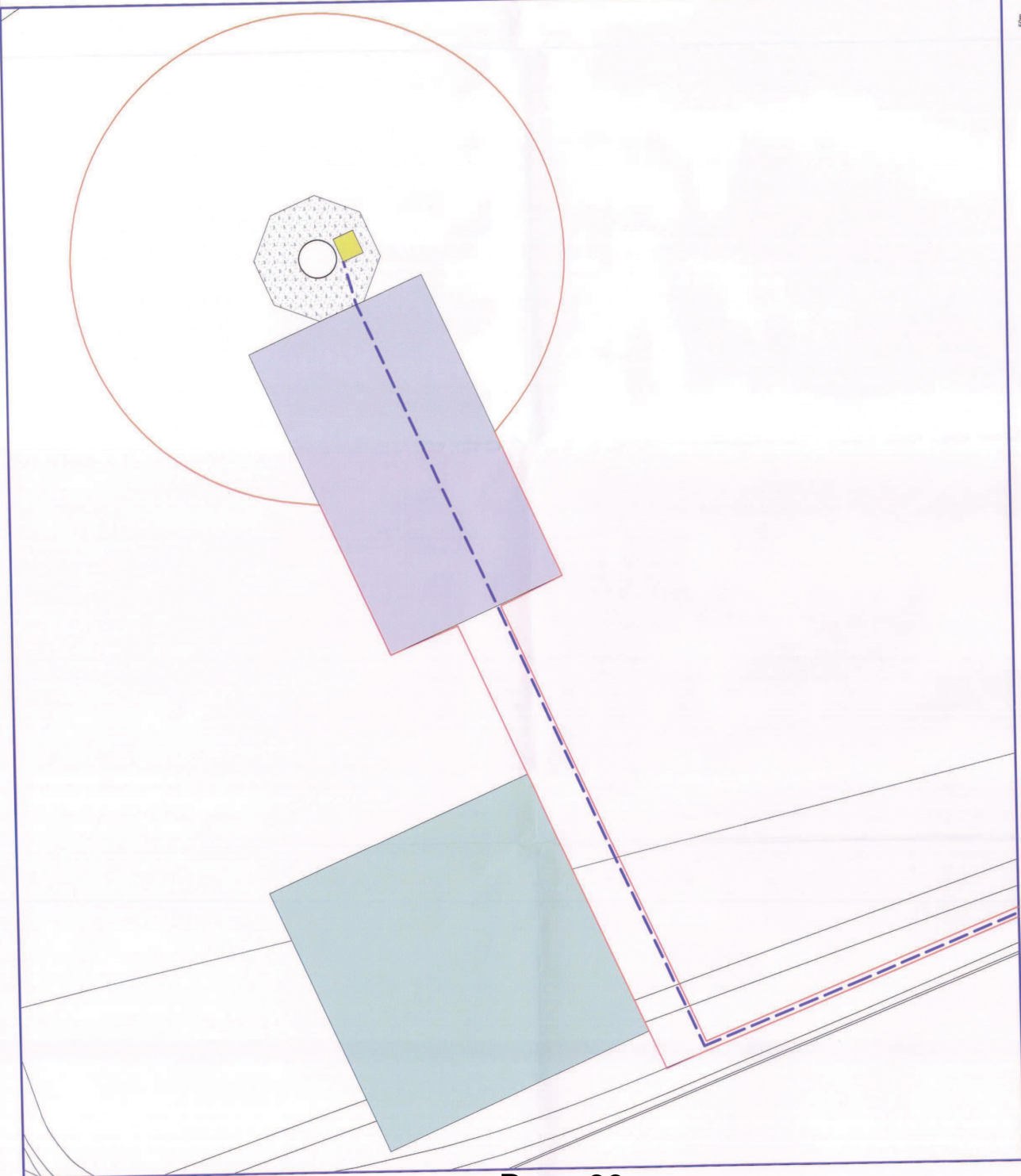
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**Dotterel Farm,  
Weaverthorpe, Malton**

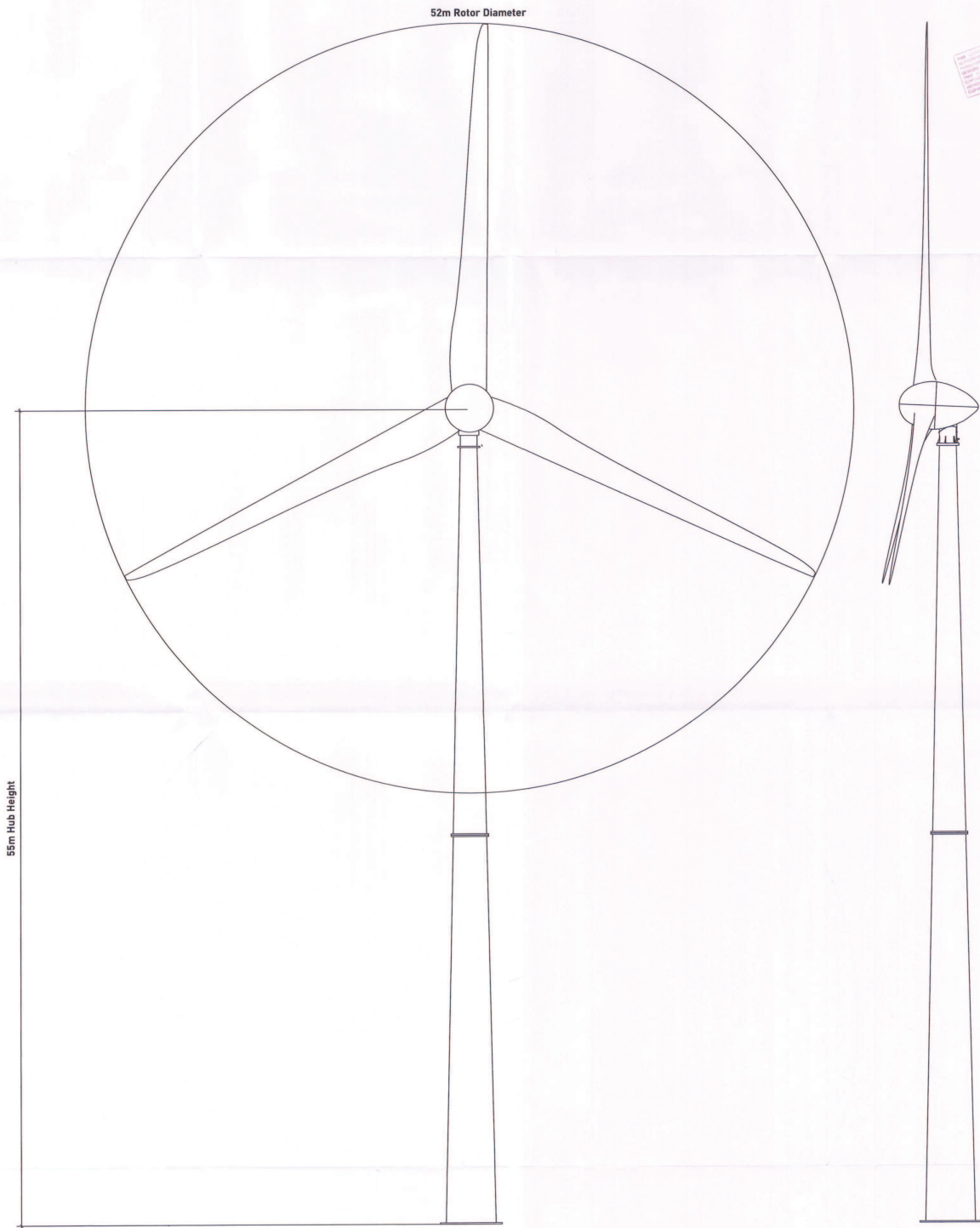
Block Plan



Drawn by : AD	Checked by : TH
Date : 22.03.2013	A.0176_18-A
1 : 200 @ A1	



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**Dotterel Farm,  
Weaverthorpe, Malton**

Typical Turbine Elevation Plan



Drawn by : AD	Checked by : TH
Date : 11.03.2013	A.0176_17-A

1 : 100 @ A0



Height to Top - 81m    Height to Hub - 50m  
 Co-ordinates - APS09, 471729

**Viewpoint 1**

**Viewpoint Information**  
 Date of photo or perspective: 27.02.13 (13.05)  
 OS Reference: A4552, A71016  
 Viewpoint height: 80m

Distance to nearest turbines: 1100m  
 No. of hubs (approximately visible): 1  
 No. of blade tips (approximately visible): 1  
 Angle of view: 10 deg (yaw)  
 View bearing: 330.0 degrees  
 Corrected viewing distance: 653.0m

**Deinet Farm Wind Turbine**

Drawn by: dl	Checked by: tm
Date: 26.06.2012	4.07/16, 11.16
Sheet: 1 of 2	<b>Pegasus</b> Consultants Ltd



Height to Top: 31m    Height to Hub: 55m  
 Orientation: 4550N, 4712E

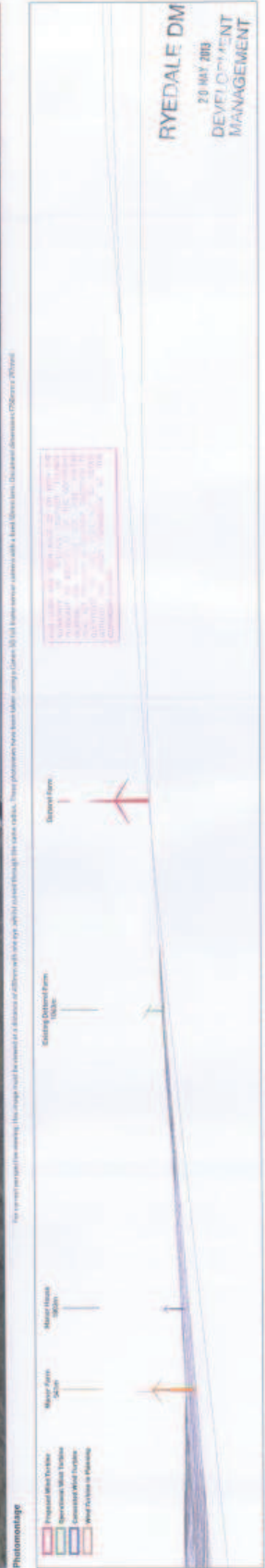
**Viewpoint Location Map**

**Viewpoint 1**

**Viewpoint Information**  
 Date & time of photo taken: 27.03.13 16:25  
 OS reference: 48152, 47076  
 Viewpoint height: 28m  
 Distance to nearest turbine: 1810m  
 No. of blades (assumed) visible: 1  
 Angle of view: 40 degrees  
 Time taken: 30.6 seconds  
 Correct camera distance: 485m

**Belton Farm Wind Turbine**

Drawn by: AD    Checked by: TR  
 Date: 26.04.13    AUTE: J.L.K  
 Sheet 2 of 2    **Pegasus** Environmental



**Cumulative Windframe** - No. of blades (assumed) visible: 1    Distance to nearest turbine: 55m (Hub to front turbine)

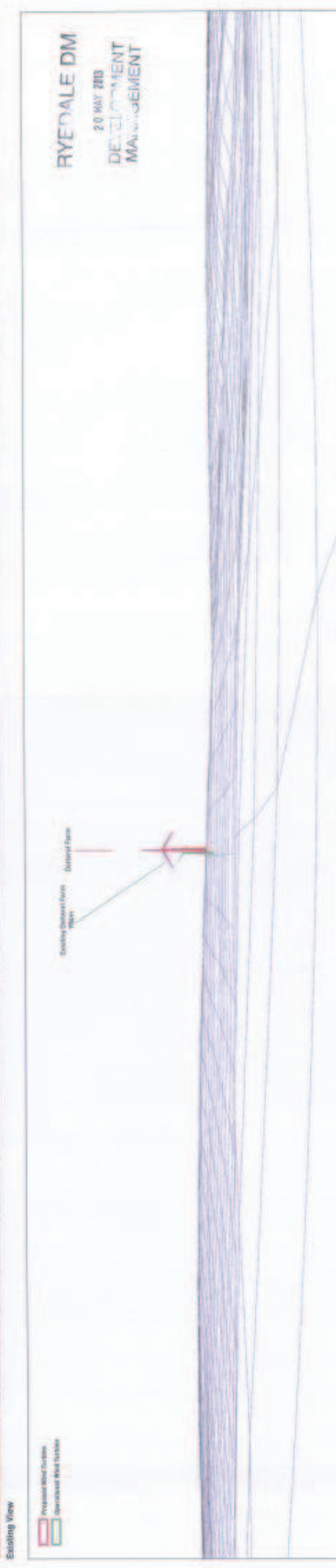
Height to Tip - 81m    Height to Hub - 55m  
 Co-ordinates - 495601, 471726

**Viewpoint Information**  
 Date & time of photograph: 20/05/2010 14:40  
 OS Reference: 495601, 471726  
 Observer height: 170m  
 Distance to nearest turbine: 1250m  
 No. of fully developed turbines: 1  
 No. of turbine tips (measurably visible): 1  
 Angle of view: 40 degrees  
 View bearing: 142 degrees  
 Corrected viewing distance: 480m

**Butterfield Farm Wind Turbine**

Drawn by: AD    Checked by: TM  
 Date: 20.05.2010    A1701, 01-A  
 Sheet 1 of 2

**Pegasus**  
 Environmental





**Wind Farm**

- Proposed Wind Turbine
- Proposed Wind Turbine
- Proposed Wind Turbine
- Proposed Wind Turbine
- Proposed Wind Turbine

Map Information  
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**Existing Wind Farm**

**Proposed Wind Farm**

**Proposed Wind Farm**

**Proposed Wind Farm**

**RYSDALE DM**  
20 MAY 2013  
DEVELOPMENT  
MANAGEMENT



**Cumulative Wireframe** - No. of turbine foundations within 50m of site boundary - 13

**Proposed Wind Farm** - No. of turbine foundations within 50m of site boundary - 13

**Existing Wind Farm** - No. of turbine foundations within 50m of site boundary - 13

Height to Tip - 61m Height to Hub - 51m  
Coordinates - 5050N, 10722E

**Viewpoint Location Map**



**Viewpoint 2**

**Viewpoint Information**

- Viewpoint Location - 5050N, 10722E
- Viewpoint Elevation - 120m
- Viewpoint Azimuth - 270 degrees
- Viewpoint Height - 150m
- Viewpoint Diameter - 150m
- Viewpoint Azimuth - 270 degrees
- Viewpoint Diameter - 150m
- Viewpoint Azimuth - 270 degrees
- Viewpoint Diameter - 150m

Direct viewing distance - 100m

Viewpoint Elevation - 120m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

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Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m



Direct viewing distance - 100m

Viewpoint Elevation - 120m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

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Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

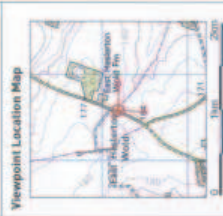
Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Viewpoint Azimuth - 270 degrees

Viewpoint Diameter - 150m

Height to Tip - 11m - Height to Hub - 57m  
 Co-ordinates - 475609, 477732



**Viewpoint 3**  
 Viewpoint Information  
 Date & time of photograph: 27.03.18 14:55  
 OS Reference: 475609, 477732  
 Viewpoint height: 12m  
 Distance to nearest turbine: 138.6m  
 No. of blades theoretically visible: 1  
 No. of blades tip to root to be visible: 3  
 Angle of view: 16 degrees  
 View bearing: 123.5 degrees  
 Current viewing distance: 480m  
**Deborah Farm Wind Turbine**

**AWIND**  
 CONSULTANTS LTD

Drawn by: RD      Checked by: DA  
 Date: 20.04.2012      A1703\_11-4

Sheet 1 of 2      **Progress**  
 Engineering



Existing View



Proposed Wind Turbine  
 Deborah Farm Wind Turbine

Long Farm  
 Debrah Farm

Wireframe

The wireframe perspective drawing has been prepared for illustrative purposes only. It does not represent a final design. The proposed wind turbine layout is shown in red. The existing wind turbine layout is shown in blue.

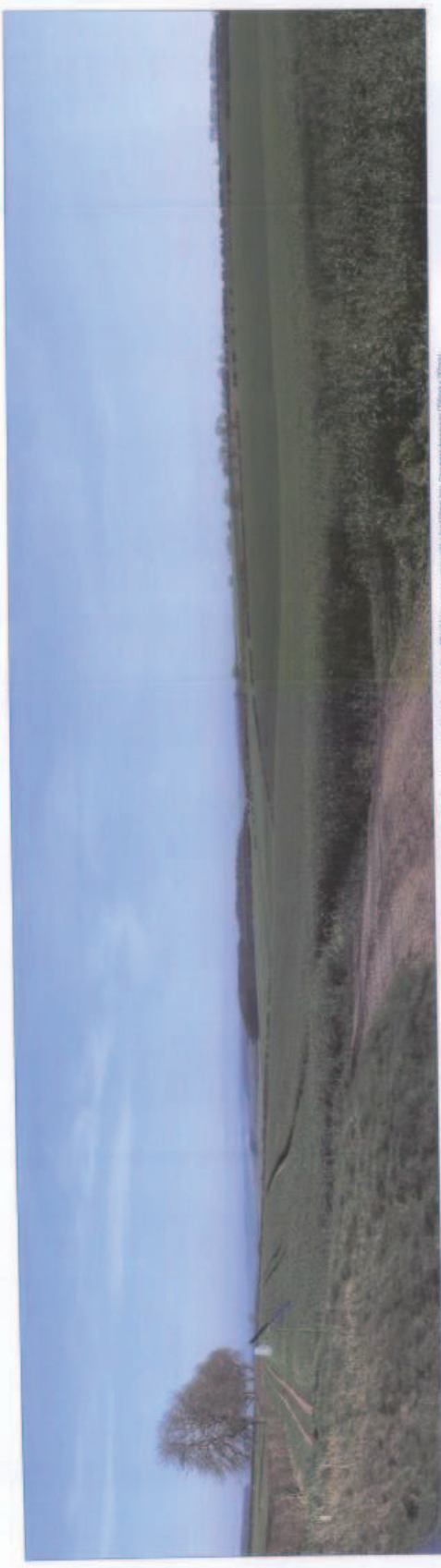
Height to Tip - 81m Height to Hub - 51m  
Co-ordinates - 495609, 47179

**Viewpoint Information**  
 Data Source or photographs: 201015 & 16.58  
 OS Reference: 495609, 47179  
 Viewpoint height: 131m  
 Distance to nearest turbine: 1332m  
 No. of turbines theoretically visible: 1  
 Angle of view: 65 degrees  
 View bearing: 107.5 degrees  
 Correct viewing distance: 483m

**Bottom Farm Wind Turbines**

Drawn by: AD Checked by: TH  
 Date: 26.10.2017 A:100, 1:1.4

Sheet 2 of 2 **Pegasus**  
Construction





Height to Tip: 81m    Height to Hub: 51m  
 Co-ordinates: -47567, 47727

**Viewpoint Location Map**

**Viewpoint 4**

**Viewpoint Information**

Date & time of survey: 20.02.12 @ 11:00  
 OS Reference: 49752, 47622

Viewpoint height: 192m

Distance to nearest turbine: 30.0m

No. of blades (nominally visible): 1

No. of blades (in perspective/crossed): 2

Angle of view: 16 degrees

View bearing: 251.60 degrees

Correct viewing distance: address

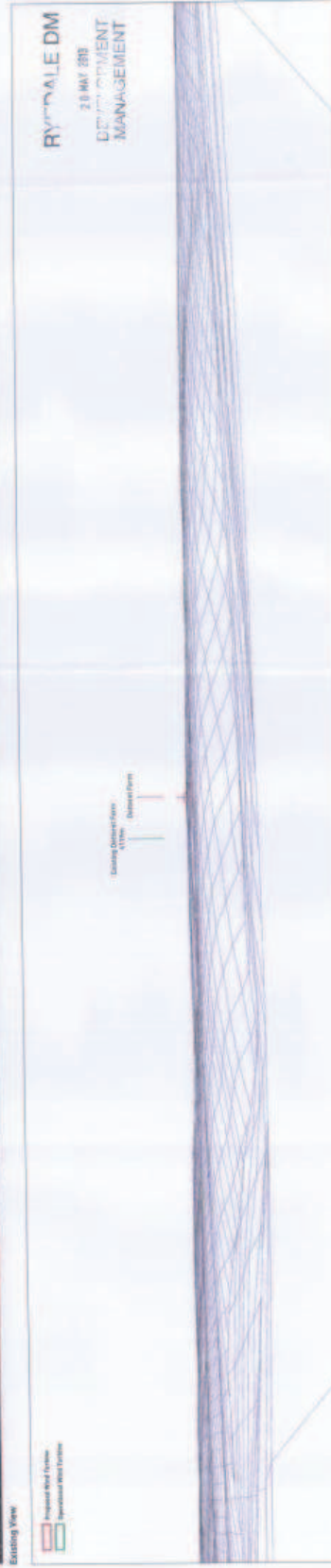
**General Farm Wind Turbine**

**AWIND**  
 Wind Energy Solutions

Drawn by: AD	Checked by: TD
Date: 25.06.2012	ASPL, S.A.A.

Sheet 1 of 2

**Pegasus**  
 Wind Farm



Height to Tip: 01m    Height to Hub: 50m  
 OS-elevation: 425697, 477227

**Viewpoint Location Map**

**Viewpoint 6**

**Viewpoint Information**  
 Date & time of photograph: 18/03/12 08:11:00  
 OS-Elevation: 425697, 477227  
 Viewpoint height: 100m  
 Distance to nearest turbines: 2100m  
 No. of turbines directly visible: 1  
 No. of turbine tips (approximately visible): 2  
 Ridge to crest: 400m

**View bearing: 271.94 degrees**  
**Centre-to-viewing distance: unknown**

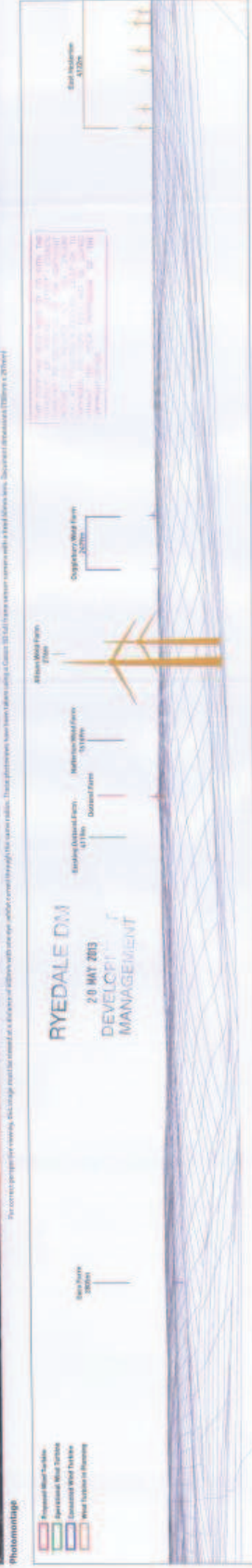
**Dorset Farm Wind Turbine**

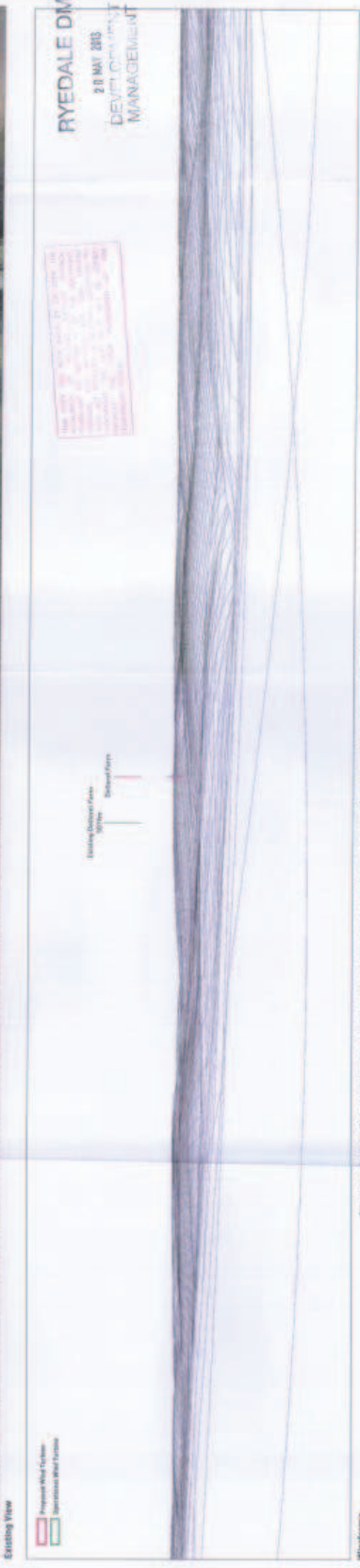
**A&WIND**  
 CONSULTANTS & ENGINEERS

Drawn by: AEP	Checked by: DS
Date: 26/04/2012	A:070, 11:4

Sheet 2 of 2

**Pegasus**  
 Environmental





Height to Top - 81m Height to Hub - 50m  
 Co-ordinates - 495619, 471729



**Viewpoint B**

**Viewpoint Information**  
 Name & use of photograph: 28.03.13 to 13.04.13  
 OS Reference: 495619, 471729  
 Viewpoint Elevation: 111m  
 Distance to nearest turbine: 512m  
 No. of turbines in view: 1  
 Angle of view: 40 degrees  
 View bearing: 285.28 degrees

**Beibers Farm Wind Turbine**

Drawn by: AD Checked by: TM  
 Date: 15.06.2012 08:05:11 A

Sheet 1 of 2

Height to Tip - 61m    Height to Hub - 55m  
 Co-ordinates - 475402, 271729

**Viewpoint Information**  
 Date & time of photograph: 28.03.2013 16:40  
 OS Reference: 462075, 46446  
 Viewpoint height: 43m  
 Distance to nearest turbine: 4720m  
 No. of hubs (horizontally visible): 1  
 Angle of view: 90 degrees

**Viewpoint E**

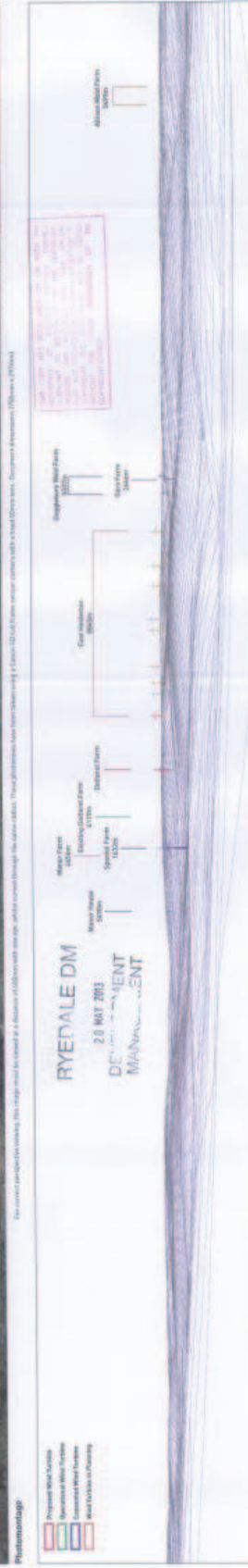
**Viewpoint Information**  
 Date & time of photograph: 28.03.2013 16:40  
 OS Reference: 462075, 46446  
 Viewpoint height: 43m  
 Distance to nearest turbine: 4720m  
 No. of hubs (horizontally visible): 1  
 Angle of view: 90 degrees

View bearing: 293.20 degrees  
 Conversion distance: 4800m

**Bestival Farm Wind Turbine**

Drawn by: AD    Checked by: TH  
 Date: 26.06.2012    7.07.10, 7.14.  
 Sheet 2 of 2

**Progressus**  
 Environmental  
 Engineering



Height to Tip - 81m    Height to Hub - 55m  
 Coordinates - 4956N, 07102W

**Viewpoint Location Map**

**Viewpoint 6**

**Viewpoint Information**  
 Date & time of photograph: 27.03.18 14:28  
 OS reference: 00706, 44263  
 Viewpoint height: 144m  
 Distance to nearest turbine: 4225m  
 No. of fully mounted turbines: 0  
 No. of fully mounted turbines: 0  
 No. of fully mounted turbines: 0  
 Angle of view: 90 degrees  
 View bearing: 207.78 degrees  
 Current viewing distance: 400m

**Robbed Fern Wind Turbine**

**AWIND**  
 CONSULTANTS

Drawn by: AD	Checked by: TH
Date: 26.06.2012	A.07A, 114

Sheet 1 of 2

**Regulus**  
 CONSULTANTS



Height to Top - 31m - Height to hub - 50m  
Coordinates - 43.697, 157.177

**Viewpoint Location Map**

**Viewpoint 6**

**Viewpoint Information**

Date & time of photograph - 02/03/2018 14:30  
 OS Reference (OSGB, UTM) -  
 Viewpoint height, 1, 1m  
 Distance to nearest turbines (km) -  
 No. of fully discretizable turbines -  
 No. of fully discretizable turbines -  
 Angle of view, 90 degrees  
 Construction phase, 1  
 Construction phase, 1  
**Distel Farm Wind Turbine**

**AWIND**  
 CONSULTANTS

Drawn by: ab | Checked by: Dr  
 Date: 03.06.2017 | 4/01/18 11:56  
**Progress**  
 Environmental

Sheet 2 of 2



Height to Tip: 67m    Height to Hub: 55m  
 Co-ordinates: -975485, 471729

**Viewpoint Location Map**

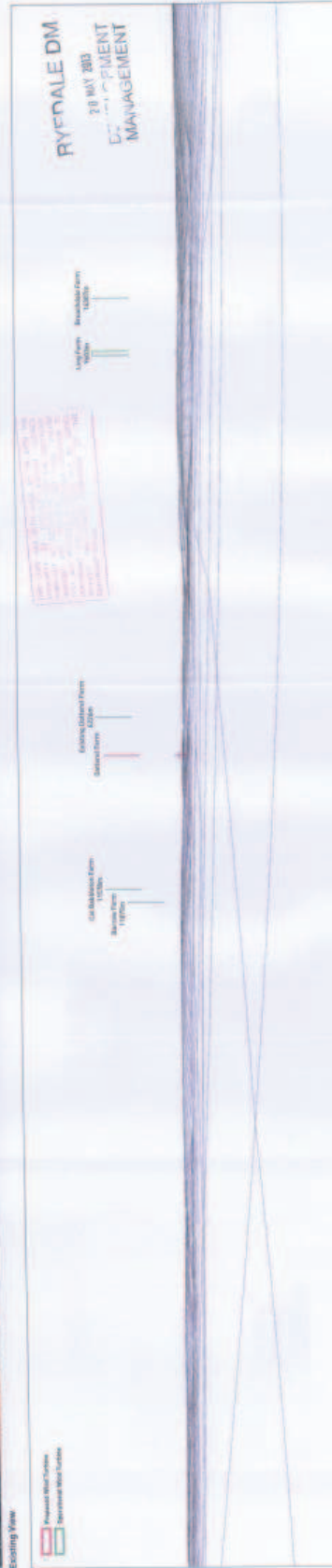
**Viewpoint Information**  
 Date & time of photograph: 27 Oct 2012 15:46  
 OS Reference: 49851, 49851  
 Viewpoint height: 152m  
 Distance to nearest turbine: 450m  
 No. of blades: 3 (horizontally visible: 1)  
 Angle at noon: 10 degrees  
 View bearing: 94.2 degrees  
 Correct viewing distance: 450m

**Distance from Wind Turbine**

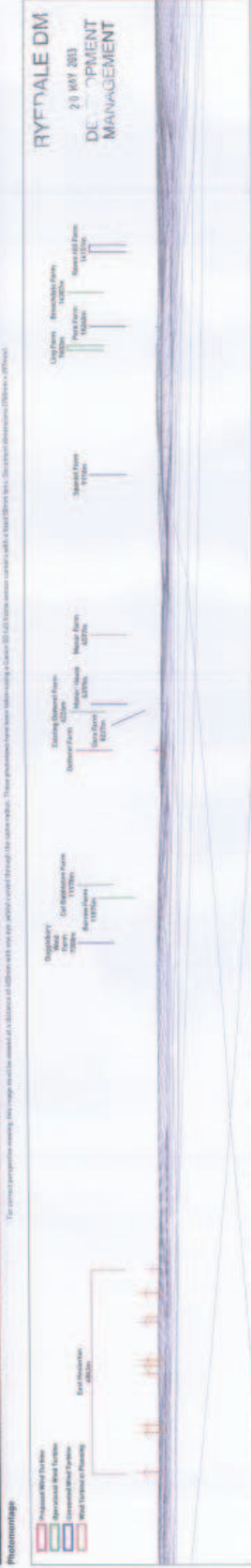
Drawn by: AD    Checked by: TH  
 Date: 26 Oct 2012    A0129, T1-A

Sheet 1 of 2

**Pegasus**  
 Environmental



For correct perspective viewing, this image must be viewed at a distance of at least 500m from the camera. These photographs have been taken using a Canon 60D using a 100mm lens. Orientation determined by use of a compass.



Cumulative Windfarm - No. of turbines at site 20 - No. of turbines at site 20 - No. of turbines at site 20 - No. of turbines at site 20

**Height to Top:** 11m **Height to Hub:** 55m  
**Coordinates:** 495607, 47722

**Viewpoint Location Map**

**Viewpoint 7**

**Viewpoint Information:**  
 Date & time of photograph: 27.03.12 @ 14:40  
 OS Reference: 495610, 477220  
 Viewpoint height: 103m  
 Direction to onshore turbine: 103m  
 No. of turbines theoretically visible: 1  
 Angle of view: 90 degrees  
 View bearing: 90.13 degrees  
 Current viewing distance: 400m

**Dotted Farm Wind Turbine**

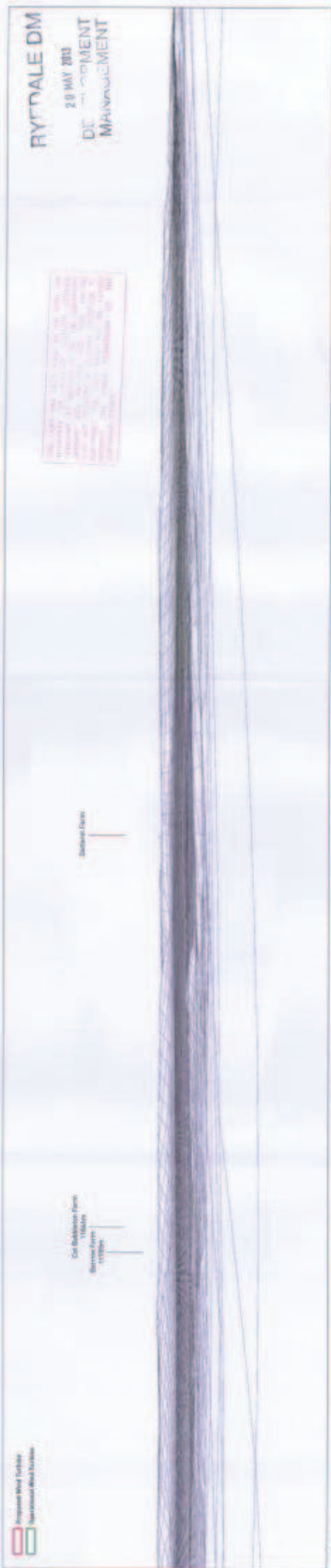
**AWIND**

**Drawn by:** AD **Checked by:** TR  
**Date:** 16.06.2012 **AUTH:** D.A.A.  
**Sheet:** 2 of 2 **Pegasus Environmental**





Existing View



Windfarm

For comparison purposes only, this image must be viewed in a landscape orientation with the grid rotated through 90 degrees. These photographs have been taken using a Canon 5D Mark II camera with a 28mm lens. Orientation is indicated by the arrow.

Height to Top of Mast - 50m  
Coordinates - 495007, 21729

**Viewpoint Location Map**



**Viewpoint 8**

**Viewpoint Information**

Date & time of photograph: 20.05.2015 10:00

OS Reference: 495007, 21729

Viewpoint height: 27m

Alt. of mast: 100m (to top of tower)

Distance to nearest turbine: 1000m

Dir. of mast: 100 degrees (to tower)

Angle of view: 45 degrees

View bearing: 100 degrees

Correct bearing distance: 1000m

**Balders Farm Wind Turbine**



Drawn by: AD	Checked by: MH
Date: 20.05.2015	4.01.15, 21.15
Sheet 1 of 2	<b>Pegasus</b> Engineering

Height to Tip: 87m Height to Hub: 55m  
Co-ordinates: 455409.473729

**Viewpoint 8**

**Viewpoint Information**

Direction of photograph: 083.3 to 09.00

GS Elevation: 45524.497m

Viewpoint height: 237m

Distance to nearest turbine: 13825m

No. of turbine(s) directly visible: 1

Angle of view: 93 degrees

View radius: 18.3 degrees

Correcting distance: 45km

**Dotted Eum Wind Turbine**

Drawn by: AD  
Checked by: DS

Date: 06.06.2012  
Scale: A 1/10, 1:1 = 4

Sheet 2 of 2





Existing View



Windframe

Height to Top - 27m Height to Hub - 50m  
 Co-ordinates - 452609, 47777

**Viewpoint Location Map**

**Viewpoint 9**

**Viewpoint Information**  
 Date & time of photograph: 20.05.2010 11:28  
 US Reference: 06607, 47821  
 Viewpoint height: 2m

Direction to nearest turbine: 180°/0°  
 No. of blades: 3 (no. of blades: 1)  
 Angle of view: 40 degrees  
 View bearing: 243.5 degrees  
 Corrected bearing: 180°/0°

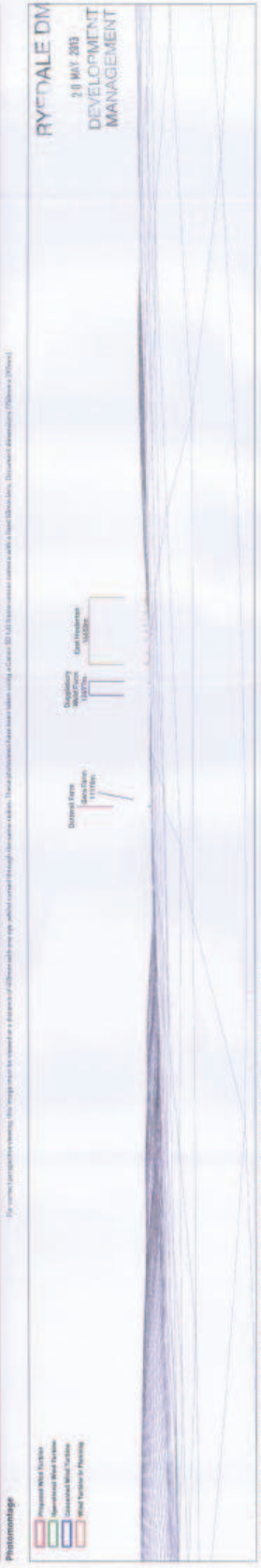
**Dotted Farm Wind Turbine**

Drawn by: JBT  
 Date: 24.06.2010  
 Checked by: TB  
 Date: 04.07.11 A

Sheet 1 of 2

The correct perspective viewing, as though seen by viewing at a distance of 400m or more, will be correct through the perspective. These photographs have been taken using a Canon 1D3 SLR camera system with a 100mm lens. The correct dimensions are 300mm x 200mm.

Handwritten note in blue ink, partially obscured, containing technical details or site information.



**RYDALE DM**  
 2.0 MAY 2013  
 DEVELOPMENT  
 MANAGEMENT

**Height to Tip: 81m - Height to Hub: 55m**  
**Co-ordinates: 45109, 47729**

**Viewpoint Location Map**

**Viewpoint 9**

**Viewpoint Information**  
 Date & time of photograph: 24.03.12 @ 12.20  
 OS Reference: 50657, 42421  
 Viewpoint height: 30m  
 Distance to nearest turbine: 1000m  
 No. of turbines immediately visible: 1  
 No. of blades (per immediately visible): 1  
 Azimuth of view: 10 degrees

**View bearing: 201.5 degrees**  
**Correct viewing distance: 433m**

**Different Farm Wind Turbine**

**AWIND**

Drawn by: GD      Checked by: TA  
 Date: 04.10.2012      A 8104, 11-A

Sheet 2 of 2      **Pegasus**  
 Environment

Height to Tip: 81m - Height to Hub: 55m  
 Co-ordinates: 495401.4, 717729

**Viewpoint Location Map**

**Viewpoint 10**

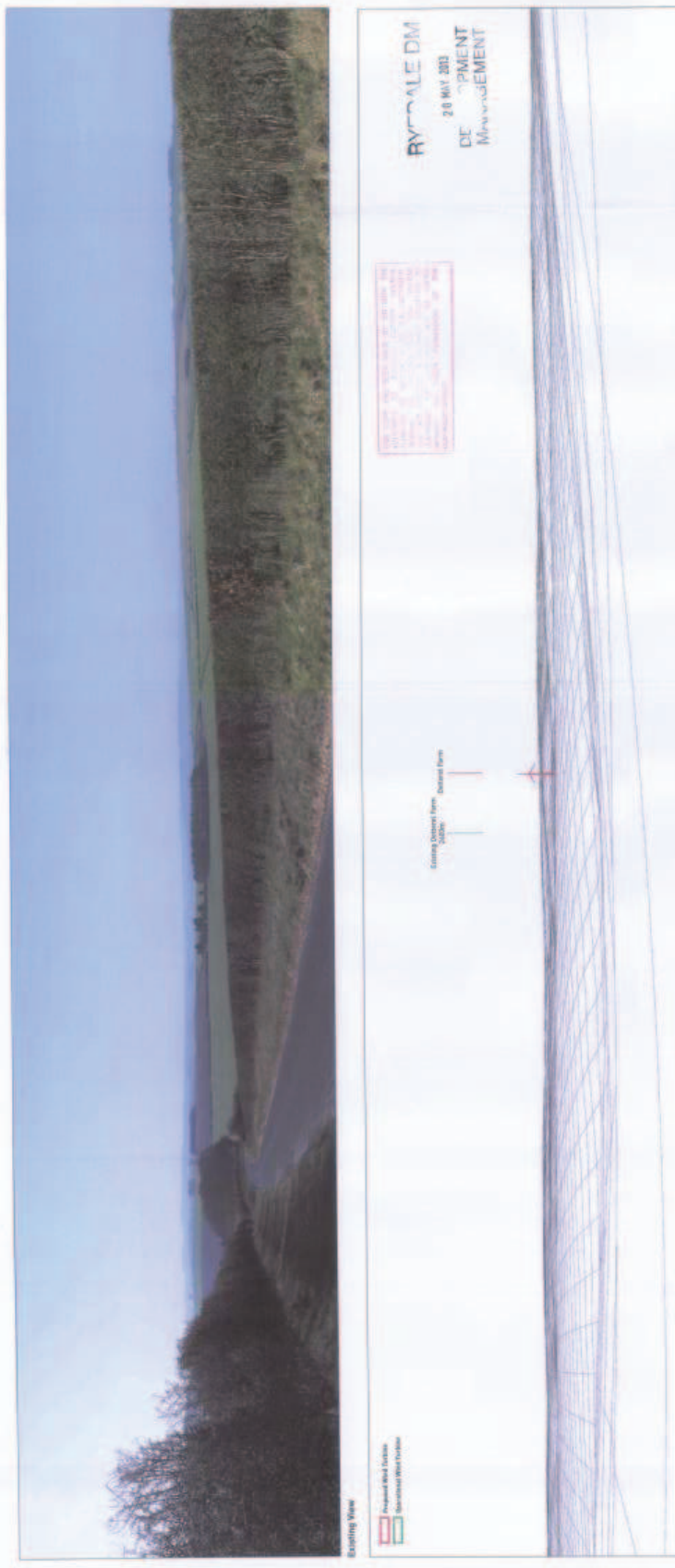
**Viewpoint Information:**  
 Date & time of photograph: 20.03.2013 @ 10:00  
 UTM reference: 495401.4, 717729  
 Viewpoint height: 65m

Distance to nearest turbine: 217m  
 No. of photo-redundant images: 1  
 No. of photo-typos (topography visible): 2  
 Slope of view: 10 degrees  
 View clarity: 2/5 images  
 Corner viewing distance: 100m

**General Farm Wind turbine**

Client: B&B	Contract No: 70
Date: 28.03.2012	A 033, V1-4

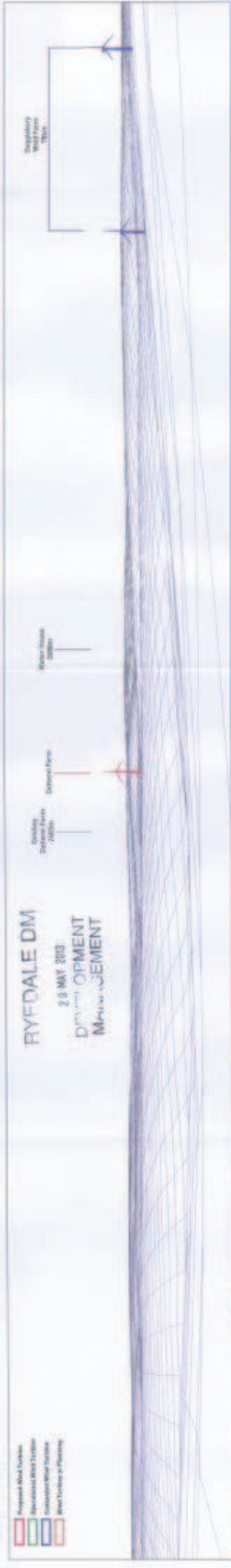
Sheet 1 of 2





Photomontage

For correct perspective viewing, this image must be viewed at a distance in metres which equals the screen width. These photographs have been taken using a Canon 200 mm super telephoto camera with a 1000mm lens. (Distance dimensions (200mm x 270mm)



Dimensional WireFrame - No. of poles identified by column 1 - No. of poles type identified by column 2 - Distance to nearest pole in metres (0=adjacent to pole) (0=adjacent to pole) (0=adjacent to pole)

Height to Top of Pole - 27m - Height to Top of Pole - 20m  
 Co-ordinates - 475079, 67722

**Viewpoint Location Map**

**Viewpoint 10**

**Viewpoint Information**

Date & time of photograph: 04/03/2010 10:00  
 OS Reference: 475079, 67722  
 Viewpoint Elevation: 10m  
 Distance to nearest structure: 27m  
 No. of poles theoretically visible: 1  
 No. of poles actually visible: 1  
 Angle of view: 90 degrees  
 View-bearing: 214 degrees  
 Correct viewing distance: 100m

**Deerall Farm Wood Tachometer**

Drawn by: ADJ  
 Checked by: TW  
 Date: 26/06/2010  
 A 475079, 67722

Sheet 2 of 2

**Pegasus**  
 Environmental

Height to Top of Hub: 51m  
 Height to Hub: 51m  
 Coordinates: 495074, 437722

**Viewpoint Location Map**

**Viewpoint 11**

**Viewpoint information:**  
 Date & time of photograph: 27.03.2013 (13:54)  
 OS Reference: 495074, 437722

Viewpoint height: 111m

Distance to nearest turbines: 650m

No. of hubs directly visible: 1

No. of hubs (top-down) directly visible: 1

Height above 10 degrees:

View bearing: 082 degrees

Correct viewing distance: 650m

**Bethel Farm Wind Turbines**

Drawn by: AD	Checked by: TD
Date: 26.06.2012	ASYS, L.L.C.
Sheet 1 of 6	



Height to Top - 41m    Height to Hub - 55m  
 Co-ordinates - 451007, 471729

**Viewpoint Location Map**

**Viewpoint 11**

**Viewpoint Information**

OS Grid Reference: 45705, 47092  
 Viewpoint Height: 131m  
 Distance to nearest turbine: 305m  
 No. of fully horizontally visible: 1  
 No. of hubs horizontally visible: 1  
 Angle of view: 10 degrees  
 View bearing: 42.2 degrees  
 Corrected viewing distance: 405m

**Barnold Farm Wind Turbine**

AWIND  
 aerodynamic wind turbine

Drawn by: AD    Checked by: TH  
 Date: 20.03.2013    4.0715, 11.14

**Progress**  
 Engineering

Sheet 2 of 2



For correct perspective viewing, this image should be viewed in a landscape orientation. These photographs have been taken using a Canon 10D using a 100mm prime lens with a 1.4x extender. The photos were taken using a Canon 10D using a 100mm prime lens with a 1.4x extender. The photos were taken using a Canon 10D using a 100mm prime lens with a 1.4x extender.

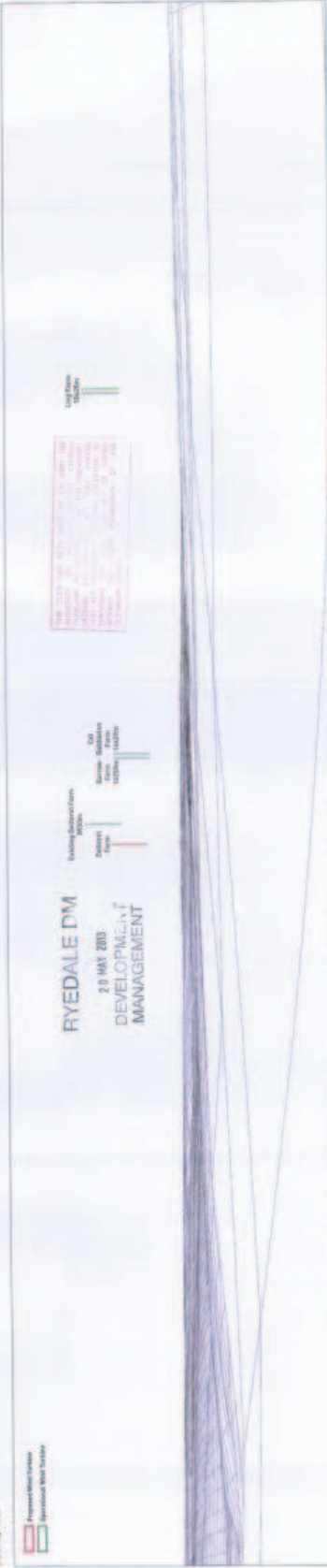


**Consultative Wirralframe** - No. of fully horizontally visible: 1    No. of hubs horizontally visible: 1    Distance to nearest turbine: 305m    Hubview: Not visible





Existing View



Windfarm

Height to Tip - 81m Height to Hub - 55m  
Coordinates - 495209, 477179

**Viewpoint Location Map**

**Viewpoint V2**

**Viewpoint Information**

Date & Time of photographs: 2013.07.28 11:40  
OS Reference: 494237, 480031  
Viewpoint Azimuth: 80m  
Distance to nearest turbine: 1150m  
No. of blades theoretically visible: 1  
No. of blades theoretically visible: 1  
Angle of view: 20 degrees  
View bearing: 45 degrees  
Distance to view distance: 200m

**Dallatree Farm Wind Turbine**

**AWIND**

Drawn by: AD	Checked by: TB
Date: 16.06.2012	A3201_11-A

Sheet 1 of 2

**Pegasus**  
Engineering

Height to Top of Hub - 150m  
 Height to Hub - 50m  
 Coordinates - 406217, 671217

**Viewpoint Location Map**

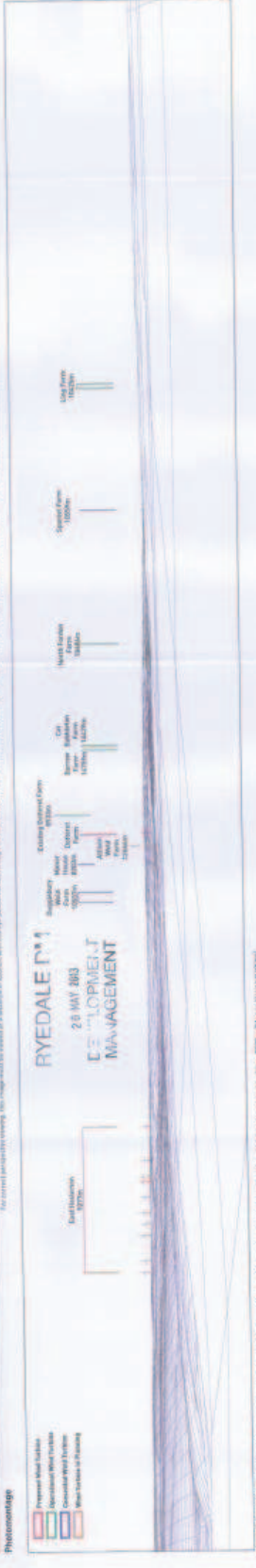
**Viewpoint 12:**

**Viewpoint Information**  
 Date & Time of photograph: 19.03.2019 12:40  
 OS Reference: 406217, 669817  
 Viewpoint height: 80m  
 Distance to nearest turbine: 1120m  
 No. of turbines immediately visible: 1  
 Angle of view: 93 degrees  
 View bearing: 45.7 degrees  
 Direction of view: 0 degrees

**Dataset Form Wind Turbine**

Drawn by: AB  
 Checked by: SH  
 Date: 23.06.2019  
 Author: J.A.

Sheet 2 of 2



**Height to Tip:** 11m    **Height to Hub:** 55m  
**Co-ordinates:** 495497, 477129

**Viewpoint Location Map**

**Viewpoint 13**

**Viewpoint Information**

Site # (use in photographs) 20 23 24 25

OS Reference: 522522, 475232

Ground Height: 81m

Distance to nearest farm: 970m

No. of trees (total) 1

No. of trees (open) 1

Angle of view (°) 10

View bearing: 275.43 degrees

Compass bearing: 275.43 degrees

**Buller's Farm Wind Turbine**

**AWIND**  
 Agricultural Wind

Drawn by: JLD    Checked by: TB

Date: 26 Feb 2013    A:018, 1:10

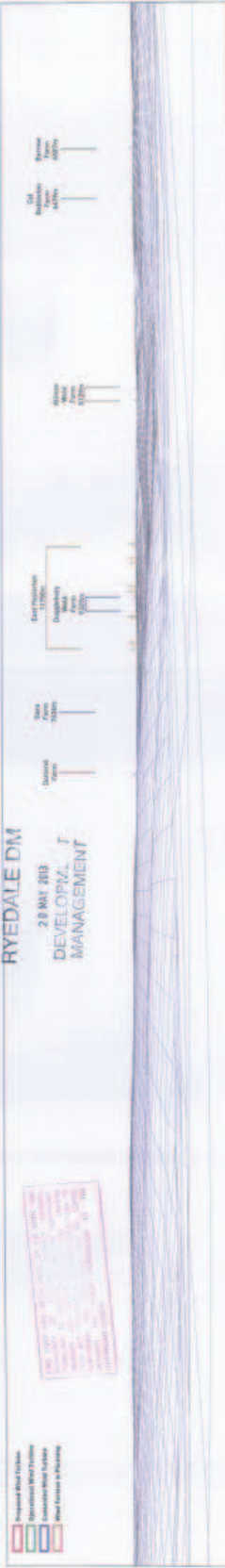
Sheet 1 of 2    **Pegasus** Environmental





Photomontage

No correct perspective drawing, this image used to assist in a distance of 100m from the viewer. Total photo-montage has been taken using a Canon 20-100mm zoom lens with a Canon 20-100mm zoom lens using a Canon 20-100mm zoom lens. Distance to viewer is 100m.



Cumulative Wireframe - No. of blades (horizontally visible) - 15 - No. of blades (top horizontally visible) - 15 - Distance to nearest turbine - 117m - Cumulative Wireframe

Height to Tip - 11m - Height to Hub - 55m  
 Co-ordinates - 456207, 47722

**Viewpoint Location Map**

**Viewpoint 13**

**Viewpoint Information**

Date taken of photograph: 28/05/2018 14:40  
 GPS Reference: ODD43 47522  
 Viewpoint Height: 55m  
 Distance to nearest turbine: 117m  
 No. of blades horizontally visible: 1  
 No. of blades top horizontally visible: 1  
 Angle of view: 90 degrees

View bearing: 270 (to degree)  
 Corrected bearing: 028m

**Dotted Farm Wind Turbine**

Drawn by: AD  
 Date: 20/04/2018  
 Checked by: DS  
 Date: 11/05/18

Sheet 2 of 2



## **DESIGN AND ACCESS STATEMENT**

### **PROPOSED WIND GENERATOR**

**DOTTEREL FARM  
WEAVERTHORPE  
NORTH YORKSHIRE**

Pegasus Planning Group Ltd  
Pegasus House  
Querns Business Centre  
Whitworth Road  
Cirencester  
Glos  
GL7 1RT

Telephone: (01285) 641717 Facsimile: (01285) 642348

PPG Ref: PA/CIR.A.0176

Date: 2<sup>nd</sup> May 2013

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2. SITE DESCRIPTION & CONTEXT	2
3. DESIGN	3
4. ACCESS	6
5. SUMMARY	7

## 1. INTRODUCTION

1.1 This Design and Access Statement forms part of a package of documents accompanying a planning application for a single wind generator at Dotterel Farm, Weaverthorpe, North Yorkshire.

1.2 The purpose of this document is to demonstrate that the Applicant has fully considered the design and access issues as part of the comprehensive preparation of the scheme prior to submission of the planning application. This report therefore covers the following matters:

- Use
- Amount
- Location
- Scale
- Landscaping
- Appearance
- Access

## 2. SITE DESCRIPTION & CONTEXT

2.1 The application site covers an area of approximately 0.3 hectares within the agricultural setting of Dotterel Farm, approximately 1.9km north west of the village of Weaverthorpe in North Yorkshire.

2.2 The routes for HGV's travelling to/from the site have been discussed and agreed with officers from North Yorkshire County Council. The site would be accessed via the existing point of access to Dotterel Cottage Farm off Main Road to the west of Weaverthorpe. Access/egress to the site would be from the strategic highway network via the following routes:

- Route A (south) – from the A614 at Driffield, along the B1249, turning left at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access; and
- Route B (north) – from the A64 at Saxton, along the B1249, turning right at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access.

2.3 A search of "sensitive areas" as described by the EIA Regulations indicates that the site and immediate area lies outside of any such "sensitive area". The nearest sensitive area is a Scheduled Monument (SM) located approximately 1.1km to the north west of the site.

2.4 The generally accepted wind speed for commercial wind turbine developments is that of above 5.6m/s. The wind speed data obtained from the Department of Energy and Climate Change (DECC) indicates that the annual average wind speed at Dotterel Farm is 6.5m/s at 45m Above Ground Level (AGL). As the Proposed Development is for a single wind generator with a hub height up to 55m and tip height up to 81m, it is considered that the application site is a commercially suitable location to sensitively exploit the natural wind resources of the area.



### 3. DESIGN

- 3.1 A considerable number of factors have contributed towards the design and layout of the site that is now put forward. These are now discussed against the various aspects of Design highlighted within CABE's guidance document regarding the production of Design & Access Statements.

#### Use

- 3.2 The site currently lies within open arable farmland within the wider countryside setting. The proposed wind turbine will not result in the loss of any significant part of the site as the space taken up by the wind generator covers just 0.3 hectares out of a total farm holding of approximately 100 ha.
- 3.3 The proposal is for the installation of a single wind generator with a maximum blade height of up to 81m. It is anticipated that the wind generator would be operational for a duration of 25 years.
- 3.4 The proposed location has been chosen due to its exposure to commercially viable wind speeds and limited environmental constraints. The location also provides an uninterrupted airflow by virtue of the site being some distance from structures which would detrimentally influence the generating capacity of the generator.
- 3.5 If the Council is to continue its excellent records of contributing towards the Regional and National targets for renewable energy provision, then such developments will continue to be required within the countryside where the capacity to support such schemes is greater than within an urban setting.

#### Amount and Fabrication

- 3.6 It is proposed to construct a single wind generator with a height to blade tip of up to 81m and a short new access track. The wind generator will be formed of 3 blades made from glass-fibre reinforced epoxy. The nacelle, housing the generator will be mounted at the top of a galvanised steel tower, which will be up to 55m high (referred to as the hub height).
- 3.7 The exterior finish of the nacelle is proposed to be matt light grey. The final finish can be the subject of an appropriate Condition of an approval if required by the Local Planning Authority.

- 3.8 The overall scale of the wind generator will be up to a maximum height of up to 81m, to the tip of the blade when vertical.
- 3.9 Land take for the wind generator will be small at only 0.3 hectares. This is formed by the concrete foundations and the access route across the field connecting from the existing access tracks and infrastructure requirements. At the end of the wind generator's lifespan of 25 years, the plant and machinery can be dismantled and removed and the site restored to its former use.

#### Location

- 3.10 In proposing the general location of the development, great consideration has been given to the relationship of the existing buildings and surrounding trees and hedgerows. This will help ensure that the development sits comfortably within, and is well contained by, its natural surroundings whilst not adversely detracting from the ability of the existing farm estate to operate or detrimentally effect surrounding environmental characteristics.
- 3.11 The specification for the location, positioning and height of the generator is based on the following considerations relating to achieving a sustainable economic output of the wind generator, while minimising any detriment to the landscape and wider visual amenity, and also adhering to the safe working practices as recommended by the manufacturer.
- There are no overhead electricity transmission lines, trees or other height obstructions in the vicinity which would affect the safety or operation of the wind generator.
  - The site is not located within any environmentally sensitive areas so as to reduce any potential impacts the proposed development may have on landscape and visual amenity and ecological areas.
  - No public access is required as part of this development.

#### Scale

- 3.12 The scale of development on site has been determined by the requirements to achieve a consistent and smooth laminar airflow in order to achieve a sustainable renewable energy generating potential of the wind generator. Achieving a 'clean' airflow maximises output, minimises fatigue and associated maintenance costs caused by turbulent airflow.

- 3.13 The location has evolved to achieve a satisfactory economic potential of the proposal as weighed against the environmental sensitivity of the site and the wider surroundings to inform a suitable scale of proposed development.

Landscape

- 3.14 The proposal has been subject to a detailed landscape and visual impact assessment. The following design principles have been considered as part of the development of the scheme:

- Development and application of the most suitable wind generator design for the site, to respond to the local landscape character and provide an acceptable design solution in terms of scale, layout and visual composition.
- Achieve a cost effective scheme that may be viewed and considered an acceptable component of the landscape.
- Minimise any adverse landscape and visual effects on views from key receptors such as important protected landscape, highways and public footpaths and settlements.

- 3.15 No formal landscaping scheme is proposed as part of this development.

Appearance

- 3.16 A detailed consideration of the appearance of the turbine in relation to the landscape and its visual impact is also included within the Landscape and Visual Impact Assessment which accompanies this application.

- 3.17 In summary, the accompanying landscape and visual report demonstrates that the proposed wind turbine can be successfully accommodated on this site and assimilated into the surrounding area without causing significant harm to the local character, visual amenity or landscape features of the area. The proposed development comprises a single wind generator and its effect upon the landscape character is judged to be slight/moderate.

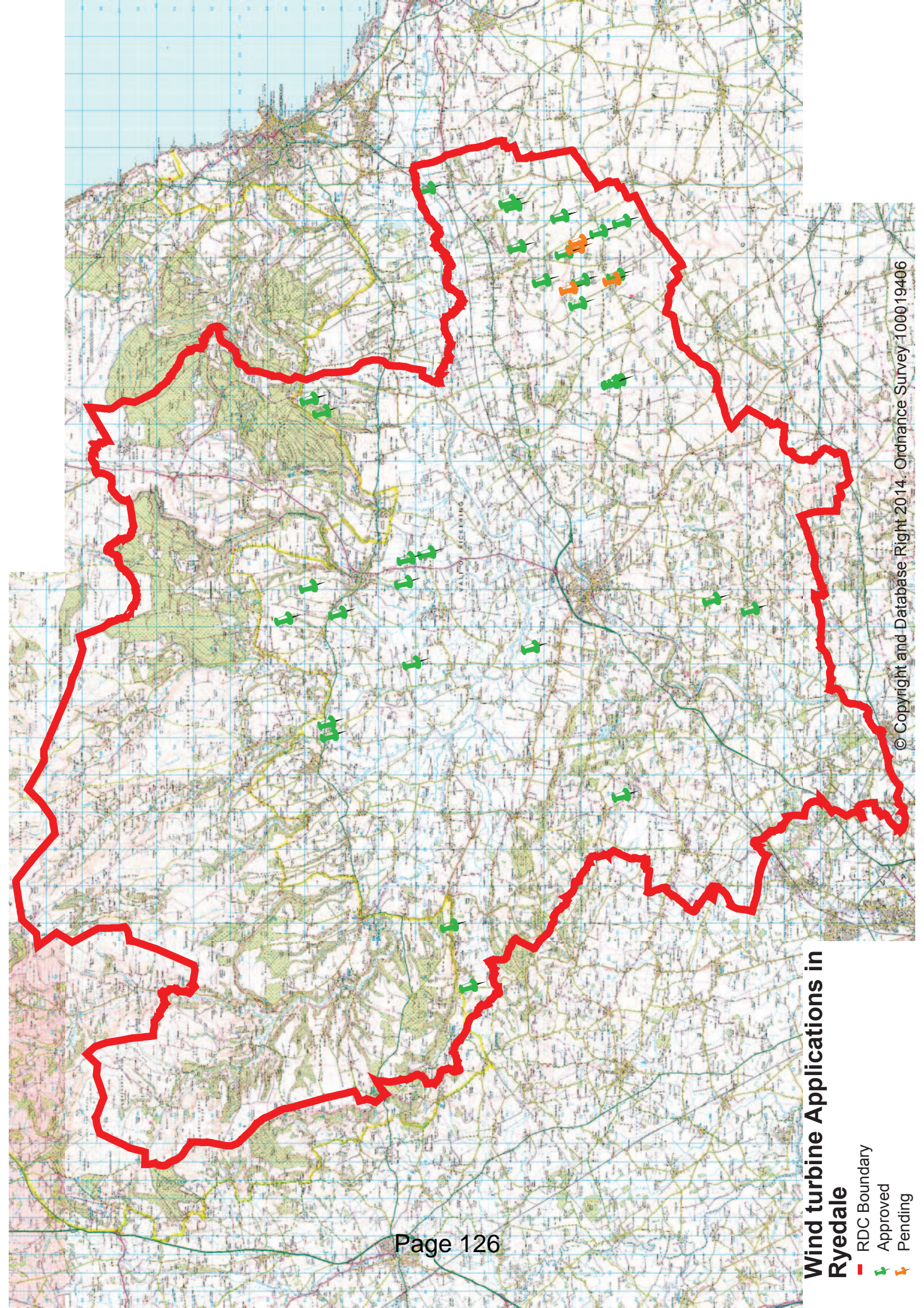
- 3.18 It has therefore been demonstrated that the development proposals are acceptable in terms of impact upon landscape and visual amenity.

#### 4. ACCESS

- 4.1 Vehicular access to the proposed wind generator site would be by the existing Dotterel Farm track through the farm complex from an unnamed lane to the south which runs between the B1249 at Foxholes and the B1253 at Duggleby. All likely access routes around the site are suitable for heavy goods vehicles and are frequently used by large agricultural machinery, as would be expected in a rural area.
- 4.2 Construction of the wind generator will require items of plant and machinery equipment coming to the site as well as aggregate (used from the site) and concrete and steel for the construction of the foundations (although the foundations will be minimal) and the partial new access track within the field. The construction period for the above components is anticipated to take approximately 2 to 3 months.
- 4.3 The wind generator components will be transported to site via abnormal load vehicles as well as standard 40 foot or 60 foot articulated lorries to deliver the additional associated plant and machinery.
- 4.4 The main transport impacts will result from the movement of the commercial HGV's, abnormal load vehicles and light vehicles to and from the proposed development site during the construction phase of the development. All construction vehicles will utilise the local highways.
- 4.5 It is anticipated that a total of 38 HGV and 8 Abnormal Load Vehicle movements will be required during the construction of the proposed development.
- 4.6 During the operational phase very few vehicle movements are expected to be generated by the development, only relating to maintenance activities, expected to be up to twice a year using a van or 4 x 4 light goods vehicle.
- 4.7 The development will not be open to the general public and will be maintained by a dedicated team of engineers. For this reason, it is not appropriate to apply the requirements of inclusive access to this proposed scheme.

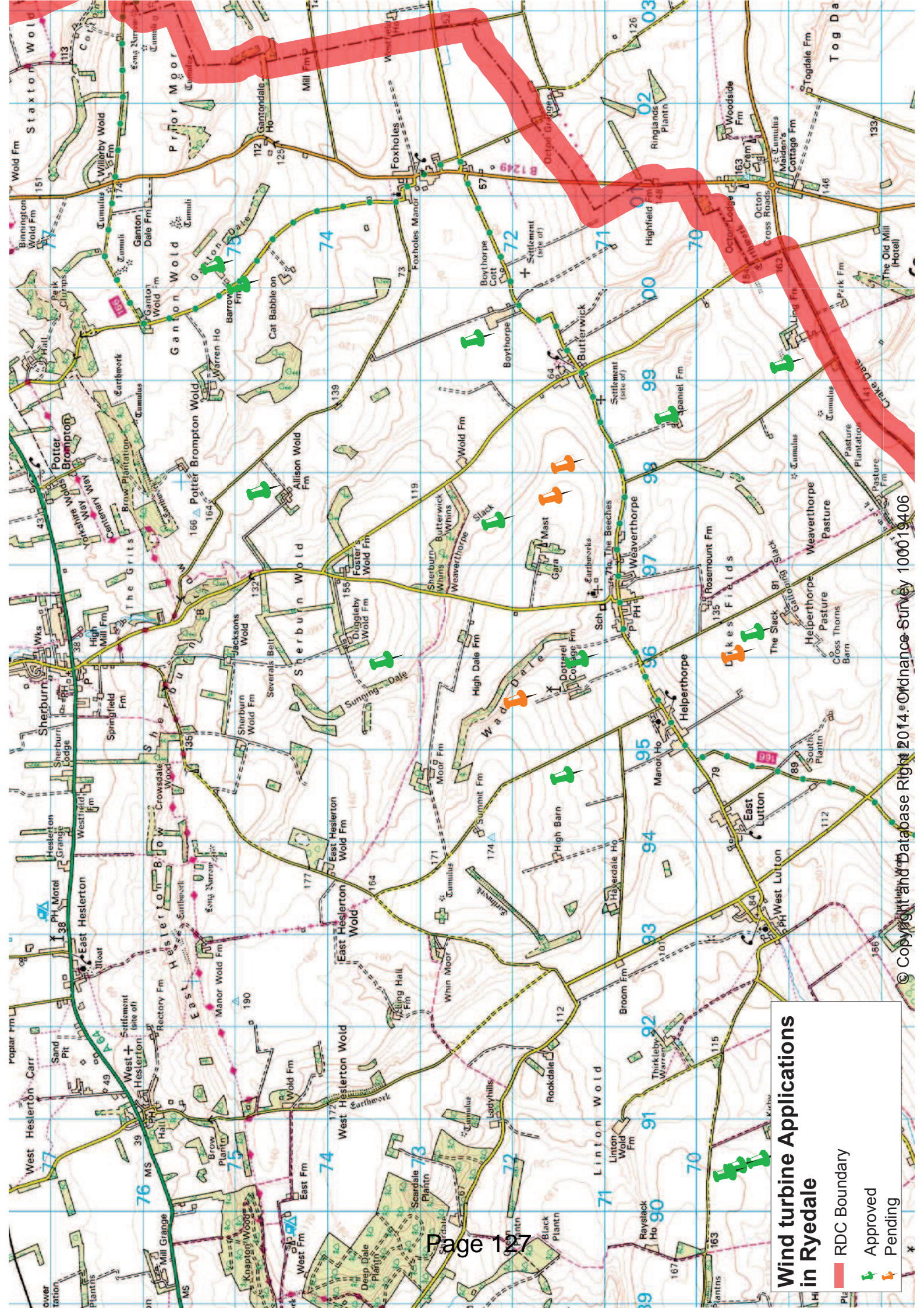
**5. SUMMARY**

- 5.1 This Report has highlighted the design and access considerations relevant to the proposed development.
- 5.2 The final design solution set out in the current application has been adopted to balance the need to maximise renewable energy generation against potential environmental constraints of the site.
- 5.3 The design and access considerations as set out above are deemed to represent a suitable solution in the context of the application site.



### Wind turbine Applications in Ryedale

-  RDC Boundary
-  Approved
-  Pending



**Wind turbine Applications in Ryedale**

- █ RDC Boundary
- 📌 Approved
- 📌 Pending

## Dotterel Farm

### A New Wind Generator for the Future.



#### Background

Well known and respected members of the community, Anthony and Helen Milner were very forward thinking, nearly 20 years ago when they installed a wind generator on their land to provide the bulk of their electricity to power their pig-breeding enterprise.

It has become quite a landmark in the area, because it was new and interesting. It is still working well now, delivering clean electricity into the local wires which has been used, probably unknowingly, over time by the nearest villages of Weaverthorpe and Helperthorpe.

#### Changes

The farming enterprise has changed and is now primarily an arable farm, producing wheat, oats, barley and oil seed rape. This type of farming doesn't need the same amount of electricity as the former pig-breeding operation.

During the last 18 months the Government has introduced legislation to encourage many of us to embrace the benefits of installing renewable energy technologies on our own land and properties.

Anthony and Helen now wish to take advantage of this new legislation and install a new, bigger wind generator further up the hill from their farm house to generate even more electricity which will be exported into the local network. They expect to keep the existing wind generator running for as long as it remains viable. A good achievement for what was quite new technology then.

#### An idea

Early research work has been carried out on the suitability of wind generators available today and where it would be possible to locate a new machine on the farm.

We assisted Anthony in 1991 with his wind generator project and we will be assisting him now. The proposed project is at a very early stage and we are in the process of carrying out a number of studies to ensure that our proposal for a single wind generator can be submitted to Ryedale District Council for their planning officers to assess to Planning Policy.



## Dotterel Farm

### A New Wind Generator for the Future.



#### The Proposed Project

The wind generator we are looking at will be a typical modern 3-bladed design with up to 850kW rating and is likely to be up to 81m to the tip of the blade when vertical.

We know that this is taller than the height of the current wind generator, but the plan is to locate the new wind generator further up the rise which means it will be further away from the villages and should not appear much bigger than the existing wind generator.



The current machine produces on average 160,000kWh\* pa. The proposed machine is expected to produce on average 1,700,000kWh pa, which is comparable to the annual average domestic consumption of 361 houses\*\*. The latest published Census Key Statistics (2001) from Ryedale DC, for the Parishes of Weaverthorpe and Luttons, including the village of Helperthorpe, states that there are 125 and 147 households, respectively. So the proposed wind generator will generate more than the estimated annual consumption of all the domestic households for the 2 villages and it will produce over 10 times the amount of clean electricity than the existing machine.

#### Studies and Planning

We will be producing a number of studies covering the visual effects, ecological issues, archaeological studies, effects on aviation, sound level effects and others, and we hope to be in a position to submit a planning application to Ryedale District Council within the next couple of months.

Should Anthony and Helen be successful with their application they are open to discuss funding for worthwhile local projects. They hope that, like the original project, the residents of the villages will support the application when it is presented to Ryedale DC.

If you have any questions regarding the project please contact me, as their agent and I will answer them as quickly as possible.

**Contact details.** Tristan Mackie Director of All Wind (uk) Ltd,

Isel Barn Offices, Bosahan Farm, Trewardreva Cross, Falmouth, CORNWALL TR11 5QB

Mob: 07970 807156;

e-mail: [info@all-wind.co.uk](mailto:info@all-wind.co.uk)

web: [www.all-wind.co.uk](http://www.all-wind.co.uk)

\* A kWh is the "unit of electricity" that appears on all electricity bills

\*\* The data on homes equivalent is based on an estimated annual household energy consumption of 4,700kWhrs - reference Renewable UK web site



## **PLANNING SUPPORTING STATEMENT**

### **PROPOSED WIND GENERATOR**

**DOTTEREL FARM  
WEAVERTHORPE  
NORTH YORKSHIRE**

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## 1. INTRODUCTION

- 1.1 This Planning Supporting Statement has been prepared by Pegasus Group on behalf of Anthony and Helen Milner (hereafter referred to as the applicant) in support of the accompanying planning application for the erection of a single wind generator at Dotterel Farm, Weaverthorpe, North Yorkshire.
- 1.2 This Statement identifies the context and the need for the development proposals and includes an assessment of how it accords with relevant planning policy and against other material planning considerations.
- 1.3 This Planning Supporting Statement therefore takes the following form:
  - Section 2 describes the application site and surroundings;
  - Section 3 describes the development proposals;
  - Section 4 reviews the planning policy considerations relevant to the determination of the application;
  - Section 5 considers additional material considerations relevant to the determination of the application;
  - Section 6 analyses the main planning considerations raised by the proposed development.
  - Section 7 concludes that planning permission should be granted.
- 1.4 All Wind UK Ltd submitted a request for a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to Ryedale District Council on 14<sup>th</sup> October 2011.
- 1.5 The Local Planning Authority (LPA) responded on 19<sup>th</sup> October 2011 and considered that due to the limited scale of the Proposed Development that no Environmental Impact Assessment (EIA) would be required.
- 1.6 Notwithstanding this, the applicant has agreed to submit a Compendium of Environmental Reports in support of the application.
- 1.7 The applicant has also undertaken meaningful pre-application discussions with the Local Planning Authority having met with senior Planning Officers on 20<sup>th</sup> September

2012 as well as undertaking a Community Consultation exercise in the form of a Public Exhibition on 29<sup>th</sup> November to allow local residents to have their say on the proposals prior to the submission of any planning application.

## 2. APPLICATION SITE AND SURROUNDINGS

- 2.1 The application site covers an area of approximately 0.25 hectares within the agricultural setting of Dotterel Farm, approximately 1.9km north west of the village of Weaverthorpe in North Yorkshire.
- 2.2 The routes for HGV's travelling to/from the site have been discussed and agreed with officers from North Yorkshire County Council. The site would be accessed via the existing point of access to Dotterel Cottage Farm off Main Road to the west of Weaverthorpe. Access/egress to the site would be from the strategic highway network via the following routes:
- Route A (south) – from the A614 at Driffield, along the B1249, turning left at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access; and
  - Route B (north) – from the A64 at Saxton, along the B1249, turning right at Foxholes crossroads and then past Butterwick and Weaverthorpe to the Dotterel Cottage Farm point of access.
- 2.3 A search of "sensitive areas" as described by the EIA Regulations indicates that the site and immediate area lies outside of any such "sensitive area". The nearest sensitive area is a Scheduled Monument (SM) located approximately 1.1km to the north west of the site.
- 2.4 The generally accepted wind speed for commercial wind turbine developments is that of above 5.6m/s. The wind speed data obtained from the Department of Energy and Climate Change (DECC) indicates that the annual average wind speed at Dotterel Farm is 6.5m/s at 45m Above Ground Level (AGL). As the Proposed Development is for a single wind generator with a hub height up to 55m and tip height up to 81m, it is considered that the application site is a commercially suitable location to sensitively exploit the natural wind resources of the area.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The development proposal is for the installation of a single wind generator.
- 3.2 It is envisaged that the proposed wind generator would be operational for a duration of 25 years, in line with its design life and also in order to benefit from the Feed-in Tariff (FIT) programme which will see renewable energy fed into the local electricity network as well as a small proportion consumed on site, thus representing a contribution to the binding UK's renewable energy targets.
- 3.3 The wind generator will have a hub height of up to 55m, with a maximum height to blade tip of 81m.
- 3.4 The exterior finish of the proposed wind generator will be non-reflective matt white/grey as is typical of existing wind turbines throughout the UK.
- 3.5 Further details of the design and appearance of the proposed wind generator is set out in the accompanying Design and Access Statement and associated technical drawings submitted with this application.

#### **4. PLANNING POLICY ASSESSMENT**

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 This section sets out the key planning policy guidance contained within those documents which make up the Development Plan and other relevant planning guidance.
- 4.3 Consideration will also be given to the emerging Local Plan Strategy as part of Ryedale District Council's Local Development Framework.

##### **National Planning Policy**

###### National Planning Policy Framework (March 2012)

- 4.4 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012 and has been introduced by the Government with the purpose of overhauling and simplifying the planning process. The NPPF replaces much of the previous suite of national Planning Policy Statements, Planning Policy Guidance Notes. However, it is important to note that the Framework largely carries forward previous planning policies, but in a more streamlined form.
- 4.5 The NPPF sets out the Government's planning policies for England and how these are expected to achieve sustainable development.
- 4.6 As part of this focus on sustainable development the NPPF states the environmental role of sustainable development as contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.7 The NPPF states that a planning authority should support the transition to a low carbon future in a changing climate, encouraging the reuse of existing resources, promoting the use of renewable resources through development of renewable energy that makes a positive contribution to conserving and enhancing the natural environment whilst reducing pollution.



- 4.8 The NPPF sets out 12 core planning principles, which includes specific reference supporting the transition to a low carbon future by encouraging the use of renewable resources (paragraph 17).
- 4.9 The NPPF requires that in order to help increase the use and supply of renewable and low carbon energy, LPAs should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Indeed, the NPPF enhances this presumption in favour of renewable energy by stating that LPAs should design their policies to '**maximise renewable energy development**', while ensuring adverse effects are addressed satisfactorily (paragraph 97).
- 4.10 In determining an application for renewable energy development there is not a requirement for applicants to demonstrate the overall need for renewable or low carbon energy and LPAs are required to recognise that small-scale renewable schemes provide a valuable contribution to cutting greenhouse gas emissions.
- 4.11 **The NPPF states that LPAs should approve the application (for renewable energy generation) if its impacts are (or can be made) acceptable** (paragraph 98).
- 4.12 The NPPF therefore applies a presumption in favour of sustainable development (paragraph 14 and 197) and, in particular for schemes which generate renewable energy unless there are significant objections to their introduction. Paragraph 187 adds that decision-takers at every level should seek to approve applications for sustainable development where possible.
- 4.13 It should also be noted that the NPPF at paragraph 2 requires that planning policies and decisions must reflect and where appropriate promote relevant EU Obligations and Statutory requirements. In this context, it is important to note EU Directive 2009/28/EC which requires increased renewable energy generation.
- 4.14 The NPPF also provides guidance related to development within the 'natural environment'. The NPPF advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity (paragraph 109).
- 4.15 Paragraph 28 encourages support for economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new

development. To do this Local Authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development and diversification of agricultural and other land-based rural businesses.

- 4.16 Paragraph 115 states that the greatest weight should be given to conserving landscape and scenic beauty in National Parks, The Broads and Areas of Outstanding Natural Beauty. It is therefore important to note that the application site does not lie within these areas that are afforded the greatest weight of protection in landscape and scenic beauty terms and as such other factors such as the overriding need for renewable energy development should take precedence.
- 4.17 It is considered that the Proposed Development assists with the transition towards a low carbon future whilst protecting the most sensitive landscape areas in accordance with the "golden thread" of the NPPF's presumption in favour of sustainable development.

#### **Local Planning Policy**

##### Ryedale District Council Local Plan (2002)

- 4.18 The Ryedale Local Plan was adopted in March 2002 and contains a range of planning policies that are used to make decisions on all planning applications submitted to the Council. From 27<sup>th</sup> September 2007 Ryedale District Council were directed by the Secretary of State to save key policies in the local plan. Those saved policies of relevance to the Proposed Development are therefore considered below:

##### Policy RE1 – Wind Turbine Development

- 4.19 The Policy states that proposals for individual wind turbines or for groups of wind turbines will only be permitted where:-
- i) They would not have any significant adverse effect on the quality of the landscape;
  - ii) They would not have any material adverse effect upon any SSSI or site of nature conservation importance;

- iii) They would not have a material adverse effect upon the character or setting of any listed building, conservation area, historic park or garden, or site of archaeological importance;
- iv) They would not have any unacceptable adverse effect upon the residential amenities of nearby properties by reason of noise, shadow flicker or electromagnetic interference;
- v) They would not cause unacceptable highway problems or have a material adverse effect upon the public rights of way network either during the period of their construction or once installed, or prejudice highway safety through the visual disturbance caused by their rotating blades;
- vi) The design of the access roads, both in terms of alignment and in the materials used for their construction, are designed to minimise the visual impact of the development;
- vii) The power lines used to connect the wind turbines to the electricity grid or user buildings would not have any adverse effect upon the landscape;
- viii) The development includes satisfactory proposals for off-site 'distance landscaping' to reduce the effects of the development from important long-distance views where this is appropriate.
- ix) Where permission is granted for wind turbines, appropriate conditions will be imposed to secure the restoration of the site following permanent de-commissioning of any turbines.

Policy ENV3 – Development in the Areas of High Landscape Value

- 4.20 The Policy states that the Wolds (where the application site lies) is designated as a local Area of High Landscape Value:
- i) Development which would materially detract from the special scenic quality of the landscape will be resisted;
  - ii) Small-scale development that would benefit the social or economic situation of rural communities including agricultural uses, farm diversification

proposals...will be permitted, provided that such development can be accommodated without significant detriment to local landscape character;

- iii) Large-scale development will only be permitted where it can be clearly demonstrated that the proposal would have significant economic or social benefits, is incapable of being located outside the Areas of High Landscape Value and is designed to do as little damage to the environment as practicable;
- iv) Non-agricultural buildings and development will be required to reflect the traditional character of buildings and landscape form in terms of siting, design and use of materials traditional to the area.
- v) Landscaping schemes will be required to reflect local landscape character in terms of form and extent of planting and in terms of species used;
- vi) The conservation and appropriate management of features important to the local landscape such as trees, hedges, copses, woodlands and grasslands will be encouraged.

4.21 It is to be noted that the supporting text that accompanies Policy ENV3 specifically recognises that such policies should carry less weight than policies for nationally designated landscapes and do not unduly restrict acceptable development and economic activity.

4.22 It is accepted that all on-shore wind turbine developments lead to an inevitable change in the landscape, however such changes are not necessarily unacceptable. Landscape matters are dealt with in detail in the accompanying Landscape and Visual Impact Assessment and further on in Section 6 of this report.

Policy AG1 – Development of the Best and Most Versatile Agricultural Land

4.23 In considering development proposals, due weight will be attached to the protection of the best and most versatile agricultural land. The Policy states that development of Grades 1, 2 and 3A land will not be permitted unless:

- i) The development would allow the land to be restored to agriculture without significant detriment to its agricultural land quality; or

- ii) The opportunities have been addressed for accommodating the proposed development within development limits and on previously developed sites in sustainable locations.

Policy AG4 – Farm Diversification

4.24 The Policy states that proposals for farm diversification will be supported where they meet the following criteria (relevant to the Proposed Development):

- i) The proposal would not materially prejudice the agricultural operations of the farm holding;
- ii) The landscape character, scale, design and location of the proposal is compatible with the landscape, archaeological and nature conservation policies of the Plan;
- iii) Where the proposal would take place on the best and most versatile agricultural land, it would accord with the provisions of AG1;
- iv) The likely level of traffic generated by the proposal is within the capacity of existing access and approach roads;
- v) The scheme, where possible, re-uses existing farm buildings;
- vi) Where a new building is necessary, this would not materially detract from the rural landscape and is of a design, scale and utilises materials appropriate to its rural location;
- vii) The proposal would not result in an unacceptable level of noise, air or water pollution;
- viii) The proposal would not materially detract from the amenities of local residents.

### Emerging Local Development Framework

#### The Ryedale Plan – Local Plan Strategy January 2012 (Proposed Submission Document)

- 4.25 The emerging Local Plan Strategy is a key part of the Ryedale Plan. It sets out a long-term vision, objectives and strategy to guide public and private sector investment over the next 15 years.
- 4.26 Although the emerging policies have not been adopted and as such should carry little weight, they identify some of the future priorities of the Council that are unlikely to fundamentally change. The following emerging policies are therefore of some relevance to this application:

#### Policy SP13 - Landscapes

- 5.1 This policy states that **'the quality, character and value of Ryedale's diverse landscapes will be protected and enhanced,'** with new development and land management practises encouraged which **'reinforce the distinctive elements of landscape character within the District's broad landscape character areas.'** The policy states that **'Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities.'**
- 5.2 The site falls within the Wolds Area of High Landscape Value, which is highlighted within Policy SP13 as being valued locally for their natural beauty and scenic qualities. The policy states:

**'As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'**

Policy SP18 – Renewable and Low Carbon Energy

4.27 The policy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty, the Wolds and the Vale of Pickering;
- Would not impact adversely on the local community, economy, or historical interests;
- Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;
- Would not have an adverse impact on air quality, soil and water resources.

**Additional Planning Guidance Documents**

Delivering Sustainable Energy in North Yorkshire: Recommended Planning Guidance (2005)

4.28 This guidance document was commissioned by a partnership of North Yorkshire Local Authorities to encourage the appropriate development of sustainable energy within the county.

4.29 Although the guidance document is of limited statutory weight, due regard has been had of the provisions and recommendations of the report in informing the Proposed Development to ensure that the proposals are suitable within the local environment.

**Planning Policy Checklist**

4.30 The Proposed Development is in accordance with the following key provisions of the Development Plan and material planning guidance:

i) Renewable Energy Development

In accordance with the provisions of the NPPF, policies RE1 of the Local Plan (2002), YH2 and ENV5 of the RSS (2008) and SP18 of the emerging Local

Plan Strategy (2012), the Proposed Development responds to the need for renewable energy as "central" to the economic, social and environmental dimensions of sustainable development.

ii) Protection of Valued Landscapes

In accordance with the provisions of the NPPF, policies ENV5 of the Local Plan (2002), Y1 and ENV10 of the RSS (2008) and SP13 of the emerging Local Plan Strategy (2012), the Proposed Development is demonstrated to be of an appropriate scale to respond to the sensitivities of the landscape character of the local area.

iii) Rural Economy

In accordance with the provisions of the NPPF, policies AG1 and AG4 of the Local Plan (2002) and ENV5 of the RSS (2008) the Proposed Development will contribute towards the diversification of the rural economy providing job security and future investment within the local area, whilst not resulting in the indefinite loss of the best and most versatile agricultural land as the scheme is for a finite period of 25 years.

4.31 As can be seen, there are a range of adopted and emerging Development Plan and other policies with which the proposal is consistent. It is considered that the proposals do not cause unacceptable harm to such provisions and accordingly, pursuant to Section 38(6) of the 2004 Planning and Compensation Act planning permission should be granted for the proposal.



**5. OTHER MATERIAL CONSIDERATIONS – THE CLIMATE CHANGE IMPERATIVE, ENERGY POLICY AND APPEAL PRECEDENTS**

Global Warming and Climate Change

- 5.1 Many analyses of the climate change problem have underlined the need to act now to reduce carbon emissions. Renewable energy is one of the few supply-side options that can make a major difference to emissions in the short term in the UK.

The Stern Review – Financial Implications of Global Warming

- 5.2 The government-commissioned Stern Review into the financial impact of global warming was published in October 2006 and made hard-hitting statements about the human, environmental and economic costs of climate change.
- 5.3 Sir Nicholas Stern, a former World Bank economist, said in his 700-page report that industrialised countries cannot afford not to take action on climate change. He warned that dealing with the floods, storms and rising sea levels caused by global warming could plunge the world into an economic crisis similar to the Great Depression in the 1930's (notwithstanding the prevailing economic climate resulting from the fallout of the global financial crisis of 2008). He said that although dealing with climate change could cost one per cent of world GDP, doing nothing could cost 20 times more. The Report states:

**“Delaying action, even by a decade or two, will take us into dangerous territory. We must not let this window of opportunity close. There is still time to avoid the worst impacts of climate change, if we act now and act internationally. Governments, businesses and individuals all need to work together to respond to the challenge. Strong, deliberate policy choices by governments are essential to motivate change.”**

- 5.4 This message from Stern has been welcomed across the political spectrum.
- 5.5 Indeed following the Climate talks at Cancun, Mexico (December 2010) and Durban, South Africa (2011) Government MPs have consistently stated that a global climate deal is in the UK's national interest which will send a strong signal of confidence to business investing billions in the new global green economy.
- 5.6 Climate change, its causes and solutions, is very much a key political issue with significant steps being made towards its resolution. This momentum now needs to be

transferred into practice with the promotion and development of renewable energy schemes at the local level.

#### European Energy Policy

5.7 At a European level, there is the agreed commitment to reduce carbon emissions by 20% by 2020, compared to 1990 levels. Following the Energy Review Report in 2006, the European Council agreed to a European strategy to further improve energy security and to reduce carbon emissions. In March 2007, it was agreed to commit to:

- Saving 20% of the EU's energy consumption by 2020 compared to current projections; and
- A binding target of reducing carbon emissions by 20% by 2020 and by 30% in the context of international action.

5.8 The European Commission published the 20 20 by 2020 package in January 2008 and the EU Climate and Energy package was formally agreed in April 2009. This package commits the European Union (EU) to the 20% reduction in its carbon emissions and to achieving a target of deriving 20% of the EU's final energy consumption from renewable sources by 2020.

5.9 The renewables target is outlined in the Commission's Directive<sup>1</sup> on the promotion of the use of energy from renewable sources. In order to achieve the overall EU renewable energy target of 20% the proposal includes individual targets for each Member State. The UK's legally binding obligation is 15% of energy coming from renewable sources by 2020.

#### UK Energy Policy - Energy White Paper (2007)

5.10 Published in May 2007 "*Meeting the Challenge – The Energy White Paper*" establishes the government's energy strategy for the foreseeable future. The document builds on the themes and issues raised in the Energy Review. A clear statement of Government policy, the strategy set down in this document contains a number of key elements of relevance to the consideration of this planning application.

5.11 Section 5.3 of the White Paper addresses policy on renewables and starts with a simple statement.

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<sup>1</sup> Directive 2009/28/EC (subsequently repealing Directives 2001/77/EC & 2003/30/EC)

**“Renewable energy has a key role to play in reducing carbon emissions and achieving security of supply.”**

5.12 The White Paper recognises the progress which renewable energy has made to reducing emissions but goes on to address directly the barriers that it notes are slowing the rate of renewable deployment in the UK in both the short and long term. Under the heading of ‘planning’ the White Paper sets down how the government expects the planning system to respond. In relation to commercial wind energy developments the government’s actions are as follows:

- Underlining that applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposal to be sited in a particular location; and
- Giving a clear steer to planning professionals and local authority decision makers, that in considering applications they should look favourably on renewable energy developments.

5.13 The White Paper goes on to place into policy the “Statement of Need” previously published in the energy review. The statement states:

**“We remain committed to the important role renewables has to play in helping the UK meet its energy policy goals. In this publication we are reiterating previous commitments we have made, not least in the 2003 Energy White Paper and Planning Policy Statement 22 on renewable energy (PPS22), on the importance of renewable generation and the supporting infrastructure. We intend this to reconfirm the UK Government policy context for planning and consent decisions on renewable generation projects. As highlighted in the July 2006 Energy Review Report 150, the UK faces difficult challenges in meeting its energy policy goals. Renewable energy as a source of low carbon, indigenous electricity generation is central to reducing emissions and maintaining the reliability of our energy supplies at a time when our indigenous reserves of fossil fuels are declining more rapidly than expected. A regulatory environment that enables the development of appropriately sited renewable projects, and allows the UK to realise its extensive renewable resources, is vital if we are to make real progress towards our challenging goals.**

**New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the**

reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight, when considering renewable proposals. These wider benefits are not always immediately visible to the specific locality in which the project is sited. However, the benefits to society and the wider economy as a whole are significant and this must be reflected in the weight given to these considerations by decision makers in reaching their decisions.

If we are to maintain a rigorous planning system that does not disincentivise investment in renewable generation, it must also enable decisions to be taken in reasonable time. Decision makers should ensure that planning applications for renewable energy development are dealt with expeditiously while addressing the relevant issues.

- 5.14 In November 2008, the 'Climate Change Act 2008' became law. This set legally binding targets in reducing greenhouse gas emissions of at least 80% by 2050, and reduction in CO<sub>2</sub> emissions of at least 26% by 2020, against a 1990 baseline.
- 5.15 In May 2009, the Department of Energy and Climate Change (DECC) published the 'UK Low Carbon Transition Plan' which addresses the decarbonisation of the UK. The White Paper sets out an approach based around a competitive energy market, making polluters pay for the carbon they use, supporting technological development and assisting low carbon choices. It recognises that a number of policies will need to be developed.
- 5.16 The 'UK Renewable Energy Strategy' was published in July 2009 by DECC, identifying how to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change. This strategy would also meet the UK's European obligations and legally binding targets to ensure 15% of our energy comes from renewable sources by 2020.
- 5.17 The Strategy states:

"We need to radically increase our use of renewable electricity, heat and transport. This Strategy will help us to tackle climate change, reducing the UK's emissions of carbon dioxide by over 750 million tonnes between now and 2030. It will also promote the security of our energy supply, reducing our overall fossil fuel demand by around 10% and gas imports by 20-30% against what they would have been in 2020. And it will provide outstanding opportunities for the UK economy with the potential to create up to half a million more jobs in the UK renewable energy sector resulting from around £100 billion of new investment. In parallel with energy saving,

nuclear and carbon capture and storage, this is a key element of our overall transition plan for setting the UK on the path to achieve a low-carbon, sustainable future that helps address dangerous climate change.”

5.18 As such, the Strategy reinforces two key energy policy challenges:

- To tackle climate change; and
- Ensure security of energy supply.

5.19 The Strategy confirms that renewable sources of energy are vital as they provide low-carbon energy, increase diversity to the energy mix and bring key business and employment opportunities.

5.20 In order to meet these challenges, the Strategy indicates that renewables should provide more than 30% of our electricity consumption by 2020 (compared to around 5.5% today) and that more than two-thirds of that could come from on and offshore wind.

National Renewable Energy Action Plan (July 2010)

5.21 Upon coming to power, the Coalition Government published their Programme for Government. Within this Programme document it indicated that the Government supported an increase in the EU emission reduction target to 30% by 2020. Since then, the Coalition Government have continued to support an increase in renewable energy generation through a number of policy documents.

5.22 This Plan confirmed the Coalition Government's commitment to securing the UK's energy supplies through 2020 and beyond and details the measures to enable the UK to reach its EU targets for energy consumption from renewables.

5.23 The Coalition Government has reaffirmed its clear commitment to increasing the deployment of renewable energy across the UK through the publication of the '**UK Renewable Roadmap (July 2011)**'. It also states that renewable electricity will need to maintain a growth rate of 15% per annum from the 2010 baseline position.

Annual Energy Statement, July 2010

- 5.24 Published by the Government on 27th July 2010 this document is intended to fulfil the Coalition's programme for Government to present an annual statement of their energy policy to Parliament. It is stated that it is the mission of this Government:

**"To support the transition to a secure, safe, low carbon, affordable energy system in the UK, and mobilize commitment to ambitious action on climate change internationally."**

- 5.25 The document continues to advise that:

**"This Government is committed to being the greenest Government ever, which includes a firm commitment to renewable energy. The coalition document sets out a wide range of policies that will enable us to go further. This includes engaging with independent UK Committee on Climate Change to advise on whether it is possible to increase our ambition for the level of energy from renewables for 2020 and beyond."**

- 5.26 It is evident that the Government is fully committed to ensuring swifter and higher levels of delivery of renewable energy. This approach, through the Annual Energy Statement is linked to the Government's recent publication "The Coalition: Our Programme for Government." At Chapter 10 (Energy and Climate Change) of that document, the Government indicates it supports an increase in the EU emission reduction target to 30% by 2020. To some extent this is a replication of the aspirations of the RES of July 2009.

Statutory Instrument (2011 No. 243) – The Promotion of the Use of Energy from Renewable Sources Regulations 2011 (February 2011)

- 5.27 Statutory Instrument No. 243 (The Promotion of the Use of Energy from Renewable Sources Regulations) came in to force on the 14th March 2011.
- 5.28 This Regulation places a duty on the Secretary of State to ensure that the renewables share in 2020 is at least 15%. Regulation 4(1) places a duty on the Secretary of State to introduce measures effectively designed to ensure the indicative targets for the share of energy from renewable sources set out in the Schedule (below), are met. Regulations 4(2) and 4(3) modify that duty in the event that an indicative target is missed.

*The Promotion of the Use of Energy from Renewable Sources Regulations (SI No. 243), 2011 – Schedule Indicative Targets*

Indicative Target Period	Percentage
1 <sup>st</sup> Jan 2011 – 31 <sup>st</sup> Dec 2012	4%
1 <sup>st</sup> Jan 2013 – 31 <sup>st</sup> Dec 2014	5.4%
1 <sup>st</sup> Jan 2015 – 31 <sup>st</sup> Dec 2016	7.5%
1 <sup>st</sup> Jan 2017 – 31 <sup>st</sup> Dec 2018	10.2%

UK Renewable Energy Roadmap (July 2011)

- 5.29 In the Executive Summary, it is stated that the Coalition Government has made clear its commitment to increasing the deployment of renewable energy across the UK in the sectors of electricity, heat and transport.
- 5.30 Specifically with regard to renewable deployment, the Roadmap indicates at paragraph 2.18 that renewable electricity will need to maintain a growth rate of approximately 15% per annum from the 2010 baseline of 28 Terra Watt Hours (TWH).
- 5.31 In terms of the current pipeline for renewable energy, the Roadmap states at paragraph 2.21 that the government cannot be certain that all the projects in the pipeline will be progressed quickly enough and that:
- “This is why the Overarching National Policy Statement for Energy states that there is an urgent need for new large scale renewable energy projects to come forward to ensure that we meet the 2020 target and wider decarbonisation aspirations.”**
- 5.32 Paragraph 2.22 states that onshore wind is the biggest single contributor to the pipeline.
- 5.33 The Roadmap concludes at paragraph 2.28 that:
- “The pipeline of renewable electricity projects is healthy. Although, allowing for historic dropout rates, it puts us on track to deliver approximately 29GW of capacity by 2020, significant uncertainties remain and we still urgently need new renewable projects to come forward to ensure we meet the 15% target and longer term carbon reduction targets.”**
- 5.34 It is therefore clear from the plethora of national and international laws, legislation and objectives that the need and political support for renewable energy schemes is incontrovertible.

Appeal Precedents

5.35 Although each site should be considered on its own merits there are numerous high profile appeal decisions for a varying array and scale of wind turbine developments throughout the UK. Several themes arise within the Inspectors' conclusions for these schemes which are of potential relevance to this application, including:

- The significant weight afforded to the wider environmental, economic and social benefits arising from a renewable energy scheme;
- That visual harm is outweighed by the application of renewable energy policy; and
- The acceptability in terms of cumulative impact of proposals of significantly larger scale than that currently proposed.



## 6. KEY PLANNING CONSIDERATIONS

- 6.1 This section provides an assessment of the key planning considerations raised by the proposals.

### The Need for Renewable Energy

- 6.2 It is HM Government policy that there is no requirement to prove an overall need for a renewable energy development. This is clearly stated within the National Planning Policy Framework at paragraph 98.
- 6.3 There is a tendency to overlook this starting point. Effectively it means that there is a presumption in favour of schemes which generate renewable energy unless there are significant objections to their introduction; this applies in different ways to different technologies and the weight to be attached to issues will vary depending upon the geographical location and the associated weight to be attached to constraints in that area.
- 6.4 This presumption arises not just because renewable power is a sustainable energy source in its own right but because HM Government has made it clear that it sees carbon reduction; energy security and the associated climate change agenda as being the most significant environmental problems which we face as a society today. This development proposal will therefore provide a small but valuable step towards meeting the Government targets.
- 6.5 It is clear from the plethora of national and international laws, legislation and objectives that the need and political support for renewable energy schemes is incontrovertible.
- 6.6 The Proposed Development is considered to meet those key sustainability objectives as outlined above and at the local level the scheme will enable the working farm to become more self-sustaining enabling additional investment in the business in future consistent with the rural diversification policies of the NPPF. In addition, the applicants will seek to negotiate with the LPA to deliver an appropriate level of community funding to support local services as part of the proposals. At a higher level, the development proposals are considered to conform to the national and international objectives towards the transition to a low-carbon economy. The development proposals will therefore make a small but valuable contribution towards the following high level policy objectives:

- Transition towards a low carbon economy;
- Reduction in CO<sub>2</sub> emissions;
- Maximise electricity generated from renewable sources;
- Mitigate against climate change; and
- Ensure security of energy supply.

6.7 It is considered that significant weight should be applied to the considerable high level national and international political support for renewable energy schemes and the wider environmental, economic and social benefits they provide.

Planning Policy and Legislative Support

6.8 The site lies within the open countryside within a locally designated area of 'High Landscape Value'. There is a presumption that the planning system should contribute to and enhance the natural and local environment (NPPF paragraph 109).

6.9 This development proposal is considered to be acceptable in the first instance within the open countryside as they represent only a relatively minor change to the wider landscape whilst supporting the diversification of the rural economy by assisting the farm holding and enhancing the capacity within the district for renewable energy generation.

6.10 The development will provide a sustainable and reliable supply of electricity for the farm operations, particularly at times of uncertain energy price rises, which will contribute towards the future success, security and sustainability of the business for the next generations of family farmers.

6.11 This development proposal is strongly supported by planning policy at national, regional and local levels which supports the growth of renewable energy developments in suitable locations, taking into account the environmental constraints of the site.

6.12 As a starting point, the NPPF states at paragraph 93 that supporting the delivery of renewable energy and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development.

6.13 Indeed paragraph 97 of the NPPF continues that:

**“To help increase the use and supply of renewable and low carbon energy, Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:**

- **Have a positive strategy to promote energy from renewable and low carbon sources;**
- **Design their policies to maximise renewable and low carbon energy [Pegasus emphasis].”**

6.14 This is further supported within paragraph 98 of the NPPF which states that LPAs should not require applicants to demonstrate the overall need for renewable or low carbon energy. As highlighted above, this effectively enshrines the renewable agenda in the highest possible policy terms.

6.15 The main theme running through the NPPF is the:

**“Presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking”.**

6.16 As such, in the first instance it is considered that the proposal for a renewable energy scheme, being an inherently “sustainable development”, that will support the transition towards a low carbon future (one of the NPPF’s ‘Core Planning Principles’) sets a strong precedent in favour of the application.

6.17 The proposed development is supported by the NPPF whereby renewable energy is actively promoted as a key solution towards mitigating against the impacts of climate change and advancing the wider objectives of sustainable development and a transition towards a low carbon economy. In accordance with the NPPF it is considered that the wider environmental benefits associated with the increased production of energy from renewable sources greatly outweigh any adverse impacts the development may have on the surrounding countryside and should be given significant weight in favour of any decision by the LPA.

6.18 Of significant importance to these proposals is the legally binding requirement of the UK Government to meet its own targets for renewable energy generation.

- 6.19 Through the '**Climate Change Act 2008**' the UK is committed to reducing CO<sub>2</sub> emissions by 80% by 2050 and a reduction in CO<sub>2</sub> emissions of at least 26% by 2020, against a 1990 baseline. In order to achieve these ambitious targets the Government set out the contributions renewable energy generation should make in its UK Renewable Energy Strategy (July 2009). The Paper identified the need to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change and to meet the UK's obligation to meet its legally binding target to ensure 15% of our energy comes from renewable sources by 2020. This is emphasised within the NPPF where it states that LPAs should "maximise renewable and low carbon energy development" (paragraph 97). It is therefore vital for LPAs to support and assist in the delivery of renewable energy projects in order to achieve the Government's ambitious but legally binding renewable energy targets.
- 6.20 It is considered that this proposal would make a modest but valuable contribution to meeting the challenging target for the production from renewable energy sources in the UK. The contribution to meeting energy targets and the effect that this would have in tackling the urgent challenge of climate change in accordance with the NPPF's 'core principle' of assisting towards a low carbon economy and a 'presumption in favour of sustainable development' represents, on its own, a compelling argument in support of the proposed development.

Suitability of the Site for Renewable Energy Generation

- 6.21 The application site consists of Grade 2 agricultural land and is currently used for arable crop production. It is considered that the loss of a relatively small portion of the field (0.3 hectares) for the purposes of erecting the wind generator would have a negligible effect on the overall crop productivity of the farm estate. Indeed, farm operations during the lifespan can still take place right up to and under the wind generator. The wind generator would be operational for a period of 25 years after which time the schemes future would be reconsidered by the LPA and the developed portions of the field could be restored to full agricultural use without significant detriment to its agricultural land quality in the longer term.
- 6.22 This development proposal is also designed to maximise the exposure of the wind generator to the commercially viable wind speeds (>6.5m/s) in the area in order to secure the maximum electricity generating power whilst at the same time being

sympathetic to the setting of the application site within the countryside. It should be noted that the site has successfully supported a wind generator since February 1992.

- 6.23 The height of the proposed wind generator at up to 81m is justified by the need to maximise the electricity generating power of the site in order to ensure the viability of the scheme. The erection of a single stand alone turbine is not considered to represent an imposing development within the wider countryside and representing an opportunity to utilise the abundant natural wind resources in the locality consistent with national planning policy. It is considered that the proposals are appropriate in terms of scale and massing.
- 6.24 The site experiences commercially viable wind speeds and is not located within any environmentally sensitive areas as defined within the EIA Regulations and as such, under the provisions of planning policy at all levels the application for renewable energy generation should be considered favourably in the first instance. As such, it is considered that the development proposals represent a unique opportunity in a suitable location to make a small but valuable contribution to the UK's binding renewable energy targets whilst being sensitive to the local environment.

#### Landscape and Visual Impact

- 6.25 There is a general presumption within planning policy against development within the countryside to protect valued landscapes. However, it is considered that the significant sustainable credentials of this proposal outweighs any potential harm and provides a significant case to allow development within the countryside in this location. This is particularly the case as national planning policy states that the greatest weight should be given to conserving landscape and scenic beauty in those nationally designated areas that are afforded the highest status of protection. As the application site is not located within any such area, it is considered that other factors, such as the sustainable credentials of the Proposed Development should be given greater weight in decision taking.
- 6.26 Notwithstanding the strong presumption in favour of renewable energy development previously considered, the landscape and visual impacts of the development proposals have been fully investigated as part of this application. It is important to reiterate that the site is not located within any statutorily designated landscape areas and as such the associated restrictive policies do not apply to this application.

- 6.27 Whilst it is noted that Local Plan policy ENV3 offers some protection to the Area of High Landscape Value within which the application site lies, it should also be noted that the supporting text that accompanies this policy specifically recognises that such areas should carry less weight than protective policies for nationally designated landscapes and should not unduly restrict acceptable development and economic activity. Indeed paragraph 214 and 215 of the NPPF further weakens the influence of this policy where it states that decision-takers may continue to give full weight to relevant policies adopted since 2004 and by implication, those policies adopted prior to 2004 (such as ENV3) should be given "due weight" but not "full weight".
- 6.28 It is accepted that all on-shore wind turbine developments lead to an inevitable change in the landscape. However as detailed below, such changes are not necessarily unacceptable in landscape terms.
- 6.29 The LVIA which accompanies this application demonstrates that the proposals will not harm the distinctive character of the Wolds landscape, and will not have any harmful effects on any sites of nature conservation importance or cultural heritage assets.
- 6.30 With regard to the proposals being located within an Area of High Landscape Value, the development is of an appropriate size that allows for farm diversification, does not detract from the special qualities of the landscape, and allows for the key features and characteristics of the site to be maintained.
- 6.31 The proposed turbine represents a high quality design within a landscape that already contains vertical infrastructure elements. Within the context of the landscape character area in which the wind turbine is proposed to be located, the large scale, regular, intensively farmed characteristics of the landscape will remain unchanged. It is therefore considered that the landscape character would undergo a low magnitude of change. Therefore with a **medium landscape character sensitivity** and **low magnitude of change** there would be a **minor/moderate effect** on landscape character. However as the characteristic elements of the landscape would remain physically unaffected, and the character would continue to be defined by the large scale, intensive farmed landscape, the overall effect on landscape character is considered to be **minor** for these proposals.
- 6.32 It is evident from this assessment that whilst the ZTV appears extensive, the actual zone of visibility, or the visual envelope, associated with the proposed wind turbine is

reduced due to the screening effects provided by hedgerows, the scattered blocks and belts of woodland, farmsteads and other built form.

- 6.33 Where the proposed wind generator is visible it will only be a partial view with the base of the wind generator tower screened from view by intervening vegetation. Consequently, the perceived scale of the wind generator will be reduced.
- 6.34 From public highways and public rights of way, views will typically be transitory ones.
- 6.35 Consequently in more distant views, the proposed turbine would be assimilated into the wider landscape and it is considered that there is little potential for the development to result in significant effects on visual receptors at distances of over 5 kilometres from the site.
- 6.36 No major effects on visual amenity of the landscape have been identified.
- 6.37 The LVIA continues that although there would be some visual change at the local level it would not necessarily be a harmful one, merely slightly different to that which exists now.
- 6.38 The accompanying LVIA demonstrates that the proposed wind turbine could be successfully accommodated and assimilated into the wider landscape without causing significant harm to landscape character, visual amenity or the landscape features of the area. The proposed wind turbine would be acceptable in landscape and visual terms.

#### Terrestrial Ecology, Ornithology and Nature Conservation

- 6.39 The location of the application site has been chosen to best mitigate against any potential ecological issues. No habitat or ecological feature listed within the European Habitats Directive nor any flora of conservation interest is located within the area affected by the proposed development. These conclusions are supported by the findings of the accompanying Ecological Appraisal which confirms that the site contains a "limited" diversity of plant species and is thus unlikely to support a wide range of terrestrial wildlife, such as invertebrates or significant mammals such as voles or badgers. In addition, no records were found of great crested newts being present at the site due to sub-optimal habitat conditions.

- 6.40 In terms of bats and birds, the Ecological Appraisal found limited evidence of conservation concern.
- 6.41 The ecological aspects of the scheme are therefore considered be acceptable in planning policy terms as the Proposed Development is situated on a largely sub-optimal ecological site and the need to increase the generation of renewable energy.

#### Archaeology and Cultural Heritage

- 6.42 The application has considered the archaeological and cultural heritage assets of the site and surroundings. The detailed assessment contained within the accompanying application reports found that the site and surrounding area has a high potential for archaeological remains to be present dating to the Prehistoric period, although a 'low' potential for archaeological activity from all other historic periods.
- 6.43 A geophysical magnetometer survey was also conducted on the site. The accompanying report confirms that no anomalies of probable archaeological origin were identified by the geophysical survey on this site.
- 6.44 Given the relatively limited archaeological sensitivity of the site and the fact that the site covers an area of just 0.3 hectares it is considered that the proposed development will not result in significant harm upon local archaeological potential. As such, it is considered that the wind generator is situated in a suitable location to support such a scheme whilst being sensitive to the potential cultural and archaeological assets of the site and surrounding area.

#### Noise

- 6.45 An assessment of the likely noise impact of the proposed wind generator has been carried out. The accompanying Noise Report indicates that the proposed wind generator would result in noise levels which would be below the lower limit requirements of ETSU-R-97 for the amenity hours and night-time hours for all neighbouring dwellings at all wind speeds. It is important to note that the noise measurements take into account the noise generated by the existing turbine on the farm.
- 6.46 The assessment concludes that the predicted low noise levels provide a positive indication that noise from the proposed wind generator would not have a significant



effect upon the local area and that a background noise survey should not be required, as stated in ETSU-R-97.

- 6.47 As such, it is considered that in planning terms, the site has been effectively and suitably sited to best mitigate against potential adverse noise effects on nearby properties (being well within the acceptable noise limits) and as such, the scheme is entirely appropriate within this context and should be considered favourably in this light.

#### Aviation

- 6.48 Aviation issues have been investigated as part of the application proposals. The Ministry of Defence (MOD) was consulted prior to the formal application to understand the potential operational implications of the proposed development.
- 6.49 The MOD assessed the proposed development against operational requirements and did not identify any Line of Sight issues to any RAF ATC Radar. In the MOD's formal response (dated 1<sup>st</sup> March 2011) no concerns were highlighted with the proposed development.

#### Telecommunications

- 6.50 Telecommunication issues have also been investigated as part of the application. Various telecoms authorities were consulted prior to the formal application including Telecoms Association of the UK Water Industry (TAUWI), Joint Radio Company (JRC) and Ofcom. All consultees confirmed that no unforeseen problems, based on known interference scenarios, were anticipated to result from the proposed development. As such, no objections were raised.

#### Transport and Access

- 6.51 The main transportation impacts will be associated with the movements of up to 8 Abnormal Loads and 38 commercial Heavy Goods Vehicles (HGVs) (ready-mix concrete and steel) to and from the site during the construction phase of the development over a period of 2-3 months.

## 7. SUMMARY AND CONCLUSIONS

- 7.1 The application proposes the erection of a single wind generator to a height of up to 81m to blade tip when vertical, at Dotterel Farm, Weaverthorpe, North Yorkshire.
- 7.2 The relevant policies of the Development Plan and additional material guidance documents have been investigated and the proposed development is considered to be found acceptable within this context. The principle of development is considered to be acceptable within this countryside location due to the overriding need for renewable energy and the effective siting away from any "sensitive areas" as defined by the EIA Regulations (2011), combined with an appropriate scale of development to enable the sensitive diversification of the existing rural business.
- 7.3 It is considered that the proposed wind generator at Dotterel Farm would make a valuable contribution to the Government's sustainability objectives in accordance with the requirements of the NPPF to maximise renewable energy development in order to help the transition towards a low carbon economy. Indeed, over the course of a year the wind generator would be expected to provide enough electricity to serve 350 households. This calculation is based on a capacity factor of 30% and an average household consumption of 4,700kWh/year.
- 7.4 The proposals would also allow the working farm to reduce its running costs through the generation of electricity on site enabling the farm to become more self-sustaining and help this important local employer to ensure future investment into the business, and security particularly in times of inevitable energy price rises during the 25 year lifetime of the wind generator.
- 7.5 The anticipated effects of the development proposals have been assessed in detail within the accompanying Environmental Reports and summarised again within Section 6 of this report. It is considered that the supporting documentation provides a fair and robust assessment of the potential effects of the Proposed Development.
- 7.6 The need and policy presumption in favour of the proposed development has been demonstrated within this Planning Statement and the supporting documentation demonstrates that the proposals will not result in any undue harm to local environmental assets in terms of landscape, ecology and/or archaeology. Additional technical issues such as transport, aviation, noise and telecommunications have also been found to be acceptable within the supporting assessments. It is therefore

considered that the proposed development is entirely acceptable in planning terms at this proposed location.

- 7.7 On the basis of the evidence provided within this report and supporting documentation, it is respectfully requested that the application for the proposed wind generator at Dotterel Farm be granted planning permission.

Colin Douthwaite

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AH No observations

**From:** MARGARET WALKER [margaret18a@btinternet.com]  
**Sent:** 17 June 2013 23:01  
**To:** Development Management  
**Subject:** Sherburn PC

The Council have no observations to make on the following planning applications :- 13/00534/FUL and 13/00551/FUL

Regards,

Margaret Walker  
Clerk to the Council

RYEDALE DM  
18 JUN 2013  
DEVELOPMENT  
MANAGEMENT

AH

Glenys Yates

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**From:** Jeff House [jeffhouse@talktalk.net]  
**Sent:** 27 June 2013 13:11  
**To:** Development Management  
**Subject:** Planning Application No. 13/00551/FUL

Caucans.

Weaverthorpe Parish Council have considered the above application and whilst we have no problem with the position of the turbine, we object to the height of it, as it will be too overbearing on the open countryside.

In general Weaverthorpe Parish Council note that the number of wind turbines in and around the Great Wolds Valley is increasing to such an extent that they are visible from most viewpoints.

Regards

Jeff House

--  
Jeff House,  
Clerk to Weaverthorpe Parish Council,  
Tel: 01944 738841,  
Mobile: 07901 661508,  
e mail: [jeffhouse@talktalk.net](mailto:jeffhouse@talktalk.net).

RECEIVED

28 JUN 2013

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AH

as)

## LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

Holly House  
West Lutton  
Malton  
North Yorkshire  
YO17 8TA

7 July 2013

Karen Hood  
Managing Development Team Leader  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

Dear Karen

**Application No. 13/00551/FUL : Erection of 1no. 500kW wind turbine at Dotterel Farm, Weaverthorpe : Milner.**

Luttons Parish Council has been asked to consider the above application. Whilst the Council is supportive of the need to develop sources of renewable energy and for farmers to diversify, the Council is concerned that insufficient weight has been given to the cumulative impact that the increasing number of applications for wind turbines will have on the Area of High Landscape Value and to the consequent socio-economic effects. Reluctantly, therefore, the Council considers that it must **object** to this application until sufficient consideration has been given to the cumulative effects of wind turbines on the Yorkshire Wolds; the Council's reasoning is as follows.

Whilst the Council recognises that each application must be assessed on its individual merit, the Council is concerned at the growing number of applications/approvals for wind turbines in the High Wolds. A search of the planning portal for the adjoining parishes of Kirby Grindalythe, Luttons and Weaverthorpe in the Great Wold Valley reveals applications/approvals for thirteen wind turbines (excluding the ten of the East Heselton wind farm), with a marked increase since the approval-on-appeal of the turbine at Manor House Farm, Helperthorpe. The majority of these (8) lie around Helperthorpe and Weaverthorpe; in the view of this Council this density of development of vertical structures with motile elements significantly changes the character of the valley. Furthermore, this application is for a significantly taller, larger output (500kW) turbine than comparable farm applications, that will dominate the valley along with the three others approved for that ridge.

The Council has recently received for review three planning applications for wind turbines (13/00551, 13/00699, and 13/00624) bringing the number of current applications/approvals to thirteen. All these applications have been dealt with as 'delegatable decisions' but, since there is now an overarching issue of cumulative impact through over-development, this Council believes that decisions should be taken at member Committee level.

The Council believes that the Landscape and Visual Impact Assessment should take more account of the cumulative impact through combined visibility and sequential effects. Guidance on this methodology states: 'If the issue is one of overall impact on landscape character across an area, it may be appropriate to consider all

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schemes within or affecting the landscape of the area. Two windfarms need not be intervisible – or even visible from a common viewpoint – for there to be potential for both to have impacts on the landscape experience for those travelling through an area. It may be desirable to consider the cumulative effects of windfarms on users of scenic road routes, or routes for walkers, along their full length within the agreed study area. The National Character Area 27 (The Wolds) is described as 'A large-scale landscape of rounded, rolling hills, with big skies and long views from the escarpment and plateaux, contrasting with the more enclosed, sheltered valleys.' The Zone of Theoretical Visibility clearly covers high points giving vistas of the surrounding landscape on routes used by both visitors (particularly cyclists and motorcyclists) and residents – and through traffic. However, none of these longer views from routes likely to be used by visitors and residents are included in the Visual Impact Assessment, which should more closely reflect NCA27. Daily movements of residents within the area should feature in the assessment.

Recent efforts to promote the area for tourism and sustainable development have resulted in investment of European, Government and Regional funding. All these projects take advantage from the landscape and heritage of the area that were established by the Enclosures but receive no mention in the appraisal. The presence of wind turbines changes the character of the landscape and the perceptions of residents and visitors.

Saved policy RE1 in the Ryedale Local Plan reads: 'Proposals for the development of individual wind turbines or for groups of wind turbines will only be permitted where: i) they would not have any significant adverse effect on the quality of the landscape'. The emerging policy contained in The Ryedale Plan reads: 'Developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals: can be satisfactorily assimilated into the landscape .... especially in respect of the setting of .....the Wolds.... and would not impact adversely on the local community, economy or historical interests.' Planning Policy Statement 22 states that: 'Planning authorities should also take into account the cumulative impact of wind generation projects in particular areas' and that 'The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.' The Council believes that greater weight should be given to the socio-economic impact of these installations on an area rural deprivation. Whilst a limited number of appropriately sized installations for 'on farm' generation and consumption, spread across the Wolds, might be acceptable in an Area of High Landscape Value, **the Council considers the total number of wind turbines in the immediate vicinity now has a cumulative impact** that is both intrusive and detrimental to the landscape with negative implications for both economic regeneration and our communities' environment.

On 29th May 2012 a High Court judge, in rejecting a planning application for a wind farm, stated 'As a matter of law it is not correct to assert that the national policy promoting the use of renewable resources... negates the local landscape policies or must be given primacy over them'. This Council contends that the designation of the Wolds as an Area of High Landscape Value should take precedence due to the unique character of the area, its rich heritage and the socio-economic benefit that derives from it.

The Council seeks assurance from the local planning authority that the scope of such Landscape Visual Impact Assessments is sufficient to preserve the Wolds as an Area of High Landscape Value and to weight assessment in the interests of local economic and human factors.

Yours sincerely,

Clr Andy Macdonald  
Clerk to Luttons Parish Council

# Agenda Item 13

**Item Number:** 13  
**Application No:** 13/00850/FUL  
**Parish:** Luttons Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Weaverthorpe Wind Ltd  
**Proposal:** Erection of 1no. 40m high (overall tip height 67m) 500kw wind turbine to generate electricity for the benefit of the local community with associated crane pad, transformer kiosk, access track, vehicular access and 40.5m high temporary meteorological monitoring mast.  
**Location:** Land To West Pasture Road Weaverthorpe Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 24 September 2013  
**Overall Expiry Date:** 15 March 2014  
**Case Officer:** Shaun Robson **Ext:** 319

## CONSULTATIONS:

<b>Civil Aviation Authority</b>	No objection
<b>Neighbouring Parish Council - Weaverthorpe</b>	Object
<b>Parish Council - Luttons</b>	Object
<b>Highways North Yorkshire</b>	Request further information
<b>Natural England</b>	No objection
<b>Environmental Health Officer</b>	Recommend conditions limiting the levels of noise
<b>Countryside Officer</b>	No objection
<b>Atkins Ltd</b>	No objection
<b>National Grid Plant Protection</b>	No response
<b>Archaeology Section</b>	Advise condition(s)
<b>Building Conservation Officer</b>	Object
<b>East Riding of Yorkshire Council</b>	No response received
<b>National Air Traffic Services (NATS)</b>	No objection
<b>The Joint Radio Company Ltd</b>	No objection
<b>Wind Farm Enquiries</b>	No objection
<b>Tree &amp; Landscape Officer</b>	No objection
<b>Ministry Of Defence</b>	Object

**Neighbour responses:** Mr Thomas Mills, Mrs Sarah Mellor, Mr Jonathan Clarke, Mr Evan Ferguson, Mr John Cruse, Ms Laura Hester, Mr Jack Russell, Mr Graham Perry, Mrs Rozanne Startup, Karen Beresford, Mr Nigel Bradshaw, Mr Paul Goddard, Deslyn Pettifer, S Richardson, Rebecca Robinson, Mr Mick Conner, Mr Richard Campbell, Ms Pat Redfern, Miss N Robinson, J Trowsdale, G Trowsdale, Mr G Trowsdale, Mr James Trowsdale, Austin Wright, John Lake, Mrs Annette Mitchell, Dr Dave Parrott, Mrs Caroline Bradshaw, Mr Dennis Horseman, Mrs Valerie Ford, Mr Ian Cade, Mr Nigel Lattaway, Mr Jarrod Fisher, Miss Jo Sim, Mr Paul Raw, Mrs Jacqui Benson, Mrs Faye Barnett, Mr Richard Barnett, Dr Andrew Harper, Mrs Kristen Harper, Mr Andy Bullard, Mr Alex Mitchell, Mr Max Cross, Mr Brian Cross, Mr Denis Gwilt, Mr Stephen Jones, Mrs Lyndis Millward, Mr Stuart Taylor, Jean Whiteley, Mr Stanley Bell, Mr Keith Lewindon, Mr Richard Lane, Mrs Jill Cross, Mrs M A Carr And Mr J B Lawty, Mrs Enid Gwilt, Mr Kenelm Storey, Mr George Ferguson, Mr Iain Hurst, Mr Andy Boothroyd, Mr Ben Burgess, Robert



William Buck, Robert William Buck, Mr Stanley Bell, Mrs Lea Fountain, Mrs Jill Wilson, Dr Dominic Powlesland, Mr Peter Wilson, Mr Maurice Daniel, Lynne Porter And Evan Ferguson, Mrs Margaret Wright, Mr Sefa Akkirec, Mrs Wendy Stubbings, Mrs Paula Conner, Mrs Vicki Rowland, Mr Ian Panter, Mr Philip Carpenter, Mr W Bentley, R W Carver, Mr David England, Mr Rob Fretwell, Mrs C Gray, Michael Jackson, Mrs A Lockwood, J Matthews, Mr Ben McClements, L Meer, Mr Peter Massheder, Mrs Gillian Buckley, Mr Rod Buckley, Mr Eddie Startup, Ms Christine Haughton, Mr Kenneth Wright, Mr David Mellor, Mr David Stark, Niall O'Brien, Mrs Gill Hodgson, Mr John Grindrod, Mrs Sherry Parrott, Dorothy Smith, Mrs Helen Chapman, Mrs Christine Chadwick, Mrs Amanda Leatherbarrow, Mr Frank Bannister, Mr John Leebetter, Mr C Sherred, Mrs P Sherred, Mr Nick Tiplady, Mr Peter West-Hitchins, Mrs Catherine Murray, Mrs P E Gladwin, Stuart Lockwood, Mr Andrew Lockwood, Mr Derek Lockwood, Mr John Wane, Mrs Jenny Clarke, Lynn Wraith, Mr Ron Whatling, Mrs Stephanie Fidell, Mr Christopher Googe, Mrs Patricia Googe, Mr And Mrs Clark, Elizabeth Mills, Mrs Susan Lattaway, Mrs Jacqueline Craig, Mr Ian Fielding, Mr Stuart Hampson, Mrs Lea Fountain, Margaret Stevens, Ms Rikki Arundel, RW And VA Crane, Ms Sue Turnbull, Mr Duncan Scrase, Mr Ian Stubbings, Ms Cath Muller, Mr Paul Millward, Mrs Angela Ewbank, Mr Michael Mitchell, Mr Neil Ford, V Cornforth, Mr Thomas Cornforth, A E Downes, Elizabeth Hartle, Jo Peckitt And Jason Peirson, M Lake, Mr W R Owen, R Stannard, Mrs Jackie Taylor, Mr David Hunter, Mr Nigel Beresford, Mr Paul Stephens, Mr Harry Milner, Mrs Jill Cade, Mrs Jan Wigglesworth, Mr David Milner, Mrs Amy Trevelyan, Mr Andy Thompson, Mrs Helen Milner, Mrs Judith Tiplady, Mrs Alice Ashby, B D Kerr, Miss Hannah Chapman, Mr John Clegg, T E Scrase, Mrs Thelma Mitchell, Mrs Judith Eaton, Mr Ian Eaton, Mrs Brenda Mellor, Mrs Rita Daniel, Mr James Hartle, Mr Michael Murray, Mrs Susan Gough, Mr Graham Brooks, Mr Karl Kirk, Mrs Norma Harrison, Mrs Rachel Beck, Mrs Catherine Morrison, Mr Michael Rowland, M And C Garrod, Ms Emma Krijnen-Kemp, Mr Alex Chapman,

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**SITE:**

The application site is located on elevated land to the south of the Weaverthorpe to West Luton road. The site is approximately 2km to the south-west of Weaverthorpe and a little over 1km to the south-east of Helperthorpe.

The site currently consists of an agricultural field which is located within an area designated as an Area of High Landscape Value.

## **PROPOSAL:**

This application forms part of two proposals submitted by two local community based groups, namely The Wolds Valley Wind Collective Limited (WVWC) and Weaverthorpe Wind Limited (WW).

The WW, a joint venture between Three Weavers Green (TWG) and the Humberside Co-operative Development Agency Ltd (HCDA) also has two aims, namely:-

- To increase the sustainability of the communities of Weaverthorpe, Butterwick and Helperthorpe by offsetting their carbon emissions; and
- To increase the sustainability of other communities across the wider region by generating income for the HCDA.

This application seeks permission for the erection of 1500kW turbine with a hub height of 40.0m and a tip height of 67.0m, associated crane pad, transformer kiosk, access track, vehicular access and the erection of a 40.5m high temporary meteorological monitoring mast.

The grid connection for the turbine is underground, therefore the connection to the grid will not be visible.

## **HISTORY:**

No recent history.

## **POLICY:**

### National Planning Policy Framework (March 2012)

Section 7: Requiring good design.

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

### National Planning Practice Guidance (March 2014)

Climate change

Conserving and enhancing the historic environment

Design

Determining a planning application

Renewable and low carbon energy

Use of planning conditions

### Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

### Ryedale Plan - Local Plan Strategy

Policy SP12 – Heritage

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP18 – Renewable and Low Carbon Energy

Policy SP19 – Presumption in Favour of Sustainable Development

Policy SP20 – Generic Development Management Issues

## National Guidance

The Climate Change Act 2008

The Renewable Energy Strategy 2009

National Policy Statement for Renewable Energy Infrastructure (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

### **PUBLICITY:**

110 letters of objection have been received in total, of which 97 have been from residents of Weaverthorpe, Helperthorpe, East Lutton. The remaining 13 letters have been received from residents of Grimsby, Lincoln, Suffolk, North Wirral, York, Bradford, Leeds, Scarborough, Wakefield, Preston and Pickering. As well as the letters of objection a petition containing 68 signatures has also been received. The Weaverthorpe and Luttons Parish Councils have also objected to the application. The objections received from the Parish Council and residents (including the petition) cite one or more of the following points:-

- The impact of the development of the 'Wolds';
- Cumulative impact of another turbine;
- Visual impact of the proposal;
- Impact of the development on television reception;
- Impact on ecology;
- Shadow flicker as a result of the turbine;
- The developers have not discussed the development with local residents;
- Destruction of an 'Area of High Landscape Value';
- Noise
- Impact on aircraft safety;
- Impact of the development on bird population;
- The development will not benefit the local community as £1 Million pounds over the 25 year operational period of the development will be to a co-operative in Hull;
- Impact on tourism to the area;
- The 'Wolds' is currently been assessed by Natural England in connection with elevating the status of the area to AONB. The proposal will effect this assessment;
- Impact of the development on road safety;
- Impact of Heritage;
- Reduction in house prices;
- No justification for the site selection for the turbine;

68 letters of support in total have also been received from residents of which 43 have been received from Weaverthorpe, Swinton, Appleton-Le-Moors, Little Barugh, Butterwick, Helperthorpe, East Heselton, West Heselton, Yedingham. The remaining 25 of the letters have been received from further afield, namely, Manchester, Hornsea (East Yorkshire), Scarborough, Bempton (East Yorkshire), Driffield, Bridlington, Shilbottle (Newcastle), Leeds, Lancaster, Holme-upon-Spalding-Moor (East Yorkshire), Kingswood (Hull), Ilkely, York and Hull. The letters of support cite one or more of the following points:-

- The turbine will not adversely impact on the landscape;
- Renewable energy is the future of energy production;
- The proposal will benefit the Wolds valley community;
- The developer carries out 'good' work in the community.

## **APPRAISAL:**

It has been assessed that taking into account the scale and location of the development, it does not constitute 'Environmental Impact Assessment' development in accordance with Schedule 2 of the Town and Country Planning Environmental Impact Assessment Regulations 2011 (as amended).

The main material considerations are:

- Principle of development in policy terms
- Landscape and cumulative impact
- Impact of development on residential amenity
- Heritage impact
- Ecology
- Transport
- Community benefit
- Aviation and radar implications and
- Neighbour and Parish consultation responses

### Policy Context

#### National Policy

The most relevant paragraphs of the NPPF state;

*93. Planning plays a key role in helping shapes places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*

*97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources;*

- *Have a positive strategy to promote energy from renewable and low carbon sources;*
- *Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impact;*
- *Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- *Support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- *Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

*98. When determining planning applications. Local planning authorities should:*

- *Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

- *Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

The relevant policies in the Ryedale Plan – Local Plan Strategy are:

SP14 – Biodiversity  
 SP18 – Renewable and Low Carbon Energy  
 SP19 – Presumption in Favour of Sustainable Development  
 SP20 – Generic Development Management Issues

Para 7.32 of the Local Plan Strategy advises that one of the main ways in which climate change can be mitigated is through a reduction in greenhouse gas emissions. In order to assist in the decarbonisation of the UK's electricity and heat supply, Ryedale will realise its potential for renewable and local carbon energy sources. Para 7.37 is also relevant to this application and states;

*7.37 It is important to recognise and support the contribution of community-led and farm scale renewable and low carbon solutions.*

Policy SP18 is criteria based and supports the principle of renewable and low carbon energy, and states;

***SP18 Renewable and Low Carbon Energy***

*Developments that generate renewable and/or low carbon energy will be supported providing that individually and cumulatively proposals;*

- *Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- *Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on air quality, soil and water resources in Policy SP17, unless their impact can be acceptably mitigated.*

It is clear therefore that there is strong policy support at both National and Local level for the *principle* of renewable and low carbon solutions.

Landscape impact

The application is accompanied by supporting documents including acoustic data, visual impact assessment, archaeological survey and photomontage. The area is described in the Local Plan Strategy as – an upland chalk landscape with a string of medieval (and earlier) villages following the spring line of the Gypsy Race. The designation of the area ‘Area of High Landscape Value’ has been retained in the Local Plan Strategy, and demonstrates the value placed on the character of the area. It also adds weight to the requirement to take account of the impact of development on the landscape.

The proposed turbine would be sited on rising ground to the south-east of Helperthorpe. As such it would be viewed separately to the built development in the valley floor. Officers consider that those single turbines that have best been assimilated into the landscape are those which are visually associated with farm buildings, because they are not as isolated.

Nevertheless the District Council has approved other single turbines at distance from existing development where it is considered that the benefits of renewable energy outweigh the harm. An example of this can be seen at Manor Farm, Weaverthorpe.

When considering the turbine in isolation, it will introduce a tall vertical structure which is at odds with the more horizontal rolling slopes of this part of the Wolds. Nevertheless from most view points the greatest impact is relatively localised. Indeed other turbines in the area have been approved by the District Council on that basis. Examples are Gara Farm, and Manor Farm, Weaverthorpe, and Boythorpe Farm at Butterwick.

In relation to cumulative impact, there is little guidance on how to accurately assess cumulative impact. It is necessary to balance the strong policy support for renewable energy with the need to ensure that the number, location, design etc of the turbine does not cause significant demonstratable harm to the Wolds Area of High Landscape Value. The following is a list of turbines that have been approved in the area.

#### APPROVED

09/00906/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18.3m tip 25m  
10/01311/FUL – Duggleby Wold Farm, Weaverthorpe – hub 32m tip 48m (x2 turbines)  
11/00336/FUL (*installed*) – Barrow Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00337/FUL (*installed*) – Cat Bableton Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00541/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18m tip 24.5m  
11/00615/FUL (*installed*) – Ling Farm, Green Lane, Langtoft – hub 24.6m tip 34.2m (x2 turbines)  
11/00744/FUL (*installed*) – Spaniel Farm, Main Road, Weaverthorpe – hub 37.18m tip 53.88m  
12/00201/FUL (Appeal Allowed) – Manor House, Long Hill, Helperthorpe – hub 36.4m tip 46m  
12/00566/FUL (*installed*) – Gara Farm, Weaverthorpe – hub 24.6m tip 34.2m  
12/00602/FUL (*installed*) – Manor Farm, Main Road, Weaverthorpe – hub 24.6m tip 34.2m  
12/00822/FUL – Allison Wold Farm, Simon Howe, Sherburn – hub 30.5m tip 44m (x2 turbines)  
13/00534/FUL – Boythorpe Farm, Butterwick – hub 31.5m tip 46m (x2 turbines)  
13/00675/FUL – Kirby Wold House, Low Road, Kirby Grindalythe – hub 30.1m tip 41.6m

#### PENDING

13/00551/FUL – Dotterel Farm, Weaverthorpe – hub 55m tip 81m  
13/00851/FUL – Land North of Main Road, Weaverthorpe – hub 40m tip 67m  
13/01091/FUL – Land To West of Grange Farm, Main Road, Weaverthorpe – hub 24.8m tip 34.5m

It should be noted that the majority of the above turbines are all within 5km of the application site.

The list is quite extensive. However when taken in isolation it can be misleading in terms of assessing cumulative impact. The reason for this is that the Wolds include a number of valleys which means that whilst the location of turbines can appear to be close on a map (see the attached plan to the report), they may not appear in the same viewpoint when seen on site. In view of this, and as part of the assessment of the application, officers have visited the area to assess the impact of the turbines already erected, and also looked at key views for those proposed. In relation to this application officers identified a number of viewpoints approaching the site from the east and west as well as a view point on the road from Weaverthorpe to Sherburn. Whilst the road is not classified, it is a main route from the A64 to the Wolds, and is regularly used. From this point turbines at Dotterel Farm, and Manor Farm, Weaverthorpe are presently visible. The initial view and associated impact of the turbines is increased as you continue towards Weaverthorpe as more turbines appear on the vista. Permission was granted on appeal at Manor House Helperthorpe and this turbine would be the fourth in this particular vista.

A further application at Dotterel Farm is pending and a recent refusal at High Barn Helporthorpe is the subject of an appeal which is yet to be determined. Officers are of the opinion that this accumulation will result in a further change in the character of the landscape to the extent that it will become a turbine dominated view. The variation in height and design, together with the irregular spacing is considered to add to their incongruous appearance.

Para 98 of the NPPF, states that such applications should be approved if its impacts are (or can be made) acceptable. SP13 of the Local Plan Strategy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individual and cumulating proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering.

Members will note that both Lutton and Weaverthorpe Parish Councils have expressed concern regarding the cumulative impact of turbines on the Wolds Area of High Landscape Value. Their full response is appended to this report. It is also worth noting the recent decision from the Secretary of State (SoS) on the Heselton Wind Farm development, particularly his comments on the landscape and visual impact on the Yorkshire Wolds Area of High Landscape Value. The SoS states, in paragraph 12, that:-

*“...the Wolds is a highly valued landscape...”*

On balance, taking into account the previous already granted wind turbines it is considered that the proposed additional turbine will result in significant and demonstratable harm to the character of this part of the Wolds Area of High Landscape Value.

#### Neighbour impact

##### (i) Noise

The application is accompanied by a site specific noise survey. The applicant advises that it has been prepared in accordance with ETSU-R-97, and also a new guidance document ‘A Good Practice Guide to the application of ETSU-R-(& for the assessment and rating of wind turbine noise May 2013). This is the acknowledged method of assessing potential noise impact.

The Councils Environmental Health Officer has responded and advised that a condition limiting the noise levels is imposed if the application is approved.

##### (ii) Shadow flicker

It is noted that concerns have been received regarding visual flicker. Given the proposed turbine will be positioned in excess of 400m from any occupied building it is not considered that shadow flicker is an issue in this instance.

#### Community benefit

This application has been presented on the basis of ‘supporting communities’ through the profits generated by selling the energy produced by both of the turbines to the National Grid.

The revenue generated from this application will divide any profit 75:25 in the favour of TWG.

TWG's aim is to benefit the communities of Weaverthorpe, Butterwick and Helperthorpe. The information submitted in support of the application has identified that TWG is currently considering schemes for the following:-

- Hedgerow replacement and improvement;
- Improving local biodiversity;
- Community transport;
- Scholarships for local people;
- Assistance for local business start-ups; and
- Further investment in renewable energy and energy efficiency schemes.

Members should note, however, that a number of local residents have objected to the application and raised concerns in regard to the credentials and intent of the development based on the perceived community benefits.

#### Archaeology

The applicants, as part of the submission documents, have carried out a survey and identified that a 'watching brief' be maintained during the construction phase, grid connection and formation of the access track.

The County Archaeologist requested the submission of additional information, due to the fact that area is archaeologically sensitive.

The applicants supplied further information and the County Archaeologist has responded and advised the imposition of a condition, were the application approved.

#### Highway considerations

The NYCC Highway Officer has advised that the routing of the apparatus and turbine sections to site, for the majority of its journey, will be within the East Riding of Yorkshire Council's (ERYC) administrative boundary. The ERYC has been consulted and no comments have been received.

The NYCC Highway Officer has requested the submission of additional information in order to be satisfied that the route through Ryedale and the entrance to the site will be acceptable and not result in any highway implications. The information was forwarded to the applicant but to date no revised details have been received.

#### Heritage impact

Members are advised that there are a number of historic assets, specifically Listed Buildings, located in the surrounding landscape and that the Local Planning Authority has a statutory **duty** under legislation relating to Listed Buildings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

National policy guidance regarding the impact on heritage assets is set out in the National Planning Policy Framework (NPPF) and the recently published National Planning Practice Guidance (NPPG).



Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise.

Paragraph 133 goes on to say that where a proposed development will lead to substantial harm Local Planning Authorities should refuse permission, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In terms of development within the setting of heritage assets, paragraph 137 is relevant and advises local authorities to *"look for opportunities for new development within Conservation Areas...and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*

The National Planning Practice Guidance (NPPG), paragraph 013 amplifies the relevance of an assets setting stating *"Setting is the surroundings in which an asset is experienced..."*. The paragraph continues and goes on to say *"The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance."*

The proposal has been assessed by the Council's Building Conservation Officer, her comments are as follows: -

*"...it is apparent with this application that no heritage asset will be physically affected by the proposal..."*

*"...therefore the focus is on the impact that the proposal will have on the setting of heritage assets."*

*"In my opinion the built heritage asset most affected by this application is the Grade II listed Church of St. Peter at Helperthorpe".*

*There are a number of other listed buildings in the near vicinity however due to their distance from the application site, or location within built up villages, I am of the opinion that their settings will not be affected by this application.*

*"The Grade II Listed Church of St. Peter is located just north of the village close up to the village boundary. Due to its position set back from the road and its location on the boundary of the built up village, it is often screened by other buildings. It is also screened by hedges and trees therefore views of the church are quite restricted. Notwithstanding the above, views of the church spire are clearly visible when travelling south on the road north out of Helperthorpe to East Heselton Wold. This is a minor road and peters out into a track however views of the turbine are likely to be seen in conjunction with the spire of the church and add a competing element into the landscape. In addition, it is likely that due to a break in tree and hedge cover on the south side of the churchyard that the turbine will be clearly visible when looking south into the landscape from within the churchyard, path and porch.*

*In my opinion the degree of harm caused will, be less than substantial and according to the NPPF should be weighed against the public benefits of the scheme."*

Members will be aware of the Secretary of State's (SoS) recent decision on the East Heselton Wind Farm (11/00270/MFULE). The SoS disagreed with the Planning Inspector's assessment of the impact of the proposal upon the setting of a Grade I Designated Historic Asset (St.Andrew's, East Heselton). The SoS concluded that the impact of the turbine's created a harmful distraction to the Asset's setting.

In this particular case the views of and from the designated Historic Asset will be affected by the proposed turbine. This proposal, as reflected in the Building Conservation Officer's comments, results in a similar adverse impact.

Paragraph 129 of the NPPF states that Local Planning Authorities should:

*"...identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset)."*

Paragraph 132 of the NPPF states: -

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."*

The Building Conservation Officer has identified that the proposal will cause harm to the setting of the listed building. Whilst not substantial, harm will still result to the setting of the asset if the application is approved.

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy reflects the NPPF. Specifically it requires that the *"historic environment will be conserved and where appropriate, enhanced."*

The Legislation, specifically Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting..."*

Whilst the applicant has identified the potential public benefits of the scheme it is considered that those benefits, in the decision making balance, are not of sufficient weight to outweigh the harm caused to the setting of the Grade II listed Church of St.Peter.

#### Ecology

The information submitted in support of the application includes a report in respect of the potential impact of the turbine on ecology. The turbine location takes account of the surrounding area and accordingly there is no objection from the Councils Countryside Officer.

#### Aviation and radar

There been no objections received from the relevant aviation and radar consultees. The Ministry of Defence, however, has objected to the application stating that the development will:-

*"...will cause unacceptable interference to the AD radar at RAF Staxton Wold."*

The applicant has attempted to address the concerns raised by the MOD, however, the MOD has maintained their objection to the proposal.

On this basis the application is considered to be unacceptable.

#### Other Matters

A number of concerns have been received from residents in regard to the potential devaluation of their property. This is, however, not a material planning consideration.

## Conclusion

The District Council is supportive of the principle of renewable energy and this is demonstrated by the number of turbines that have been approved in the District.

However, it is considered that the proposed turbine would add to the accumulation of turbines that would change the perception of the Wolds Area of High Landscape Value in this locality. This is in particular when viewed from the Weaverthorpe to Sherburn road.

It is also considered that, as a matter of planning judgement, that although the proposed development has the potential to deliver some planning benefits, the harm to the setting of St. Peter Church outweighs those benefits.

The applicant has also failed to demonstrate that the proposal will not have a detrimental impact on the Air Defence radar installation or the highway network.

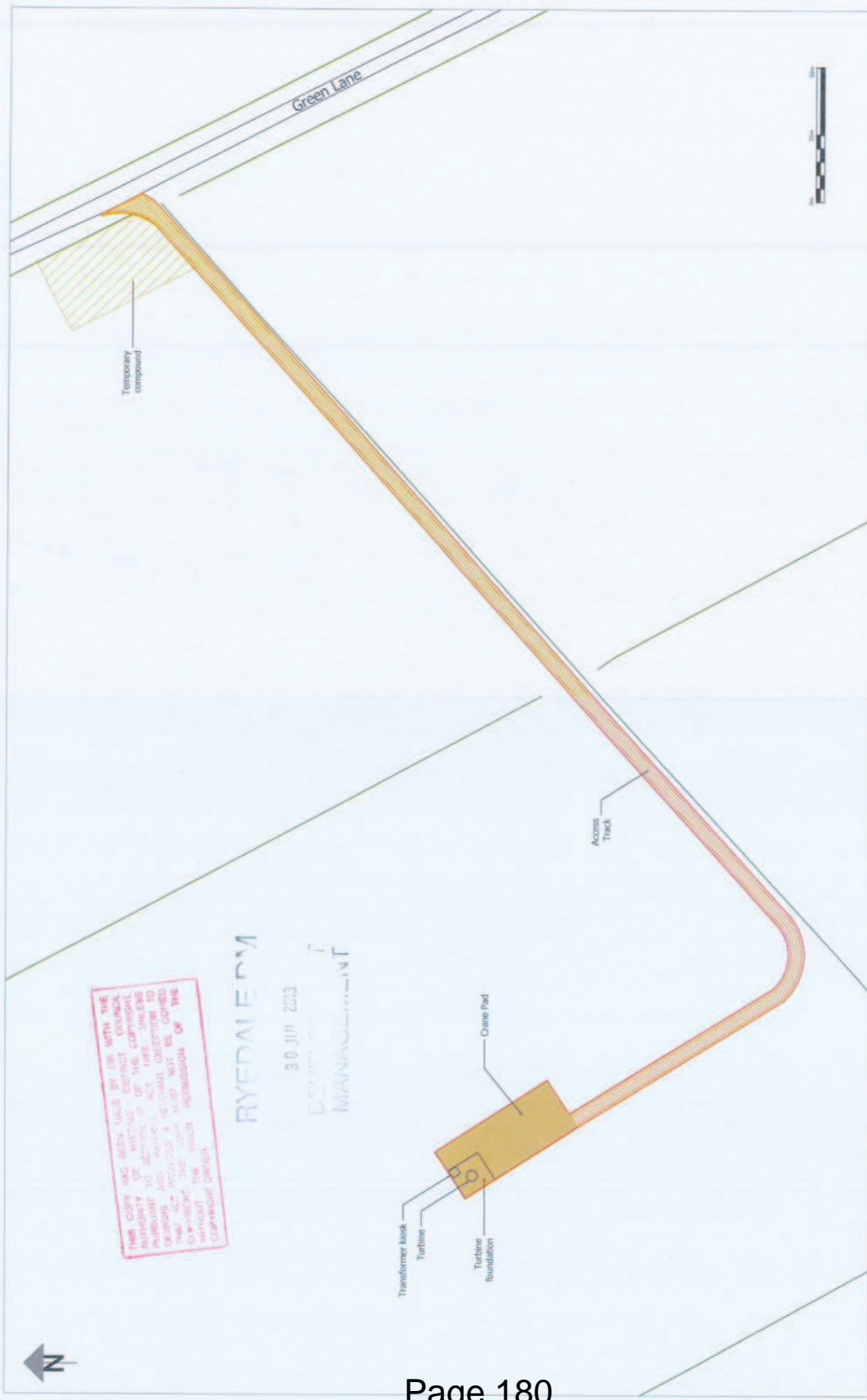
As such the recommendation is one of refusal.

### **RECOMMENDATION:                      Refusal**

- 1            The proposed development would result in an accumulation of the turbines locally in the landscape when viewed from the Sherburn to Weaverthorpe road. This is considered to be detrimental to the character of the Wolds Area of High Landscape Value. As such the development would be contrary to the principles of para 98 of the NPPF and Policies SP13 and SP18 of the Local Plan Strategy.
- 2            The proposed development by reason of its prominent position in the landscape proximity will result in an unacceptable level of harm to the setting of the Listed Church (St. Peter). Insufficient public benefits are derived from the development that outweigh the harm to the designated asset. The application is therefore considered to be contrary to Policy SP12 of the Ryedale Plan – Local Plan Strategy and the provisions of Section 12 of the National Planning Policy Framework, specifically paragraphs 129, 131, 132, 133, 134 and the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3            The development is considered to have an unacceptable impact on the National Air Defence Radar at RAF Staxton Wold. The Ministry of Defence (MoD) have objected on the basis that the turbine will be 10.602km from the Air Defence Radar at Staxton Wold and would result in an adverse impact on the RAF Air Defence Radar contrary to National Policy Statement for Energy EN1 Section 5.4 and paragraph 164 of the National Planning Policy Framework.
- 4            Insufficient information has been submitted by the applicant that can demonstrate that the proposal will not have an adverse impact on the highway network. Therefore the proposal is considered to be contrary to Policy SP16, SP18 and SP20 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



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**RYDALE FM**  
 30 JUN 2013  
 DOCUMENT  
 MANAGEMENT

Project: Proposed Turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing Title: Site Layout and Access

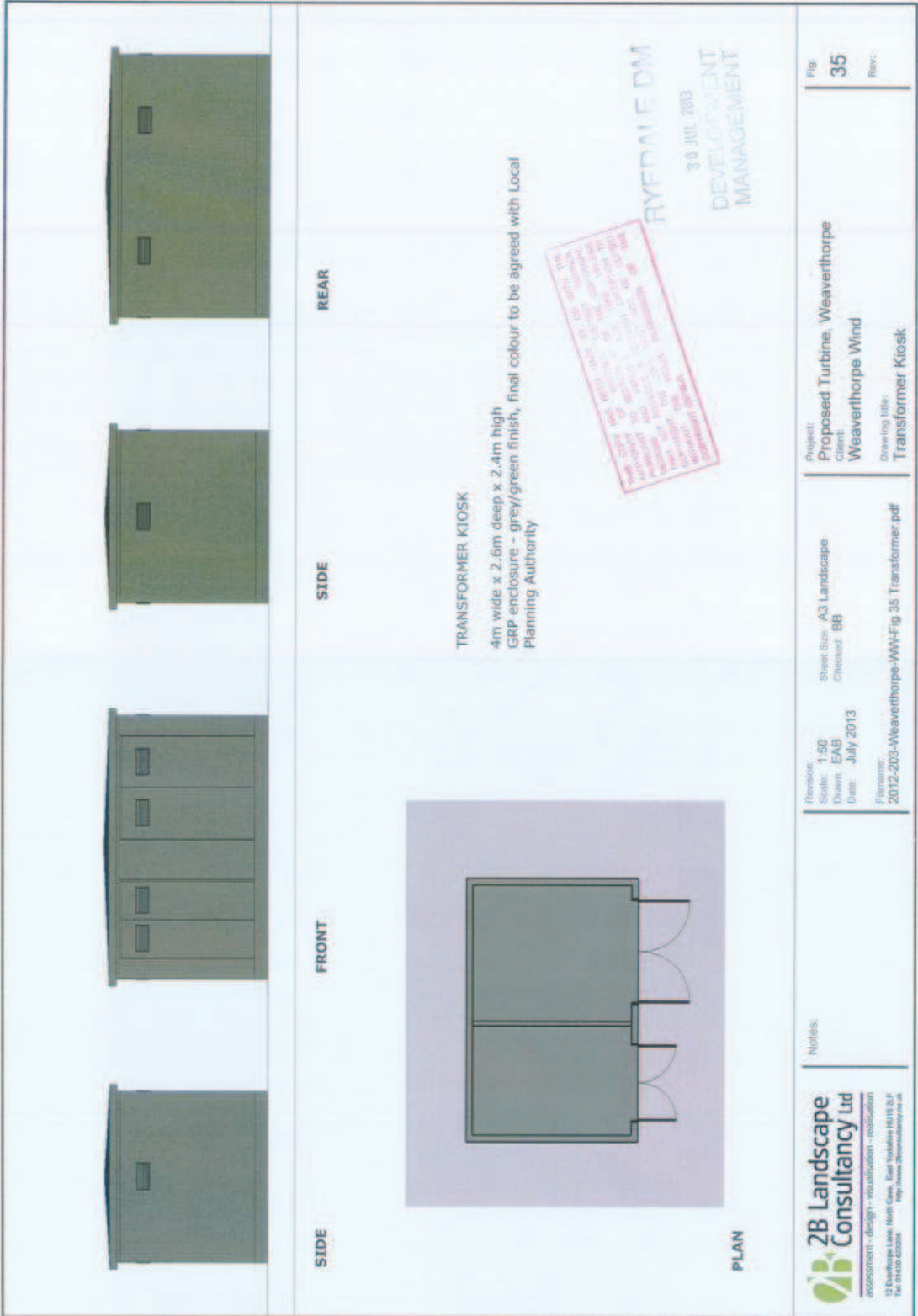
Scale: 1:1250 @ A3  
 Date: July 2013  
 Drawing Ref: WeaverthorpeSitePlans.dwg

Fig: 34  
 Rev: -

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 12 Ewerthorpe Lane, North Cove, East Yorkshire HU15 2LF  
 Tel: 01430 423204 <http://www.2bconsultancy.co.uk>





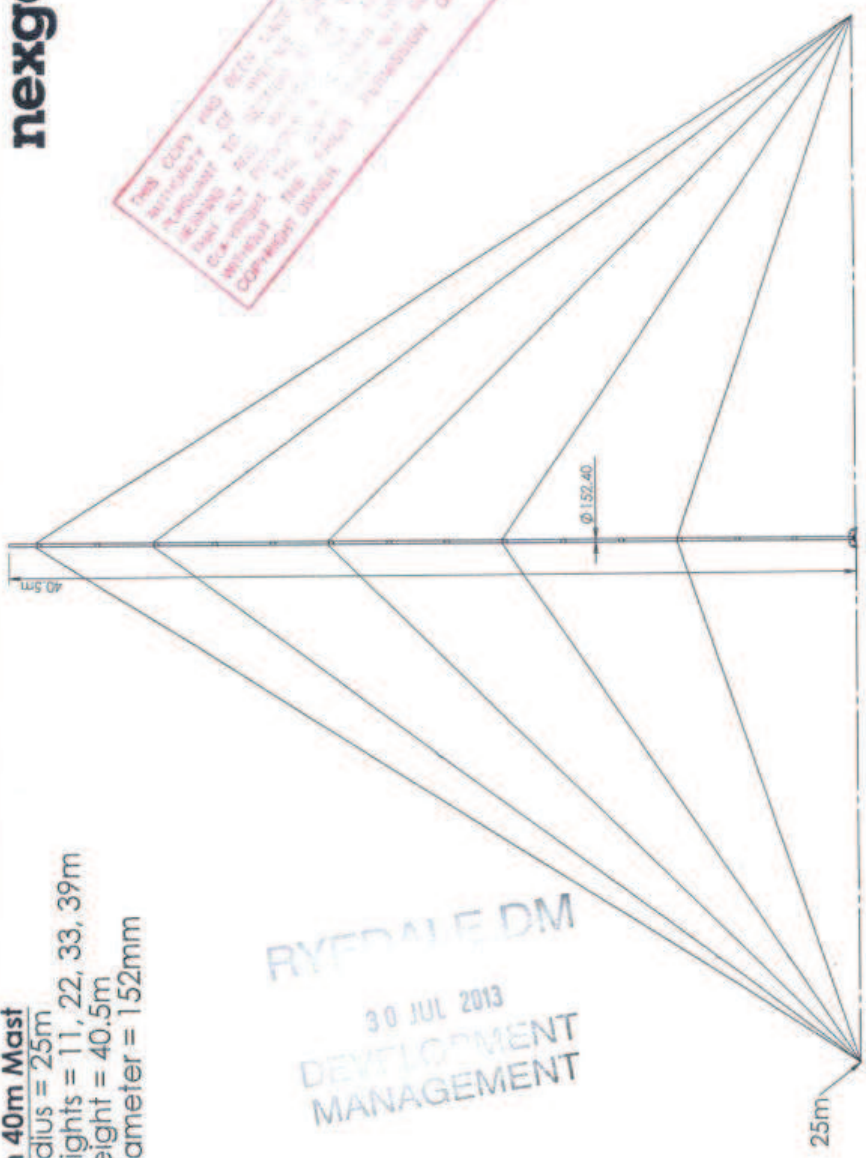


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**Nexgen 40m Mast**  
 Guy Radius = 25m  
 Guy Heights = 11, 22, 33, 39m  
 Mast Height = 40.5m  
 Tube Diameter = 152mm

RYEDAILE DM  
 30 JUL 2013  
 DEVELOPMENT  
 MANAGEMENT



Title:	40m Mast GA	Material:	Mild Steel	Notes:	Scale: 1:250
DWG #:	FOR PLANNING	Revision:	1	THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF WESTERN WIND POWER. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF WESTERN WIND POWER IS PROHIBITED.	Drawn by: T. Sherwen
					Date: 7/2/2012

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 email: info@nexgenwind.com



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 30 JUN 2012  
 DEVELOPMENT  
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Title: <b>40m Mast GA</b>	Material: Mild Steel	Notes: - All dimensions are in mm, unless otherwise specified. - Do not scale drawing. - Debur all edges.	THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF WESTERN WIND POWER. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF WESTERN WIND POWER IS PROHIBITED.	Drawn by: <b>T. Sherwen</b> Date: 7/2/2012	Western Windpower Wallbridge Industrial Estate Shiloh QLD 4311 Tel: 07 453 737 408 email: info@nexgenwind.com
DWG #:	Plan View	Scale: 1:300	Revision: 1		



RYSDALE DM  
30 JUL 2013  
DEVELOPMENT  
MANAGEMENT

Project: Proposed turbines, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 09 - Existing

Fig: **13.1**

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Revision:  
Scale: 1:100  
Date: July 2013

Distance to turbine: 1.371m  
Bearing to turbine: 140°  
Viewpoint grid reference: 466378,470531 - see Figure 07  
Date & time of photo: 02/05/2013 12:05  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Aperture: f/8  
Shutter speed: 1/2000

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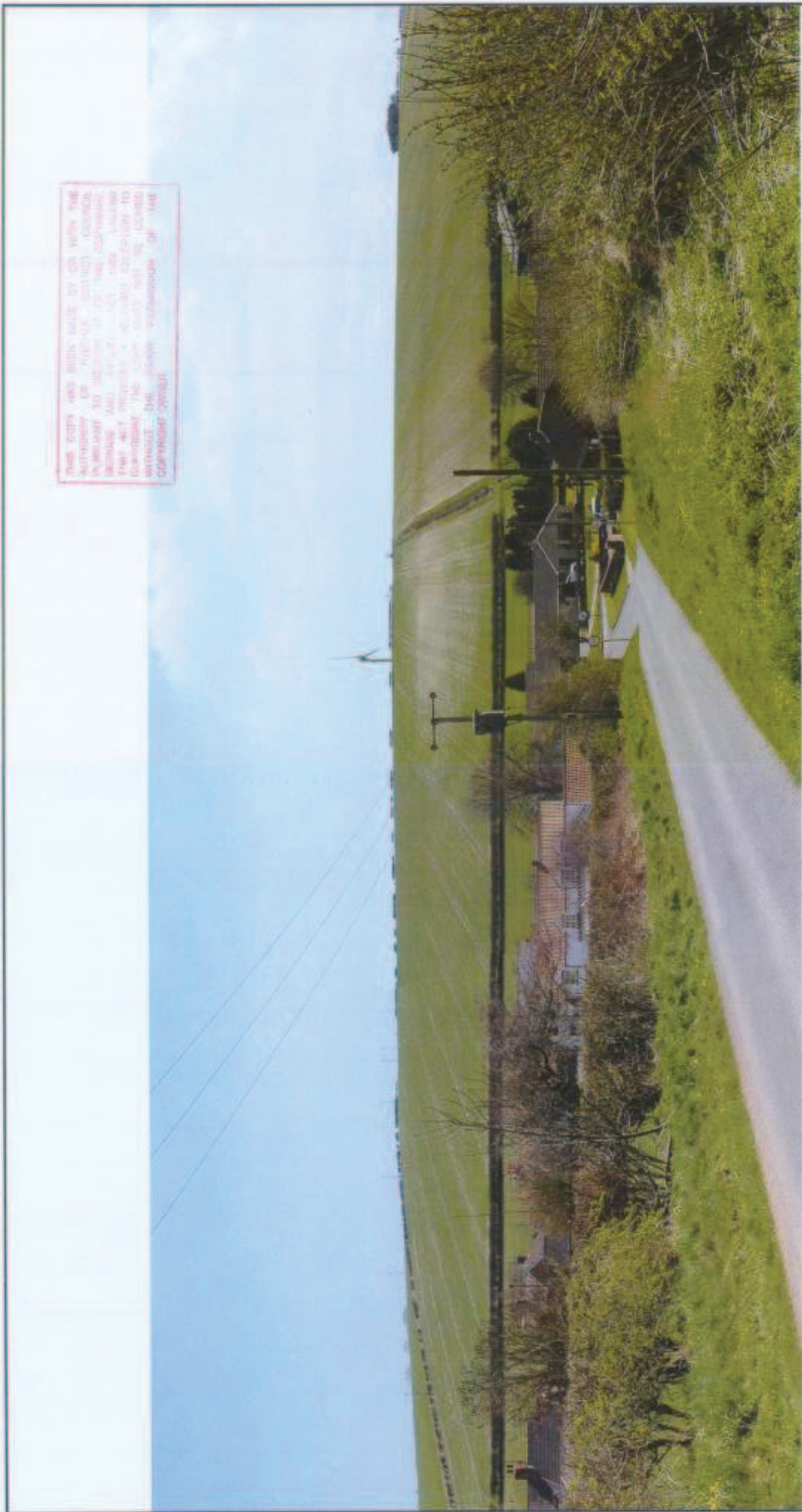


Vertical guidelines are at intervals of 10', numbers at 20', where 0' is Grid North.

WEATHERHORSE WIND  
30 JUL 2013  
DEVELOPMENT  
MANAGEMENT

<p>2B Landscape Consultancy Ltd assessment · design · visualisation · installation</p>	<p>Distance to turbine: 1.37km Viewing to and from: 09° Down &amp; line of sight: 02/05/2013 12:05 Camera: Canon Digital SLR with 50mm focal length equivalent lens Angle of view 0°, used as area at 00mm distance for accurate scale effect</p>	<p>Revision: Scale: Drawn: Date:</p>	<p>Project: Proposed turbine, Weaverthorpe Client: Weaverthorpe Wind Drawing title: Viewpoint 09 - Wireframe</p>
<p>File Name: 2012-203-Weaverthorpe-WW-Fig13.2-VP09.pdf</p>	<p>Sheet size: A3 Landscape Client: BB</p>	<p>ACM July 2013</p>	<p>Fig: 13.2</p>

2012-203-Weaverthorpe-WW-Fig13-VP09.cdr @ 2B Landscape Consultancy Ltd



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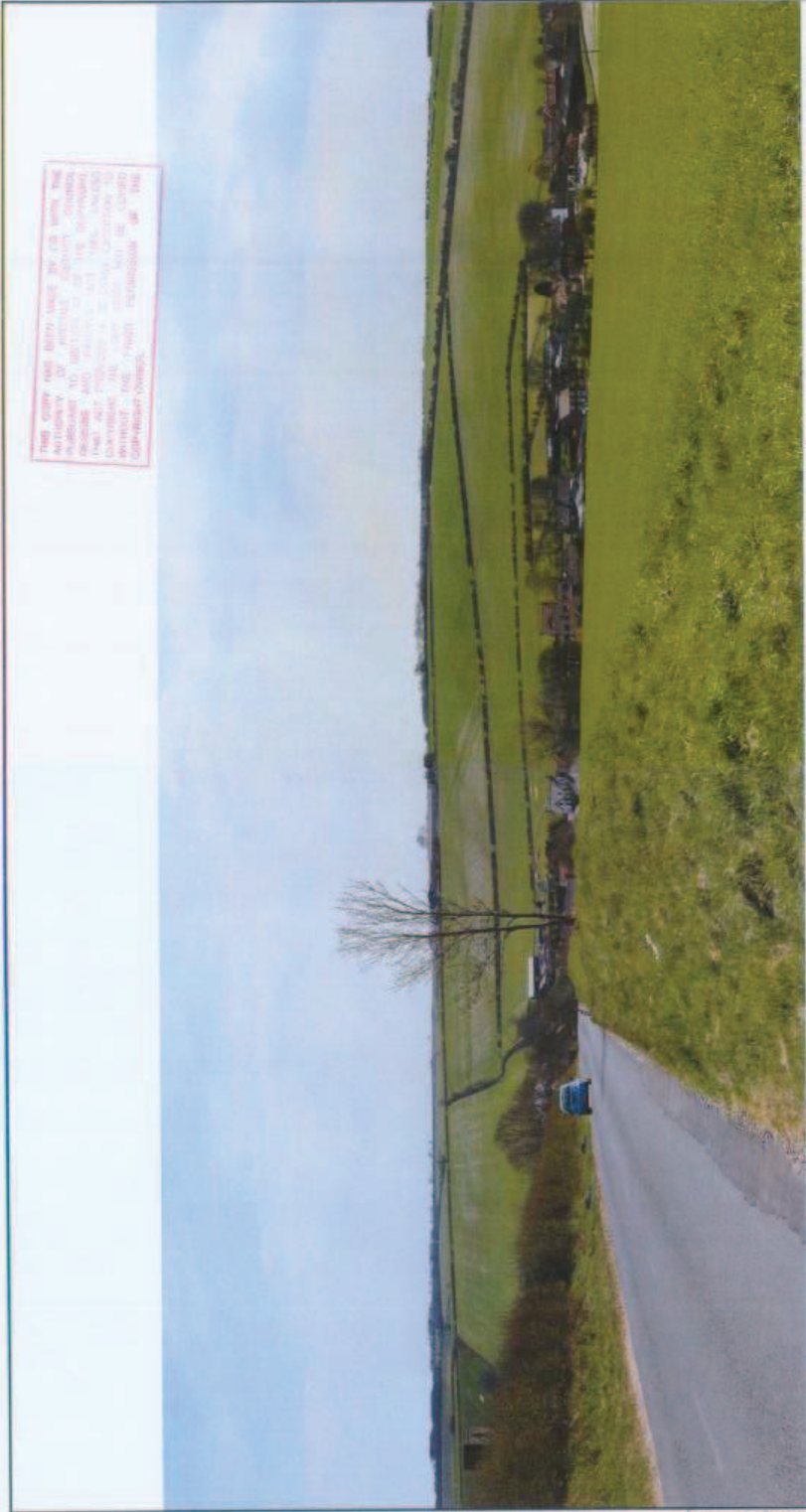
Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 09 - Photomontage  
 Fig: 13.3

Revision:  
 Scale:  
 Date:  
 File Name: 2012-203-Weaverthorpe-WW-Fig13.3-VP09.pdf

Distance to turbine: 1.27km  
 Bearing to turbine: 149°  
 Date & time of photo: 02/05/2013 - 12:05  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 60° - not at print at 400mm distance for accurate scale effect

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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 17 - Existing

Revision: -  
Scale: ACM  
Date: July 2013  
File Name: 2012-203-Weaverthorpe-WW-Fig 14-VP17.pdf

Distance to turbine: 2.05km  
Bearing to turbine: 156°  
Date & time of photo: 201002013 - 13:40  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 60°, held at 1.5m at 0.5m distance for accurate scale effect

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Fig: 14.1



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Weaverthorpe Wind Turbine

St Andrew's Church, Weaverthorpe

160

180

200

Vertical guidelines are at intervals of 10', numbers at 20', where 0' is Grid North.

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9.0 JUL 2013  
ENVIRONMENTAL  
MANAGEMENT

Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 17 - Wireframe

Revision:  
Scale: A3  
Date: July 2013  
Short Size: A3 Landscape  
Created: BB

Distance to turbine: 2.06km  
Viewpoint grid reference: 486559 471371 - see Figure 07  
Date & time of photo: 02/05/2013 13:40  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 59°, held AS grid at 30mm distance for accurate scale effect

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Fig: 14.2



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 <p><b>2B Landscape Consultancy Ltd</b>          assessment · design · visualisation · realisation  <a href="http://www.2blandscape.co.uk">www.2blandscape.co.uk</a></p>	<p>Distance to turbine: 2.08km          Bearing to turbine: 194°          Viewing point reference: 020902013_13.40          Camera: Canon Digital SLR with 50mm focal length equivalent lens          Angle of view: 39° x 66.6° (print at 43mm distance for accurate scale effect)</p>	<p>Revision:          Scale:          Date:          Drawn:          File Name: 2012-2013-Weaverthorpe-WW-Fig 14.3-VP17.pdf</p>	<p>Sheet Size: A3 Landscape          Checked: BB</p>	<p>Project: Proposed turbine, Weaverthorpe          Client: Weaverthorpe Wind          Drawing title: Viewpoint 17 - Photomontage</p>	<p>Fig: 14.3</p>
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2012-2013-Weaverthorpe-WW-Fig 14-VP17.cdr © 2B Landscape Consultancy Ltd

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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 20 - Existing

Revision:  
Scale:  
Date:  
Drawn:  
Checked:  
File Name: 2012-203-Weaverthorpe-WW-Fig 15 1.VP20.pdf

Distance to turbine: 3.40km  
Bearing to turbine: 239°  
Date & time of photos: 02/07/2013 14:20  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 60° - note AS print at 430mm distance for accurate scale effect.

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Fig: 15.1





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Distance to turbines: 3.400km  
 Bearing to turbines: 239°  
 Height of turbines: 100m  
 Date & time of photos: 02/06/2013 14:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 60° - note 40 pairs at 50mm distance for accurate scale effect

Revision:  
 Scale: A3 Landscape  
 Checked: BB  
 4CM  
 July 2013  
 File Name: 2012-203-Weaverthorpe-WV-Fig15-2-VP01.pdf

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 20 - Wireframe

Fig: 15.2

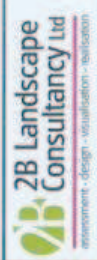
2012-203-Weaverthorpe-WV-Fig15-VP01.cdr © ZB Landscape Consultancy Ltd



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Aurora, Ontario L4L 1A5  
Tel: 416-291-1000  
www.2blandscape.com

Distance to turbine: 3.96km  
Viewing to turbine: 20°  
Date & time of photo: 02/05/2013 14:10  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 42°; photograph not taken as a panorama so is standard 4:3; if accurate  
3000x2000 pixels; 3000x2000 dots per inch at 300mm distance

Revision:  
Drawn:  
Date:  
ACM  
July 2013

Sheet Size: A3 Landscape  
Checked: BS

Project: Proposed turbine, Weavehorpe  
Client: Weavehorpe Wind  
Drawing title: Viewpoint 23- Existing

Fig: 16.1







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Project: Proposed turbines, Weavertorpe  
Client: Weavertorpe Wind  
Drawing title: Viewpoint 25- Existing

Revision: -  
Scale: ACM  
Date: July 2013  
Sheet Size: A3 Landscape  
Client ref: 08  
File Name: 2012-203-Weavertorpe-WW-Fig 17.1-VP25.pdf

Distance to turbine: 4.1km  
Viewing to turbine: 20°  
Date & time of photo: 02/05/2013 14:50  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 0° - 60°  
Note: A3 print at 600mm distance for accurate scale effect

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Fig: 17.1





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Project: Proposed turbines, Weavertorpe  
 Client: Weavertorpe Wind  
 Drawing title: Viewpoint 25 - Photomontage  
 Fig: 17.3

Revision:  
 Scale:  
 Date:  
 4/01  
 July 2013

Sheet Size: A3 Landscape  
 Checksize: BB

File Name: 2012-203-Weavertorpe-WW-Fig17.3-VP25.pdf

Distance to turbine: 4.14km  
 Viewing to turbine: 20°  
 Date & time of photos: 02/05/2013, 14:50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view etc. set as per at 43mm distance for accurate scale effect

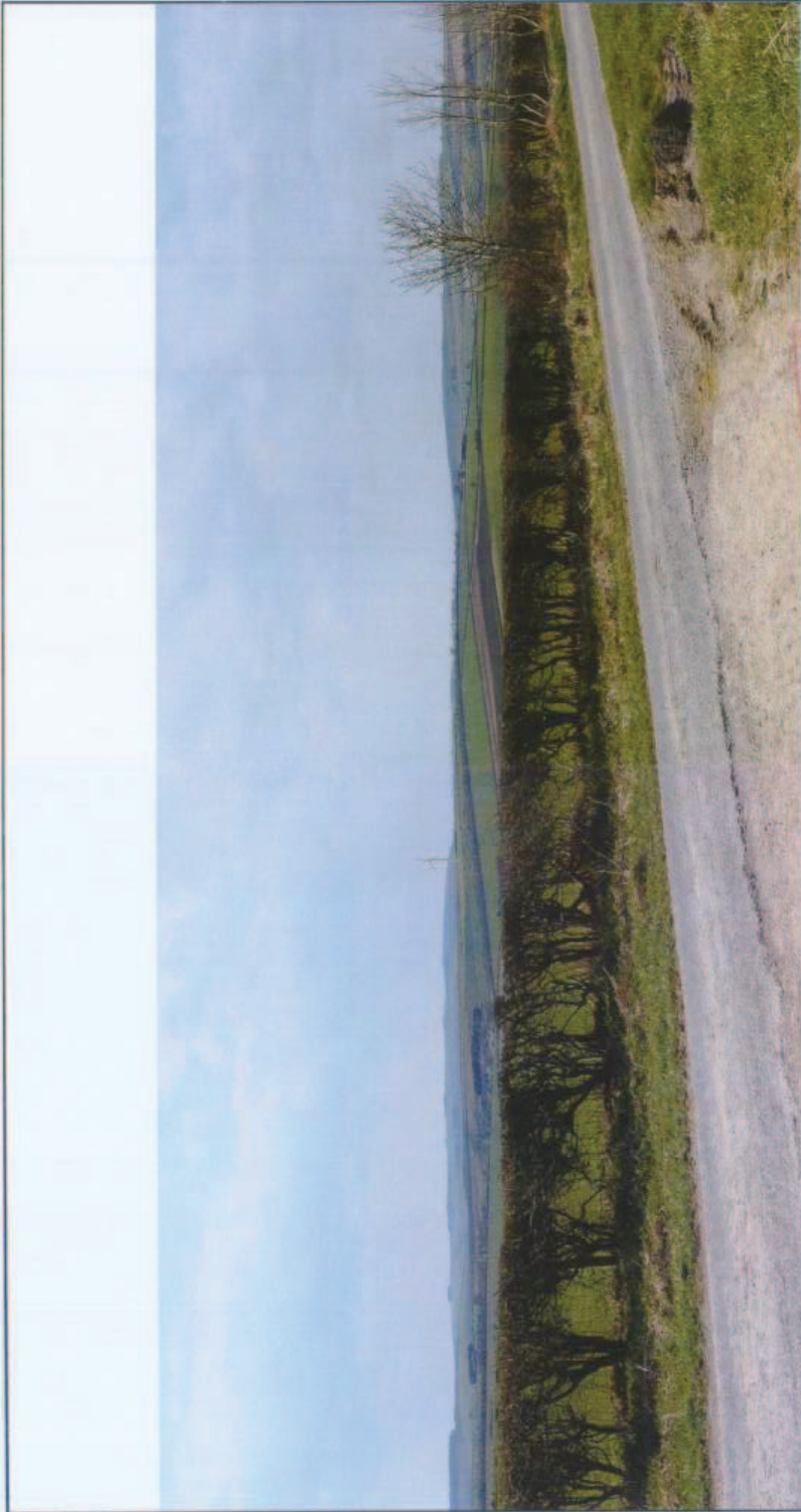
19 landscape.com  
 01203 203203  
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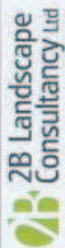






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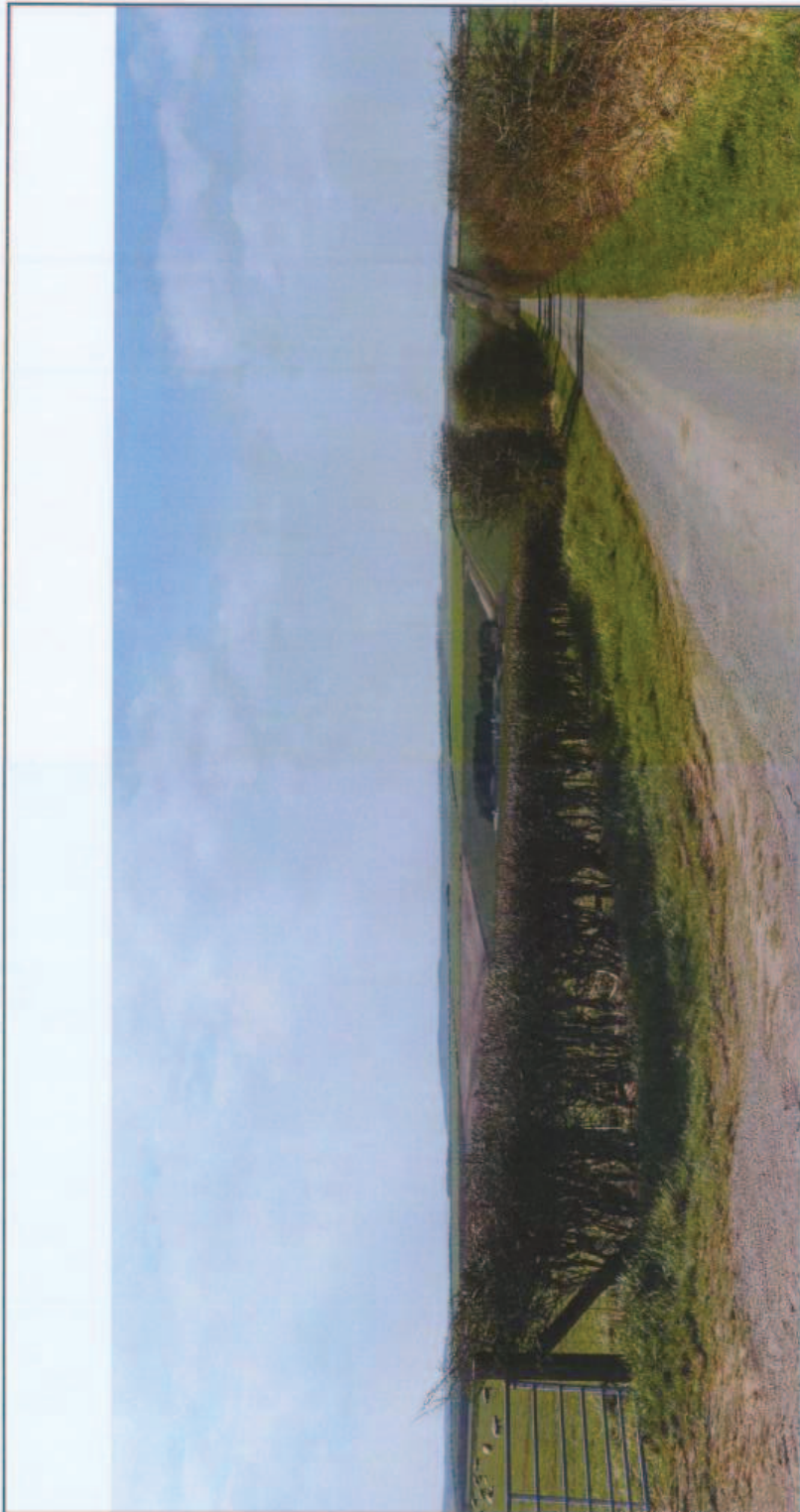
Distance to turbine: 2.07km  
 Viewing to turbine: 20°  
 Viewpoint: 489011.488791 - see Figure 07  
 Date & time of photos: 02/05/2013 14:40  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 60°. Not to print at 450mm distance for accurate scale effect!

Revision:  
 Drawn: ACM  
 Date: July 2013

Sheet Size: A3 Landscape  
 Checklist: 68

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 27 - Photomontage

Fig: 18.3



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Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 28 - Existing

Sheet Size: A3 Landscape  
 Checked: BB

Revision:  
 Scale:  
 Date:  
 Drawn:

ACMA  
 July 2013

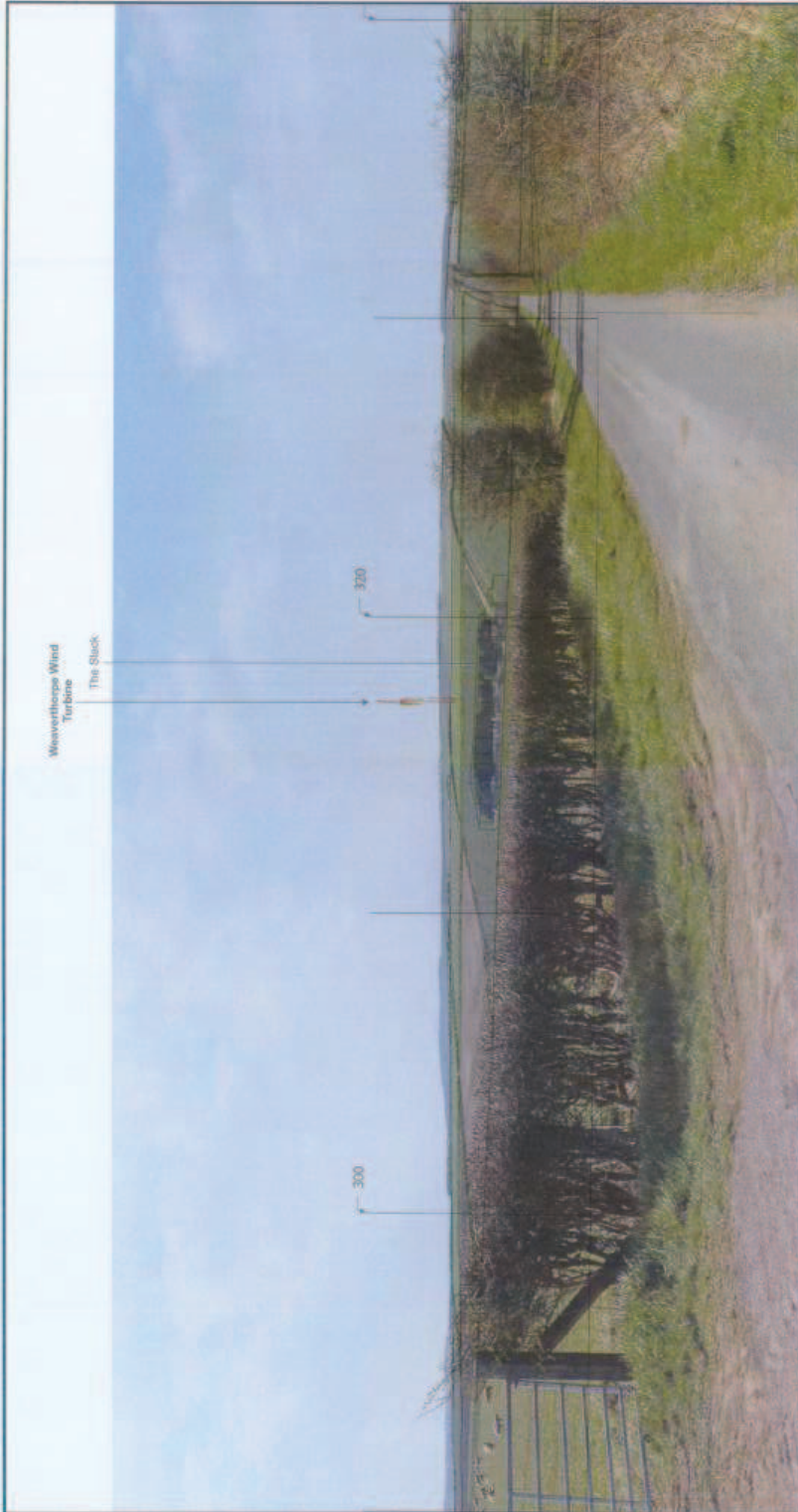
Distance to turbine: 1.08km  
 Bearing to turbine: 316°  
 Date & time of photo: 02/04/2013 13:25  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 50°, lens A3 print at 100mm distance for accurate scale effect

18 Bedford Way  
 London WC1R 4EU  
 Tel: 020 7613 3300  
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Fig: 19.1



Weaverthorpe Wind Turbine  
The Stack

300

300

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Distance to turbine: 1.68km  
Viewing to turbine: 319° - 497236,498131 - see Figure 07  
Date & time of photos: 02/05/2013 15:25  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 27°, note A3 print at 480mm distance for accurate scale effect

Revision:  
Drawn: ACM  
Date: July 2013  
Checked: BB

Sheet Size: A3 Landscape  
Checked: BB

Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 28 - Wireframe

Fig: 19.2





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Project: Proposed turbines, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 31 - Existing

Revision:  
Scale:  
Date:  
4CM  
July 2013

Distance to turbine: 2.65km  
Bearing to turbine: 335°  
Viewpoint 31 - see Figure 07  
Date & time of photo: 02/06/2013 18:05  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 67° - not to scale at 60mm distance for accurate scale effect

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Fig:  
20.1



Vertical guidelines are at intervals of 10°, numbers at 20°, where 0° is Grid North

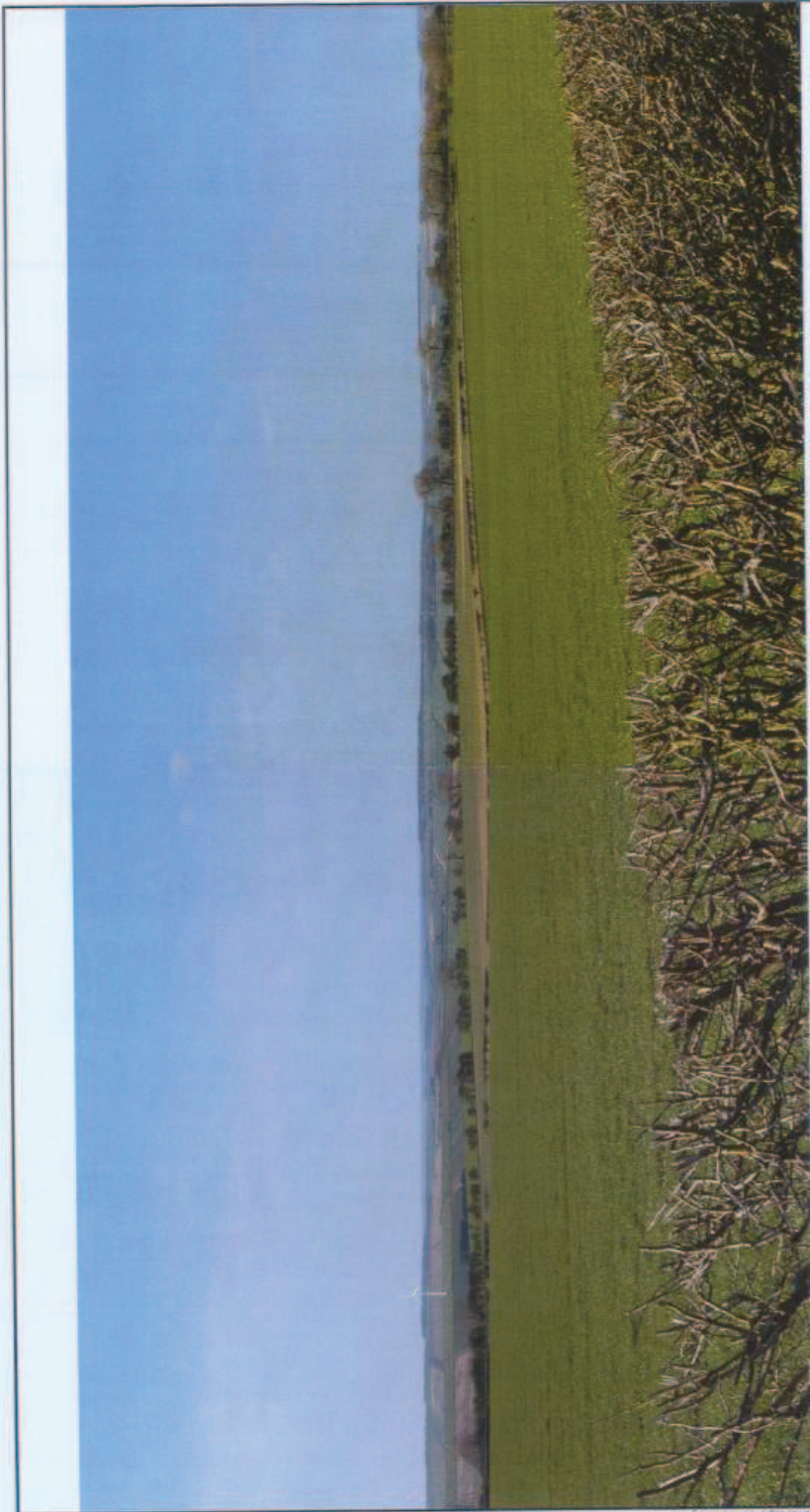
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 <p>2B Landscape Consultancy Ltd assessment · design · visualisation · realisation</p>	<p>Distance to turbine: 2.65km Bearing to turbine: 335° Date &amp; time of photo: 02/05/2013 18:05 Camera: Canon Digital SLR with 50mm focal length equivalent lens Angle of view 67°. Not to scale at 1:10000 distance for accurate scale view!</p>	<p>Revised: Drawn: Date:</p> <p>ACM July 2013</p>	<p>Sheet Size: A3 Landscape Checked: BA</p>	<p>Project: Proposed turbine, Weaverthorpe Client: Weaverthorpe Wind Drawing title: Viewpoint 31 - Wireframe</p>	<p>Fig: 20.2</p>
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 01273 832002

Distance to turbine: 2.60km  
 Bearing to turbine: 335°  
 Height of turbine: 100m  
 Date & time of photo: 02/05/2013 16:05  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 67°, held at point at 600mm distance for accurate scale effect

Revisions:  
 Drawn: ACM  
 Date: July 2013

Sheet Size: A3 Landscape  
 Checked: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 31 - Photomontage

Fig: 20.3

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Distance to turbine: 4.57km  
 Looking to turbine: 30°  
 Date & time of photo: 02/05/2013 16:25  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens.  
 Aperture: f/4.5, ISO: 400, 1/1000 sec

Revision:  
 Scale:  
 Date:  
 Author:

Sheet Size: A3 Landscape  
 Client: BB

Project: Proposed turbine, Weawerthorpe  
 Client: Weawerthorpe Wind  
 Drawing title: Viewpoint 01 - Existing

Fig:  
 21.1

2012-2013-Weawerthorpe-WW-Fig21-VP01.dwg © 2B Landscape Consultancy Ltd



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Distance to turbine: 4.57km  
 Viewing to turbine: 30°  
 UTM Zone: 30QUB  
 Date & time of photo: 02/05/2013 16:25  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 30°, 16:9 aspect ratio for accurate scale effect

Revision:  
 Scale:  
 Date:  
 Author:

ACM  
 July 2013

Sheet Size: A3 Landscape  
 Client: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 01 - Wireframe

Fig: 21.2



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Distance to turbine: 2.35km  
 Bearing to turbine: 53°  
 Date & time of photos: 02/05/2013 10:55  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 50° - north point at 430m distance for accurate scale effect

Revision:  
 Scale:  
 Date:

AGM  
 July 2013

Sheet Size: A3 Landscape  
 Cropped: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 02 - Existing

Fig: **22.1**



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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 02 - Wireframe  
Fig: 22.2

Revision:  
Scale: A31 Landscape  
Client: BB  
ACN  
July 2013  
Date:  
File Name: 2012-203-Weaverthorpe-WW-Fig22.2-VP02.pdf

Distance to turbine: 2.34km  
Bearing to turbine: 33°  
Viewpoint: 02  
Date & time of capture: 02/05/2013 10:55  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 40°, set to print at 430mm distance for accurate scale effect

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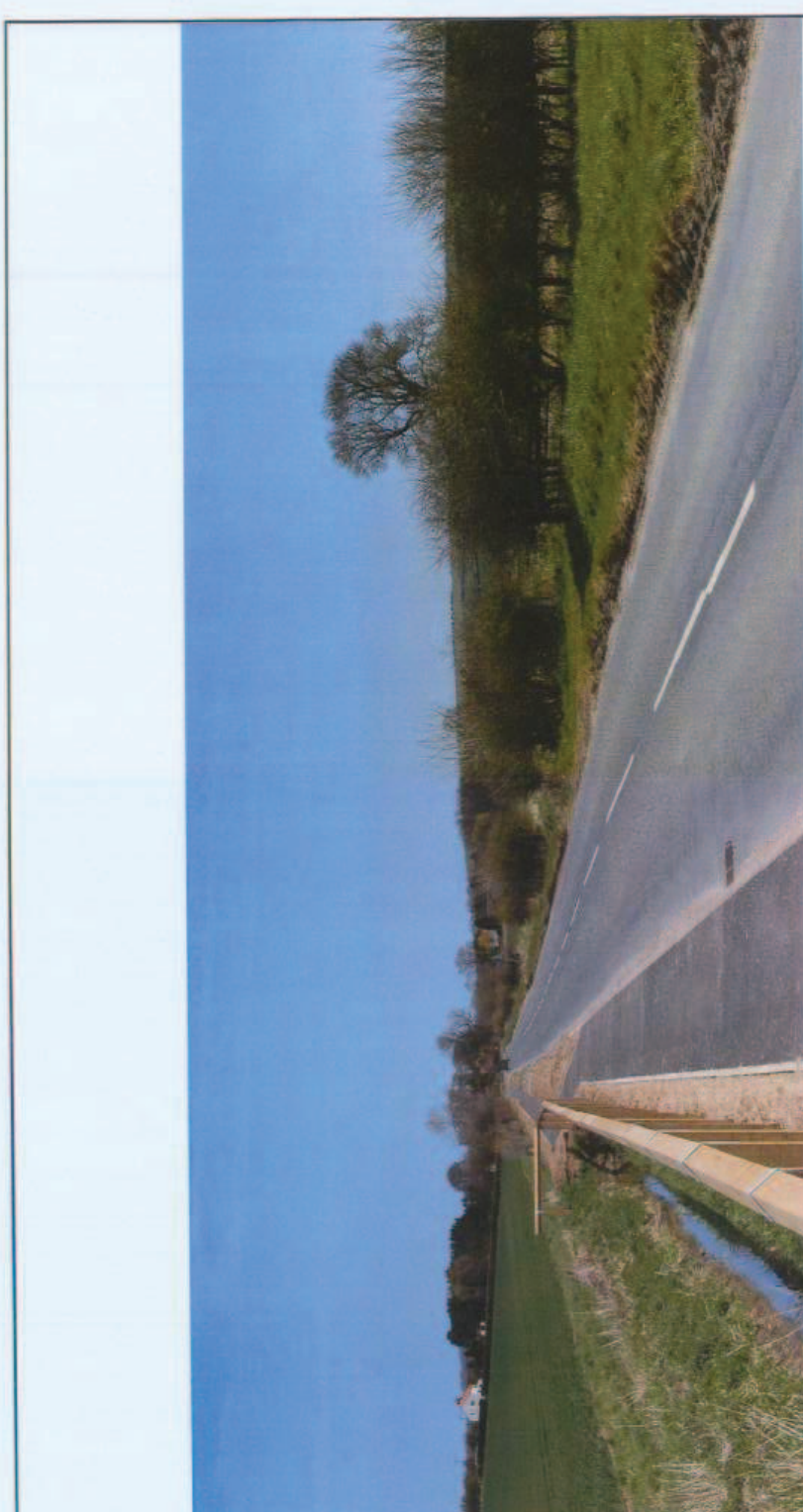


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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 05 - Existing

Revision:  
Drawn:  
Date:  
Checked:  
Date:  
File Name: 2012-203-Weaverthorpe-WW-Fig24-VP05.pdf

Distance to turbine: 2.55km  
Bearing to turbine: 50°  
Date & time of photos: 02/05/2013 11:20  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 50°, not to scale at 450mm distance for accurate scale effect

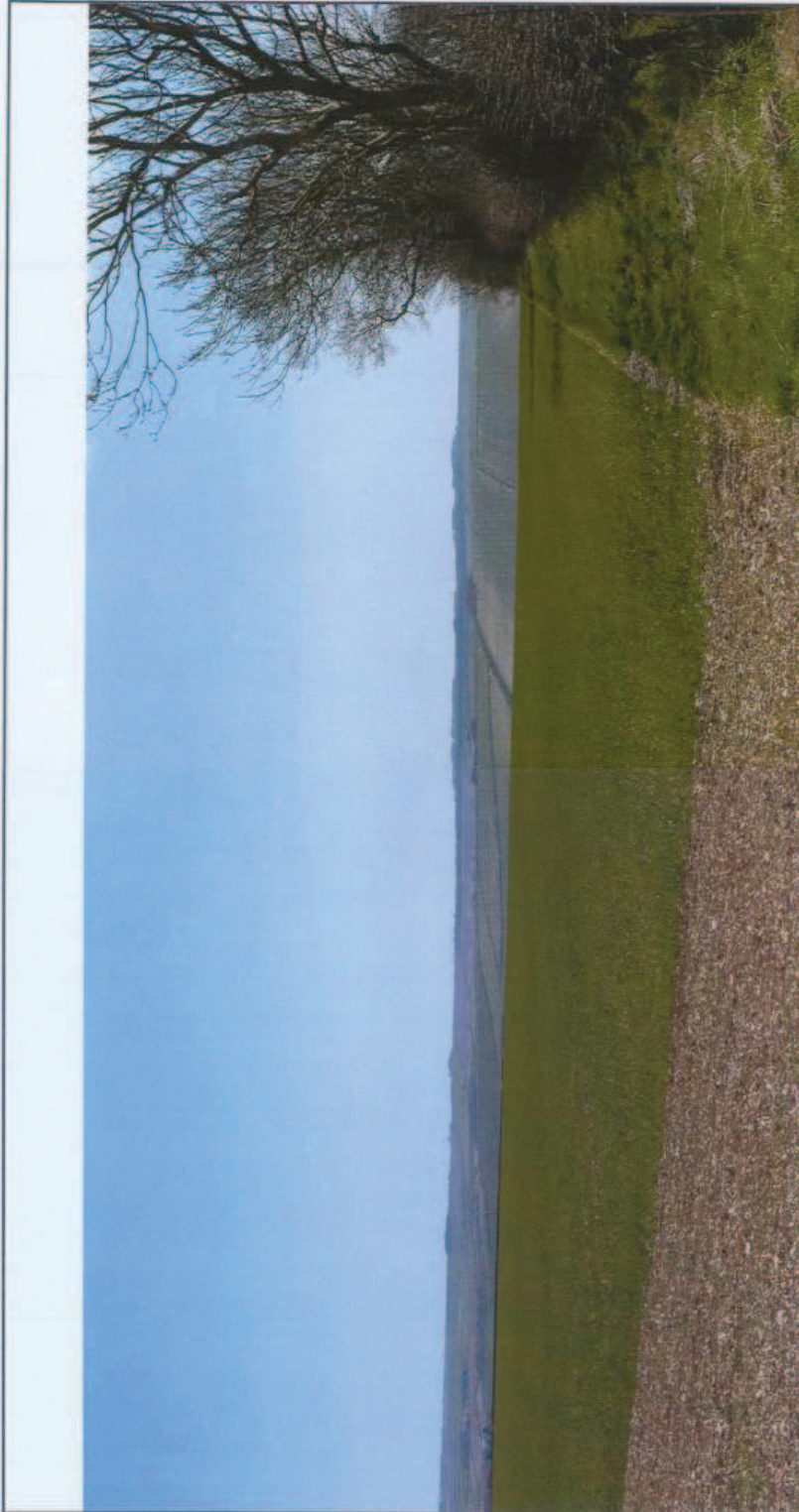
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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 05 - Existing  
Fig: 24.1







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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 07 - Existing  
Fig: 25.1

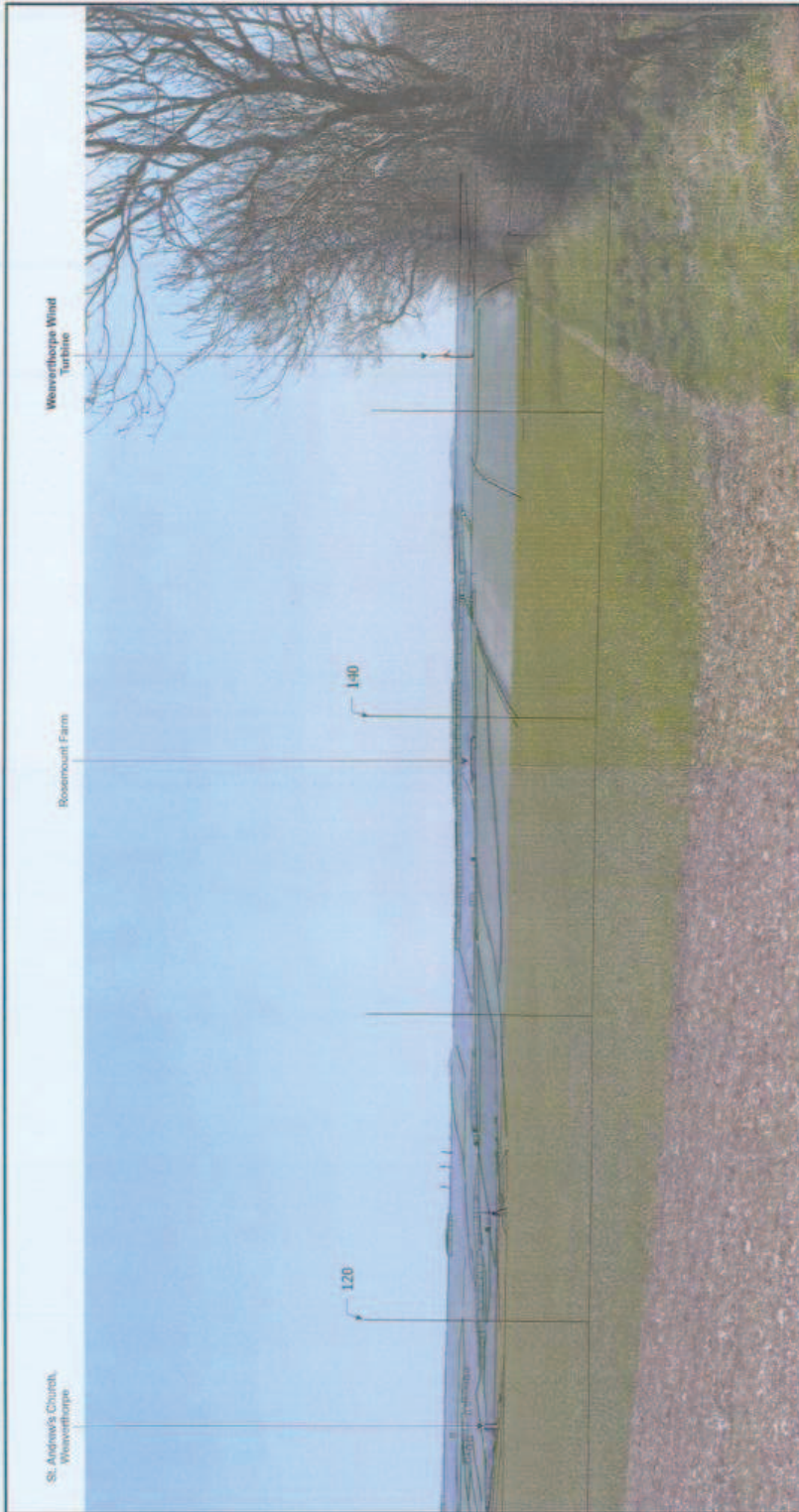
Revision:  
Scale: A3 Landscape  
Date: 2013  
Author: AS  
Checked: BS  
File Name: 2012-2013-Weaverthorpe-WW-Figs.1-VP07.pdf

Distance to turbine: 3.19km  
Viewing distance: 10m  
Date & time of photo: 02/05/2013 11:45  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 67°, used A3 print at 60cm distance for accurate scale effect

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12 Exchange Lane  
 1000  
 1000  
 1000

Distance to turbine: 3.15km  
 Viewpoint grid reference: 045016,472119 - see Figure 07  
 Date & time of photos: 02/05/2013 11:45  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 30° below point at 450mm distance for accurate scale effect

Revision:  
 Drawn:  
 Date:

Sheet Size: A3 Landscape  
 Checked: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 07 - Wireframe

Fig: 25.2

2012-2013-Weaverthorpe-WW-Figs25-V-P07.dwg © 2B Landscape Consultancy Ltd



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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 10- Existing

Revision:  
Scale:  
Date:  
File Name: 2012-203-Weaverthorpe-WW-fig26-1-VP10.pdf

Distance to turbine: 1.22km  
Bearing to turbine: 148°  
Date & time of photo: 20102013 - 12:10  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 60°, not 50 print at 450mm distance for accurate scale effect!

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Fig: 26.1



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2B Engineering Ltd  
 2B House  
 100 West Street  
 100 West Street  
 www.2B-engineering.co.uk

Distance to turbine: 1.22km  
 Viewing to turbine: 148°  
 Date & time of photo: 02/05/2013 12:10  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 50°, with A3 print at 60cm distance for accurate scale effect

Revisions:  
 Scale:  
 Date:  
 Date:

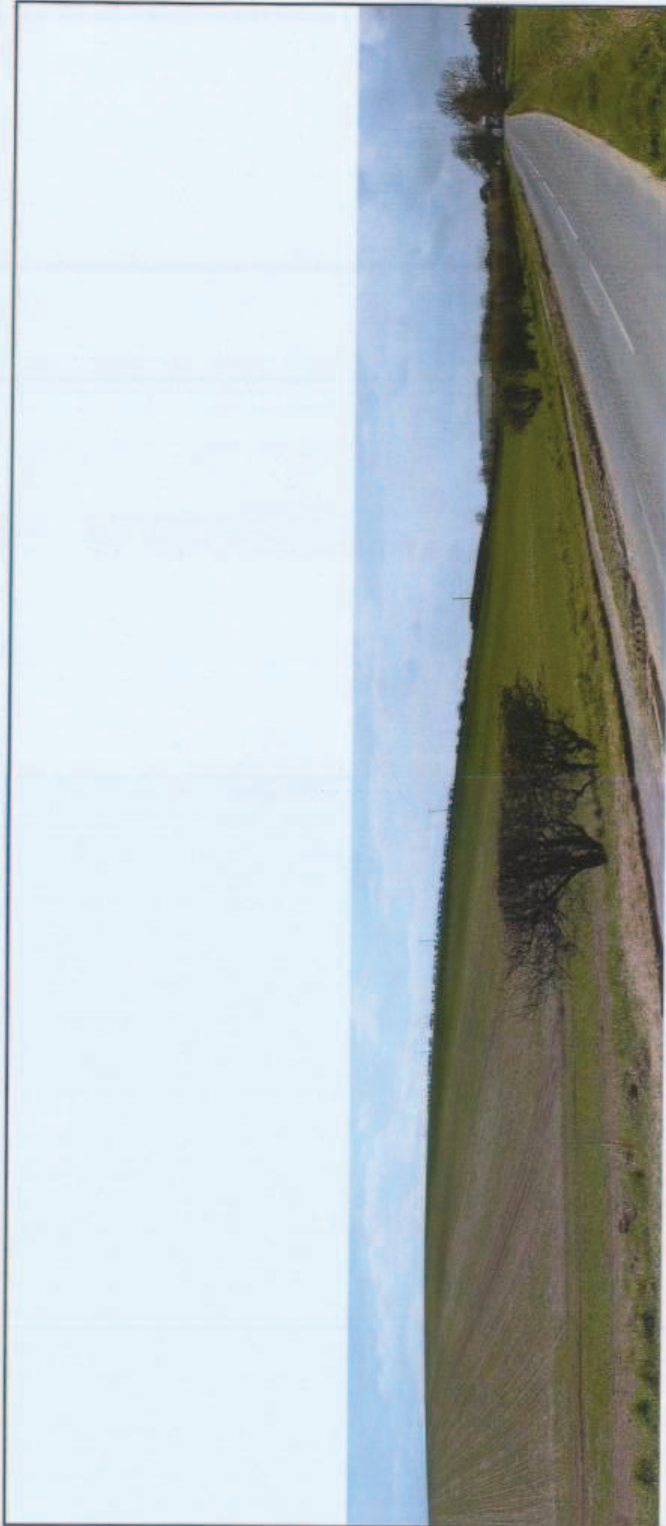
Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 10- Wireframe

Sheet Size: A3 Landscape  
 Client: BB

ACM  
 July 2013

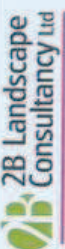
File Name: 2012-203-Weaverthorpe-WW-Fig26.2-VP10.pdf

Fig:  
**26.2**



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Distance to turbine: 1.27km  
 Date of view: 10/07/2013  
 Viewpoint grid reference: 486685, 470613 - see Figure 07  
 Date & time of photos: 02/05/2013, 12:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 10° - represent elements of view as set & oriented to: if accurate scaling  
 0.001:1 unless stated otherwise

Revision:  
 Scale:  
 Date:  
 ACM  
 July 2013

Sheet Size: A3 Landscape  
 Check: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 12 - Existing

Fig:  
 27.1



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 01276 477000  
 01276 477001  
 01276 477002

Distance to turbine: 1.27km  
 Viewing to turbine: 17°  
 View from turbine: 17°  
 Date: 02/05/2013 12:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 10°; important elements of view do not fit screen so; if accurate scaling  
 of the landscape, north is east at 61 and east at 63 from turbine

Revision:  
 Scale:  
 Date:  
 File Name: 2012-203-Weaverthorpe-WW-Fig27.2-VP12.pdf

Shed Size: A3 Landscape  
 Client: BS  
 Date: July 2013  
 File Name: 2012-203-Weaverthorpe-WW-Fig27.2-VP12.pdf

Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 12 - Wireframe

Fig:  
 27.2

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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 14 - Existing  
Fig: 28.1

Revision:  
Scale:  
Date:  
File Name: 2012-2013-Weaverthorpe-WW-Fig28.1-vp14.pdf

Sheet Size: A3 Landscape  
Checklist: 66

ACM  
July 2013

Distance to turbine: 1.11km  
Sighting to turbine: 214°  
Date & time of photos: 07/05/2013 - 15:50  
Comments: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 60° - laid flat at 430mm distance for accurate scale when

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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 16- Existing

Revision:  
Drawn: ACM  
Date: July 2013  
Checked: BB  
Date: 30/07/2013  
File Name: 2012-2013-Weaverthorpe-WW-Fig16-1-VP16.pdf

Distance to turbine: 1.82km  
Blowing to turbine: 180°  
Date & time of photo: 02/05/2013 13:20  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 60°, 1/400 ISO at 430mm distance for accurate scale effect

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Fig: 29.1

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Distance to turbine: 1.82km  
Proposed Viewpoint grid reference: 496655,471091 - see Figure 07  
Date & time of photos: 02/05/2013 13:20  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Aperture: f/8, ISO: 100, 1/2000s, 50mm

Revision:  
Scale: 1:500  
Date: July 2013  
Drawn: GB

Sheet Size: A3 Landscape  
Checked: GB

Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 10- Wireframe

Fig: 29.2



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Project: Proposed turbine, Weaverthorpe  
Client: Weaverthorpe Wind  
Drawing title: Viewpoint 18 - Existing

Revision:  
Scale: A3M  
Date: July 2013  
Sheet Size: A3 Landscape  
Client: BB  
File Name: 2012-203-Weaverthorpe-WW-Fig01:1-VP-18.pdf

Distance to turbine: 4.00km  
Viewing to turbine: 20°  
Date & time of photos: 02/05/2013 13:50  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 67°, used 40 pixels at 400mm distance for accurate scale effect

12 Resolution  
Scale: 1:1000  
Date: 02/05/2013  
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Fig:  
30.1



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<p>2B Landscape Consultancy Ltd reconsultancy - design - visualisation - 3D animation www.2blandscape.co.uk</p>	<p>Distance to turbine: 4.0kms Viewed from turbine: 201° Viewed from vantage: 497549.473191 - see Figure 07 Date &amp; time of photos: 02/05/2013 13:50 Camera: Canon Digital SLR with 50mm focal length equivalent lens Angle of view: 60°, digital print at chosen distance for accurate scale effect</p>	<p>Revision: Drawn: ACM Date: July 2013 Checked: BB</p>	<p>Project: Proposed turbine, Weaverthorpe Client: Weaverthorpe Wind Drawing title: Viewpoint 18- Wireframe</p>	<p>Fig: 30.2</p>
	<p>Sheet Size: A3 Landscape Checked: BB File Name: 2012-2013-Weaverthorpe-WW-Fig30.2-VP18.pdf</p>			





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Project: Proposed turbine, Weaverthorpe  
 Client: Weaverthorpe Wind  
 Drawing title: Viewpoint 30- Existing

Revision:  
 Scale:  
 Date:  
 File Name: 2012-203-Weaverthorpe-WW-Fig30-1-vp30.pdf

Distance to turbine: 2.01km  
 Bearing to turbine: 313°  
 Date & time of photo: 02/05/2013 15:05  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 50°, lens 50 mm at 400mm distance for accurate scale effect

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Fig:  
**32.1**





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Project: Proposed turbine, Weewerthorpe  
Client: Weewerthorpe Wind  
Drawing title: Viewpoint 30 - Wireframe

Sheet Size: A3 Landscape  
Checked: BB

Revision:  
Scale:  
Date:  
Drawn:  
Date:

Distance to turbine: 2.01km  
Heading to turbine: 313°  
Date & time of photo: 02/05/2013 15:05  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 50°, and 1/3rd point at 1/3rd distance for accurate scale effect

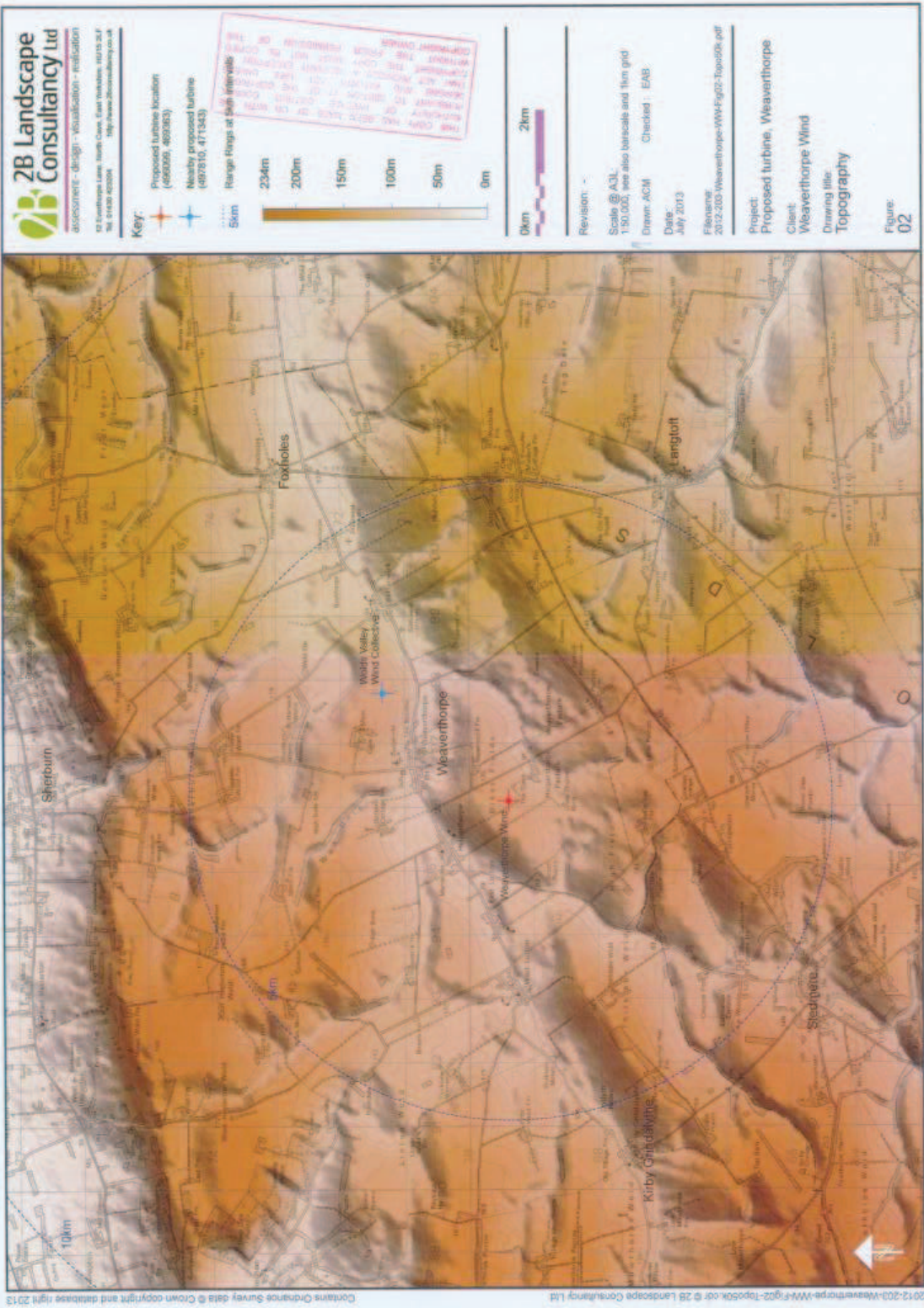
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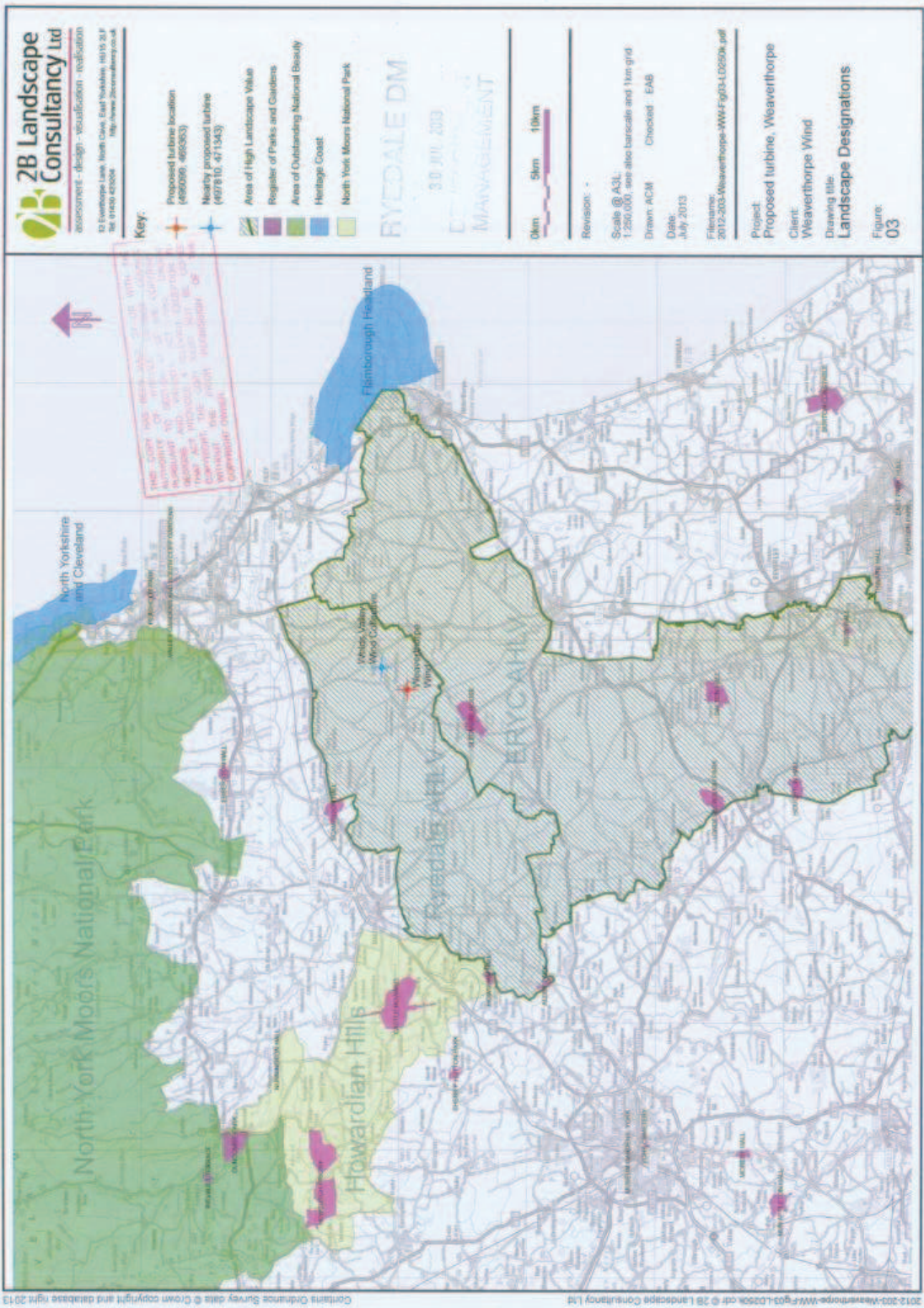
Fig: 32.2

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2012-200-Weaverthorpe-WMF-g2-Topo02.pdf © 2B Landscape Consultancy Ltd  
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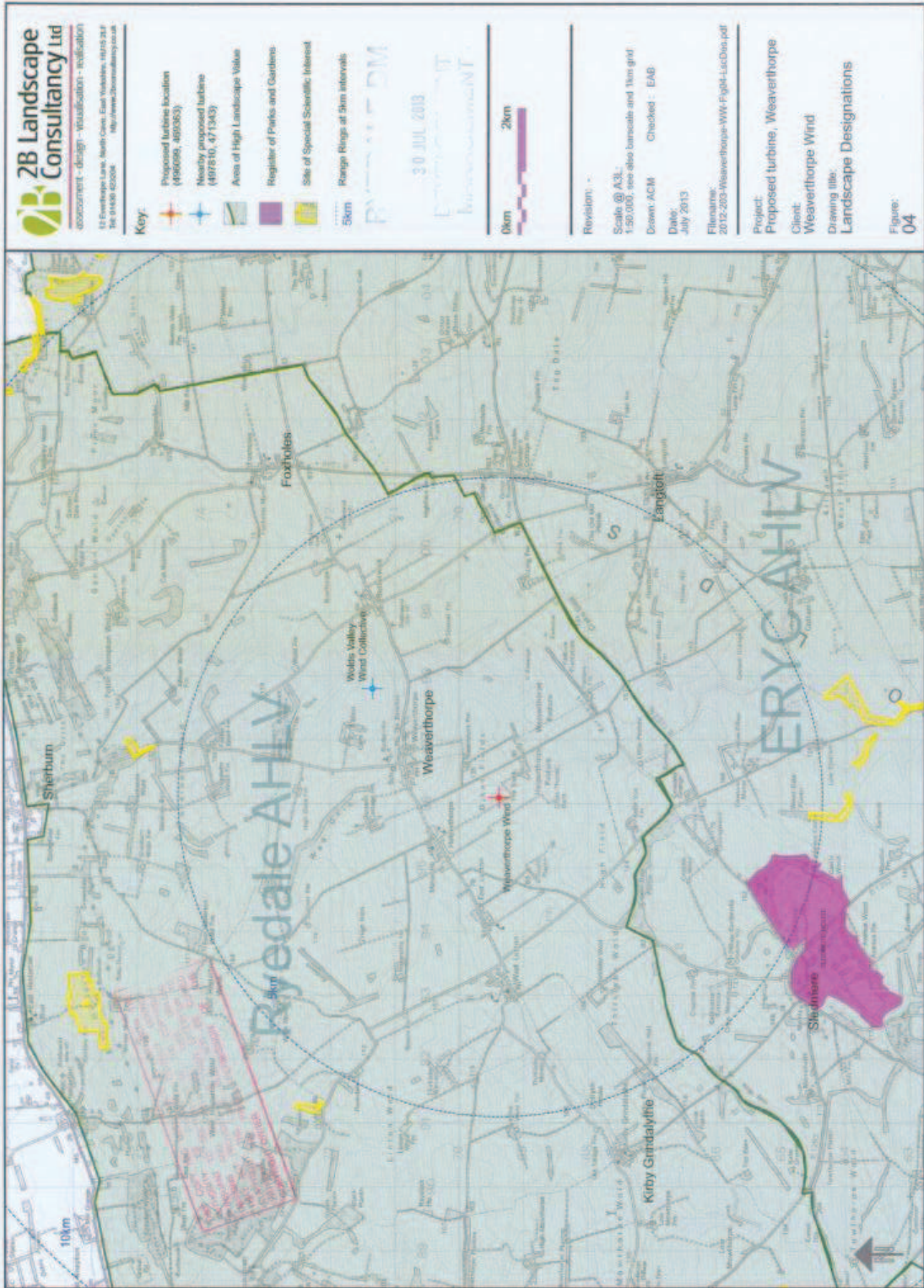


Figure: 04



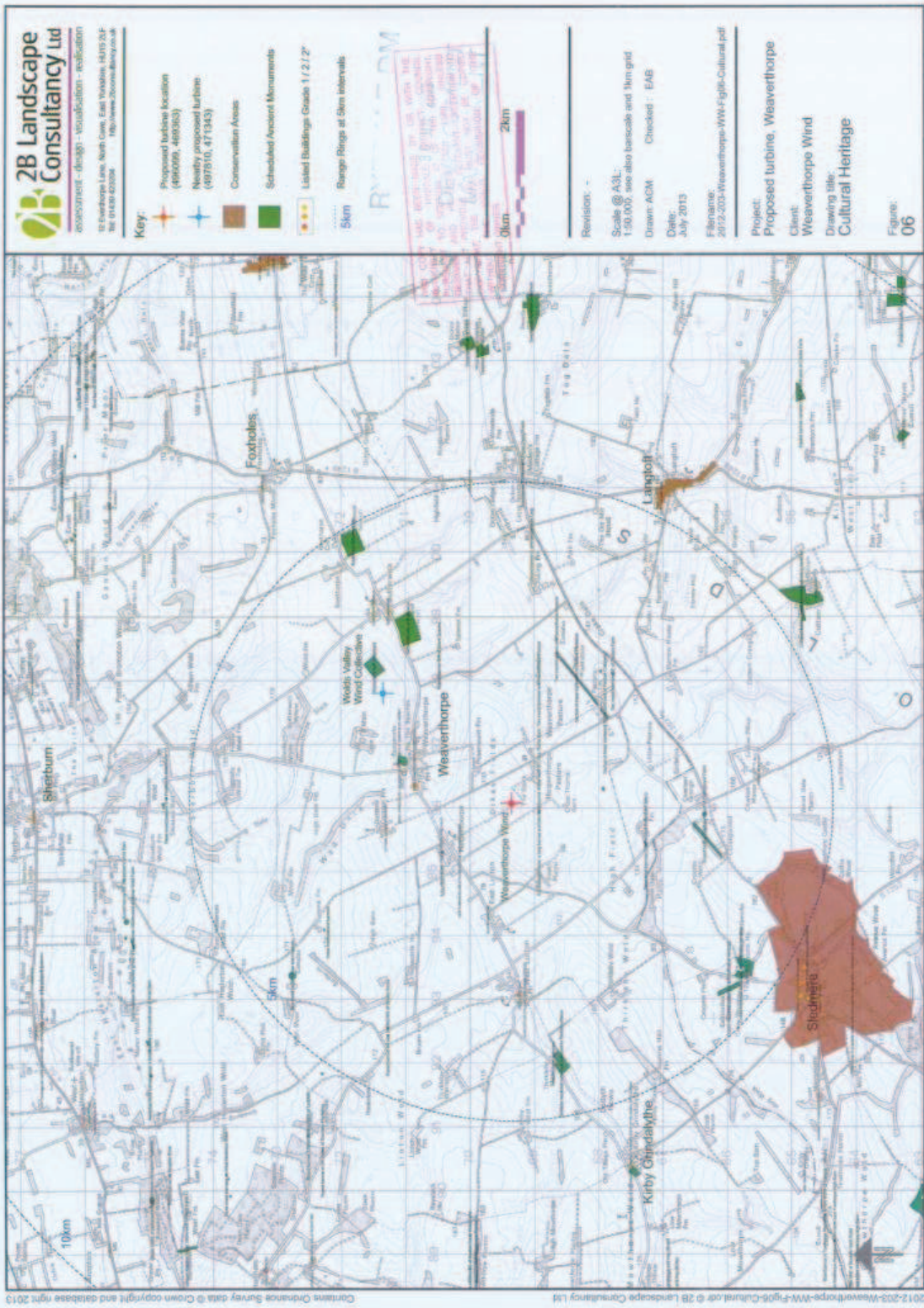
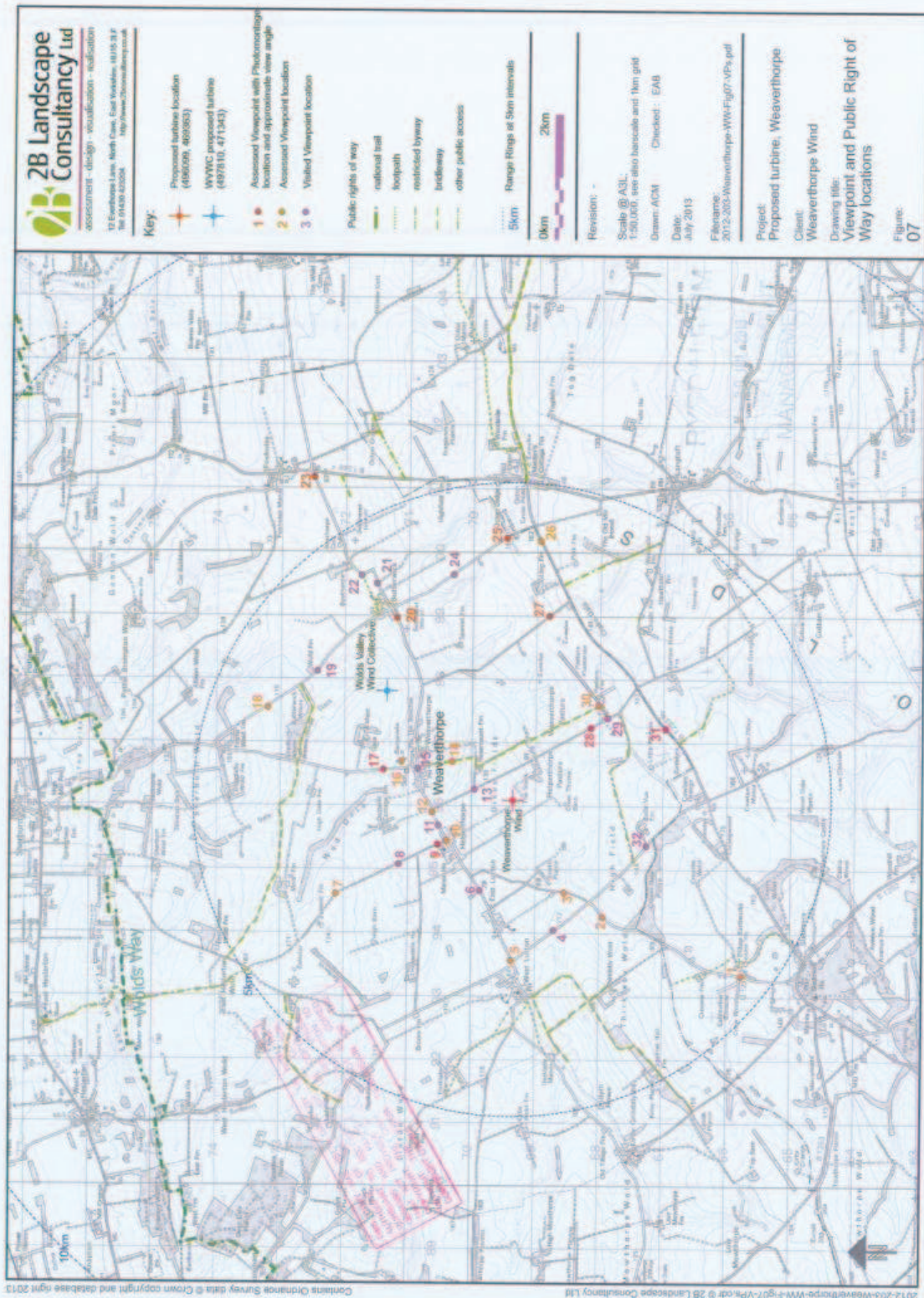


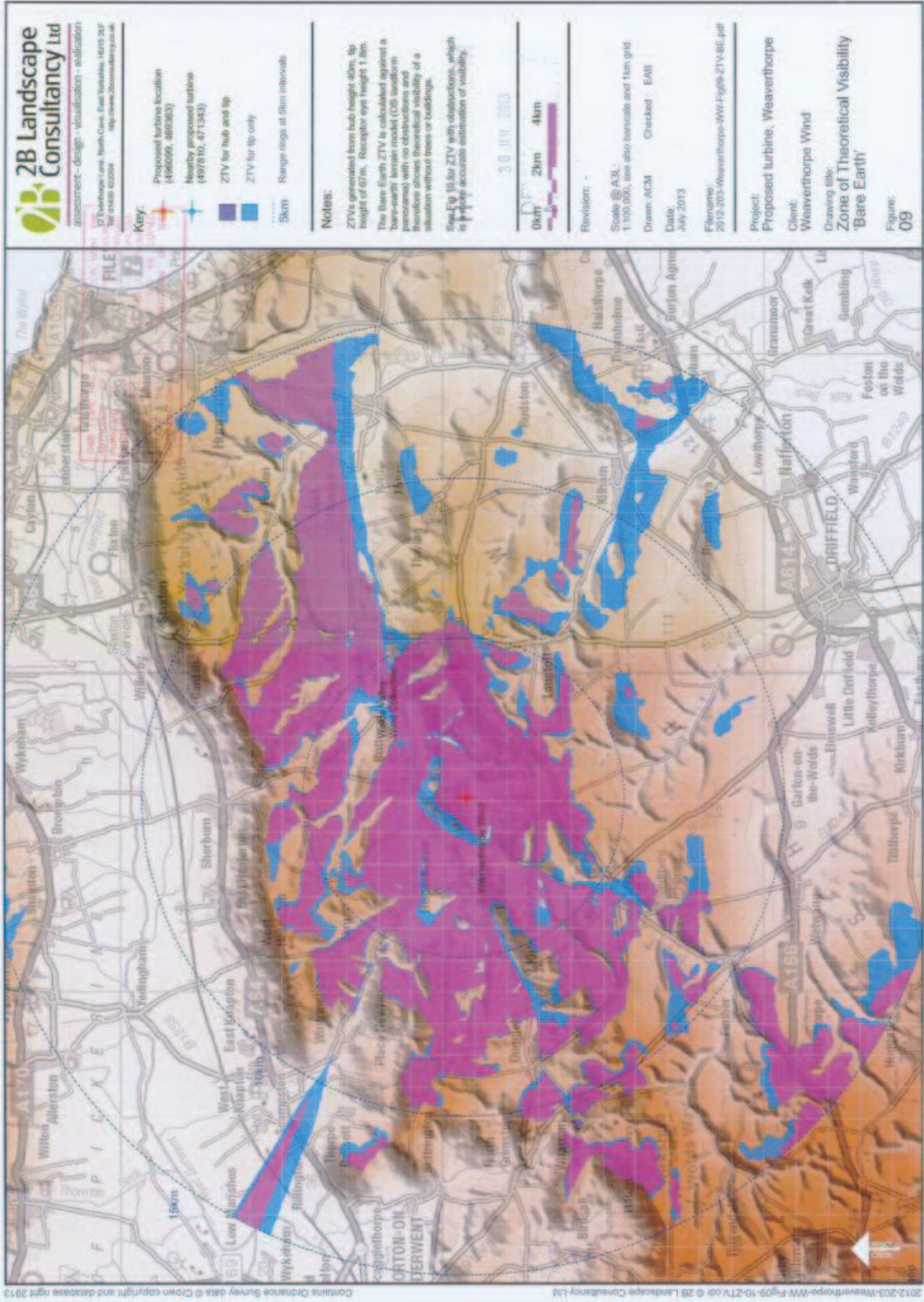
Figure: 06

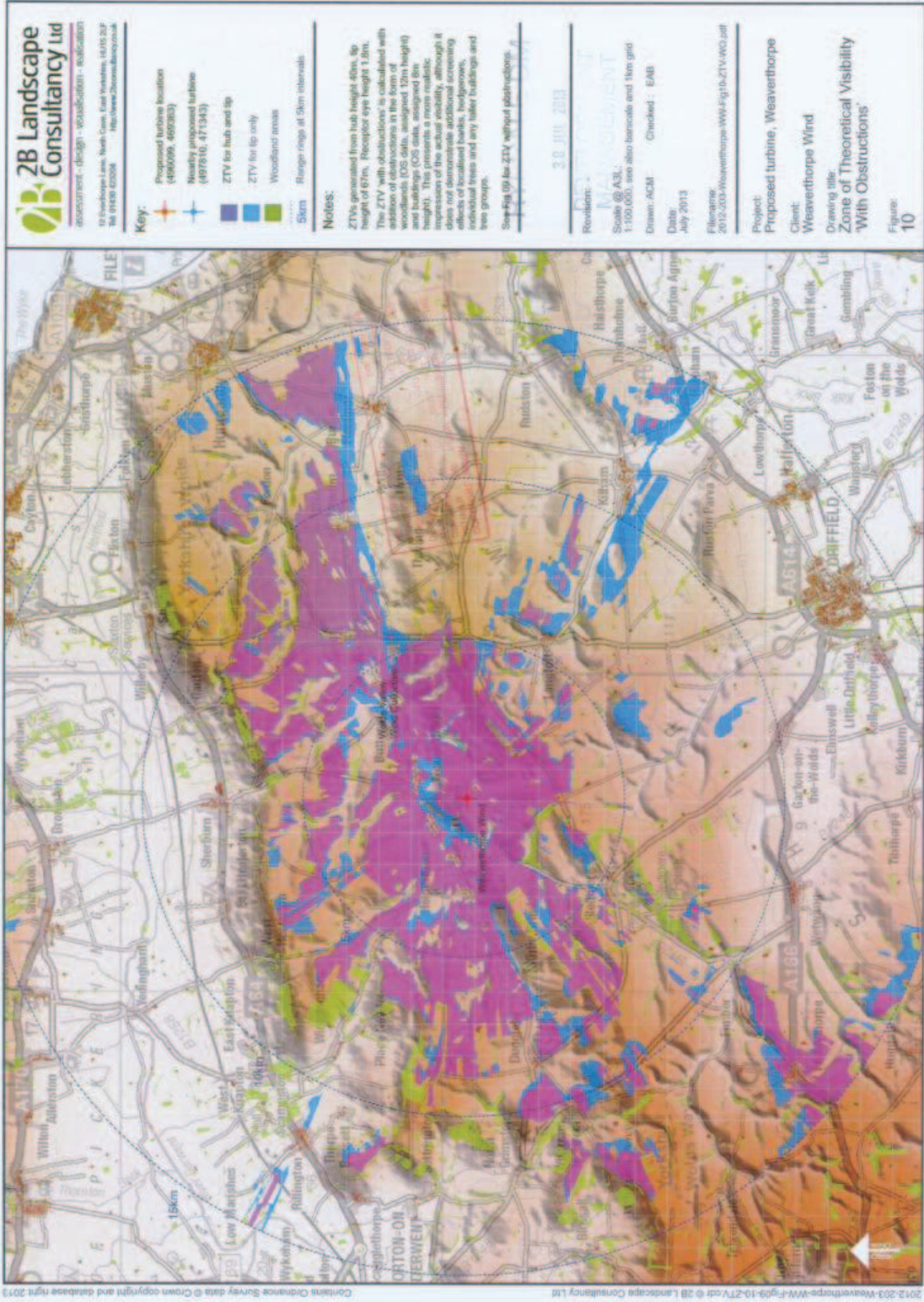


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2012-003>Weaverthorpe-WW-Fig12-OTs.dwg © ZB Landscape Consultancy Ltd  
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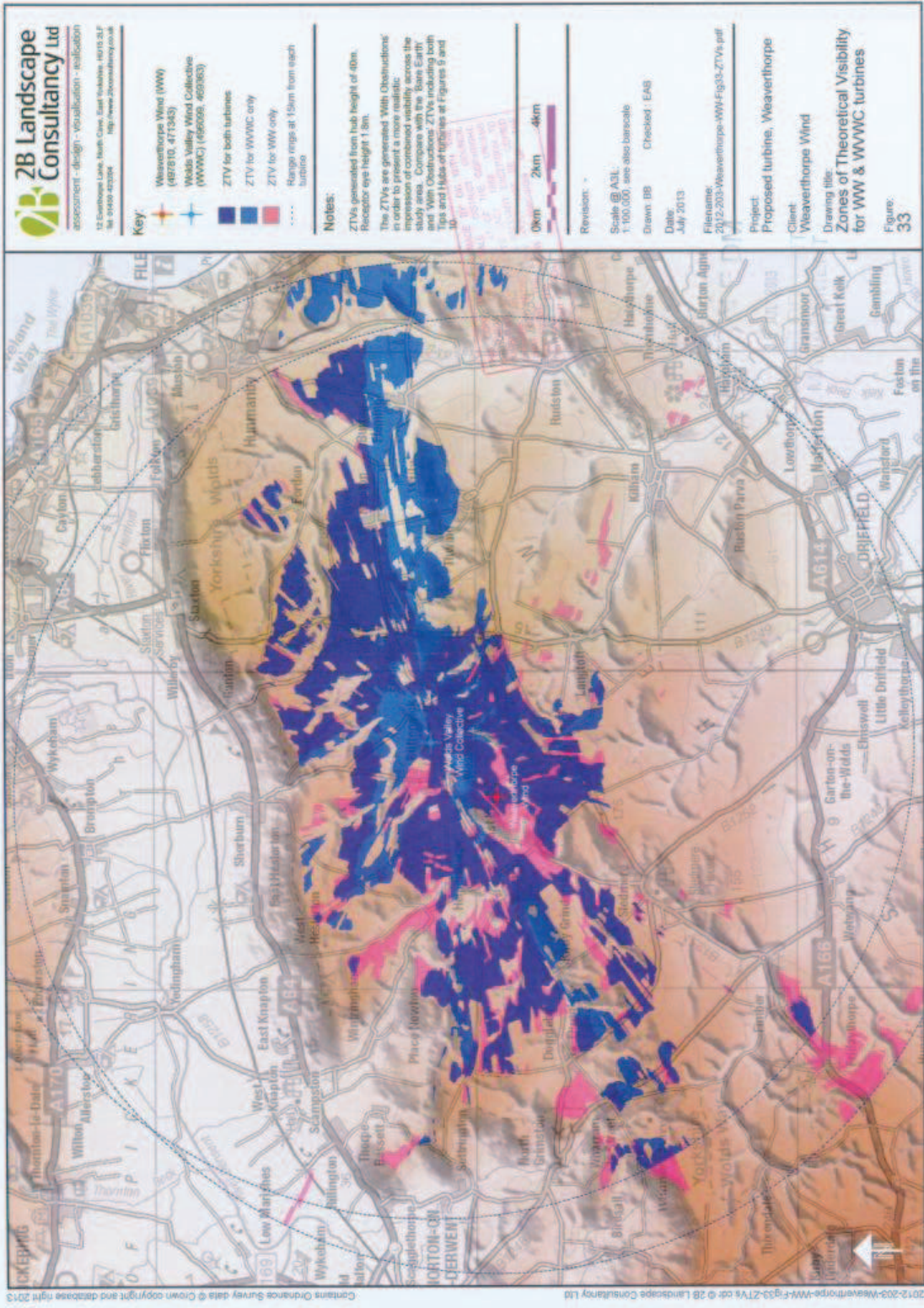
**Key:**  
 Proposed turbine location (486059, 486303)  
 WYVOC proposed turbine (497810, 477345)  
 Other Turbines:  
 built  
 approved  
 application  
 scoping  
 refused  
 withdrawn

**RYDALE DM**  
 20 JUL 2013  
**DEVELOPMENT MANAGEMENT**  
 5km Range Rings at 5km intervals  
 0km 2km

Revisions -  
 Scale @ A3L:  
 1:50,000, see also bar scale and 1km grid  
 Drawn: ACM    Checked: EAB  
 Date: July 2013

Filename:  
 2012-003>Weaverthorpe-WW-Fig12-OTs.pdf  
 Project:  
 Proposed turbine, Weaverthorpe  
 Client:  
 Weaverthorpe Wind  
 Drawing title:  
 Other turbine development

Figure:  
**12**



**Proposed wind turbines for Weaverthorpe Wind and the Wold Valley Wind Collective on sites to the east and south-west of Weaverthorpe village, North Yorkshire.**

**Planning Statement**

**Introduction and background**

1. This statement is written in support of two separate planning applications for the erection of single 500KW wind turbines by local community-based groups, namely, The Wolds Valley Wind Collective Limited (WVWC) and Weaverthorpe Wind Limited (WW).
2. The applications are submitted with help and assistance from the Humberside Co-operative Development Agency Limited, and have both been well-publicised locally in the Parishes of Butterwick, Helperthorpe, and Weaverthorpe.
3. A Screening Opinion under the terms of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011, in respect of the proposals was issued by Ryedale District Council on 6<sup>th</sup> February 2013, to the effect that an Environmental Statement would not be required.
4. Subsequently, a scoping meeting was held with planning officers from Ryedale District Council (on 15<sup>th</sup> April, 2013), at which the form and content of the two applications were discussed and agreed in principle.
5. The Wolds Valley Wind Collective is a share limited company with four members, holding one share each with two main two aims:
  - Primarily, to generate low carbon energy for the communities of the Great Wolds Valley, which will help them become energy independent and will also serve to reduce carbon emissions and thus reduce climate change, and;Secondarily, to generate sustainable incomes for its members so they can have confidence in their ability to deliver their social objectives.
6. Wolds Valley Wind Collective is a joint venture between the Landscape Research Centre Ltd (LRC), Wolds Valley Archaeological Trust (WVAT), the Rarey Farm Foundation (RFF) and Humberside Co-operative Development Agency Ltd (HCDA). All the members of the collective are not-for-profit organisations.
7. The Landscape Research Centre is a charity based in Yedingham, North Yorkshire. Its primary purpose is to undertake research into the archaeology of the Vale of Pickering. The director of the centre is Professor Dominic Powlesland DUniv, FSA.
8. The Wolds Valley Archaeological Trust is a charitable trust (not yet a registered charity), which undertakes similar work to the LRC but in the

Wolds Valley area of North Yorkshire. Its director is Doctor Peter Wilson PhD, FSA, FSA Scot, MIFA.

9. The Rarey Farm Foundation is a charitable association based in Weaverthorpe which aims to improve the quality of life for people in Weaverthorpe. It engages in a number of local activities and is currently in the process of building a community training facility at Rarey Farm. The intention is to re-constitute it as a Charitable Incorporated Organisation (CIO) in the medium term.
10. Weaverthorpe Wind is a joint venture between Three Weavers Green (TWG) and Humberside Co-operative Development Agency Ltd (HCDA), both of whom are not-for-profit organisations.
11. Weaverthorpe Wind has two aims:
  - Primarily, to increase the sustainability of the communities of Weaverthorpe, Butterwick and Helperthorpe by offsetting their carbon emissions and generating a sustainable income stream to invest in the communities, and;
  - Secondly, to increase the sustainability of other communities across the wider region by generating a sustainable income stream for HCDA, which can be reinvested into supporting other social and environmental initiatives.
12. Weaverthorpe Wind is jointly owned by TWG and HCDA with HCDA having one Director, TWG having a second Director and Jill Wilson, a local resident, acting as an Independent Director. Whilst the company is jointly owned, any profits will be split 75:25 in favour of TWG.
13. Three Weavers Green is a sustainable development organisation established in 2011 to benefit the communities of Weaverthorpe, Butterwick and Helperthorpe. Its primary aim is the sustainable development of the three communities, with a focus on environmental sustainability but also encompassing economic and social sustainability issues. It is currently a non-trading charitable company, but will apply for registered charity status once it begins trading, which is expected to happen once the turbine is commissioned.
14. It has fifteen members who are all from the three local communities and a board of three directors. It operates as a collective, with the all major decisions being taken by the members.
15. TWG has an open membership policy with anyone resident in any of the three communities being welcome to join. It's current member represents around 10% of the local households.
16. Humberside CDA is a not-for-profit enterprise agency which was originally set-up in 1985 by Humberside County Council as an arms length agency to develop Co-operatives. It became independent in 1996 with the dissolution of



Humberside County Council and has since expanded its remit to include social and ethical enterprises as well as its core constituency of co-operatives.

17. Humberside CDA mainly operates in the area bounded by the Humber to the South, North York Moors to the North and A1M to the West, though it does also engage in a limited amount of activity south of the Humber and in the rest of the Yorkshire.
18. Most of its support services are provided free to client groups and it is involved in the Weaverthorpe Wind project as a way of supporting the communities of Weaverthorpe, Butterwick and Helperthorpe and also the wider co-operative, mutual and ethical sector in the sub-region.
19. WVWC and WW each intend to give an annual grant of £100 to every household in Weaverthorpe, Butterwick and Helperthorpe for a minimum period of 20 years to help with their energy bills, if the two proposed turbines are constructed and commissioned successfully.
20. TWG is a charitable company which will soon be registered with the charities commission. As such, all future income to TWG arising from the proposed turbines will be channelled into local schemes. At present, the organisation is considering schemes for, amongst other things: hedgerow replacement and improvement; improving local biodiversity; community transport; scholarships for local people; assistance for local business start-ups; further investment in renewable energy and energy efficiency schemes
21. LRC is a charitable company which will be utilising funds it receives from WVWC Ltd to engage in archaeological activity in the area. WVAT is a charitable trust which will be engaged in similar activities in the area.
22. The Rarey Farm Foundation will utilise funds from the WVWC to provide community services including running a community cafe, art gallery and craft workshops and the provision of training and similar opportunities for local people in related fields of activity.
23. Humberside CDA Ltd will utilise funds from WVWC and WW to support new and existing co-operative, mutual and ethical enterprises across Humberside, although its focus of activity is Hull, East Yorkshire and North Yorkshire to the East of the A1M (an area roughly centred around the Great Wolds Valley).

#### **The proposed developments**

20. The proposed turbines are identical three-bladed 500KW direct drive machines mounted horizontally on a 40 metre tubular steel tower with a maximum blade tip height of 67 metres (Colour: Grey RAL 9003/9016).
21. The WW turbine site is on the south side of a hill called Dikes Fields at approximately 130m above sea level to the north of Cross Thorns Farm, (Grid ref. SE 96113 69384). It lies to the south of Weaverthorpe and south east of Helperthorpe, within the administrative parish of Luttons.

- 22 The WVWC site lies to the east of Weaverthorpe village at approximately 150 metres above sea level, on the northern (south facing) slope of the Great Wold Valley, within the administrative parish of Weaverthorpe, (Grid ref. SE 97858 71145).
- 23 At the bottom of the valley there is a string of linear villages, the most relevant to this development being Weaverthorpe, Butterwick and Helperthorpe. A feature of this valley bottom is the Gypsy Race, an erratic, spring fed stream, which in this part of the valley is dry, or almost dry, for most of the year but which flows occasionally in winter.
- 24 Both turbine sites are located on agricultural land and are sited in excess of 400 metres from any occupied buildings. Each will be accessed from the local road system by means of purpose built tracks, as indicated on the submitted drawings and plans and described in the respective Transport Statements.
- 25 Full details of the proposed turbines are provided in the documentation accompanying the planning application, together with reports from independent consultants on the following issues:- Landscape, Cultural Heritage, Noise, Transport, and Ecology (as agreed with the Council's planning officers at the scoping meeting).
- 26 All connections from the two proposed turbines to the local electricity supply grid are to be made underground, with no surface features other than the turbines themselves, their associated transformer housings and the proposed access tracks.

**Planning policy**

- 27 The only current development plan policy directly relevant to the two applications is that contained in the (saved) Ryedale Local Plan at Policy RE 1. This states that wind turbines (either individually or in groups) will only be permitted where they will have no significant adverse effects upon landscape, visual amenity, heritage, ecological, residential amenity, or highway considerations.
- 28 In the absence of any more up-to-date policy on renewable energy in the Local Plan, reference to the Council's emerging Local Plan Strategy (2012) is appropriate. This provides additional policy guidance at draft policy SP18, "Renewable and Low Carbon Energy" which generally supports such forms of development subject to considerations relating to landscape, community / cultural issues, ecology, and environmental issues such as air, soil and water quality.
- 29 In December 2012, the Department for Energy and Climate Change (DECC) issued an updated "roadmap" for the future of renewable energy in the UK under the title "UK Renewable Energy Roadmap Update" confirming its previous commitment to renewable energy developments and to achieving its stated target of generating 15% of UK energy from renewable sources by 2020.
- 30 The "roadmap" update notes that the Coalition Agreement included a

commitment to supporting community energy projects giving communities control over their own energy supply. The report also notes that local energy generation is complementary to energy management and energy saving measures, recognising and encouraging collective action to purchase, save, manage and generate energy where appropriate.

- 31 The Government's stated strategy is to empower communities to collectively own, control and benefit from their own energy in locally appropriate ways.
- 32 With specific reference to onshore wind, the Government states that it is seeking to remove barriers to the development of appropriately sited projects, while giving communities more influence in the planning process.
- 33 In 2005 a partnership of all the North Yorkshire planning authorities issued guidance under the heading "Delivering Sustainable Energy in North Yorkshire". This guidance focused on the development of positive planning policies for sustainable energy developments and provides a useful background to the current application.
- 34 Recommendation 7 of the North Yorkshire report advocates "positive support for the development of community renewable energy schemes".
- 35 Although the National Policy Statement for Renewable Energy Infrastructure 2011 (NPS) is primarily directed towards larger scale schemes dealt with via the National Infrastructure Planning Unit at The Planning Inspectorate, it is nevertheless a material consideration in connection with smaller schemes.
- 36 Policy EN-1 highlights the need to meet emissions targets set out on the "roadmap" (see above) and notes that onshore wind has an important role to play in meeting these targets. Likewise, Policy EN-3 reiterates the important role of onshore wind as well as dealing with issues of landscape, visual impact, noise, air-safety, biodiversity, and historic / cultural considerations.
- 37 Finally, the National Planning Policy Framework, (NPPF), issued in March 2012, contains up-to-date guidance on renewable energy developments, which should be followed when local development plan policies are out of date.
- 38 The NPPF contains a presumption in favour of sustainable development, describing this as a "golden thread" running through both plan making and decision taking at the local level (paragraph 14) and making it clear that development which is sustainable should be approved "without delay."
- 39 One of the "Core planning principles" contained within the NPPF seeks to encourage a transition to a low carbon future including the use of renewable resources, for example, by the use of renewable energy (paragraph 17).
- 40 Paragraphs 93 - 98 of the NPPF deal specifically with renewable energy proposals in the context of climate change. Paragraph 97 states that "... local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources" and

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“support community-led initiatives for renewable and low-carbon energy...”

- 41 Paragraph 98 confirms that applicants for energy developments should not be required to demonstrate the overall need for the proposed development and that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
- 42 In addition to the above-mentioned policy guidance specifically dealing with renewable energy production, it is acknowledged that the development plan, the emerging Local Plan, and the NPPF, also contain a variety of policies and advice relating to aspects of the proposed development(s) that are material considerations, e.g. ecology, landscape, noise, traffic, and cultural heritage, to name just a few.
- 43 These policies have been borne in mind by individual consultants in the preparation of their reports and recommendations and are considered in more detail below.

#### **Landscape**

- 44 Landscape assessments and reports have been carried out and provided by 2B Landscape Consultancy Ltd, an East Yorkshire based practice with extensive experience in the renewable energy field.
- 45 The Assessment methodology follows the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (LVIA, 2013), produced by the Landscape Institute and the Institute of Environmental Management & Assessment.
- 46 The LVIA process included consultations with Ryedale District Council, desk top assessment, and field work, including the recording and assessment of 32 viewpoints.
- 47 The potential effects on both the landscape resource and upon visual amenity were assessed. In addition, the cumulative effects arising from the visual / landscape interaction of the two proposed turbines, with existing turbines, and with other proposed and/or permitted turbines of which the applicants are aware, were also considered.

#### Landscape effects

- 48 Published Landscape Character Assessments indicate an overall medium-high or high sensitivity to larger-scale development such as wind farms. Due to the minor scale of the proposed single turbines, it is considered to have medium-low magnitude effects, resulting in an overall moderate significance of effect on landscape character, at a local level.
- 49 No significant effects are anticipated upon landscape aspects like land use, landscape pattern, land form, tree and hedgerow cover or field boundaries.

#### Visual effects

- 50 Residential receptors have the highest sensitivity. The closest properties

would experience effects of moderate significance, reducing to slight significance at around 1.5-2km distance.

- 51 Recreational receptors are limited to relatively few users of the local footpath network from which the visual effects are likely to be of moderate to slight significance. The Church of St Andrew is a cultural destination from which the visual effects of the proposed turbines are considered to be moderate to slight in the case of WW, and substantial to moderate in the case of the WVWC proposal.
- 52 There will be some open views from public highways, although both turbines will be screened from substantial parts of the local highway system.
- 53 Effects will be moderate to slight for viewpoints less than 2km from the proposed turbines, and slight for viewpoints beyond 2km. Effects for workers will be in the same range as for highway users.

#### Cumulative effects

- 54 The cumulative assessment is concerned with the additional cumulative effect of the proposed turbines. Due to the positioning and spacing of the proposed turbines, relative to each other and to other potential turbine sites, cumulative effects would be experienced by relatively small numbers of residential properties, recreational users, highway users and workers. Potential effects would generally be of low magnitude and none are anticipated to be significant.

#### **Transport Statements**

- 55 Transport Statements for both schemes have been commissioned from, and are provided by, Local Transport Projects Ltd, (LTP), of Beverley, East Yorkshire.
- 56 LTP is a well-established company with experience of renewable energy developments throughout the UK.
- 57 The scope of the statements was discussed with LTP and agreed as follows:
  - Identification of most appropriate delivery routes (all vehicles);
  - Assessment of routes and identification of mitigation measures;
  - Swept path analysis at all potentially problematic locations;
  - Consideration of the proposed site access arrangements;
  - Conclusions and recommendations.
- 58 Relevant planning policy relating to highways and traffic issues is to be found at Policy T3 of the (saved) Local Plan, and in paragraph 32 of the NPPF, which requires that development generating significant traffic movements should be accompanied by a Transport Statement / Assessment.
- 59 LP policy T3 requires that all new development should be served by a local road network that can satisfactorily accommodate the traffic it will generate, and that any highway issues raised by a development are overcome (at the

developer's expense) that will not be detrimental to the rural character of the District or compromise road safety.

- 60 In the present case, LTP conclude that both developments are capable of being accessed by all forms of vehicles without any adverse effects on the road (or public footpath) network or on highway safety, subject to the implementation of a few minor (and temporary) measures along the preferred route.

#### **Noise**

- 61 Noise reports for both schemes have been commissioned from and provided by Environmental Noise Solutions Ltd of Doncaster (ENS).
- 62 ENS is a well-established company with experience of renewable energy developments throughout the UK.
- 63 ENS were commissioned to undertake an assessment of potential noise impacts on local residents associated with the two wind turbines and to make appropriate recommendations based upon noise emission data provided by the manufacturer using the appropriate methodology set out in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms".
- 64 Relevant planning policy relating to noise is found in LP Policy RE 1(iv) which requires that there be no unacceptable adverse effect upon the residential amenities of nearby properties as a result of noise from the proposed turbines.
- 65 In addition, paragraph 123 of the NPPF is also considered to be relevant.
- 66 In the present cases the nearest residential properties not associated with the proposals are situated 440 metres (WW) and 700 metres (WVWC) away from the site of the proposed turbines, and ENS conclude that neither of the proposals will be likely to have any adverse effects on residential amenity at these properties by virtue of noise emission.

#### **Ecology**

- 67 Ecological surveys relating to both sites have been commissioned from and are provided by Wold Ecology Ltd of Driffield, East Yorkshire.
- 68 Wold Ecology Ltd (WE) is a well-established company with over 30 years experience of renewable energy developments throughout the UK. The Company is an Associate Member of the RSPB and the Bat Conservation Trust, and is a benefactor and corporate member of the Yorkshire Wildlife Trust.
- 69 WE were commissioned to undertake a Phase 1 Habitat Survey, including a desk top study, consultation with appropriate bodies, and an extended field survey for each site for which the following species were targeted:

Bats  
Great Crested Newts

Badgers

Birds

- 70 The surveys were carried out in May 2013, in accordance with current guidance and meet the requirements of Regulation 53(9)(b) of the current Habitats Regulations.
- 71 WE make recommendations for each site in Section 7 of the two reports based on a set of evaluation criteria set out in 7.2.2. The only UK priority habitat found within either of the study areas were hedgerows, which are locally important for moths butterflies farmland birds bats and dormice.
- 72 The recommendations set out in paragraph 7.4.1.1.4, 5 and 6 with regard to hedgerows are relevant to the current proposals and should be incorporated into any subsequent planning permissions.
- 73 No mitigation works or restrictive planning conditions are recommended for either site in connection with birds, badgers, or great crested newts, while the siting requirements set out in paragraphs 7.6.10.1 and 2 with regard to bats are satisfied in both cases.
- 74 Relevant planning policy in the development plan is found in LP Policies RE 1(ii) and ENV 12 which are both primarily concerned with the protection of Sites of Special Scientific Interest (SSSIs) and other areas of nature conservation importance.
- 75 However, in these two cases there are no such protected sites within 2 km of either site (apart from a small locally designated site at the church yard in Weaverthorpe) and WE conclude that neither of the proposals will have any adverse effects on designated nature conservation sites.
- 76 The draft Local Plan Strategy supports developments that aim to conserve or enhance biodiversity and the incorporation of beneficial biodiversity features (Policy SP 14 “Biodiversity”). In these cases, both WW and WVWC are intending to reinvest some of the income from the proposed turbines into landscape improvements through the reinstatement / improvement of hedgerows in the immediate vicinity of the two proposed turbines and the wider surrounding area.
- 77 The NPPF also encourages the protection and enhancement of natural environments by applying the principles set out in paragraph 118.
- 78 In light of the above, it is considered that neither proposal will have any adverse effects on nature conservation interests provided that any permissions issued ensure that the recommendations regarding hedgerow protection and maintenance are incorporated by means of planning conditions.

**Heritage issues**

- 79 Heritage issues relating to both sites have been commissioned from, and are provided by, Hilary Byers Dip Bldg Cons, IHBC, a Heritage Conservation

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consultant based in Hull, East Yorkshire.

- 80 Hilary was commissioned to produce reports on the potential effects of the two proposed wind turbines on local heritage assets, including archaeology, listed buildings, the character and appearance of the area, and cultural / historic considerations.
- 81 Notwithstanding a “minor” concern with regard to the effect of the WVWC turbine on the setting of the Church of St. Andrew in Weavertorpe, Hilary Byers’ reports conclude that neither of the two proposed wind turbines will detract from the appreciation and understanding of heritage assets in this part of the Great Wolds Valley.
- 82 In reaching this conclusion, Hilary has taken into account the advice contained in the NPPF and the Ryedale Rural Design Guide (1995) as well as making full use of the photographic record and landscape appraisal provided by 2B Consultancy, there being no relevant development plan policies relating to heritage issues in these cases.
- 83 In terms of archaeological considerations, Hilary recommends that a “watching brief” be maintained during the construction phase of the turbine bases, grid connections, and access tracks, and it is suggested that a planning condition be imposed on both permissions to this effect.
- The potential effect on broadcast and point to point radio frequency links**
- 84 Humberside CDA Limited has produced telecommunication and radio / television interference reports for both turbines based on telecoms data provided by Pager Power Limited and radio / TV transmitter data provided by the BBC.
- 85 No telecommunications links pass within less than 300m of either turbine so there is no risk of telecommunications disruption by either turbine.
- 86 The Bilsdale and Weavertorpe TV transmitters serve the area where both turbines are located and an assessment was undertaken of potential impacts. It was concluded that there is a negligible chance of households suffering interference from the proposed turbines
- 87 It is recommended that, for a period of two years following construction, the owner(s) of the turbine(s) investigate any reports of interference with television reception for residences within the reflection zone, primary shadow and secondary shadow zones. Where such interference is attributable to the wind turbine, the owners will undertake to resolve the issue to the full satisfaction of the affected party.
- Shadow flicker**
- 88 Humberside CDA Limited has produced shadow flicker reports for both turbines.
- 89 The companion guide to PPS22 (ODPM, 2004) states that (Paragraph 76,



Technical 5, Annex 8) 'Flicker effects have been proven to occur only within ten rotor diameters of a turbine. Therefore if the turbine has 80m diameter blades [80m rotor diameter], the potential shadow flicker effect could be felt up to 800m from a turbine.'

- 90 This zone of effect is reiterated in national Policy Statement for Renewable energy Infrastructure (en-3), (DECC, 2011a), at Paragraph 2.7.63 onwards, and the Parsons Brinkerhoff report DECC,2011b) which provides an update of the evidence base on shadow flicker for DECC.
- 91 For UK latitudes, the zone projected on to the ground in which properties may be affected by shadow flicker is 130 degrees either side of north.
- 92 The proposed turbines therefore have a 540m zone of potential shadow flicker which extends 130 degrees either side of north.
- 93 Neither turbine has any buildings within this potential zone of shadow flicker, so no mitigation, in respect of shadow flicker, is required for either turbine.

#### **Air safety**

- 94 Pager Power was commissioned to produce an aviation safety report for both turbines.
- 95 The report indicated that there is a technical possibility of objections from CAA or MoD but given that other turbines have been constructed in the area with similar height profiles to the proposed turbines there is no expectation that any objection will be raised.
- 96 The Page Power risk reports show that there are no private airfields within 2km of either turbine. Outside this zone, it is unlikely that turbines of the size proposed would have any significant air safety implications.
- 97 We suggest a condition requiring us to inform MoD when works commence and are completed plus maximum heights (for MoD plotting purposes).

#### **Summary and Conclusions**

- 98 The two proposed wind turbines would provide energy from a renewable source and make a small, but not insignificant, contribution towards local and national targets for carbon reduction, in accordance with national and local policy aspirations.
- 99 In addition, the proposed wind turbines will make significant contributions to the social, environmental and economic well-being of the area through the channelling of income into schemes of benefit to the local community through charitable organisations.
- 100 The various consultants' reports conclude that neither of the two proposed turbines are likely to have any significant adverse effects on interests of acknowledged importance, including landscape, visual amenity, highways, ecology, residential amenity, and a range of heritage assets.
- 101 In addition, information has been provided on other technical issues including

air-safety, radar and telecommunications, and shadow flicker, all of which indicate that the two schemes can be constructed without causing harm to these additional areas of concern.

- 102 Relevant planning policy in the development plan and elsewhere has been assessed and no significant conflicts with this guidance have been identified.
- 103 Where mitigation measures are feasible, they have been incorporated into the scheme - or can be required through the imposition of suitably worded planning conditions, as suggested above.
- 104 Consequently, and in light of the fact that both schemes have a wide degree of support from within the local communities in which they are located, it is considered that planning permission should be granted for both schemes, subject to the imposition of suitably worded planning conditions.

**David K Hickling BSc DipTP MRTPI**  
**The Planning Cooperative Ltd**  
**July 2013**

## Proposed Weaverthorpe Wind Turbine

### Impact on Heritage Assets

#### 1. Introduction

1.1 The site lies on the southern slope of the Great Wold Valley. Geologically it is situated on Middle Chalk of the Cretaceous system, and the area is characterised by rolling dry valleys.

1.2 At the bottom of the valley is a string of linear villages. The most relevant to this development are Weaverthorpe and Helperthorpe. A feature of this valley bottom is the Gypsy Race, an erratic, spring fed stream, which in this part of the valley is dry, or almost dry, for most of the year but flows occasionally in winter.



1.3 The turbine site is on the south side of a hill called Dikes Fields at approximately 130m above sea level. It is south of Weaverthorpe and south east of Helperthorpe, within the administrative parish of Luttons.

#### 2. Historical context.

2.1 There is evidence of human activities in this part of the valley as far back as the Mesolithic period [before c4000BC] and Neolithic period [c4000BC-2500BC].

2.2 As a whole, the Yorkshire Wolds are particularly rich in prehistoric remains, especially from the Bronze Age, including barrows [burial monuments] and extensive boundary earthworks mostly dating from the period 2400-1500BC. Many have been ploughed out and cannot be identified at ground level but, in the case of barrows, the contents of grave pits may survive below ground. Through aerial photography it has been possible to reconstruct a dense pattern of fields, settlements and boundaries from this period through into the Iron Age and Roman period. The greatest concentration of surviving monuments in this area are

near to the top of the southern slope of the valley, close to High Street [the B1253] some 2km to the south and south east of the proposed turbine site.

2.3 Enclosures can be traced suggesting settlements from the late Iron Age or Romano-British period. Roman pottery has been found on the site of the mediaeval manor house east of the church, some 1.5km to the north east of the proposed turbine site.

2.4 The area may have been settled by the Danes in the 9<sup>th</sup> to 10<sup>th</sup> century. [‘Thorpe’ means a secondary settlement].

2.5 By the 11<sup>th</sup> century Weaverthorpe was at the centre of a very important manor belonging to the Archbishop of York, and substantial 12<sup>th</sup> and 13<sup>th</sup> century buildings have been excavated at the site of Weaverthorpe manor, immediately south and east of St Andrew’s church. These excavations are well documented and are interpreted on plaques in the churchyard. By the early Middle Ages Weaverthorpe was one of the most prominent and wealthiest settlements on the North Wolds. There was a windmill on Mill Hill, [off Ropery lane, just south of Weaverthorpe], by 1326.


	
<p>St Andrews Church, Weaverthorpe with its Norman tower, from the south west near to the lychgate.</p>	<p>The site of Weaverthorpe Manor in the field just beyond the churchyard wall, with Weaverthorpe village and the tyre processing plant in the background.</p>

2.6 The population declined from about the mid 14<sup>th</sup> to mid 18<sup>th</sup> century. The village became part of the Sledmere estate in 1739. Inclosure came late to this area in 1801-4. Most farmhouses stayed within the village, but some were built in the fields, generally protected from the wind by shelterbelts.

2.7 In the 19<sup>th</sup> century Weaverthorpe was a service village for the valley, with craftsmen, shops, a blacksmith and post office. The school was rebuilt in 1912 and the Village Hall built on the site of the old school in 1949. The village has recently lost the last of its shops, but

the school [which had 63 pupils in 2006] has survived together with two 19<sup>th</sup> century pubs, the Blue Bell [1823] and Star [1840].

2.8 Helperthorpe , ‘Hjalp’s village’, is believed to be an Anglo-Saxon settlement. It is thought to have changed little in size since the Middle Ages. In 1086 it was a dependency of the Archbishop of York’s manor. A windmill [probably a post mill], existed in 1314 near Mill Hill, north west of the village. Helperthorpe became part of the Sledmere estate in 1741 and was inclosed in 1801. The land was inherited by Harry W Cholmley in 1874, who also bought the Esh’s Estate in 1879 and built or rebuilt cottages, houses and farms. None of the surviving buildings in the village is earlier than mid 18<sup>th</sup> century. There were few craftsmen; it remained largely a farming village.

	
<p>St Peter’s Church Helperthorpe.</p>	<p>Views towards Helperthorpe village from the path to the church, with the turbine site in the background.</p>

2.9 The predominant building materials in both villages are brick with pantile roofs, or slate roofs for the larger farmhouses. Some early houses and farm buildings in both villages are built of a coursed chalk rubble with brick quoins.

**The effect of the proposed Weaverthorpe Wind turbine development on Heritage Assets.**

**3. Archaeology**

3.1 There are no recorded monuments or archaeological finds on the proposed site of the turbine, or its access track.

3.2 There are 32 monuments recorded in the Weaverthorpe parish and the Helperthorpe area of Luttons parish. Only 6 still exist as substantially visible features, most of which are to be found between Weaverthorpe Pasture and the B1253, at least 2Km from the site. From

this distance the proposed turbine will appear as a very small feature on the horizon. [View 25 in Fig 07].

3.3 The closest recorded monument to the proposed Weaverthorpe Wind turbine site is 'Esh's round barrow: a long barrow and later bowl barrow 400m north of Cross Thorns Barn' [Scheduled Monument List Entry number 1011576]. This is a Neolithic long barrow which, unusually, was later altered by the addition of an early Bronze Age bowl barrow, and was excavated in the 19<sup>th</sup> century. In 1993 it was recorded as still visible as a 0.5m high oblong mound measuring 50m east-west by 25m north-south. It is approximately 500m away from the proposed access track to the turbine and in a different field. There is no reason why this monument should be affected by the turbine development.

3.4 A similar Neolithic long barrow is further south, 650m south-east of Cross Thorns Barn [Scheduled Monument 1011575].

3.5 Neolithic axes and other finds are recorded as being unearthed in fields approx. 600m to the north of the site.

3.6 Aerial photographs are said to have revealed a series of ditches believed to be Iron Age, which 'curve northwards into a funnel shape in Dikes Field.' They are thought to be associated with large scale cattle ranching. These do not seem to be recorded as monuments.

3.7 In response to the information about monuments and finds of significance in the vicinity, it is proposed to maintain a 'watching brief' during construction of the foundations of the turbine and access track.

#### **4. Listed Buildings**

4.1 There are no Listed Buildings directly affected by the proposed turbine development. The nearest listed buildings to the site are located in the villages of Weaverthorpe and Helperthorpe.

4.2 The most important listed building in the vicinity is the church of St Andrew in Weaverthorpe [Grade 1], a Norman Church from the early 12<sup>th</sup> century. The church is situated just above the village on the north side of the valley. Although restored by G.E. Street for Sir Tatton Sykes II in 1870-72, this church has retained many earlier features including the unusually tall Norman tower. Also Listed within the churchyard are a stone effigy, probably 14<sup>th</sup> century, near to the porch, and the lychgate, attached churchyard walls and footgate to the south, all Grade 2. Currently the church is open to the public most days and is well visited. Plaques within the churchyard explain the history and significance of the church and churchyard.

4.3 The church tower is clearly intended to be seen from a distance. The only direction from which views of the tower might be interrupted by the turbine is from the south. However, from this distance the church tower, if visible at all, will be very small.

4.4 Views of the turbine from the church porch will be largely masked by trees within the churchyard [See view 16 looking SW in Fig 07]. Views from the south wall and gate of the churchyard will include partial views of the turbine behind a hill. However, such views also include a wide range of features of all ages, including a modern tyre processing plant. The turbine will not make a significant difference to this view.

4.5 In summary, the Weaverthorpe Wind turbine will not affect appreciation of the special architectural and historic interest of the church and other listed features in the churchyard.

4.6 Other Listed Buildings in Weaverthorpe are farm houses and their associated outbuildings and walls, all Grade 2 [Rarey Farmhouse and attached walls, Dotterel Cottage Farmhouse and Dale Farm]. The special interest of these buildings is best appreciated from close up; from such viewpoints the turbine will be either not visible or insignificant. In all cases, the special architectural and historic interest of these buildings will not be affected by the proposed development.

4.7 St Peter's church in Helperthorpe is Listed Grade 2 and was rebuilt in 1871-3 for Sir Tatton Sykes II. Designed by G.E.Street, in a reproduction 14<sup>th</sup> century style, it has a broach spire. The lychgate and churchyard wall are also by Street, who also designed the adjacent vicarage. Church, lychgate, churchyard wall, vicarage and outbuildings are all Listed Grade 2.

4.8 This church is also on the north slope of the valley but lower down the slope than St Andrews. The spire is clearly intended to be seen from a distance, and the only direction from which views of the spire might be interrupted by the sight of the turbine is from south-east of the turbine site. The spire, if visible at all, would be very small from this distance. The special architectural and historic interest of the church and other Listed Buildings will not be affected by the proposed turbine.

4.9 The setting of a heritage asset [such as a listed building or scheduled monument] is the surroundings in which it is experienced. [National Planning Policy Framework Annex 2]. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. The proposed Weaverthorpe Wind development will make minimal change to the surroundings of heritage assets in the area and therefore it will have a neutral effect.

## 5. Village character

5.1 Weaverthorpe and Helperthorpe villages are not Conservation Areas. Nevertheless they do have a distinctive character, with a linear form following the road through the valley, which also follows the Gypsy Race. Farms within the villages, with long low outbuildings presenting a blank wall to the street, are also a characteristic feature. The villages could be considered 'non designated heritage assets' [NPPF para 135]. Although the turbine will be visible in places, glimpsed between buildings in the villages, it will not impinge on appreciation of the special character of the villages.



5.2 The Ryedale Rural Design Guide of 1995 references the surroundings of Weaverthorpe as "large, arable fields set in 'tree less' Wolds valley". In practice, this valley is less 'tree less' than is implied, and shelter belts of trees around farms are a distinctive feature of the landscape.

5.3 Assessments have been made of the effect of the proposed turbine on various views. Hills or hedgerows and trees would screen most of the views of the turbine from the main road through the valley [eg view 5 looking east from West Litton and View 12 looking west from the lane to Dotteril Cottage farm in Fig 07]. Views of the turbine would be more prominent from the road north out of Helperthorpe [views 9 and 10] where the higher viewpoint would enable the hub of the turbine to be seen over the brow of the hill. Assessments of closer viewpoints, [eg view 14] show that the hill would mask all but the tip of the blades.



## 6. Conclusions

6.2 The addition of the Weaverthorpe Wind development will, together with other wind turbines existing and proposed, introduce a new element into this landscape, but the whole history of this valley has been one of change and the introduction by people of new elements into the landscape. None of this change detracts from the appreciation and understanding of the heritage assets of the valley.

## References

- [1] The East Riding of Yorkshire Landscape, K.J.Allison , Hodder and Stoughton 1976
- [2] The Victoria History of the Counties of England. York: East Riding Vol 8 East Buckrose: Sledmere and the Northern Wolds, edited by David and Susan Neave, 2008.
- [3] Statutory list of Scheduled Monuments
- [4] Statutory list of Listed buildings.
- [5] Interpretive plaques in churchyard of St Andrews, Weaverthorpe.

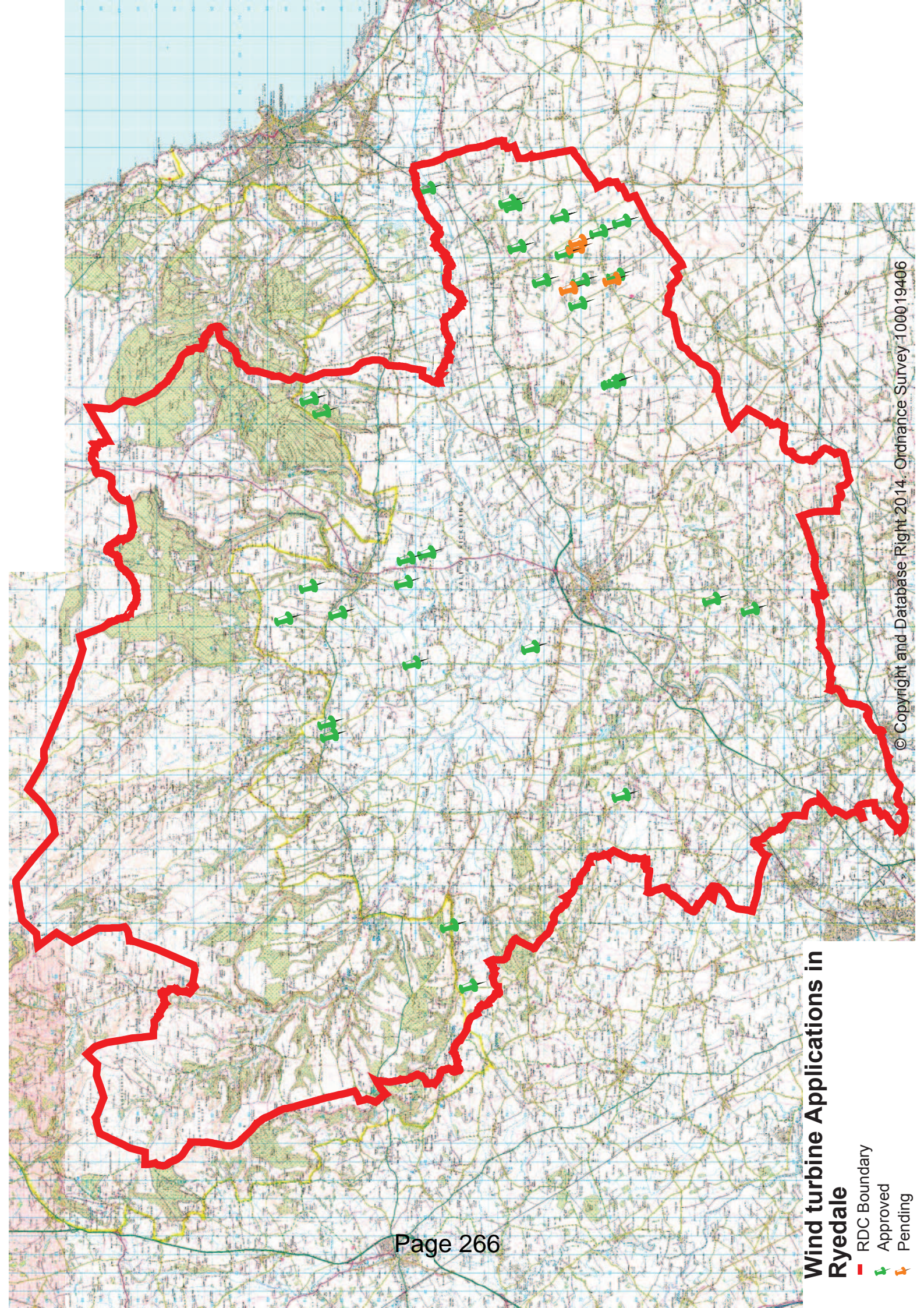
Hilary Byers MRTPI, DipBldgCons, IHBC

Heritage Conservation

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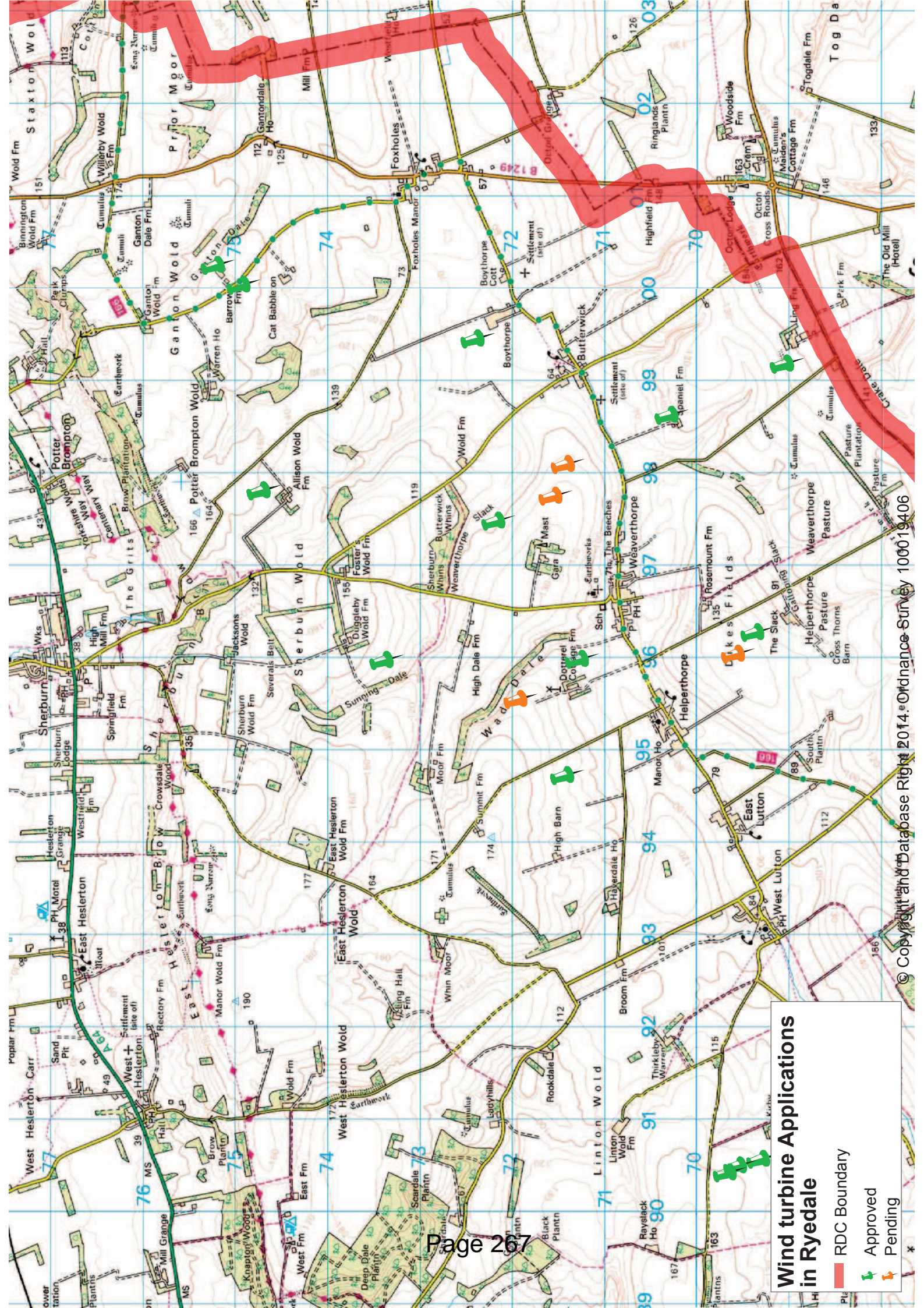
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3<sup>rd</sup> July 2013



### Wind turbine Applications in Ryedale

-  RDC Boundary
-  Approved
-  Pending



**Wind turbine Applications in Ryedale**

- █ RDC Boundary
- 📌 Approved
- 📌 Pending

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**Weaverthorpe Parish Council**  
**C/o Boltby Cottage**  
**Main Road**  
**Weaverthorpe**  
**North Yorkshire**  
**YO17 8EY**  
**Tel: 01944 738841**

KK 12/9/13

**RYEDALE DM**

12 SEP 2013

**DEVELOPMENT  
MANAGEMENT**

Karen Hood  
Managing Development Team Leader  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 8EY

Dear Ms Hood,

**Application number: 13/00850/FUL Weaverthorpe Wind, Land to West Pasture Road, Weaverthorpe**

This planning application was discussed by Weaverthorpe Parish Council on 9<sup>th</sup> September 2013, at a meeting attended by over 40 members of the public. There are strong feelings in the community on the subject matter contained in this letter. Those present at the meeting voted overwhelmingly to oppose the application.

Previous applications approved for wind turbines within Weaverthorpe have been a total height of 34.2 metres ( Manor Farm and Gara Farm). This application is for a turbine with an overall height of 67 metres almost twice the height of the turbines already erected.

The turbine will be 800metres, south east of another turbine at Jubilee Farm (13/00624/FUL) which, if planning permission is granted will be 46 metres tall, which will look disparate, with two turbines of unequal heights so close together. This statement is made by looking at the map provided with the application, the actual map co ordinates provided on the Planning Application put the turbine in a different position.

The impact on the landscape will be significant, as if all the turbines currently in the planning process are built, you will be able to see six turbines at the east end of Weaverthorpe. We have already stated in previous replies to planning applications for wind turbines that there are too many being built in such a small area of our countryside.

Previous planning applications for wind turbines have been for electricity for farm use, thus reducing the carbon footprint of the valley. 25% of the income from this turbine will go outside of the local community to HCDA, an organisation based in Hull.

Paragraph 11 of the planning statement says that Weaverthorpe Wind's secondary objective is to increase the sustainability of other communities across the wider region by generating a sustainable income stream for HCDA. It is strongly felt by the local community that Weaverthorpe Wind should concentrate on the local community.

PLANNING130850

Of the public comments on the planning portal web site, many of the supporters live well outside of the local area, many of which come from Hull which is where HCDA and is based. We do not feel that the planning authority should consider support from outside the authority area.

There is much reference in the applications of this being a community project, but it is not representative of the community.

Paragraph 2 of the planning statement states that both this turbine and the one at land to the north of Main Road, Weaverthorpe have been widely publicised. This is not a view of the local community, because although the organisations involved have talked of wind power for some time, the actual locations were not known until the planning applications were submitted. There were statements made by the applicants that the community would be consulted about their plans before anything was formalised, but this did not happen.

Paragraph 52 of the planning statement says that the turbine will be screened from substantial parts of the highway system. This is not true as both this turbine and the one for Wolds Valley Wind Collective at Weaverthorpe will be visible from the main valley road and feeder roads into the valley. The height and location will make it a dominant feature for miles around.

Many homeowners believe that their property values will be adversely affected by the presence of two large turbines. Further, a few residents who are dependent on the tourism business believe the effect on the landscape will decrease the number of visitors to the Great Wolds Valley.

It is evident from the feedback that the Parish Council received from the public that this is an issue which has deeply divided our communities because of the lack of information, consultation and the size of the turbine.

Two members of the community offered to fund a referendum across the villages of Helperthorpe, Weaverthorpe and Butterwick. We are unsure whether this would be too late for the timing of this application and whether the results would have any effect on the decision made by RDC. We would welcome your views on this.

Based on the foregoing Weaverthorpe Parish Council **OBJECT** to this application.

Yours sincerely

J House  
Clerk to Weaverthorpe Parish Council

SHR

AS)

# LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

Holly House  
West Lutton  
Malton  
North Yorkshire  
YO17 8TA

Karen Hood  
Managing Development Team Leader  
Development Management  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire YO17 7HH

11 September 2013

kk 12/9/13  
RYEDALE DM

12 SEP 2013  
DEVELOPMENT  
MANAGEMENT

Dear Karen,

**Planning Application No. 13/00850/FUL Erection of 500kW wind turbine on land to west of Pasture Road, Weaverthorpe by Weaverthorpe Wind Ltd**

And

**Planning Application No. 13/00851/FUL Erection of 500kW wind turbine on land to north of Main Road, Weaverthorpe by Wolds Valley Wind Collective Ltd**

At its meeting on 10<sup>th</sup> September, Luttons Parish Council unanimously resolved to **object** to the above application (and its partner application 13/00851/FUL), in the strongest possible terms. This followed a show of hands at the meeting whereby 42 parishioners in attendance unanimously chose to object with no abstentions. This vote follows a similar rejection of this and its partner application (13/00851/FUL) at the meeting of the Weaverthorpe Parish Council the previous evening.

This Council's grounds for objection are set out below.

#### **Planning Context (13/00850/FUL and 13/00851/FUL)**

In September 2012 Natural England published their National Character Area Profile 27: Yorkshire Wolds that states:

*'This gently rolling landscape instils a sense of openness, escapism and tranquillity provided by the expansive views, sparse population and agriculture. Protection of the rural character and long, open views is important for conservation of this distinctive landscape.'*

and provides a Statement of Environmental Opportunities SOE3:

*'Improve opportunities to enhance people's enjoyment of the area while protecting high levels of tranquillity by conserving extensive views and intimate, steep-sided valleys which contribute to sense of*

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*place, and by protecting and promoting the extensive historic evidence of past human settlement, landscape change and designed landscapes.'*

The Council believes this to be the most recent assessment of the value of the landscape of the Wolds by a national body, and considers it material to this application in establishing the quality and character of the landscape.

The Ryedale Plan, adopted by the RDC on 5<sup>th</sup> September 2013 in full accord with the National Planning Policy Framework (NPPF), confirms the area as one of High Landscape Value. Policy SP13 Landscapes and Policy includes:

*'Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities'*

*'The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'*

This Council believes that the introduction of three (Weaverthorpe Wind, Wolds Valley Wind Collective, Dotterel Farm) industrial-scale turbines, 67m to blade tip, will have a detrimental effect on the landscape of the Great Wold Valley and its surroundings. These elevated and highly visible development against the skyline will have an overbearing presence on the local communities and for miles around.

In Policy SP18 of the Ryedale Plan, Renewable and Low Carbon Energy, states:

*'Developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:*

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;'*

This Council does not believe that the proposed developments can be assimilated into the landscape due to their scale and location; moreover, the Council believes that the proposals, by damaging perceptions of the landscape, will adversely impact upon the local communities and the local economy which is highly dependent upon visitors. This would undermine Policy SP8 Tourism wherein RDC would support *'Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds'* and Policy SP12 Heritage wherein *'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.'*

This parish values its environment and heritage, as expressed by the overwhelming majority of parishioners in their Parish Plan of September 2008. Aside from the Wolds Way National Trail, recent efforts to attract visitors and promote economic activity have included the National Cycle Route 166,

local cycle routes (Big Skies Bike Rides) and heritage trails (Sykes Churches, Great Wold Valley) all of which pass down the valley past the proposed development sites. The USP for these initiatives has been the heritage landscape of the Wolds, which this development puts at risk.

In July 2013 the Government published new 'Planning Practice Guidance for renewable and low carbon energy'. The Secretary of State made a statement that preceded it, which included the following:

- *planning works best when communities themselves have the opportunity to influence the decisions that affect their lives. However, current planning decisions on onshore wind are not always reflecting a locally-led planning system.*
- *It has become clear that action is needed to deliver the balance expected by the National Planning Policy Framework on onshore wind. We need to ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment.*
- *local communities have genuine concerns that when it comes to wind farms insufficient weight is being given to environmental considerations like landscape, heritage and local amenity. We need to ensure decisions do get the environmental balance right in line with the framework and, as expected by the framework, any adverse impact from a wind farm development is addressed satisfactorily.*
- *We have been equally clear that this means facilitating sustainable development in suitable locations. Meeting our energy goals should not be used to justify the wrong development in the wrong location.*

The Planning Practice Guidance itself states:

- *the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities;*
- *decisions should take into account the cumulative impact of wind turbines and properly reflect the increasing impact on (a) the landscape and (b) local amenity as the number of turbines in the area increases*
- *local topography should be a factor in assessing whether wind turbines have a damaging impact on the landscape*

The cumulative impact of wind turbines upon the landscape is of particular concern to this Council. There are currently 16 turbines, applied for, approved or erected, in the three small Wolds parishes of Kirby, Luttons and Weaverthorpe, excluding the 10 in the proposal for the wind farm at West Heslerton. Whatever their size, these structures are alien to the environment and a dynamic insult to the tranquil landscape. The Planning Guidance is expansive on both landscape and visual impacts, and on the need to assess the cumulative effects of all turbines whether in application or approved. Included in Fig.1, with reference to sequential cumulative effects, is: '*Common routes through a landscape (eg major roads, long distance paths or cycle routes) can be identified as 'Journey scenarios' and the proposals impact on them can be assessed.*' The applicant has not examined either the cumulative impact of all turbines in the area or their effect upon residents going about their daily lives or upon visitors, especially tourists, walkers and cyclists.

As a small rural parish, with communities directly affected by this proposed development, the Council struggles to make its voice heard. It therefore welcomes the Minister's direction that the concerns of local communities should feature more strongly. The area's principal asset is not wind but the unique heritage landscape. This Council believes that the proposed development will be detrimental to the character and perception of the landscape with adverse consequences for local communities and economy, and so runs contrary to national and district policy. As the Minister says, this is '*the wrong development in the wrong location*'.



### The Application (13/00850/FUL)

The co-ordinates for the location of the wind turbines in both applications differs significantly between the application form and the supporting documentation, in one case by 900m and in the other by 1800m. The applicant states that both turbines stand in Weaverthorpe; this is not so as one stands within Luttons parish. Unfortunately, this unprofessional 'oversight' has affected consultation and early communication, particularly in the Helperthorpe community. The location of other wind turbines in figure 01 is incomplete, in particular omitting the recent applications at Dotterel Farm (13/00551), Jubilee Farm (13/00624) and High Barn Farm (13/00699).

At 67m to tip and with a rating of 500kW this turbine is excessively large in both physical presence and output to justify its prominent location overbearing the village of Helperthorpe. It will stand only 800m from that proposed on Jubilee Farm (13/00624). The scale, location and relative position of the current proposal is detrimental to the landscape, the village and its residents.

Although the Conservation Officer does not take issue with this turbine's impact on Scheduled Monuments and Listed Buildings, we contend that there is a detrimental impact upon the *'the visible and hidden finite resource of past human landscape change, land use and settlement – for example, the extensive prehistoric, ritual landscapes, later iron-age and medieval settlements, and 18th-century landscape reorganisation [through the Parliamentary Enclosures](Natural England NCAP27)'*. The dynamic vertical intrusion of wind turbines into this landscape detracts from both the landscape itself and from the historic Grade 1 and 2 buildings, particularly the 'Sykes' churches for which the valley is widely known.

The proposed site is within an area of unique Iron Age earthworks that are believed to relate to large scale cattle ranching. These earthworks have been identified from crop-marks but are not recorded as 'monuments'. The applicant's assessment of 'Impact on Heritage Assets' makes only passing comment on both the Dikes Field earthworks and the landscape created by the Parliamentary Enclosures, that will be significantly impacted by the proposed development. However, *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application'* (NPPF #135) and *'non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'* (NPPF #139). *'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'*(NPPF #128). The applicants recently submitted a Fluxgate Gradiometer Survey of the site but that report does not include an overview of the whole earthworks nor its context in the 'enclosed' landscape of the Great Wold Valley; consequently the full contextual significance of these unique earthworks is not considered.

The ecological assessments undertaken as part of the planning application are based on the impact of each turbine individually. However, just as the National Planning Policy Framework places an obligation to consider the cumulative visual impact, the planning process also has to consider the cumulative impact of multiple turbines on vulnerable wildlife. Indeed the cumulative impact of multiple turbines is recognised by Ryedale Council's Countryside Officer in a response to ecological objections for another live turbine application (13/00551/FUL Dotterel farm) in the same parish *'...gatherings of turbines in the countryside will have a greater potential to impact populations of bats locally and possibly nationally...'*. The existing and planned turbines in the Helperthorpe/Weaverthorpe areas of the Great Wold Valley clearly represent such a gathering of turbines. The inevitable cumulative impact on vulnerable bats and birds has not been considered in either of the planning applications for the Helperthorpe/Weaverthorpe turbines. There is evidence that bats are attracted to turbines, for example to investigate potential roost

sites or to forage on insects that themselves are attracted to the turbines; they may be at greater risk than birds because they can be affected by barotrauma as well as by direct collision. Natural England categorises both the risk of collision with wind turbines and the risk to the UK population from collision with turbines as high risk for noctule bats. For birds, there are numerous species of conservation concern in the local area.

The Shadow Flicker Report and the Radio Interference Report are authored by The Humberside Community Development Agency, and the more recent Fluxgate Gradiometer Survey is authored by the Landscape Research Centre. All are beneficiaries of the schemes. The Shadow Flicker Report and the Radio Frequency Interference Report do not allay the concerns of Helperthorpe residents due to the winter sun and satellite angle from residences passing to the south of the turbine.

The Landscape Characterisation 3.2 is based upon a study commissioned by North Yorkshire County Council in 2011, without acknowledgement to Natural England's NCAP27. The Landscape and Visual Impact Assessment is a shallow piece of work. The author shows little understanding of the area, for example, in 3.4.4 failing to understand the significance of Gypsey Race as the most northerly chalk stream in the UK and as a typical gypsey stream running the length of the Great Wold Valley. The study names Weaverthorpe as the nearest settlement (3.4.10) although Helperthorpe is nearer and more affected by the proposals. In 3.4.16 the study finds 'a number existing turbines in the area of similar scale to that proposed' but omits three turbines applications predating this application, at Dotterel Farm, Jubilee Farm and High Barn Farm; that at Jubilee Farm is only 800m away from the Weaverthorpe Wind turbine site. The author then contradicts themselves in 6.3.5 by stating that 'they are both taller than any of the other turbines existing or planned in a 5 kms radius'. The turbine proposed in both 13/00805, 13/00851 and 13/00551 is significantly larger than anything erected or proposed previously (bar those in the West Heslerton Wind Farm proposal) at 67m to tip and 500kW, and appears to be a version of the maker's industrial 900kW machine de-rated to 500kW to maximise on the domestic Feed-in-Tariff. Throughout the Landscape and Visual appraisal the 'Magnitude' is reduced by the dismissive 'Reversible due to 25-year lifespan of the proposed turbine' to 'Low due to moderate scale of reversible local effects over a long period'; consequently the 'Significance' is reduced to 'Slight' in nearly every case. The author fails to acknowledge that 25 years is a generation during which a business can fold in less than one year if trade falls off or house prices can fall as perceptions of the area change. Some of the photographs from the Viewpoints conveniently use trees or hedgerows to hide the turbine, after which the study plays lip service to cumulative effect, particularly sequential. Sequential effects, whether landscape or visual, are key to the sustainability of the area as visitors move through it, and yet there is only mention of Wolds Way (a national trail) some distance away rather than Cycle Route 166, Big Skies Bike Rides, the Sykes Churches Trail or the Great Wold Valley Heritage Trail, all of which draw visitors into the immediate area. Panoramic and long views are devalued or omitted from the study (for example, those from the B1253 ridgeway, the C356 valley road, the C359/360 and the Settrington High Street) even though they clearly lie within the 'bare earth' Zone of Theoretical Visibility and are the essence of Natural England's NCAP 27. Possibly in an attempt to satisfy the new planning guidance on cumulative effect, the study 'shows that for each turbine, across its area of ZTV, the other turbine would be visible across around 70-80% of that area' (6.3.7); furthermore, the study concludes 'The full range of turbines built, consented and in the planning system, if all built, would be likely to have a cumulative effect on local landscape character' – and that is without three pre-dating applications.

This proposed turbine, together with that proposed in the related Planning Application No. 13/00850/FUL, bring the number of individual turbines (either approved or applied for) in the small parishes of Kirby Grindalythe, Luttons and Weaverthorpe to sixteen. Of these nine are visible from the environs of the villages of Helperthorpe and Weaverthorpe. The cumulative impact, including combined or simultaneous visibility (static), successive or repetitive visibility (static), and sequential (on

the move), of such numbers of turbines in a limited area of high landscape value has not been adequately explored by the applicant. The locations of assessed viewpoints, when related to the Zone of Theoretical Visibility, fail to adequately cover the B1253, the C356, the C359/360 and the Settrington High Street, particularly to the west of the 5km radius; these are the routes most used by residents and visitors to the area. The extensive views from the ridgeway and down the valley from the C356 are not adequately assessed for cumulative impact. Cumulative impact has now reached its tipping point.

**Management structure (Planning Statement 13/00850/FUL and 13/00851/FUL)**

This Council is concerned that this project is presented as a 'community project' or 'for the benefit of the community'. Minimal 'consultation' has taken place and the usual channels of representation through parish councils ignored. Support has been garnered from outside the area whilst the proposal has proved divisive within the community, due in no small part to the application being designated as in Weaverthorpe rather than Helperthorpe. From the evidence of the applicant's own planning statement there is a suggestion of narrow interests, rather than community representation and wider benefit; the management structure is neither transparent nor representative. No business plan has been presented but the financial inducement to households is a small part of the yield and subject to erosion by tax and inflation; the scheme is only as good as the continuing government subsidy. There is concern that funds generated will leave the area or be under individual control.

The Council is informed that the structuring of the scheme only becomes material to the planning application if there is demonstrable misrepresentation. This Council believes that the failure of the applicants to consult the wider community, the shortcomings of the application itself, the exclusion of Helperthorpe from formal notification, the lack of a business plan and the opaque presentation of the control and beneficiaries of the scheme, taken together amount to unintentional misrepresentation. The perception of misrepresentation was confirmed by 42 parishioners in a second unanimous show of hands at the meeting on 10<sup>th</sup> September. The public anger and expressions of concern that these proposals have initiated have never before been witnessed in this parish. Planning Officers and the RDC Planning Committee are asked to set aside any suggestion that these proposals have community support or community benefit and to dismiss proforma 'letters' of support solicited upon the prospect of financial benefit rather than planning grounds.

One of the true assets that the area possesses is not wind but a large area of unspoilt historic countryside – that is until the advent of the wind turbine and government subsidies. The area will only be truly sustainable if it remains an attractive place to live and retains and attracts business, particularly tourism. Visitors will not come to the valley to view wind turbines and we allow the desecration of the landscape by them at our peril.

Please ensure that the Council's views are represented to RDC Planning Committee. Furthermore, please accept this letter as the personal submission of all nine elected/co-opted Councillors who, until the meeting on the 10<sup>th</sup> September have been unable to express an individual opinion. The Council would like to see the Officer's Report upon publication and to be informed of the date of the Committee at which this application will be considered.

Yours sincerely

Andy Macdonald  
Councillor and Clerk to Luttons Parish Council

c. Councillors of Luttons Parish Council, Cllr Edward Legard, Cllr Janet Sanderson, Clerks to Weaverthorpe Parish Council and Foxholes Parish Council

# Agenda Item 14

**Item Number:** 14  
**Application No:** 13/00851/FUL  
**Parish:** Weaverthorpe Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Wolds Valley Wind Collective Ltd  
**Proposal:** Erection of 1no. 40m high (overall tip height 67m) 500kw wind turbine to generate electricity for the benefit of the local community with associated crane pad, transformer kiosk, access track, vehicular access and 40.5m high temporary meteorological monitoring mast.  
**Location:** Land To North Of Main Road Weaverthorpe Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 24 September 2013  
**Overall Expiry Date:** 15 March 2014  
**Case Officer:** Shaun Robson **Ext:** 319

## CONSULTATIONS:

<b>Natural England</b>	No objection
<b>Environmental Health Officer</b>	Recommend conditions limiting the levels of noise
<b>Countryside Officer</b>	No objection
<b>Atkins Ltd</b>	No objection
<b>Civil Aviation Authority</b>	Comments received
<b>National Grid Plant Protection</b>	No response received
<b>Archaeology Section</b>	Advise condition
<b>Building Conservation Officer</b>	Objection
<b>East Riding of Yorkshire Council</b>	No response received
<b>National Air Traffic Services (NATS)</b>	No objection
<b>Ministry Of Defence</b>	No objection
<b>The Joint Radio Company Ltd</b>	Cleared with respect to radio link infrastructure
<b>Wind Farm Enquiries</b>	Link identified
<b>Tree &amp; Landscape Officer</b>	No response received to date
<b>Neighbouring Parish Council</b>	Object
<b>Parish Council</b>	Object
<b>Highways North Yorkshire</b>	Object
<b>Neighbouring Parish Council</b>	Luttons / Object

**Neighbour responses:** Mr Graham Brooks, Ms Lynne Porter, Mr David Stark, Mr Paul Millward, Mr Graham Perry, Mrs Rachel Beck, N Robinson, Deslyn Pettifer, S Richardson, R W Carver, Michael Jackson, David England, Chris Gray, J Matthews, Lucy Meer, Ben McClements, Rebecca Robinson, Mr William Bentley, Mr Rob T Fretwell, J Trowsdale, Gillian Trowsdale, Mr George Trowsdale, Mr James Trowsdale, Mr John Lake, Mrs Annette Mitchell, Dr David Petts, Mr Paul Stephens, Mrs Caroline Bradshaw, Mr Antony Craig, Mr John Clegg, Mrs Valerie Ford, Mr John Bullivent, Mrs Thelma Mitchell, Mrs Judith Tiplady, Mr John Leebetter, Mr Christopher Googe, Mr Kenneth Wright, Mr Paul Raw, Mr Philip Carpenter, Mr Alex Mitchell, Mrs Jill Cross, Mr Max Cross, Mr Brian Cross, Mrs Amanda Leatherbarrow, Mr Frank Bannister, Mr Ben Burgess, Mr Nigel Bradshaw, Mr Dennis Horseman, Mrs Paula Conner, Mrs Jill Wilson, Mrs Jackie Taylor, Jean

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**PLANNING COMMITTEE**  
**30 July 2014**

Whiteley, Mr Keith Lewindon, Mr Richard Lane, Mr Alex Chapman, Mrs M A Carr Mr J B Lawty, Mr Kenelm Storey, Mr Jason Millward, Mr Ian Fielding, Dr Dave Parrott, Mrs Amy Trevelyan, Mr Andy Boothroyd, The Occupier, Robert William Buck, Mrs Alice Ashby, Mrs Catherine Murray, Mr Paul Lovatt, Mr Peter Wilson, Mrs Norma Harrison, Mr Michael Rowland, Mr Anthony Berezanskij, Dr Dominic Powlesland, Ms Cath Muller, Michael And Caroline Garrod, Mr Ian Panter, Mr Peter Massheder, Mr Thomas Mills, Ms Christine Haughton, Mr John Grindrod, Mrs Sherry Parrott, Mrs Christine Chadwick, Mr Denis Gwilt, Mrs Enid Gwilt, Mr Neil Ford, Mr Raphael Isserlin, Mrs Lyndis Millward, Mr Nigel Beresford, Mr Peter West-Hitchins, Mrs Ann Lockwood, Mr Andrew Lockwood, Mr Stuart Lockwood, Mrs P E Gladwin, Mr Stanley Bell, Mr John Wane, Lynn Wraith, Mr Ron Whatling, Mrs Vicki Rowland, Mr Evan Ferguson, Mr Jonathan Clarke, Mrs Susan Lattaway, Mrs Jacqueline Craig, Mr Michael Mitchell, Margaret Stevens, Mrs Jenny Clarke, Mrs Gill Hodgson, Ms Sue Turnbull, Mr Duncan Scrase, Mr Nigel Lattaway, Mrs Sarah Mellor, Ms Rikki Arundel, Ms Emma Krijnen-Kemp, Mr Ian Stubbings, Mr Rod Buckley, Mrs Gillian Buckley, Dr Mark Whyman, Mrs Brenda Mellor, V Cornforth, Mr Thomas Cornforth, A E Downes, Elizabeth Hartle, M Lake, Mr W R Owen, R Stannard, Jo Peckitt And Jason Peirson, Mrs Paula Conner, Mr Sefa Akkirec, Mr Andy Thompson, Mr Andy Bullard, Mr Stuart Taylor, Mr David Hunter, Mr Nick Tiplady, Mr James Hartle, Mr Jarrod Fisher, Mrs Sheila Triffitt, Dr Andrew Harper, B D Kerr, Miss Victoria Craig, T E Scrase, Mr Ian Eaton, Mrs Helen Chapman, Mr Michael Murray, Mrs Susan Gough, Mrs Rozanne Startup, Dr Andrew Birley,

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**SITE:**

The application site is located on elevated land approximately 2km to the north-east of Weaverthorpe and 1km to the west of Butterwick to the north of the Weaverthorpe to Butterwick road.

The site currently consists of an agricultural field which is located within an area designated as an Area of High Landscape Value.

**PROPOSAL:**

This application forms part of two proposals submitted by two local community based groups, namely The Wolds Valley Wind Collective Limited (WVWC) and Weaverthorpe Wind Limited (WW).

The WVWC, consists of the following members the Landscape Research Centre LTD (LRC); Wolds Valley Archaeological Trust (WVAT); Rarey Farm Foundation (RFF) and the Humberside Co-operative Development Agency Ltd (HCDA). The WVWC has two aims, namely:-

- To generate low carbon energy for the communities of the great Wold Valley; and
- To generate sustainable incomes for its members so they can have confidence in their ability

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**PLANNING COMMITTEE**  
**30 July 2014**

to deliver their social objectives.

This application seeks permission for the erection of 1500kW turbine with a hub height of 40.0m and a tip height of 67.0m, associated crane pad, transformer kiosk, access track, vehicular access and the erection of a 40.5m high temporary meteorological monitoring mast.

The grid connection for the turbine is underground, therefore the connection to the grid will not be visible.

**HISTORY:**

No recent history.

**POLICY:**

National Planning Policy Framework (March 2012)

Section 7: Requiring good design.

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

National Planning Practice Guidance (March 2014)

Climate change

Conserving and enhancing the historic environment

Design

Determining a planning application

Renewable and low carbon energy

Use of planning conditions

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Ryedale Plan - Local Plan Strategy

Policy SP12 – Heritage

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP18 – Renewable and Low Carbon Energy

Policy SP19 – Presumption in Favour of Sustainable Development

Policy SP20 – Generic Development Management Issues

National Guidance

The Climate Change Act 2008

The Renewable Energy Strategy 2009

National Policy Statement for Renewable Energy Infrastructure (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

**PUBLICITY:**

96 letters of objection have been received in total, of which 89 have been from residents of Weaverthorpe, Helperthorpe, East Luton, West Luton, Kirby Grindalythe, Settrington, Malton, Pickering. The remaining 7 letters of objection have been received from Grimsby, Lincoln, Alton, Uttoxeter, Harrogate, Bradford and Leeds. As well as the letters of objection a petition containing 68 signatures has been received. Weaverthorpe Parish Council has also objected to the application. The

received objections from the Parish Council, residents and the petition cite one or more of the following points:-

- No justification for the proposal;
- Impact of the development on the Area of High Landscape Value;
- The supporting information does not assess the cumulative impact of the development;
- Impact of shadow flicker on residents;
- No scheme identified for the decommissioning of the turbine;
- The development will have an unacceptable impact on archaeological deposits;
- No evidence in the area of community support;
- Unacceptable Impact on television reception;
- The proposal is not for the community as £1 million will be channelled to a co-operative development agency in Hull over the 25 year lifespan of the turbine;
- Supporting photomontages are incorrect;
- Devaluation of properties;
- Cumulative impact of another turbine;
- Visual impact of the proposal;
- The developers have not discussed the development with local residents;
- Unacceptable and detrimental impact on a Grade I listed church (St. Andrews Church);
- Noise

65 letters of support in total have also been received of which 34 have been from residents from Weaverthorpe, Swinton, Little Barugh, Butterwick, Helperthorpe, East Heslerton, West Heslerton, Yeddingham and Sherburn. The remaining 31 letters have been received from further a field, namely, Manchester, Hornsea (East Yorkshire), Scarborough, Bempton (East Yorkshire), Driffild, Bridlington, Shilbottle (Newcastle), Leeds, Hull, Holme-upon-Spalding-Moor (East Yorkshire), Kingswood (Hull), Gainsborough and York. The letters of support cite one or more of the following points:-

- The development will ensure the longevity of a non-profit making organisation;
- The development will help the community;
- No adverse impact will result to the surrounding area if the application is approved;
- The development is a better option than 'fracking'.
- The development will benefit a number of organisations through funding.

#### **APPRAISAL:**

It has been assessed that taking into account the scale and location of the development, it does not constitute 'Environmental Impact Assessment' development in accordance with Schedule 2 of the Town and Country Planning Environmental Impact Assessment Regulations 2011 (as amended).

The main material considerations are:

- Principle of development in policy terms
- Landscape and cumulative impact
- Impact of development on residential amenity
- Heritage impact
- Ecology
- Transport
- Community benefit
- Aviation and radar implications and
- Neighbour and Parish consultation responses

## Policy Context

### National Planning Policy

The most relevant paragraphs of the NPPF state;

93. *Planning plays a key role in helping shapes places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*

97. *To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources;*

- *Have a positive strategy to promote energy from renewable and low carbon sources;*
- *Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impact;*
- *Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- *Support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- *Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

98. *When determining planning applications. Local planning authorities should:*

- *Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- *Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

The relevant policies in the Ryedale Plan – Local Plan Strategy are:

SP14 – Biodiversity

SP18 – Renewable and Low Carbon Energy

SP19 – Presumption in Favour of Sustainable Development

SP20 – Generic Development Management Issues

Para 7.32 of the Local Plan Strategy advises that one of the main ways in which climate change can be mitigated is through a reduction in greenhouse gas emissions. In order to assist in the decarbonisation of the UK's electricity and heat supply, Ryedale will realise its potential for renewable and local carbon energy sources. Para 7.37 is also relevant to this application and states;

*7.37 It is important to recognise and support the contribution of community-led and farm scale renewable and low carbon solutions.*



Policy SP18 is criteria based and supports the principle of renewable and low carbon energy, and states;

***SP18 Renewable and Low Carbon Energy***

*Developments that generate renewable and/or low carbon energy will be supported providing that individually and cumulatively proposals;*

- *Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- *Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;*
- *Would not have an adverse impact on air quality, soil and water resources in Policy SP17, unless their impact can be acceptably mitigated.*

It is clear therefore that there is strong policy support at both National and Local level for the *principle* of renewable and low carbon solutions.

Landscape impact

The application is accompanied by supporting documents including acoustic data, visual impact assessment, archaeological survey and photomontage. The area is described in the Local Plan Strategy as – an upland chalk landscape with a string of medieval (and earlier) villages following the spring line of the Gypsy Race. The designation of the area ‘Area of High Landscape Value’ has been retained in the Local Plan Strategy, and demonstrates the value placed on the character of the area. It also adds weight to the requirement to take account of the impact of development on the landscape.

The proposed turbine would be sited in isolation on rising ground to the north-east Weaverthorpe. Which given the proximity of the existing operational turbines the development will be viewed in combination with those turbines.

Officers consider that those single turbines that have best been assimilated into the landscape are those which are visually associated with farm buildings, because they are not as isolated. Nevertheless the District Council has approved other single turbines at distance from existing development where it is considered that the benefits of renewable energy outweigh the harm. An example of this can be seen at Manor Farm, Weaverthorpe.

The turbine will introduce a tall vertical structure which is at odds with the more horizontal rolling slopes of this part of the Wolds. Nevertheless from most view points the greatest impact is relatively localised. Indeed other turbines in the area have been approved by the District Council on that basis. Examples are Gara Farm, and Manor Farm, Weaverthorpe, and Boythorpe Farm at Butterwick.

In relation to cumulative impact, there is little guidance on how to accurately assess cumulative impact. It is necessary to balance the strong policy support for renewable energy with the need to ensure that the number, location, design etc of the turbine does not cause significant demonstratable harm to the Wolds Area of High Landscape Value. The following is a list of turbines that have been approved in the area.

## APPROVED

09/00906/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18.3m tip 25m  
10/01311/FUL – Duggleby Wold Farm, Weaverthorpe – hub 32m tip 48m (x2 turbines)  
11/00336/FUL (*installed*) – Barrow Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00337/FUL (*installed*) – Cat Babbleton Farm, Ganton Hill, Ganton – hub 24.6m tip 34.2m  
11/00541/FUL (*installed*) – Kirby Wold House, Low Road, Kirby Grindalythe – hub 18m tip 24.5m  
11/00615/FUL (*installed*) – Ling Farm, Green Lane, Langtoft – hub 24.6m tip 34.2m (x2 turbines)  
11/00744/FUL (*installed*) – Spaniel Farm, Main Road, Weaverthorpe – hub 37.18m tip 53.88m  
12/00201/FUL (Appeal Allowed) – Manor House, Long Hill, Helperthorpe – hub 36.4m tip 46m  
12/00566/FUL (*installed*) – Gara Farm, Weaverthorpe – hub 24.6m tip 34.2m  
12/00602/FUL (*installed*) – Manor Farm, Main Road, Weaverthorpe – hub 24.6m tip 34.2m  
12/00822/FUL – Allison Wold Farm, Simon Howe, Sherburn – hub 30.5m tip 44m (x2 turbines)  
13/00534/FUL – Boythorpe Farm, Butterwick – hub 31.5m tip 46m (x2 turbines)  
13/00675/FUL – Kirby Wold House, Low Road, Kirby Grindalythe – hub 30.1m tip 41.6m

## PENDING

13/00551/FUL – Dotterel Farm, Weaverthorpe – hub 55m tip 81m  
13/00850/FUL – Land West of Pasture Road, Weaverthorpe – hub 40m tip 67m  
13/01091/FUL – Land To West of Grange Farm, Main Road, Weaverthorpe – hub 24.8m tip 34.5m

It should be noted that the majority of the above turbines are all within 5km of the application site.

The list is quiet extensive, however when taken in isolation it can be misleading in terms of assessing cumulative impact. The reason for this is that the Wolds include a number of valley's which means that whilst the location of turbines can appear to be close on a map (see the attached plan to the report), they may not appear in the same viewpoint when seen on site. In view of this, and as part of the assessment of the application, officers have visited the area to assess the impact of the turbines already erected, and also looked at key views for those proposed. In relation to this application officers identified a number of viewpoints approaching the site from the east and west as well a view point on the road from Weaverthorpe to Sherburn. Whilst the road is not classified, it is a main route from the A64 to the Wolds, and regularly used. From this point turbines at Dotterel Farm, and Manor Farm, Weaverthorpe are presently visible. The initial view and associated impact of the turbines is increased as you continue towards Weaverthorpe as more turbines appear on the vista. Permission was granted on appeal at Manor House Helperthorpe, and this turbine would be the fourth in this particular vista, if application 13/00850/FUL is approved.

A further application at Dotterel Farm is pending and a recent refusal at High Barn Helperthorpe is the subject of an appeal which is yet to be determined. Officers are of the opinion that this accumulation will result in a further change in the character of the landscape to the extent that it will become a turbine dominated view. The variation in height and design, together with the irregular spacing is considered to add to their incongruous appearance.

Para 98 of the NPPF, states that such applications should be approved if its impacts are (or can be made) acceptable. SP13 of the Local Plan Strategy states that developments that generate renewable and/or low carbon sources of energy will be supported providing that individual and cumulating proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering.

Members will note that Weaverthorpe Parish Council has expressed concerns regarding the cumulative impact of turbines on the Wolds Area of High Landscape Value. Their full response is appended to this report. It is also worth noting the recent decision form the Secretary of State (SoS)

on the Heslerton Wind Farm development, particularly his comments on the landscape and visual impact on the Yorkshire Wolds Area of High Landscape Value. The SoS states, in paragraph 12, that:-

*“...the Wolds is a highly valued landscape...”*

On balance, taking into account the previous already granted wind turbines it is considered that the proposed additional turbine will result in significant and demonstratable harm to the character of this part of the Wolds Area of High Landscape Value.

#### Neighbour impact

##### (i) Noise

The application is accompanied by a site specific noise survey. The applicant advises that it has been prepared in accordance with ETSU-R-97, and also a new guidance document ‘A Good Practice Guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise May 2013). This is the acknowledged method of assessing potential noise impact.

The Councils Environmental Health Officer has responded and advised that a condition limiting the noise levels is imposed if the application is approved.

##### (ii) Shadow flicker

It is noted that concerns have been received regarding visual flicker. Given the proposed turbine will be positioned in excess of 700m from any occupied building it is not considered that shadow flicker is an issue in this instance.

#### Community benefit

The application has been presented on the basis of ‘supporting communities’ through the profits generated by selling the energy produced by the turbines (both developments) to the National Grid.

The WVWC project, is a joint venture between Landscape Research Centre Ltd (LRC), Wolds Valley Archaeological Trust (WVAT), the Rarey Farm Foundation (RFF) and the Humberside Co-operative Development Agency Ltd (HCDA)

The LRC is a charity based in Yedingham which undertakes archaeological research in the Vale of Pickering.

The WVAT is a charitable trust that undertakes similar work to LRC but in the Wolds Valley area.

RFF is a charitable association based in Weavertorpe.

The HCDA aim is to increase the sustainability of other communities across the wider region.

Members should note, however, that a number of local residents have objected to the application and raised concerns in regard to the credentials and intent of the development based on the perceived Community benefits.

#### Archaeology

The applicants, as part of the submission documents, have carried out a survey and identified that a ‘watching brief’ be maintained during the construction phase, grid connection and formation of the access track.

The County Archaeologist requested the submission of additional information due to the fact that area is archaeologically sensitive.

The applicants supplied further information and the County Archaeologist has responded and raised no further concerns, subject to the imposition of an appropriate condition.

#### Highway considerations

The NYCC Highway Officer has advised that the routeing of the apparatus and turbine sections to site, for the majority of its journey, will be within the East Riding of Yorkshire Council's (ERYC) administrative boundary. The ERYC has been consulted and no comments have been received.

The NYCC Highway Officer has requested the submission of additional information in order to be satisfied that the route through Ryedale and the entrance to the site will be acceptable and not result in any highway implications. The information was forwarded to the applicant but to date no revised details have been received.

A concern has also been raised by the highway officer in relation to the existing access arrangement, specifically the restricted visibility in both directions. On the basis that the applicant has not identified any improvements to the visibility to the site the highway officer has recommend refusal.

#### Heritage impact

Members are advised that there are a number of historic assets, specifically Listed Buildings, located in the surrounding landscape and that the Local Planning Authority has a statutory **duty** under legislation relating to Listed Buildings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.*

National policy guidance regarding the impact on heritage assets is set out in the National Planning Policy Framework (NPPF) and the recently published National Planning Practice Guidance (NPPG).

Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise.

Paragraph 133 goes on to say that where a proposed development will lead to substantial harm Local Planning Authorities should refuse permission, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In terms of development within the setting of heritage assets, paragraph 137 is relevant and advises local authorities to *"look for opportunities for new development within Conservation Areas....and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."*

The National Planning Practice Guidance (NPPG), paragraph 013 amplifies the relevance of an assets setting stating *"Setting is the surroundings in which an asset is experienced...".* The paragraph continues and goes on to say *"The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance."*

The proposal has been assessed by the Council's Building Conservation Officer, her comments are as follows: -

*"The NPPF requires at paragraph 129 that Local Planning Authorities should 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset)'.*

*It is apparent with this application that no heritage asset will be physically directly affected by the proposal. This response therefore focuses on the impact that the proposal will have on the setting of heritage assets.*

*In my opinion the built heritage asset most affected by this application is the Grade I Listed church of St Andrew at Weaverthorpe.*

*There are a number of other listed buildings in the near however due to their distance from the application site, or location within built up villages, I am of the opinion that their settings will be affected by this application.*

*The Grade I listed church of St Andrew at Weaverthorpe is situated in an isolated position above the village on the northern slope of the woldside. It has an austere beauty partly derived from its position away from the village which predominantly sits at the bottom of the valley. It is clearly designed to be seen in the landscape and at various points in the landscape St Andrews is a dominant building giving it some presence. The setting of the church extends for a long distance as the church can clearly be seen within the landscape from a number of positions within the public realm most notably when travelling east along the east-west Helperthorpe/Weaverthorpe road and glimpsed through openings in hedges along the East Heselton Wold road running north out of Helperthorpe. It can also clearly be seen as a dominant feature when travelling north along 'Green Lane' and the Driffield road between Helperthorpe and Weaverthorpe. In my opinion, the setting of the church has already partly been compromised by various existing wind turbines in the vicinity.*

*In my opinion this application will further compromise the setting of the Grade I listed St. Andrew's church at Weaverthorpe. It will add a competing element in the landscape when looking at the church most notably when travelling east, on the Helperthorpe/Weaverthorpe road and when travelling north on Green Lane, the Driffield road between Helperthorpe and Weaverthorpe and the PROW running south out of Weaverthorpe.*

*In my opinion the proposed turbine will also cause harm to the setting of the listed building when looking east into the landscape from the churchyard. Clear views of the turbine will be possible when viewed from the church path, porch and cemetery. It will add a distracting and competing element into the landscape and affect the serenity and calmness of the landscape when looking at the church and looking from the church.*

*In my opinion the degree of harm caused will, be less than substantial and according to the NPPF should be weighed against the public benefits of the scheme."*

Members will be aware of the Secretary of States (SoS) recent decision on the East Heselton Wind Farm (11/00270/MFULE). The SoS disagreed with the Planning Inspector's assessment of the impact of the proposal upon the setting of a Grade I Designated Historic Asset (St. Andrew's, East Heselton). The SoS concluded that the impact of the turbine's created a harmful distraction to the Asset's setting. In this particular case the views of and from the designated Historic Asset will be affected by the proposed turbine. This proposal, as reflected in the Building Conservation Officer's comments, results in a similar adverse impact.

Paragraph 132 of the NPPF states: -

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset,*

*the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.”*

The Building Conservation Officer has identified that the development will cause harm to the setting of the listed building.

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy reflects the NPPF. Specifically it in requires that the *“historic environment will be conserved and where appropriate, enhanced.”*

The Legislation, specifically Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting...”*

Whilst the applicant has identified the potential public benefit of the scheme it is considered that the benefits are not of sufficient weight in the decision making balance, to outweigh the harm caused to the setting of the Grade I Listed Church.

#### Ecology

The information submitted in support of the application includes a report in respect of the potential impact of the turbine on ecology. The turbine location takes account of the surrounding area and accordingly there is no objection from the Councils Countryside Officer.

#### Aviation and radar

There been no objections received from the relevant aviation and radar consultees. The Ministry of Defence, however, originally objected to the application but following the submission of additional information withdrew their objection to the proposal which was based on interference to the AD radar at RAF Staxton Wold.

#### Other Matters

A number of concerns have been received from residents in regard to the potential devaluation of their property. This is, however, not a material planning consideration.

#### Conclusion

The District Council is supportive of the principle of renewable energy and this is demonstrated by the number of turbines that have been approved in the District.

However, it is considered that the proposed turbine would add to the accumulation of turbines that would change the perception of the Wolds Area of High Landscape Value in this locality. This is in particular when viewed from the Weaverthorpe to Sherburn road.

It is also considered that, as a matter of planning judgement, that although the proposed development has some planning benefits, the harm to the setting of St. Andrew’s Church outweighs the benefits of the proposed development.

The applicant has also failed to demonstrate that sufficient visibility can be achieved for vehicles exiting the site. The proposal will therefore have a detrimental impact on the highway network.

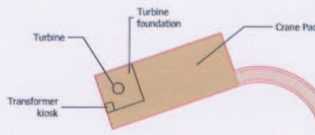
As such the recommendation is one of refusal.

**RECOMMENDATION: Refusal**

- 1 The proposed development would result in an accumulation of the turbines locally in the landscape when viewed from the Sherburn to Weaverthorpe road. This is considered to be detrimental to the character of the Wolds Area of High Landscape Value. As such the development would be contrary to the principles of para 98 of the NPPF and Policies SP13 and SP18 of the Local Plan Strategy.
- 2 The proposed development by reason of its prominent position in the landscape proximity will result in an unacceptable level of harm to the setting of the Listed Church (St. Andrew's). Insufficient public benefits are derived from the development that outweigh the harm to the designated asset. The application is therefore considered to be contrary to Policy SP12 of the Ryedale Plan – Local Plan Strategy and the provisions of Section 12 of the National Planning Policy Framework, specifically paragraphs 129, 131, 132, 133, 134 and the statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 The existing access, by which vehicles associated with this proposal would leave the and rejoin the county highway, is unsatisfactory since the required visibility of 2.4 metres x 215 metres cannot be achieved at the junction with the county highway and therefore, in the opinion of the Local Planning Authority the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

**Background Papers:**

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



Access Track

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RYEDALE DM  
30 JUL 2013  
DEVELOPMENT  
MANAGEMENT

Temporary compound

Main Street



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assessment - design - visualisation - realisation  
12 Everthorpe Lane, North Cave, East Yorkshire HU13 2LF  
Tel: 01430 423294 <http://www.2bconsultancy.co.uk>

Notes:

Scale: 1:1250 @ A2  
Date: July 2013  
Drawing Ref: WeverthorpeSitePlans.dwg

Project: Proposed Turbine, Weverthorpe  
Client: Wolds Valley Wind Collective  
Drawing Title: Site Layout and Access

Fig: 31  
Rev: -







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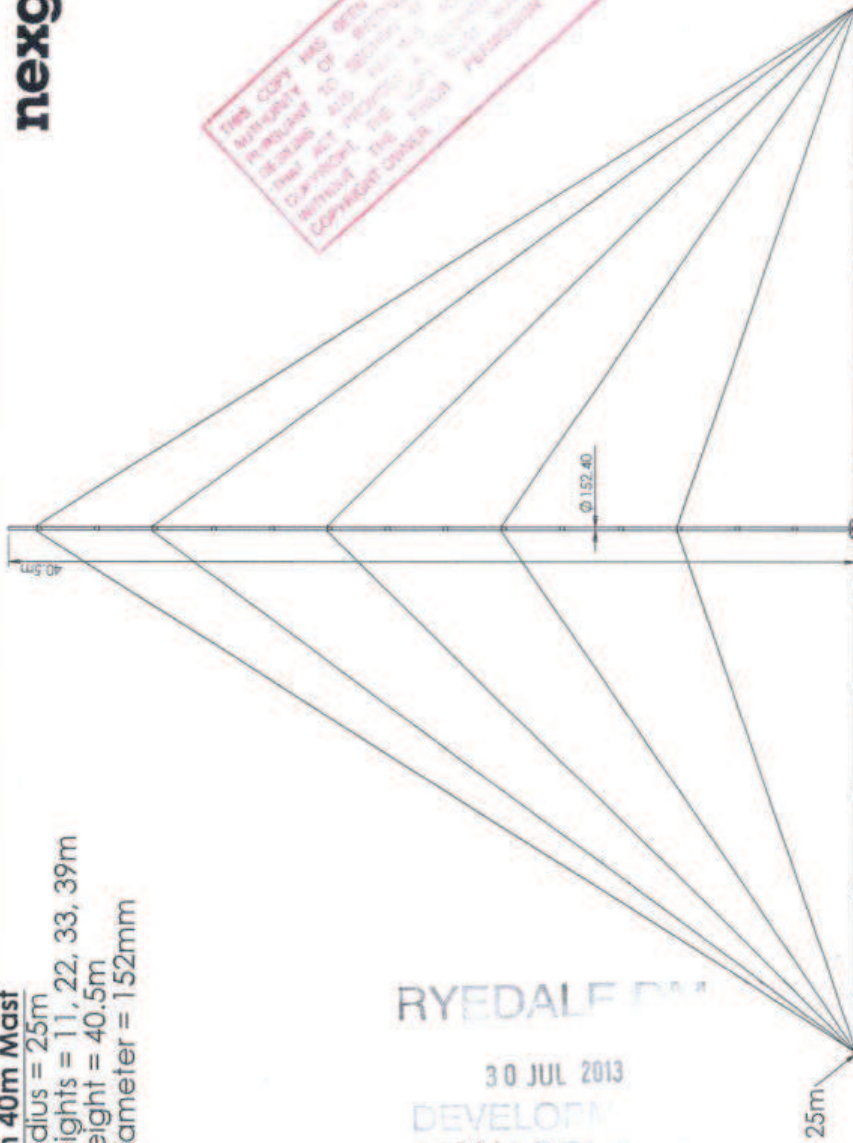
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30 JUL 2013  
ENVIRONMENTAL  
MANAGEMENT

<p style="text-align: center;"><b>REAR</b></p>	<p style="text-align: center;"><b>SIDE</b></p>	<p style="text-align: center;"><b>FRONT</b></p>	<p style="text-align: center;"><b>SIDE</b></p>
<p style="text-align: center;"><b>TRANSFORMER KIOSK</b></p> <p style="text-align: center;">4m wide x 2.6m deep x 2.4m high GRP enclosure - grey/green finish, final colour to be agreed with Local Planning Authority</p> <div style="text-align: center;"> <p><b>PLAN</b></p> </div> <div style="text-align: right; margin-top: 20px;"> </div>			
<p>Revision: 1:50 Scale: EAB Drawn: EAB Date: July 2013</p>		<p>Project: Proposed Turbine, Weaverthorpe Client: Wolds Valley Wind Collective</p>	
<p>Sheet Size: A3 Landscape Checked: BB</p>		<p>File name: 2012-2013-Weaverthorpe-WWC-Fig 32-Transformer.pdf Drawing title: Transformer Kiosk</p>	
<p style="text-align: right;">Fig: <b>32</b> Rev:</p>			

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 13 Foxhedge Lane, North Cave, East Yorkshire YO15 1JF  
 Tel: 01482 612347  
<http://www.2bconsultancy.co.uk>

**nexgen**

**Nexgen 40m Mast**  
 Guy Radius = 25m  
 Guy Heights = 11, 22, 33, 39m  
 Mast Height = 40.5m  
 Tube Diameter = 152mm

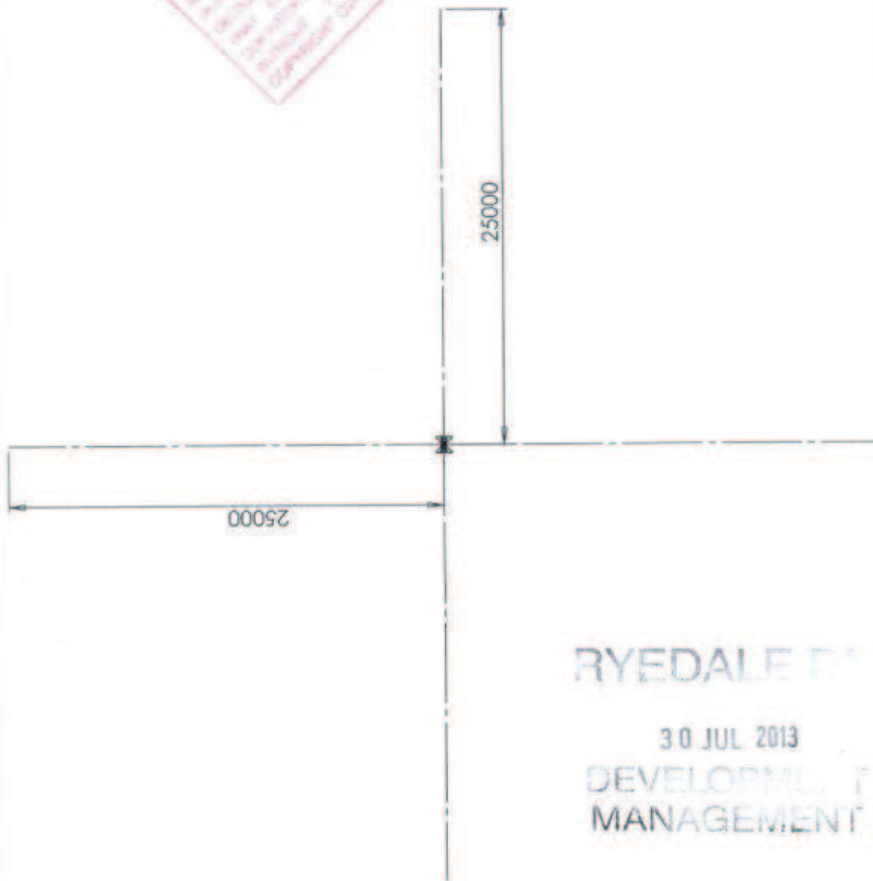


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Title: 40m Mast GA		Material: Mild Steel		Notes: Dimensions are in mm unless otherwise stated - Do not scale drawing - Refer to legend		THE INFORMATION CONTAINED IN THE DRAWING IS THE SOLE PROPERTY OF WESTERN WINDPOWER. ANY REPRODUCTION WITHOUT THE WRITTEN PERMISSION OF WESTERN WINDPOWER IS PROHIBITED.		Drawn by: T. Sherwen		Western Windpower Walsbridge Industrial Estate Stroud GL5 3JU Tel: 01453 759 408 email: info@nexgenwind.com	
DWG #: FOR PLANNING		Revision: 1		Scale: 1:250				Date: 7/2/2012			

**nexgen**

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<b>Title:</b> 40m Mast GA	<b>Material:</b> Mild Steel	<b>Scale:</b> 1:300	<b>Drawn by:</b> T. Sherwen	<b>Western Windpower</b> Walbridge Industrial Estate Stroud GL5 3JU Tel: 01453 759 408 email: info@nexgenwind.com
<b>DWG #:</b> Plan View	<b>Revision:</b> 1	<b>Notes:</b> - All dimensions are in millimetres unless otherwise stated - Do not scale drawings - Draw all angles	<b>Date:</b> 7/2/2012	
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30-JUN-2013

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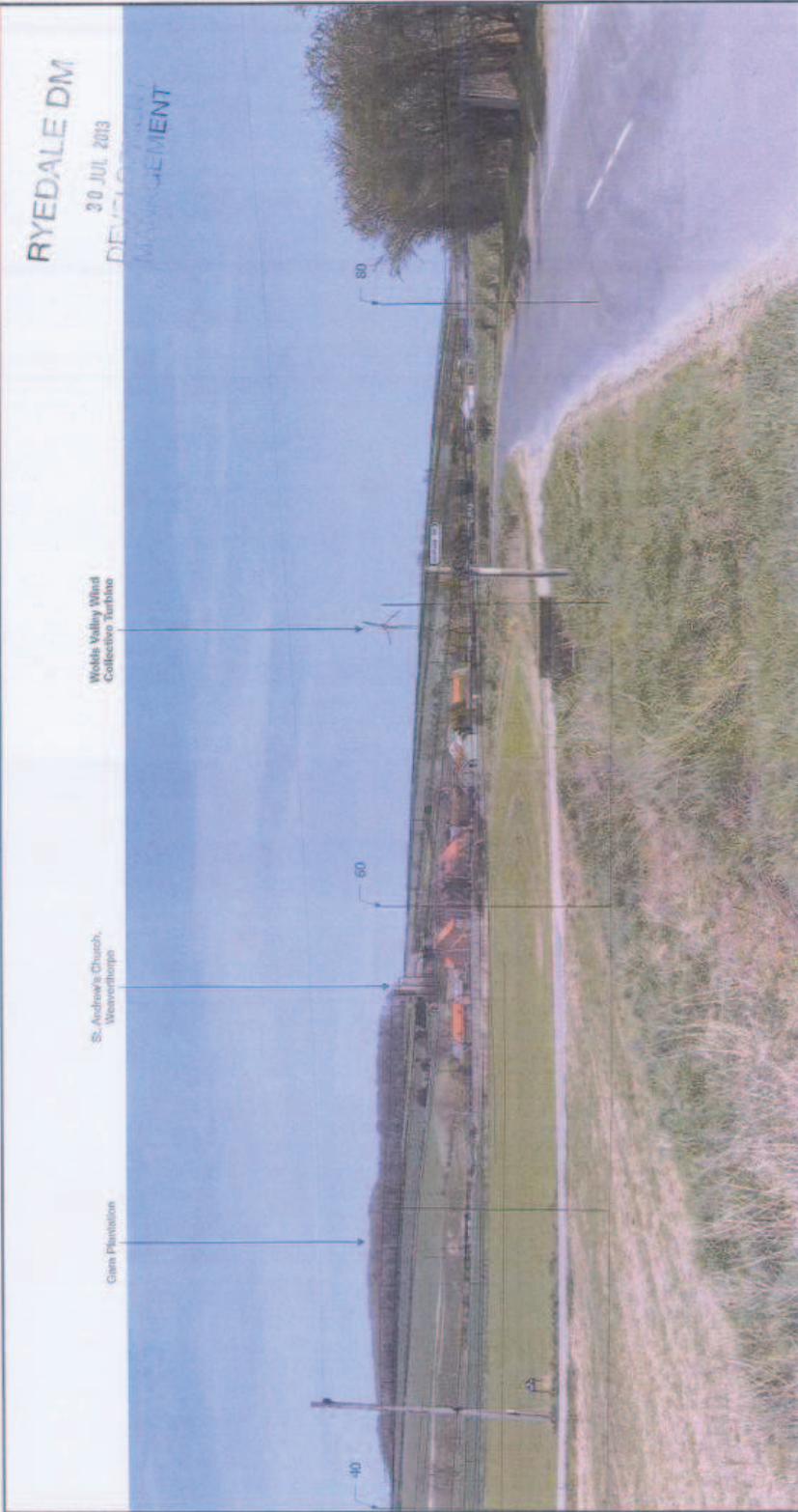
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Distance to turbine: 2.09km  
 Bearing to turbine: 70°  
 Viewpoint grid reference: 468895 470613 - see Figure 07  
 Date & time of photos: 02/06/2013 12:20  
 Camera: Canon Digital ELPH with 50mm focal length equivalent lens  
 Angle of view 87°, half of grid at 40mm distance for accurate scale effect

Revision:  
 Scale:  
 Drawn:  
 Date:  
 ACM  
 July 2013

Sheet Size: A3 Landscape  
 Checked: BB  
 File Name: 2012-203-Weaverhorpe-WV-Fig13-1-up 12.pdf

Project: Proposed turbines, Weaverhorpe  
 Client: Wokis Valley Wind Collective  
 Drawing title: Viewpoint 12- Existing  
 Fig: 13.1



RYEDALE DM  
30 JUL 2013  
DEVELOPMENT

Vertical gridlines are at intervals of 10', numbers at 20', where 0' is Grid North.

NO. 2012-203-Weavorthorpe-WWC-Fig13.2-VP12.pdf  
 PROJECT NO. 2012-203-Weavorthorpe-WWC-Fig13.2-VP12.pdf  
 DRAWN BY: ACM  
 CHECKED BY: BB  
 DATE: July 2013  
 SCALE: A3 Landscape  
 FILE NAME: 2012-203-Weavorthorpe-WWC-Fig13.2-VP12.pdf

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Distance to turbine: 2.05km  
 Elevation: 70m  
 Viewpoint grid reference: 495895.470013 - see Figure 07  
 Date & time of photos: 02/05/2013 12:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 57°, field of view at 0.05km distance for accurate scale effect

Revision:  
 Scale: ACM  
 Drawn: July 2013  
 Date: BB  
 File Name: 2012-203-Weavorthorpe-WWC-Fig13.2-VP12.pdf

Project: Proposed turbines, Weavorthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 12- Wireframe

Fig: 13.2

# RYEDALE DM

30/04/2013

## DEVELOPMENT MANAGEMENT



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Distance to turbine: 2.05km  
 Bearing to turbine: 70°  
 Viewpoint grid reference: 483896, 470614 - see Figure 07  
 Date of photo: 02/08/2013 - 12:20  
 Camera: Canon EOS 450D with 50mm focal length equivalent lens  
 Angle of view: 80° (with 1/3 part of display obscured by camera mode menu)

Revised:  
 Scale:  
 Drawn:  
 Date:  
 ACM  
 July 2013  
 File Name: 2012-2013-Weatherhorpe-WVC-Fig 13.3.VP 12.pdf

Project: Proposed turbine, Weatherhorpe  
 Client: Wealds Valley Wind Collective  
 Drawing title: Viewpoint 12 - Photomontage

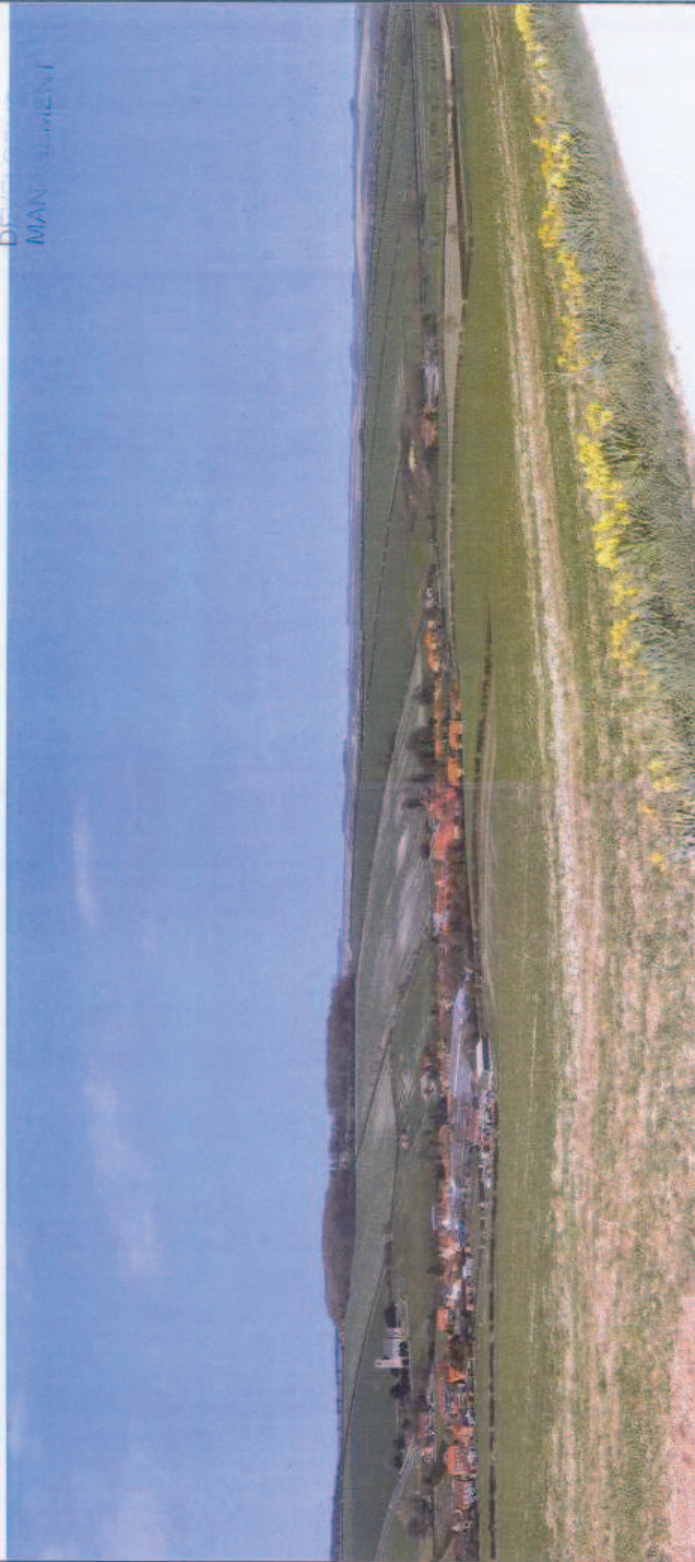
Fig: **13.3**



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30 JUL 2013

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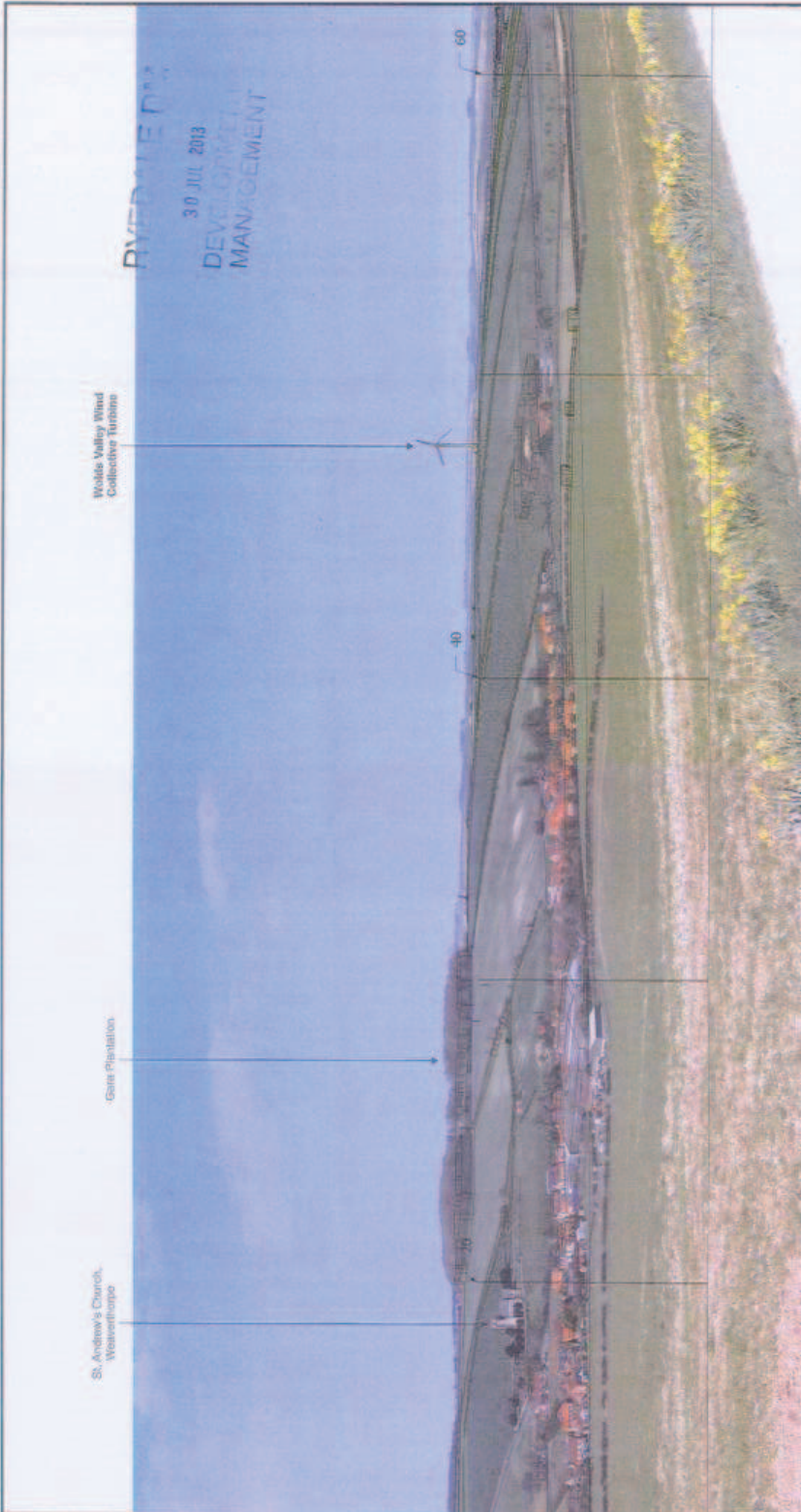
**ZB Landscape Consultancy Ltd**  
assessment - design - vegetation - mitigation

Distances to turbine at 200m  
Viewpoint grid reference: 462058, 462047 - see Figure 07  
Date & time of photos: 02/05/2013 15:35  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 95°, 100% crop at 100% distance for accurate scale effect

Revision:  
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July 2013  
File Name: 2012-2013-Weaverhorpe-WW-Fig 14, 1-VP13.pdf

Sheet Size: A3 Landscape  
Checked: BB

Project: Proposed turbine, Weaverhorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 13 - Existing  
Fig: 14.1



Vertical gridlines are at intervals of 10', umbars at 20', where 0' is Grid North.

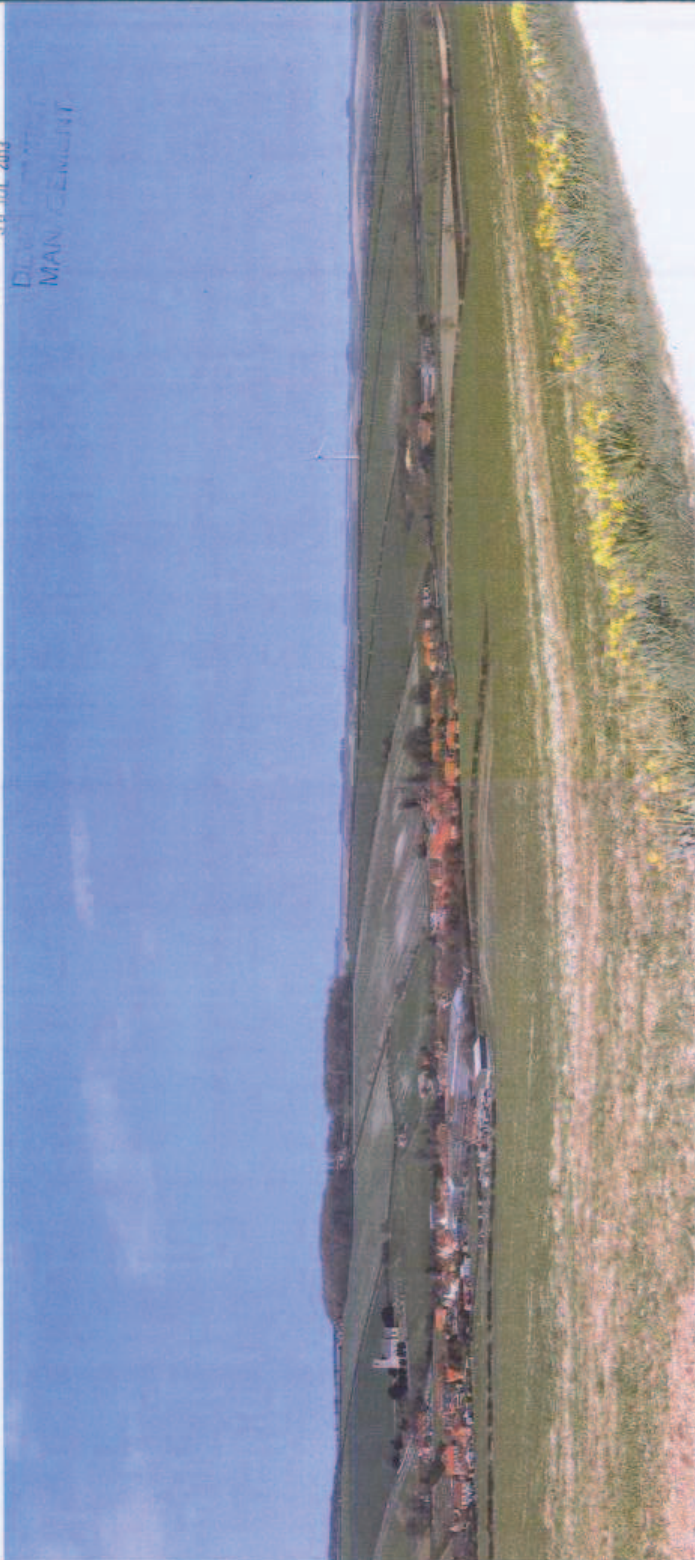
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 <p>2B Landscape Consultancy Ltd assessment · design · visualisation · evaluation www.2blandscape.co.uk</p>	<p>13 The Green Lane Rye, East Sussex TN31 7JF Tel: 01323 837777 info@2blandscape.co.uk</p>	<p>Drawings to include: 2.00mm Blended to turbine: 40' Viewpoint and reference: 496259_499947 - see Figure 67 Date &amp; time of photos: 02/05/2013 - 15:35 Camera: Canon Digital SLR with 50mm focal length equivalent lens Angle of view 60°; note 0.5 pixel at 450mm distance for accurate scale effect</p>	<p>Revision: Number: Drawn: Date:</p> <p>ACM July 2013</p> <p>Sheet Size: A3 Landscape Checked: RB</p> <p>Project: Proposed turbine, Weaverthorpe Client: Wolds Valley Wind Collective Drawing title: Viewpoint 13 - Wireframe</p> <p>Fig: 14.2</p>
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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 13- Photomontage

Scale: A3 Landscape  
 Sheet Size: B9  
 Date: July 2013  
 File Name: 2012-203-Weaverthorpe-WW-Fig13.vpt13.pdf

Scale: 2 millim  
 Viewpoint grid reference: 480265,499947 - see Figure 07  
 Date & time of photo: 02/05/2013 15:35  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 50°, vertical part at 450mm distance for accurate scale effect

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Distance to turbine: 1.14km  
 Bearing to turbine: 78°  
 Viewpoint grid reference: 498665.47 (991) - see Figure 07  
 Date & time of photos: 20/05/2013 - 13:30  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Page # of 87 (total) print at 240mm x 360mm for accurate scale reflect.

Revision:  
 Scale:  
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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 16a - Existing

Fig:  
 15.1

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Wolds Valley Wind  
Collective Turbine

80

100

Vertical guidelines are at intervals of 10°, numbers at 30°, where 0° is East North.

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Distance to turbines: 1.14km  
Heading to turbines: 78°  
Viewpoint grid reference: 48665477091 - see Figure 07  
Date & time of photos: 02/05/2013 13:30  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 60°, with AS pre- or 45mm aperture for accurate scale effect

Revision:  
Shown:  
Date:  
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File Name: 2012-203-Weaverthorpe-WW-Fig15.2-VP16a.pdf

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Project: Proposed turbines, Weaverthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 16a - Wireframe  
Fig: 15.2

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Distance to turbine: 1.14km  
 Bearing to turbine: 78°  
 Viewpoint grid reference: 496665, 471094 - see Figure 07  
 Date & time of photo: 02/02/2013 13:30  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Aperture: f/5.6; ISO: 100; White balance: auto

Author:  
 Scale:  
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 Date:  
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Sheet Size: A3 Landscape  
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 File Name: 2012-2013-Weaverthorpe-WW-Fig16.3.VP16a.pdf

Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 16a - Photomontage  
 Fig: 15.3





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Distance to turbines: 1.875m  
 Heading to turbines: 123°  
 Viewpoint grid reference: 497549 473191 - see Figure 07  
 Date & time of photos: 02/05/2013 13:50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 69°, with 20' grid of objects plotted for accurate scale effect

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 Project: Proposed turbines, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 18 - Wireframe

Fig: 16.2



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Distance to turbine: 1.87km  
 Bearing to turbine: 173°  
 Viewpoint grid reference: 497549,473167 - see Figure 07  
 Date & time of photo: 02/05/2013 - 13:50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 30° (view for print and film database for accurate scale effect)

Resolution:  
 Scale:  
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 Date:

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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing Title: Viewpoint 18 - Photomontage

Fig: 16.3

File Name: 2012-2005-Weaverthorpe-WV-Fig 16.3-VP18.pdf

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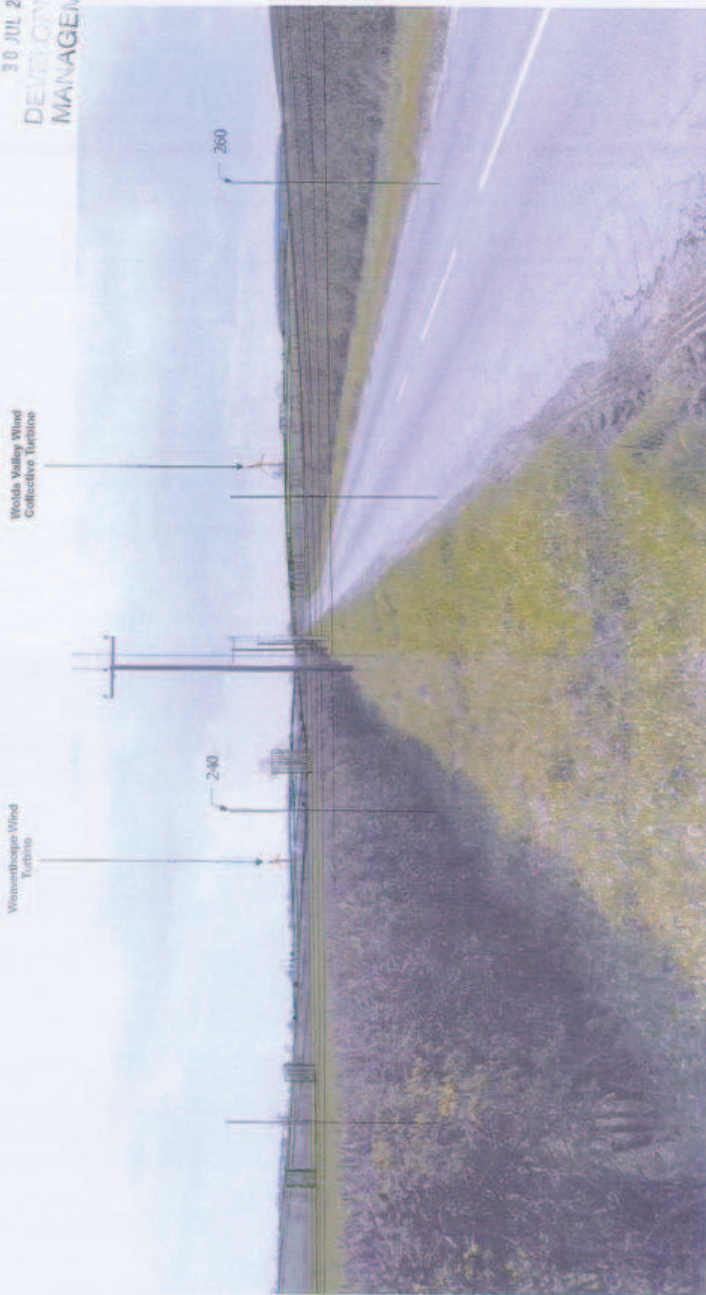
Client: Proposed turbines, Weaverthorpe  
Viewpoint grid reference: 601172.472995 - see Figure 07  
Date & time of photos: 02/06/2013 14:10  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view 47° - photographs not taken as a panorama to fit standard A0 - if accurate data is required contact our office at 01323 812320

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File Name: 2012-2013-Weaverthorpe-WW-Fig 17.1-VP23.pdf

Project: Proposed turbines, Weaverthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 23- Existing  
Fig: 17.1

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Distance to turbine: 3.50km  
 Bearing to turbine: 252°  
 Viewpoint grid reference: 501172.472495 - see Figure 07  
 Date & time of photo: 02/05/2013 14:10  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Photo taken at 2.7x zoom and a distance of 16.5m from the turbine.

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 Date: July 2013

Sheet Size: A3 Landscape  
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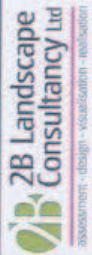
Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 23- Wireframe

Fig: 17.2

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Tel: 01202 500000  
www.2blandscape.co.uk

Distance to turbines: 3.56km  
Bearing to turbine: 252°  
Viewpoint grid reference: 801172.472495 - see Figure 07  
Date & time of photo: 02/05/2013 14:51:0  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 42°; perspective correction for values for a perspective to fit enclosed 90° if accurate  
Resolution: 3000x2000 pixels @ 300 dpi

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Project: Proposed turbines, Weaverthorpe  
Client: Wokis Valley Wind Collective  
Drawing title: Viewpoint 23 - Photomontage  
Fig: 17.3

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 12 Cornhill  
 Cambridge CB2 3RQ  
 Tel: 01223 316100  
 www.zblandscape.com

Distance to turbine: 3.07km  
 Bearing to turbine: 320°  
 Viewpoint grid reference: 500232.496492 - see Figure 07  
 Date & time of photo: 02/07/2013 14:50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 39° (used 35° for accurate scale effect)

Revision:  
 Scale:  
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Project: Proposed turbine, Weavertorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 25 - Existing

Fig:  
**18.1**

File Name: 2012-205-Weavertorpe-WV-Fig18.1-Vp25.pdf



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2012-2013-Weaverthorpe-WW-Fig18.3-VP26.pdf

Distance to turbine: 3.07km  
Bearing to turbine: 309°  
Viewpoint grid reference: 600230, 499402 - see Figure 07  
Date & time of photo: 02/05/2013 - 14:30  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 10°, vertical AS print at 4:30pm distance for accurate scale print

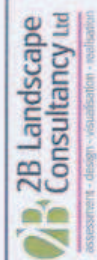
Revision:  
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July 2013

Sheet Size: A3 Landscape  
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Project: Proposed turbine, Weaverthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 25- Photomontage

Fig:  
18.3





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Distance to turbine: 2,020m  
 Bearing to turbine: 330°  
 Viewpoint grid reference: 499011,488791 - see Figure 07  
 Date & time of photo: 02/05/2013 7:43:07  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 0°, field of view at distance to turbine for accurate scale effect

Revision:  
 Scale: -  
 Drawn: ACM  
 Date: July 2013

Sheet Size: A3 Landscape  
 Choice: 6B

Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 27 - Existing

Fig: 19.1

File Name: 2012-203-Weaverthorpe-WV-Fig 19.1-VP27.pdf



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Wolds Valley Wind Collective Hubsite  
Bridewick Whins



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Distance to turbine: 2.82km  
Bearing to turbine: 330°  
Viewpoint grid reference: 496011,460791 - see Figure 07  
Date & time of photos: 02/05/2013 14:40  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 69°, set at 0 per at 4500m distance for accurate scale effect

Revision:  
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Date: July 2013  
File Name: 2012-203-Weaverthorpe-WW-Fig19.2-VP27.pdf

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Project: Proposed turbine, Weaverthorpe.  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 27 - Wireframe

Fig: 19.2

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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 27 - Photomontage

Fig: 19.3

Sheet Size: A3 Landscape  
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File Name: 2012-200-Weaverthorpe-WW-Fig 19.3-V27.pdf

Distance to turbine: 3.825km  
 Bearing to turbine: 330°  
 Viewpoint grid reference: 489011,489791 - see Figure 07  
 Date & time of photos: 02/05/2013, 14:40  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 50°, focal 50 mm at 430mm distance for accurate scale effect

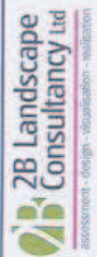
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Distance to turbine: 3.6km  
Viewing to turbine: 8°  
Viewpoint grid reference: 497360,497607 - see Figure 07  
Date & time of photo: 02/05/2013 - 15:15  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Angle of view: 40°; 100/10 print at column distance for accurate scale effect

Revision:  
Scale:  
Drawn:  
Date:

ACM  
July 2013

Project: Proposed turbine, Weavorthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 29 - Existing

Fig:  
20\_1



Project: Proposed turbine, Weavertorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 29 - Wireframe

Revision:  
 Status: A3 Landscape  
 Drawn: BB  
 Date: July 2013  
 File Name: 2012-203-Weavertorpe-WWC-Fig20.2-VP29.pdf

Distance to horizon: 3.5km  
 Reference to drawing: 07  
 Viewpoint grid reference: 487380,487057 - see Figure 07  
 Date & time of photos: 02/05/2013 - 15:15  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 30°, set to print at 100mm distance for accurate scale effect

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Fig: 20.2



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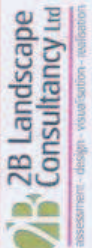
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 <p>2B Landscape Consultancy Ltd assessment • design • visualisation • realisation</p>	<p>Distance to turbine: 3.51km Bearing to turbine: 8° Viewpoint grid reference: 497390,497857 - see Figure 07 Date &amp; time of photos: 02/05/2013 - 15:15 Camera: Canon Digital SLR with 50mm focal length equivalent lens Angle of view 60° (wide) at eye of observer for accurate scale effect</p>	<p>Version: Scale: Drawn: Date: ACM July 2013 File Name: 2012-203-Weaverthorpe-WV-Fig03.VP29.pdf</p>	<p>Project: Proposed turbine, Weaverthorpe Client: Wolds Valley Wind Collective Drawing title: Viewpoint 29 - Photomontage Fig: 20.3</p>
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 CONTRACT NO. 2012-203

<p>  <b>2B Landscape Consultancy Ltd</b>  <small>assessment - design - visualisation</small>  <small>www.2b-landscape.co.uk</small> </p>	<p> <b>Distance to turbine: 4.421m</b>            Bearing to turbine: 8°            Viewpoint grid reference: 497226, 466865 - see Figure 07            Date &amp; time of photo: 02/05/2013 16:05            Camera: Canon Digital SLR with 50mm focal length equivalent lens            Angle of view: 57°, lens 00 petal at bottom division for accurate scale effect         </p>	<p> <b>Revision:</b> -  <b>Scale:</b> ACM  <b>Drawn:</b> July 2013  <b>Date:</b> </p>	<p> <b>Project:</b> Proposed turbine, Weavertorpe  <b>Client:</b> Wekis Valley Wind Collective  <b>Drawing title:</b> Viewpoint 31 - Existing         </p>
<p> <b>Sheet Size:</b> A3 Landscape  <b>Checked:</b> BB         </p>	<p> <b>File Name:</b> 2012-203-Weavertorpe-WV-Fig01-1-VP31.pdf         </p>	<p> <b>Fig:</b> 21.1         </p>	





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Project: Proposed turbine, Weavehorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 31 - Photomontage

Sheet Size: A3 Landscape  
 Checked: BB  
 ACM  
 July 2013  
 File Name: 2012-205-Weavehorpe-WW-Fig1.3.VP31.pdf

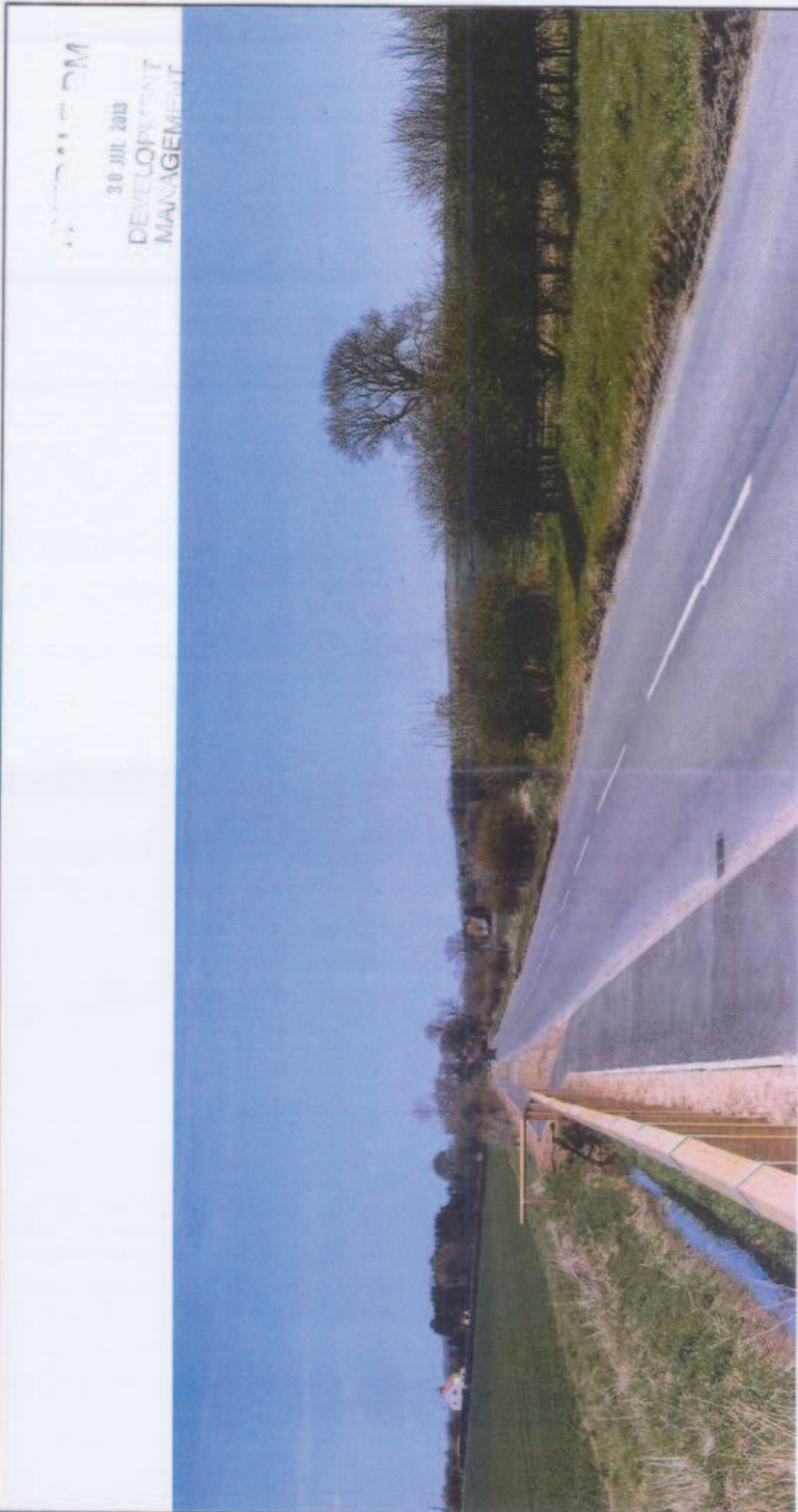
Distance to turbine: 4.42km  
 Viewpoint grid reference: 497229,466665 - see Figure 07  
 Date & time of photo: 02/05/2013 - 16:05  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Page of view: 07 - look 0.01 pan at 4.50km distance for accurate scale effect

13 Cornhill Lane  
 York YO1 1AA  
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Distance to turbine: 4.61km  
Bearing to turbine: 85°  
Viewpoint grid reference: 493652, 499307 - see Figure 07  
Date & time of photos: 02/05/2013 - 11:20  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Page of two 97" x 125" (A1) print at 1/2500th scale for accurate scale info.

Revision:  
Scale:  
Drawn:  
Date:

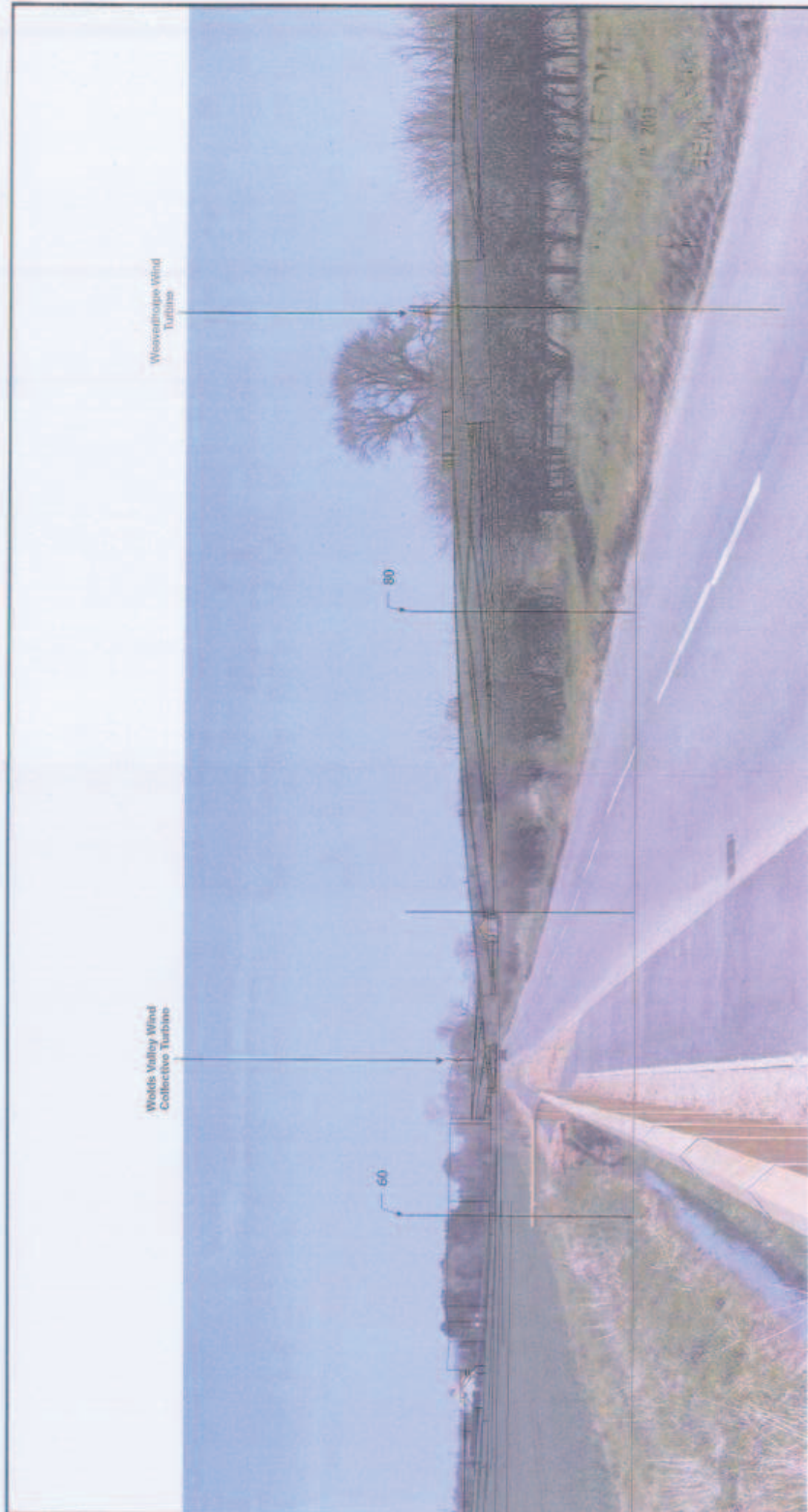
File Name: 2012-203-Weaverthorpe-WW-Fig2.1-vr05.pdf

Project: Proposed turbine, Weaverthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 05 - Existing

Sheet Size: A3 Landscape  
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Fig:  
22.1



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13 Westgate Lane  
 Eastbourne  
 East Sussex  
 TN20 1JL  
 Tel: 01323 833131  
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Distance to turbine: 4.88kms  
 Bearing to turbine: 89°  
 Viewpoint grid reference: 490502.490507 - see Figure 07  
 Date & time of photos: 02/05/2013 11:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Page 07 of 07 (07/10/13) part of a series of photos for accurate scale effect

Revision:  
 Scale: ACM  
 Drawn: July 2013  
 Date:

Sheet Size: A3 Landscape  
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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 05 - Wireframe

Fig: 22.2



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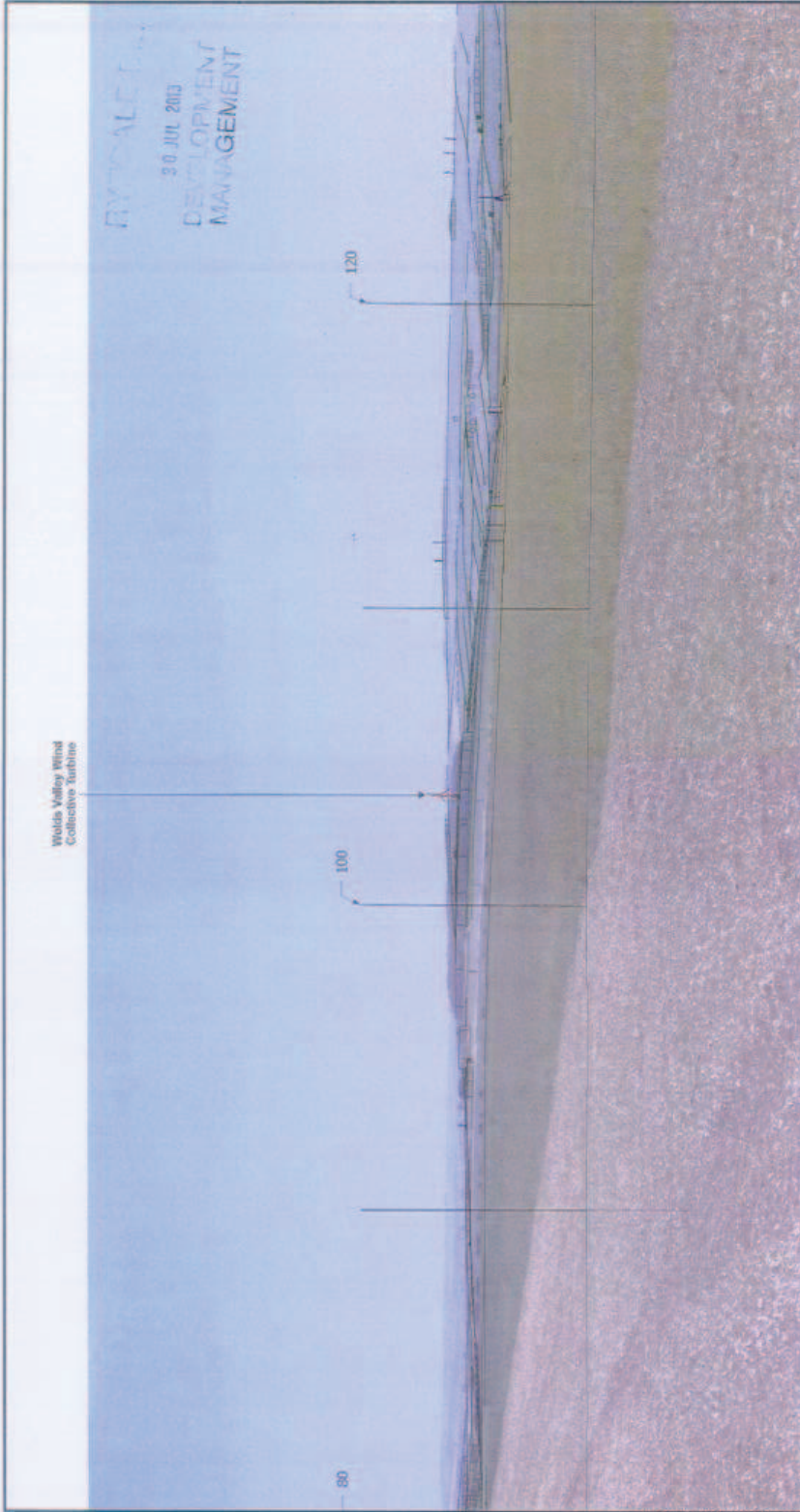
Distance to turbine: 3,280m  
 Bearing to turbine: 104°  
 Viewpoint grid reference: 494616,472119 - see Figure 07  
 Date & time of photo: 02/05/2013 11:45  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 39° (with 1/3 part of camera obscured for accurate scale shot)

Revision: ACM  
 Scale: July 2013  
 Drawn: BB  
 Date: BB

Sheet Size: A3 Landscape  
 Creation: BB

Project: Proposed turbine, Weaverthorpe  
 Client: Wolfs Valley Wind Collective  
 Drawing title: Viewpoint 07 - Existing

Fig: 23.1



Vertical gridlines are at intervals of 10', numbers at 20', where 0' is Grid North.

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Distance to turbine: 3,200m  
 Bearing to turbine: 94°  
 Viewpoint grid reference: 494916,472115 - see Figure 07  
 Date & time of photos: 02/06/2013 11:45  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 30°, width 0.9m at 4.0m distance for accurate scale ratio

Revision:  
 Scale:  
 Drawn:  
 Date:

ACM  
 July 2013

Sheet Size: A3 Landscape  
 Checked: BB

Project: Proposed turbine, Weavorthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 07 - Wireframe

File Name: 2012-203-Weavorthorpe-WW-Fig25.2-VP07.pdf

Fig:  
23.2

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Project: Proposed turbines, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 09 - Existing

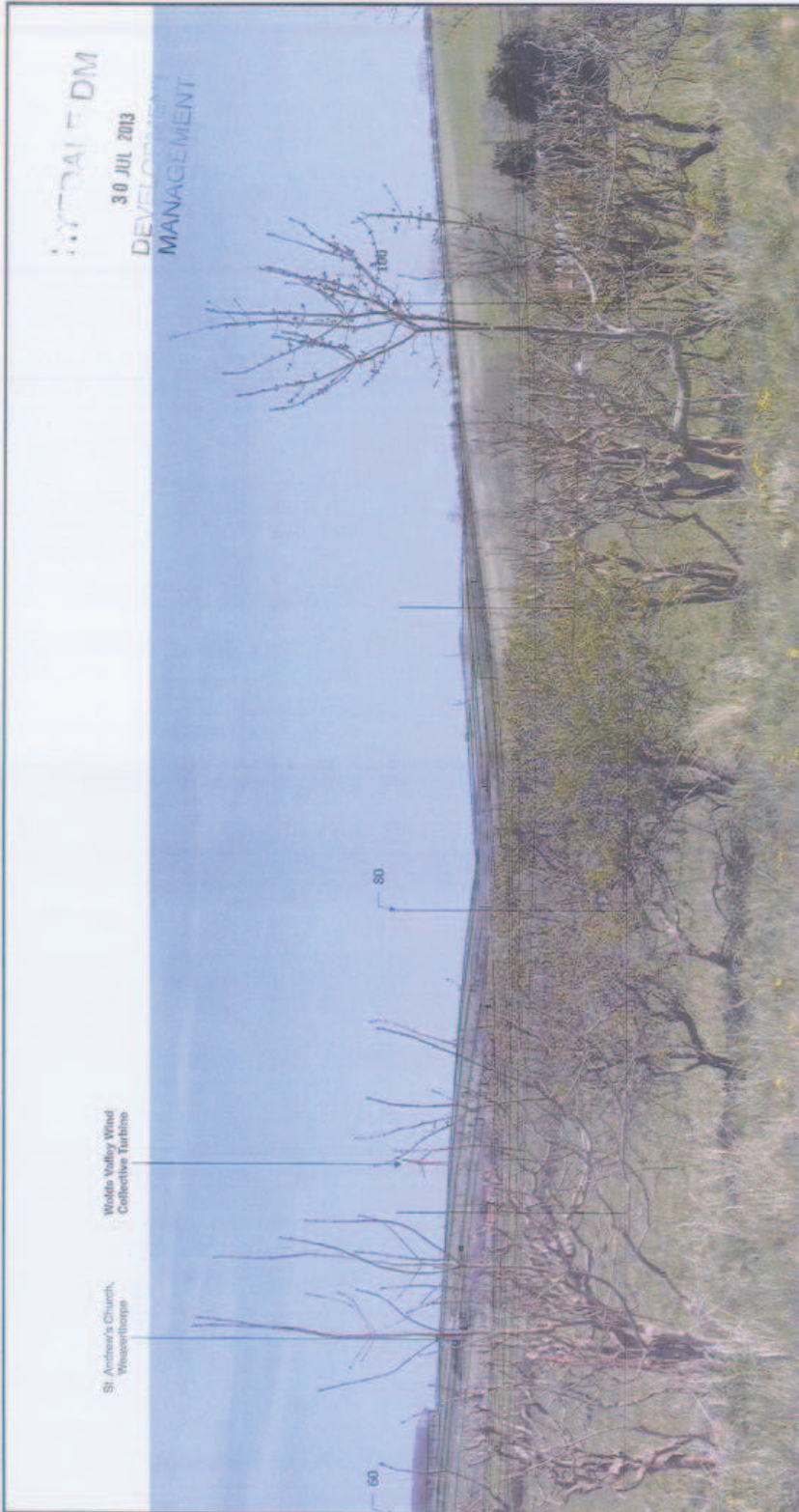
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 Scale:  
 Drawn:  
 Date:  
 ACM  
 July 2013  
 Sheet Size: A3 Landscape  
 Checked: BB  
 File Name: 2012-2013-Weaverthorpe-09-Viewpoint 09-Existing.dwg

Distance to turbine: 2.68km  
 Bearing to turbine: 72°  
 Viewpoint grid reference: 495378,470531 - see Figure 07  
 Date & time of photo: 02/06/2013 12:05  
 Camera: Canon Digital SLR with Sigma focal length equivalent lens  
 Angle of view: 36°, 360° print at 430mm distance for accurate scale effect.

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 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

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Fig: **24.1**



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<p>2B Landscape Consultancy Ltd          design · visualisation · realisation          www.2blandscape.co.uk</p>	<p>Distance to turbine: 2.58km          Bearing to turbine: 72°          Viewpoint grid reference: 495378,470537 - see Figure 07          Date &amp; time of photos: 02/06/2013 - 12:05          Camera: Canon Digital SLR with 50mm focal length equivalent lens          Height of view: 90' (look to print at 4:30pm; database for accurate scale: ENCT)</p>	<p>Revision:          Scale: ACW          Drawn: July 2013          Date:          File Name: 2012-2013-Weaverturpe-WVC-Fig24.2-VP09.dwg</p>	<p>Sheet Size: A3 Landscape          Checkcut: BS</p>	<p>Project: Proposed turbine, Weaverturpe          Client: Wolds Valley Wind Collective          Drawing title: Viewpoint 09 - Wireframe</p>	<p>Fig: 24.2</p>
	<p>St. Andrew's Church, Weaverturpe</p> <p>Wolds Valley Wind Collective Turbine</p>				







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 PROJECT: WEAVERTHORPE WIND COLLECTIVE  
 DRAWING: 26.1

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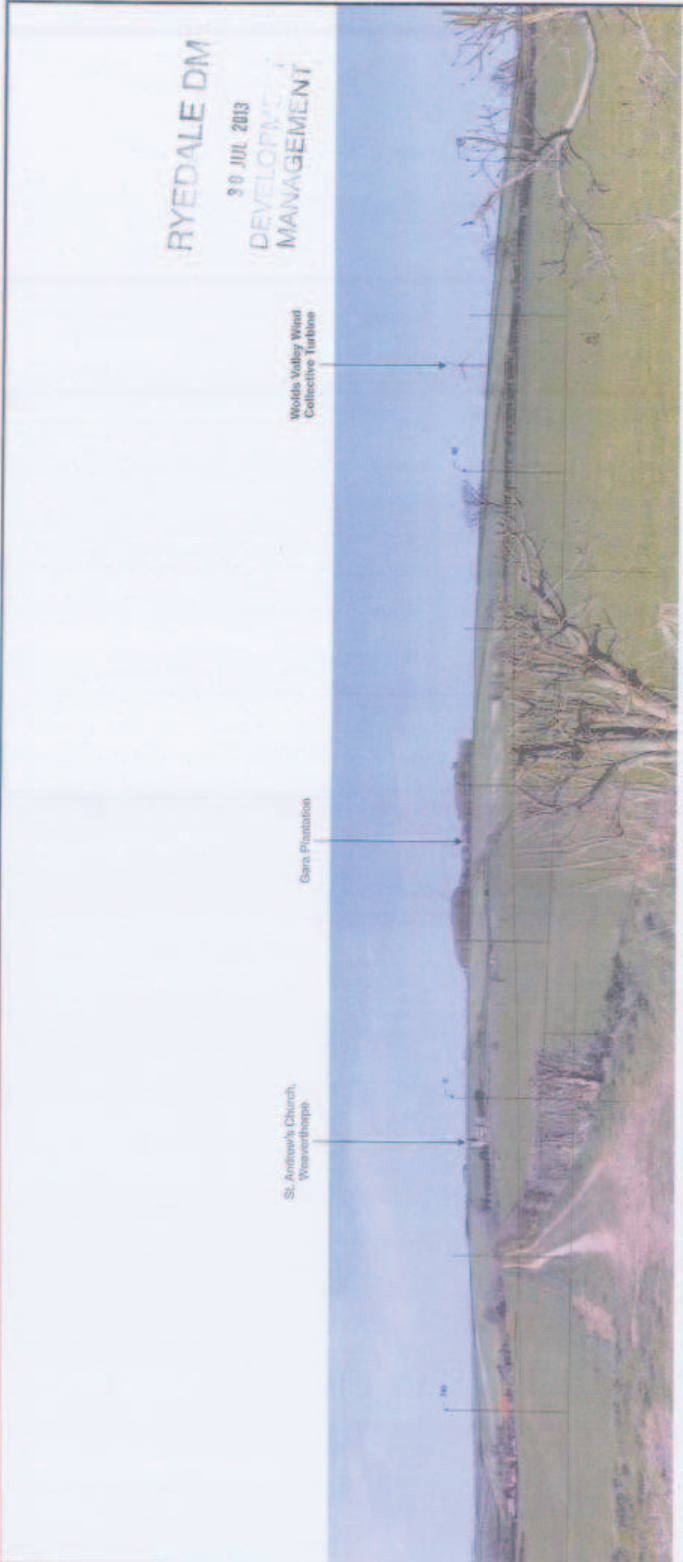
Distance to turbine: 1.52km  
 Bearing to turbine: 47°  
 Viewpoint grid reference: 486707 470256 - see Figure 07  
 Date & lens of photos: 02/05/2013, 75.50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view (°): "approximate values of view do not fit standard 35°" if accuracy is vital  
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 Date:  
 File Name: 2012-005-Weavertorpe-WV-Fig26-VP14.pdf

Project: Proposed turbines, Weavertorpe  
 Client: Worlds Valley Wind Collective  
 Drawing title: Viewpoint 14- Existing

Street View: A3 Landscape  
 Checklist: BB

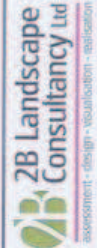
Fig: 26.1



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Distance to turbine: 1.52km  
Bearing to turbine: 47°  
Viewpoint grid reference: 496707, 470286 - see Figure 07  
Date & time of photos: 05/05/2013 - 15:50  
Camera: Canon Digital SLR with 50mm focal length equivalent lens  
Aperture: f/8 - shutter: 1/2000 - ISO: 100  
Photos taken at Ryedale, North Yorkshire YO21 2JH

Revision:  
Scale:  
Drawn:  
Date:

Sheet Size: A3 Landscape  
Checked: BB

Project: Proposed turbine, Weaverthorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 14 - Wireframe

Fig:  
26.2



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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 15- Existing

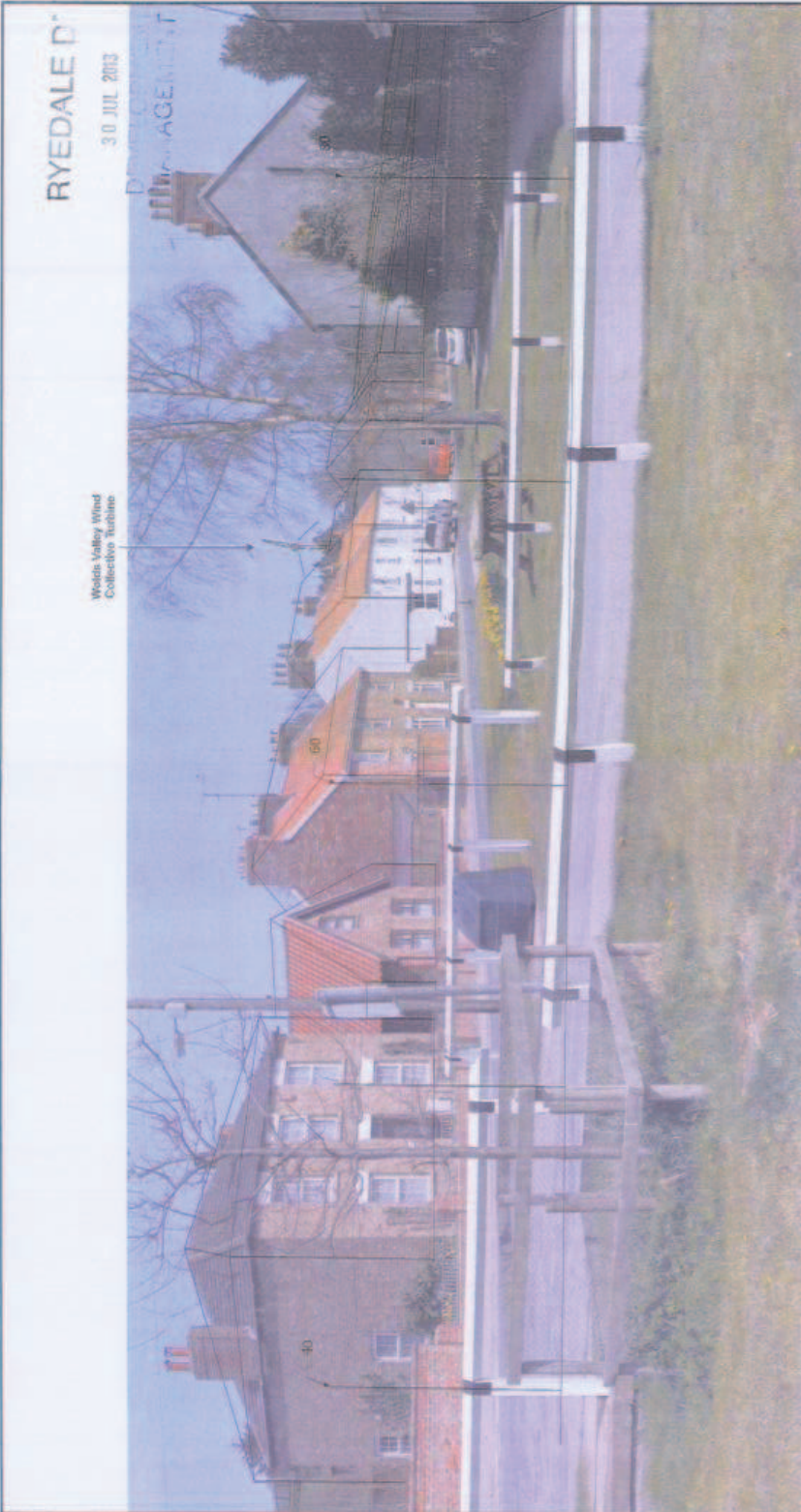
Revision: -  
 Drawn: ACM  
 Date: July 2013  
 File Name: 2012-203-Weaverthorpe-WV-Fig27.1-VP15.pat

Distances to buildings: 1.5m  
 Bearing to turbine: 89°  
 Viewpoint grid reference: 496388.470837 - see Figure 07  
 Date & time of photos: 02/05/2013 12:50  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 97° - see A3 grid at bottom of sheet for accurate scale effect

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Fig: 27.1



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Project: Proposed turbine, Weaverthorpe  
 Client: Worlds Valley Wind Collective  
 Drawing title: Viewpoint 15 - Wireframe

Fig: 27.2

Sheet Size: A3 Landscape  
 Checked: BB

Resigned: ACM  
 Scale: July 2013  
 Drawn: July 2013  
 Date: July 2013

File Name: 2012-2013-Weaverthorpe-WWC-Fig27.2-VF15.pdf

Elaborated to: 1/10th @ 30m  
 Bearing to turbine: 60°  
 Viewpoint grid reference: 496500, 470837 - see Figure 07  
 Date & time of photos: 02/05/2013 - 12:30  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 30°, note for print at 450mm distance for accurate scale effect.

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 assessment - design - visualisation - establishment

12 Exchange Way  
 Newmarket  
 Suffolk  
 IP19 1UB  
 01473 614141  
 www.2blandscape.co.uk

RYEDALE D<sup>IV</sup>  
 30 JUL 2013  
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Project: Proposed turbines, Weavertorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 20 - Existing  
 Fig: 20.1

Revision:  
 Scale: A3 Landscape  
 Drawn: ACM  
 Date: July 2013  
 Checked: BB  
 File Name: 2012-203-Weavertorpe-WV-Fig20.1-VP20.pdf

Distance to turbines: 1.98km  
 Bearing to turbine: 279°  
 Viewpoint grid reference: 488975,471175 - see Figure 07  
 Date & time of photos: 02/05/2013 14:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view: 67° (at 0.0) per at 0.0km distance for accurate scale effect

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Vertical gridlines are at intervals of 10", where 0" is Grid North.

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Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Viewpoint 20- Wireframe

Revision:  
 Scale: A3 Landscape  
 Drawn: ACM  
 Date: July 2013  
 File Name: 2012-203-Weaverthorpe-WW-Fig02.2-WF20.pat

Distance to turbine: 1.18km  
 Bearing to turbine: 270°  
 Viewpoint grid reference: 499875,471175 - see Figure 07  
 Date & time of photos: 02/05/2013 - 14:20  
 Camera: Canon Digital SLR with 50mm focal length equivalent lens  
 Angle of view 90°, 1000x750 pixel at 4:3 aspect ratio for accurate scale print

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Fig: 28.2



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Distance to turbine: 3.28km  
Bearing to turbine: 11°  
Viewpoint grid reference: 487235, 489151 - see Figure 07  
Date & time of photos: 09/06/2013 15:25  
Altitude: Current Digital Elevation Model (DEM) length equivalent line  
Angle of view: 67° (left to right) or 60mm distance to accurate scale effect

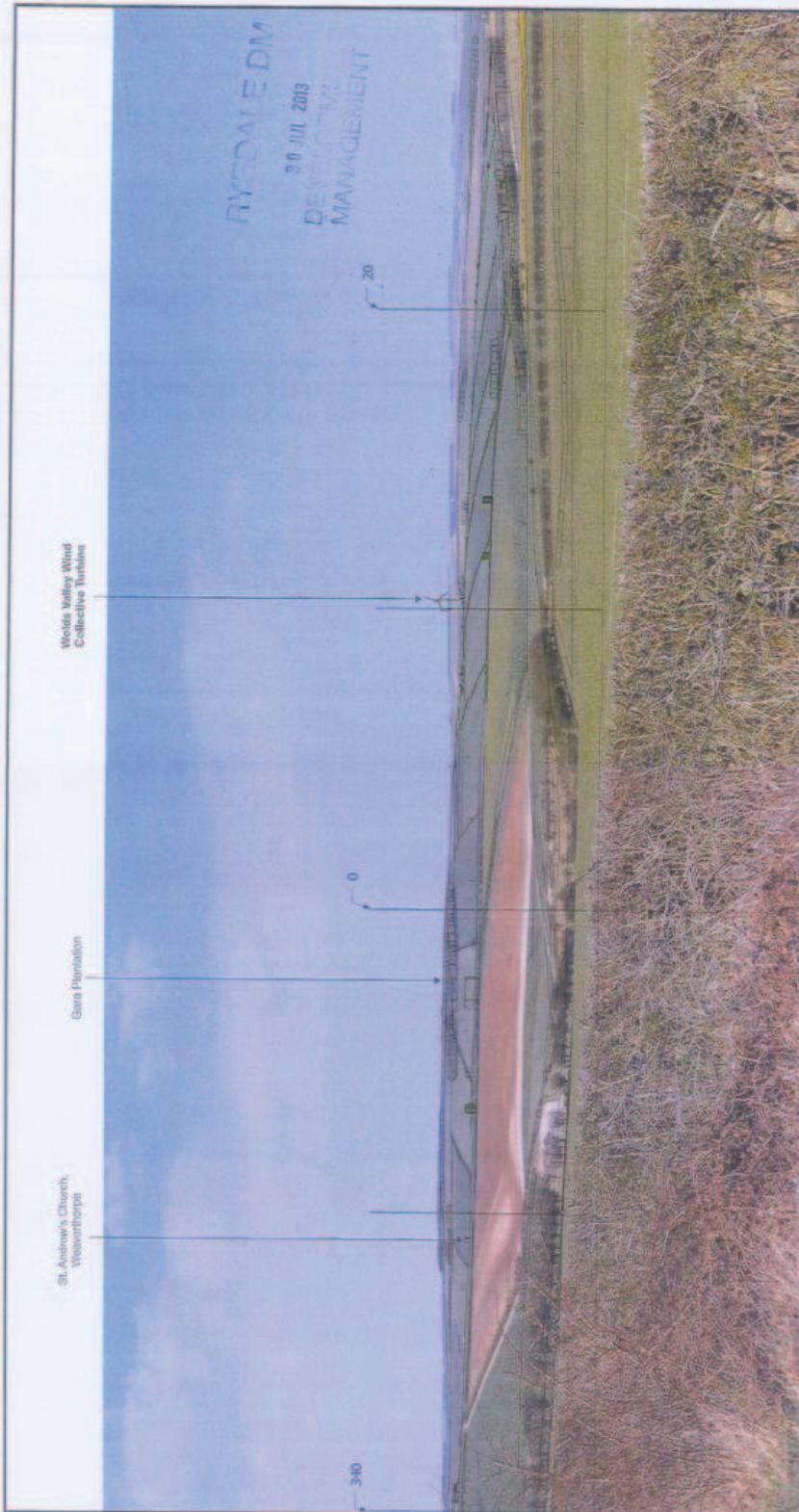
Revision:  
Scale:  
Drawn:  
Date:

ACH  
July 2013

Sheet Size: A3 Landscape  
Checked: BB

Project: Proposed turbines, Weavertorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 28- Existing

Fig:  
29.1



RYSDALE DM  
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Vertical guidelines are at intervals of 10°, numbers at 10°, where 0° is East North.

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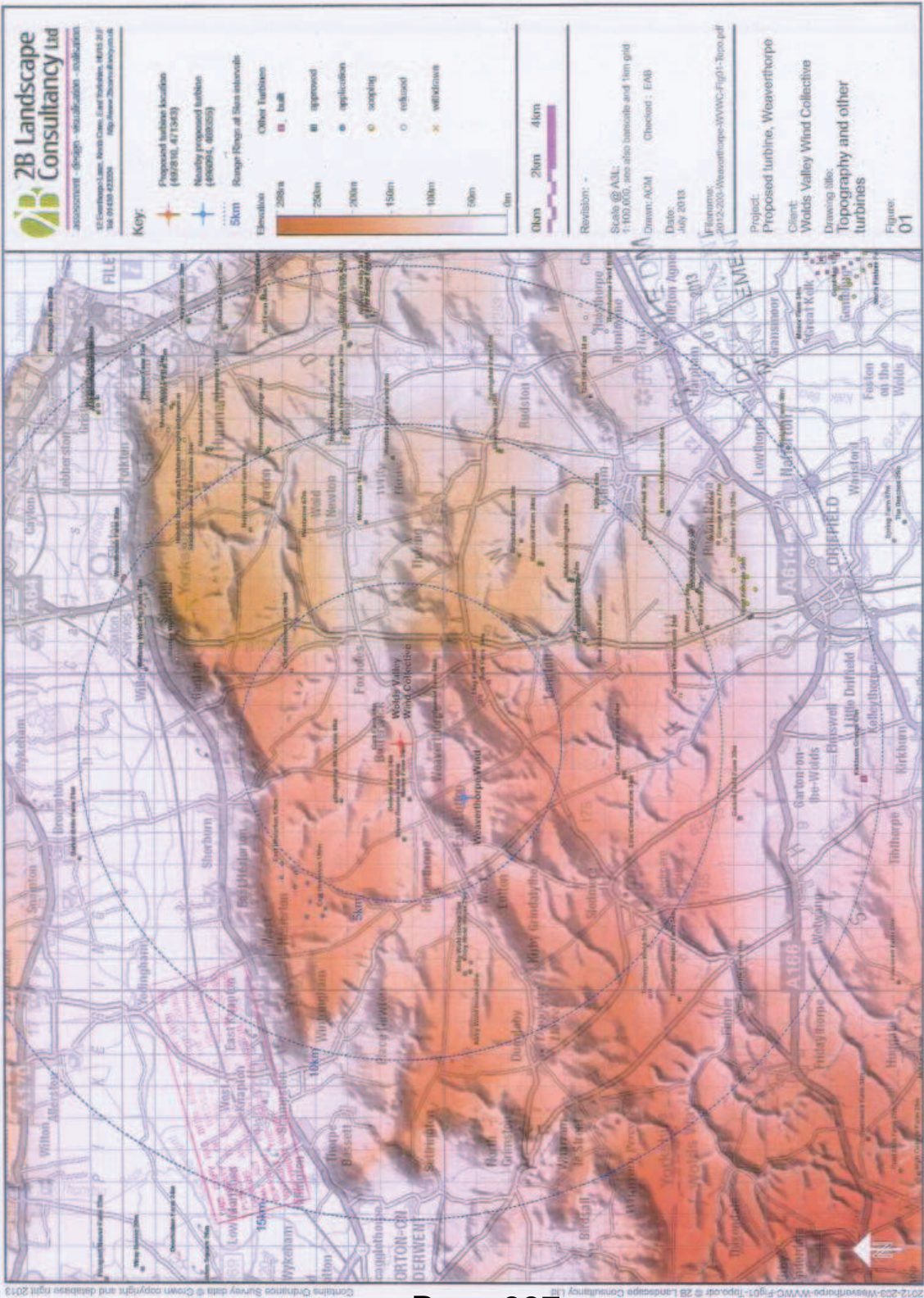
Project: Proposed turbine, Weetwathorpe  
Client: Wolds Valley Wind Collective  
Drawing title: Viewpoint 28 - Wireframe

Scale: A3 Landscape  
Checked: BB  
Date: July 2013  
ACM  
File Name: 2012-203-Weetwathorpe-WW-Fig28-3-VP28.dwg

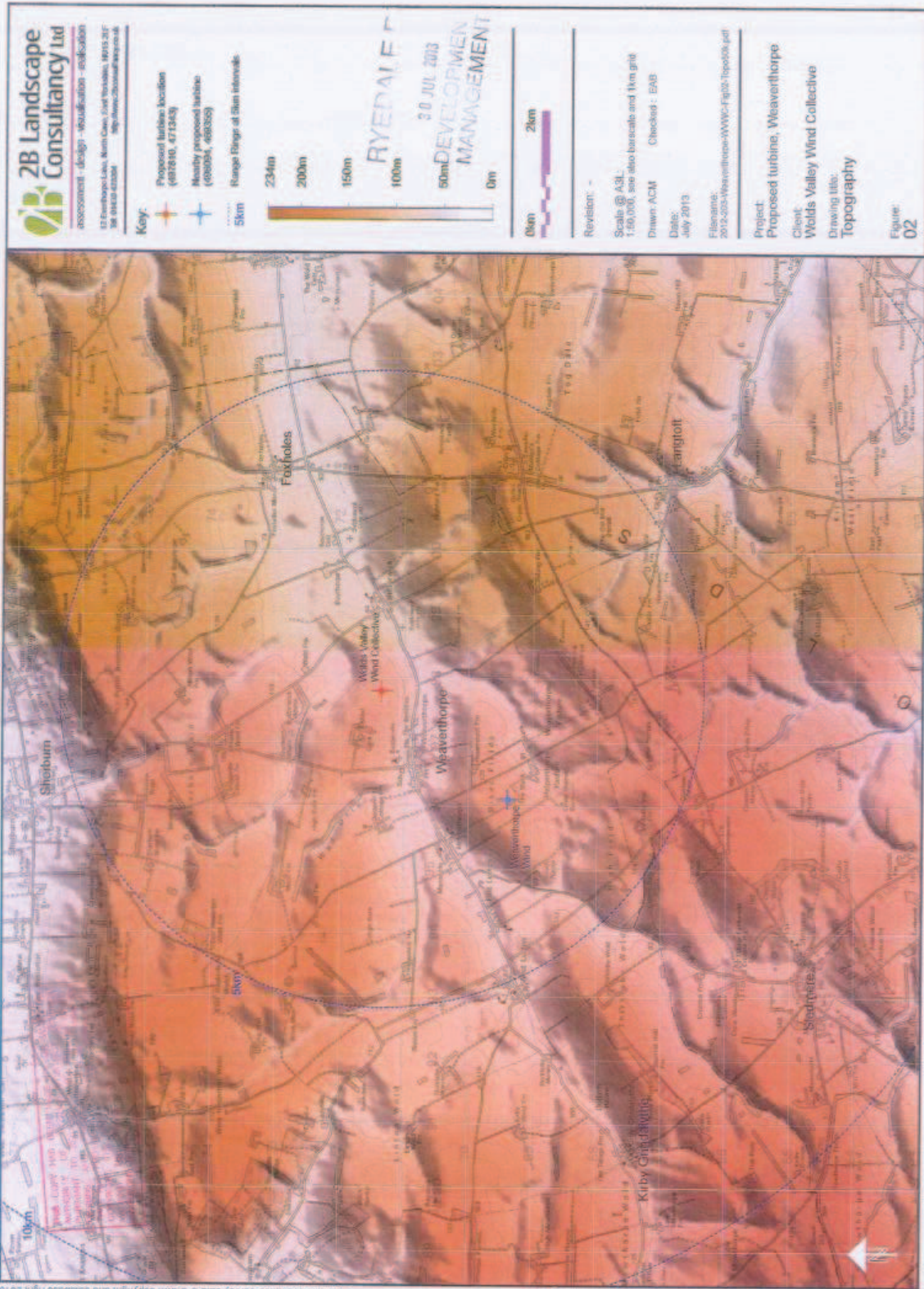
Distance to turbine: 3,208m  
Bearing to turbine: 11°  
Viewpoint grid reference: 497235,488131 - see Figure 07  
Date & time of photo: 02/02/2013 15:25  
Comment: Canon Digital SLR with 500mm focal length equivalent lens  
Angle of view 10°, used 20° prior at shorter distance for accurate scale effect

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2012-203-Weaverthorpe-WVWC-Flight-30m.pdf © 2B Landscape Consultancy Ltd  
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 12 Enderboppe Lake, North Caven, 21st November, 2013.25F  
 Tel: 01452 422244    http://www.2blandscape.co.uk

**Key:**  
 Proposed turbine location  
 (487810, 471345)  
 Nearby proposed turbine  
 (488094, 468355)  
 Range Rings at 50m intervals  
 50m  
 100m  
 150m  
 200m  
 250m

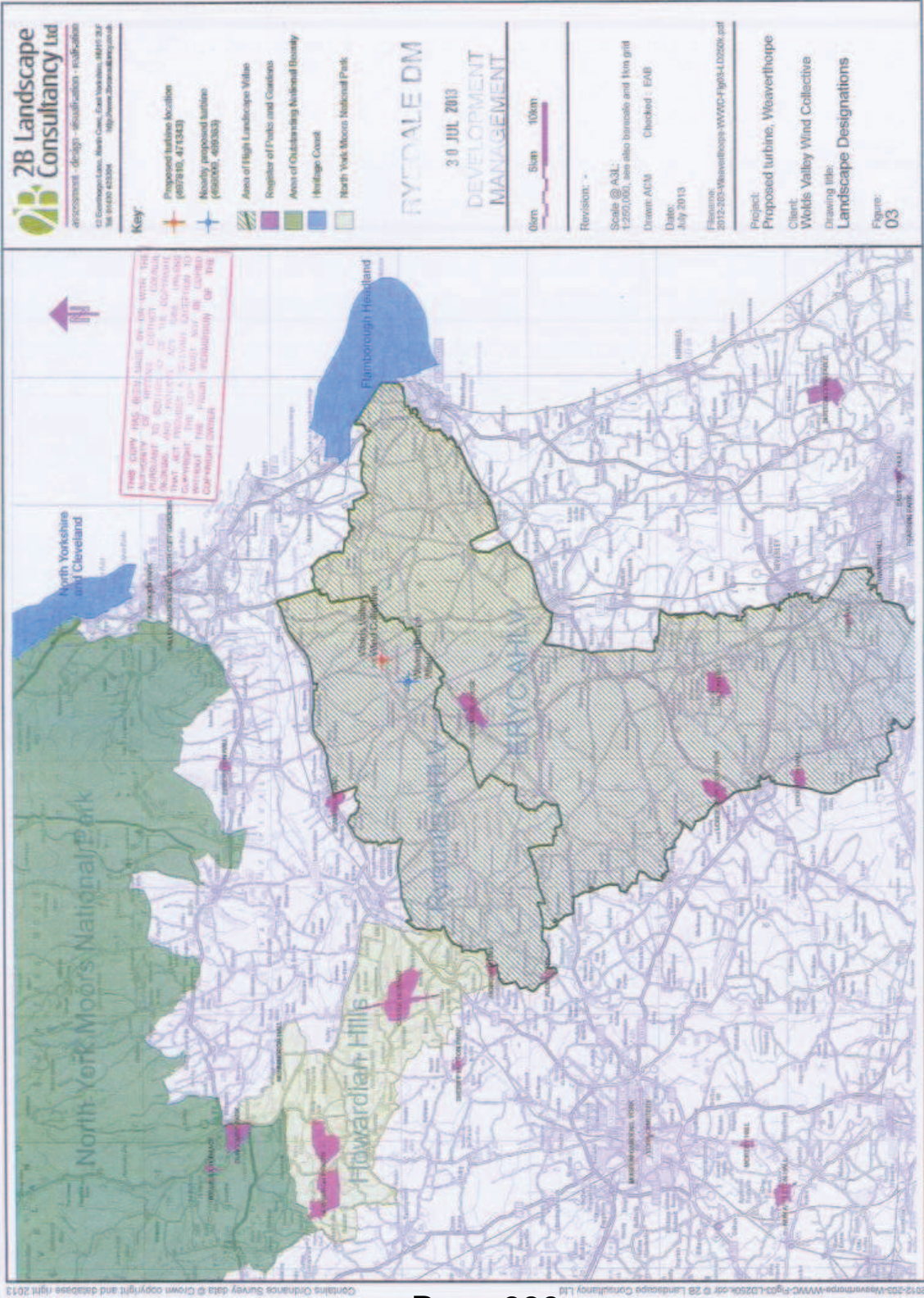
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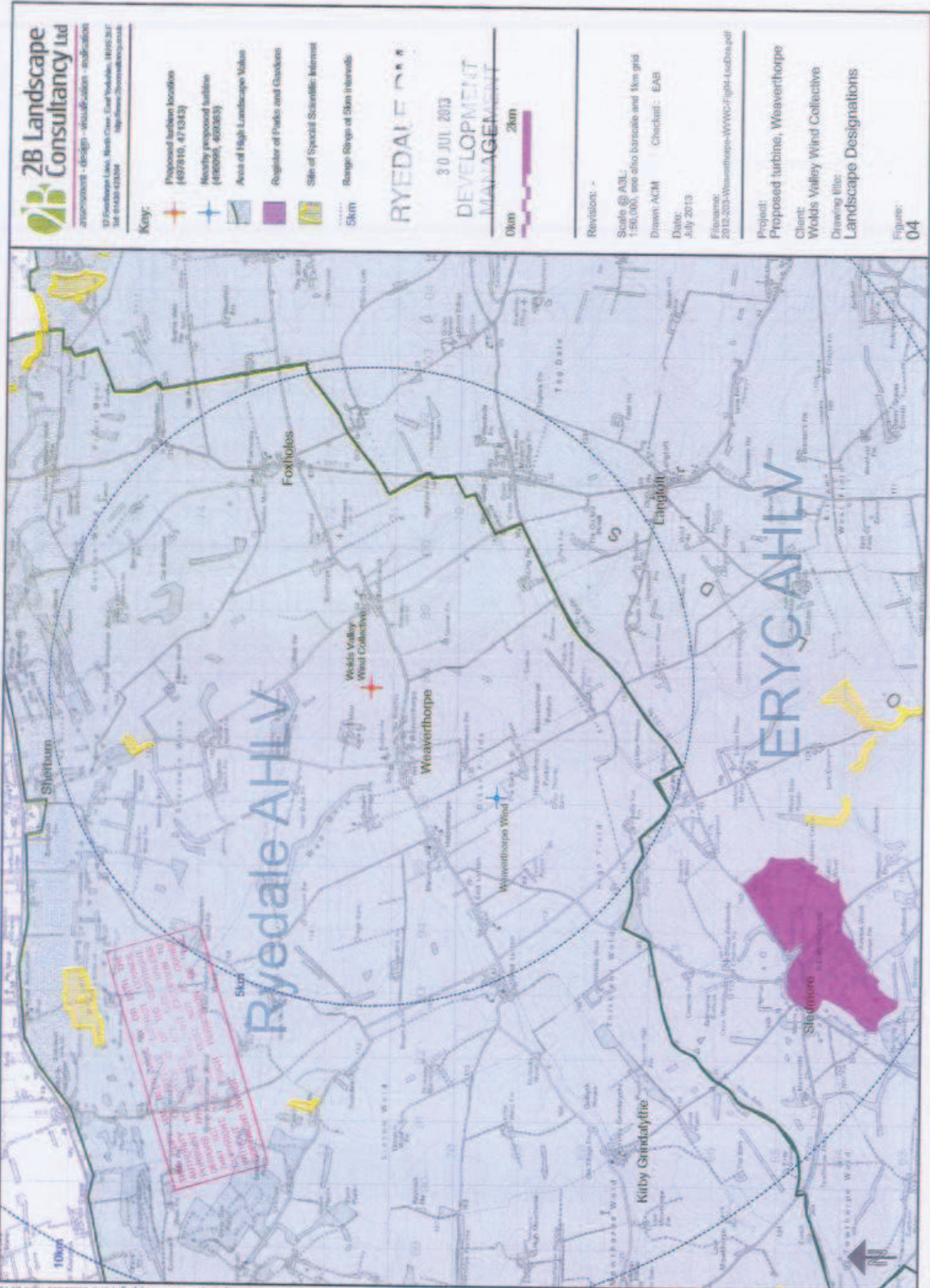
0km 2km

Revision: -  
 Scale @ A3: 1:10,000, also also bar scale and 1km grid  
 Drawn: ACM    Checked: EAB  
 Date: July 2013  
 Filename: 2012-203-Weavertorpe-WVC-Fig02-Topo02a.pdf

Project: Proposed turbine, Weavertorpe  
 Client: Wealds Valley Wind Collective  
 Drawing title: Topography

Figure: 02





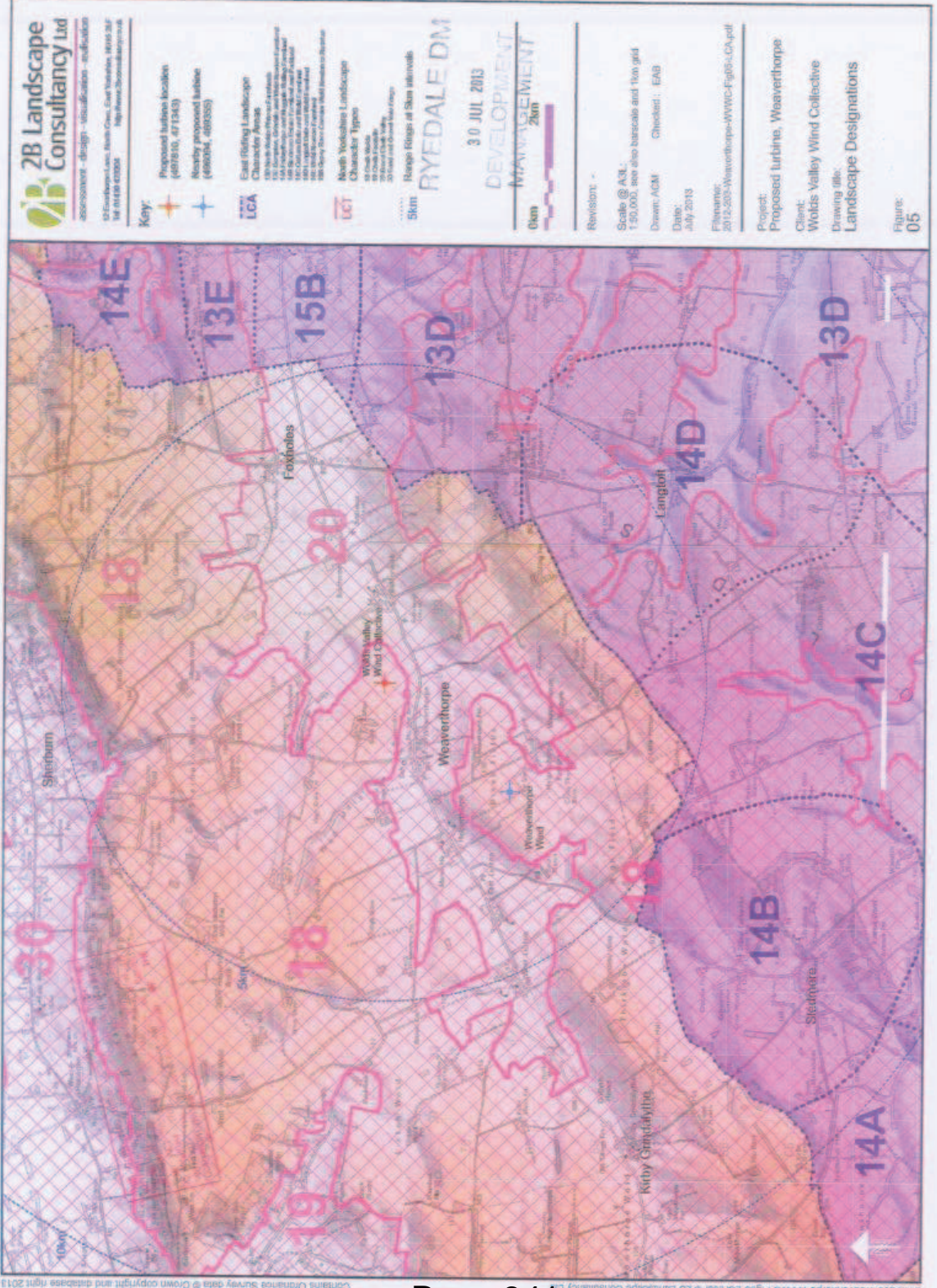
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 2B Landscape Consultancy Ltd  
 17 Fountains Lane, North Cray, East Yorkshire, YO15 2JF  
 Tel: 01430 423000  
 http://www.2blandscapeconsultancy.co.uk

- Key:**
- Proposed turbine location (497916, 471943)
  - Nearby proposed turbine (483954, 463633)
  - Area of High Landscape Value
  - Regular of Flocks and Goshawk
  - Site of Special Scientific Interest
  - Range Rings of Slim Interiors

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Revision: -  
 Scale @ A3L: 1:50,000, see also barcode and firm grid  
 Drawn: ACM Checked: EAB  
 Date: July 2013  
 Filename: 2012-2013-Weaverthorpe-WWVC-Flight-Layout.pdf

Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Landscape Designations  
 Figure: 04



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 2B Landscape Consultancy Ltd  
 10 Fawcett Lane, South Cross, East Yorkshire, YO15 3AF  
 Tel: 01430 420000  
 www.2blandscapeconsultancy.co.uk

**Key:**  
 Proposed turbine locations  
 (407010, 421143)  
 Nearby proposed turbines  
 (490004, 490005)

**East Riding Landscape Character Areas**  
 100  
 110  
 120  
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**North Yorkshire Landscape Character Types**  
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**3km Ryedale DM**  
 30 JUL 2013  
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Scale @ A3: 1:50,000, see also barcodes and 1:50 grid  
 Drawn: ACM Checked: EAB  
 Date: July 2013  
 Filename: 2012-203-Weaverthorpe-WVWC-Fig05-LCA.pdf

Project: Proposed turbine, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Landscape Designations

Revision: -  
 Figure: 05

**Key:**

- + Proposed turbine location (497819, 471343)
- + Nearest proposed turbine (402057, 463333)
- Conservation Areas
- Scheduled Ancient Monuments
- Listed Buildings Grade II\* II\*
- 5km
- Range Rings of 5km intervals

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**30 JUL 2013**  
**DEVELOPMENT MANAGEMENT**

Revision: -

Scale @ A3L:  
 1:50,000, see also borehole and 1:1m grids

Drawn: ACM Checked: EAS

Date: July 2013

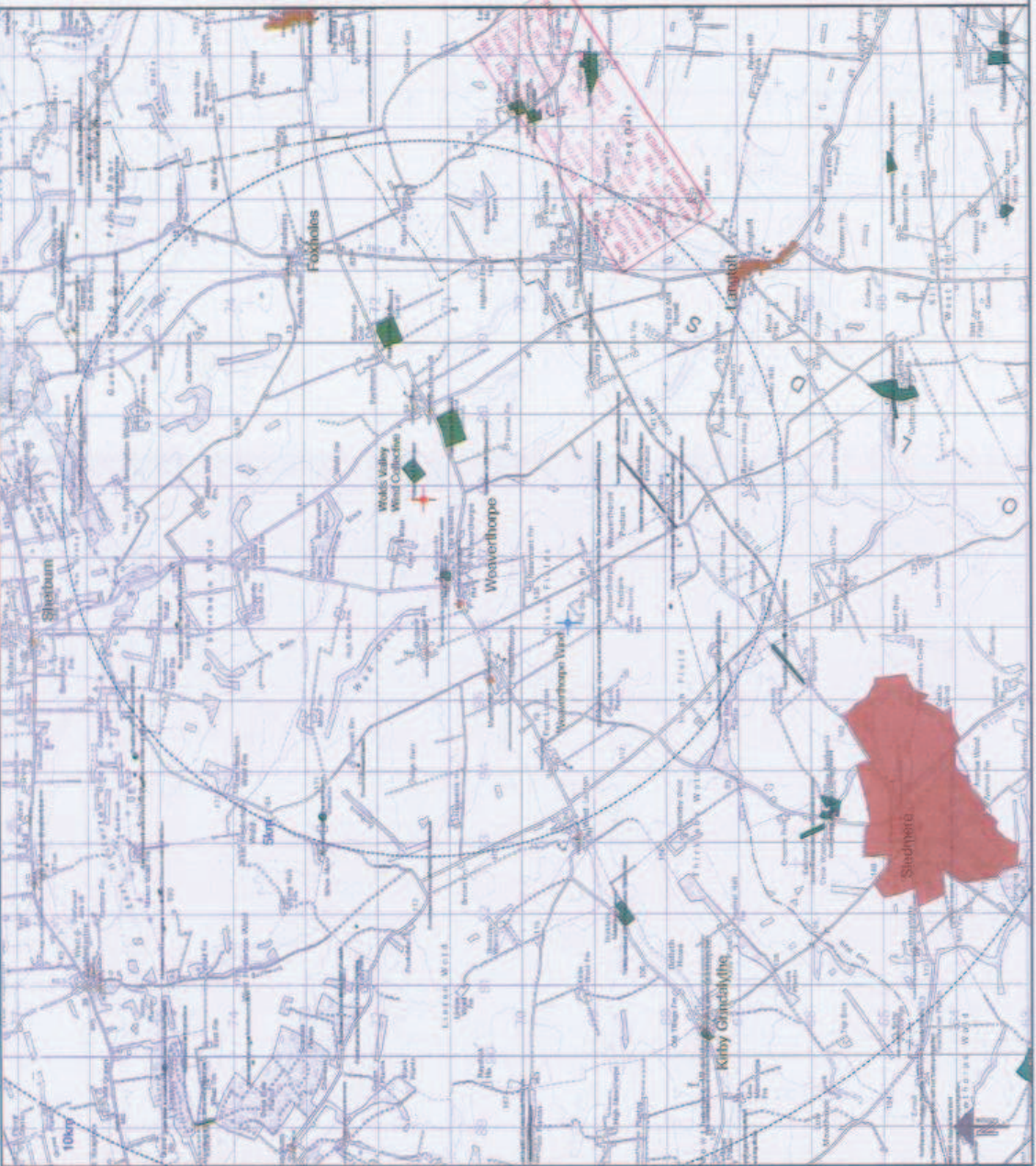
Filename: 2012-2013-Weaverthorpe-WVWC-Cultural.cdr

Project: Proposed turbines, Weaverthorpe

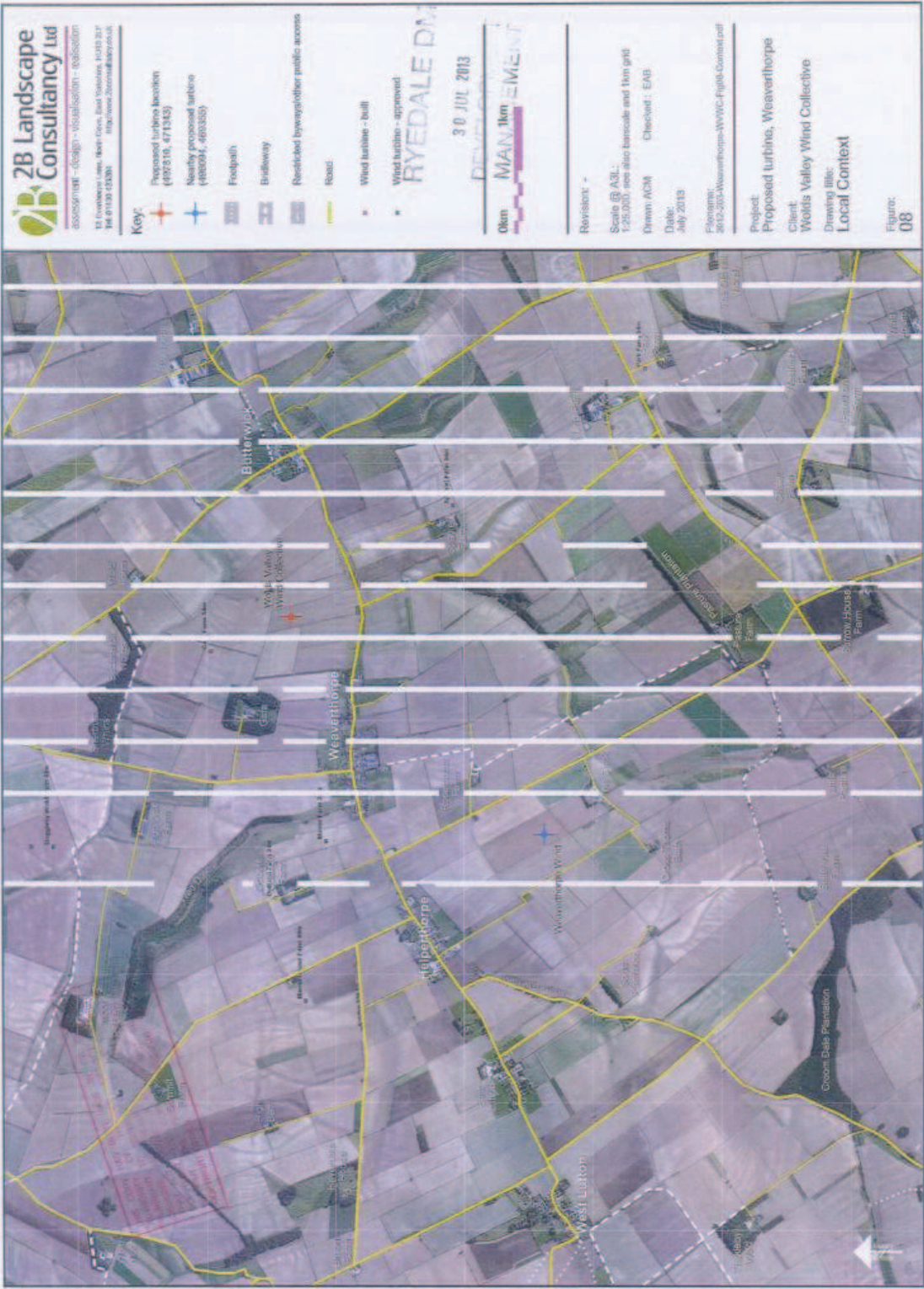
Client: Wolds Valley Wind Collective

Drawing title: Weaverthorpe Cultural Heritage

Figure: 06

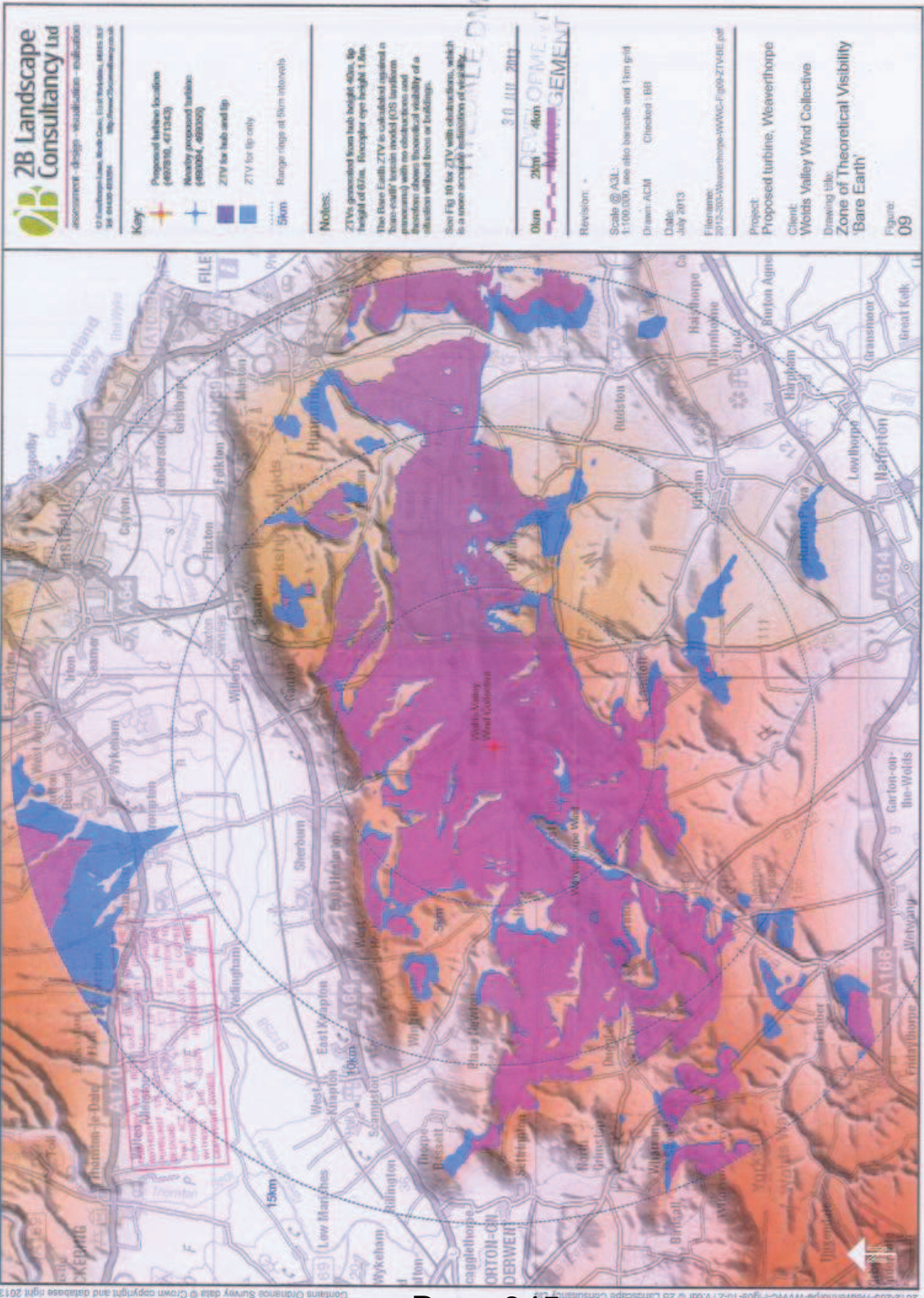


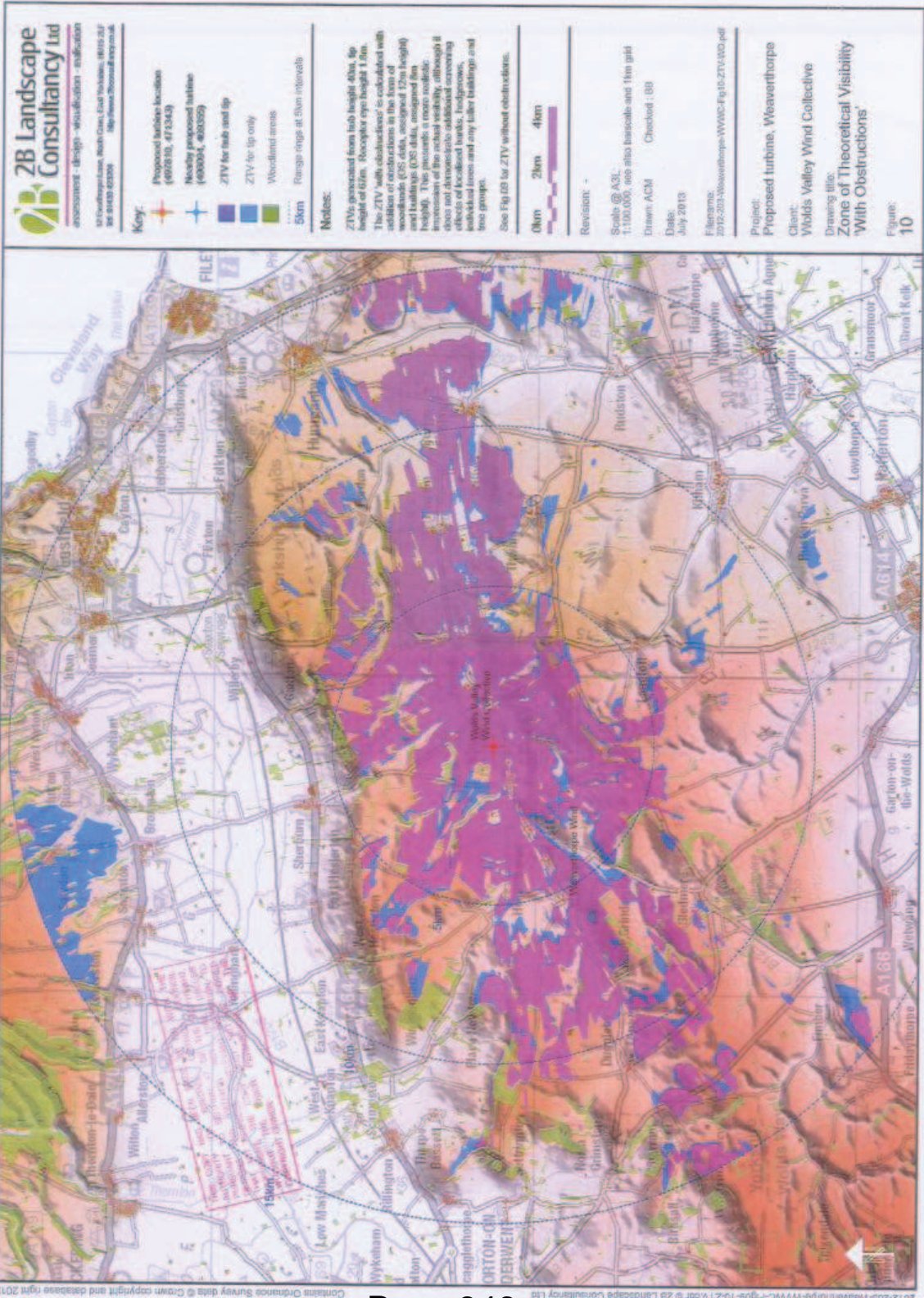




2012-203-Weaverthorpe-WVWC-Flight-Context.cdr © ZB Landscape Consultancy Ltd







**Key:**

- Proposed meteorological mast locations
- Weaverthorpe Wind (496295, 4802853)
- Wolds Valley Wind Collector (497600, 471349)
- Access track

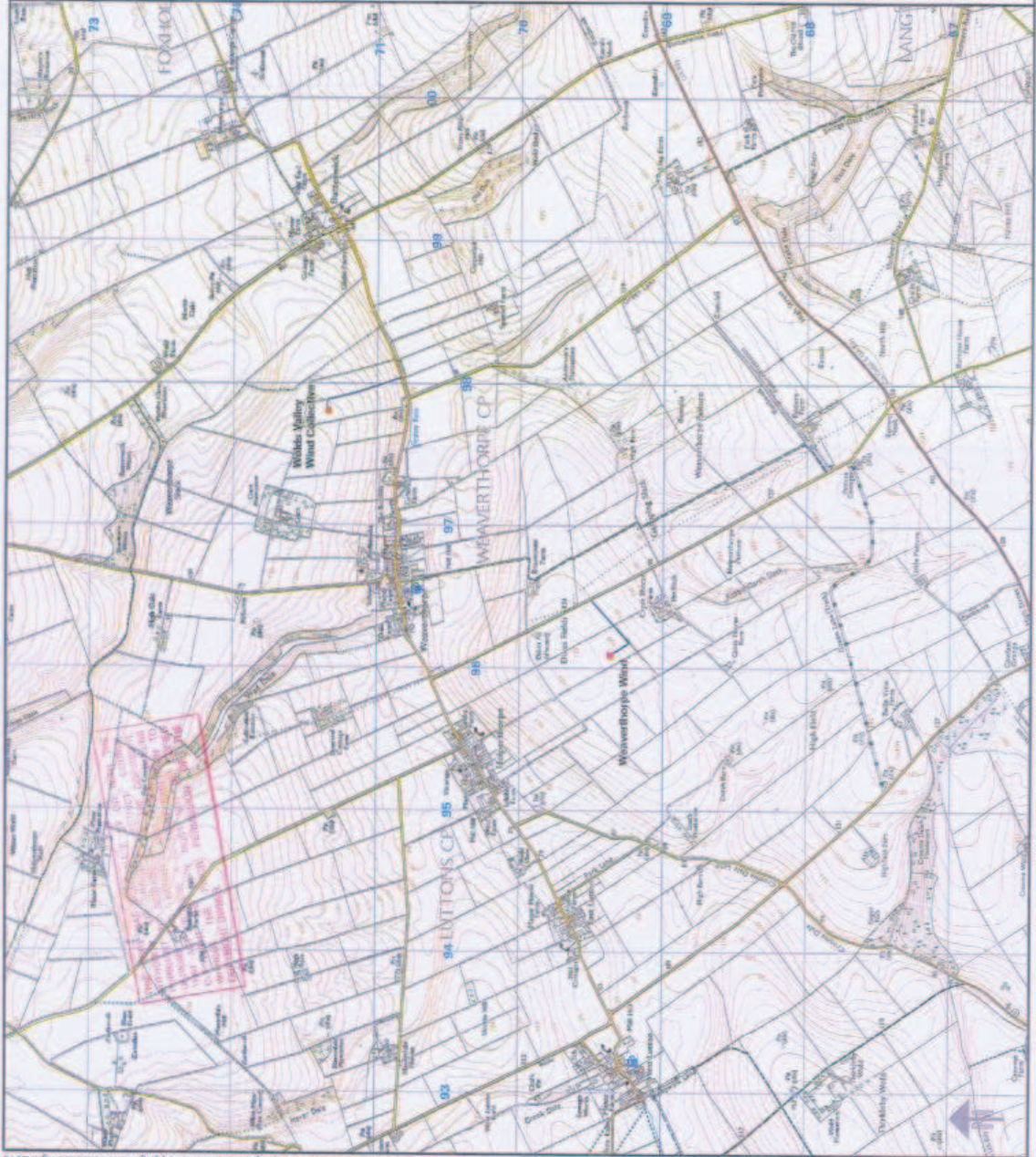
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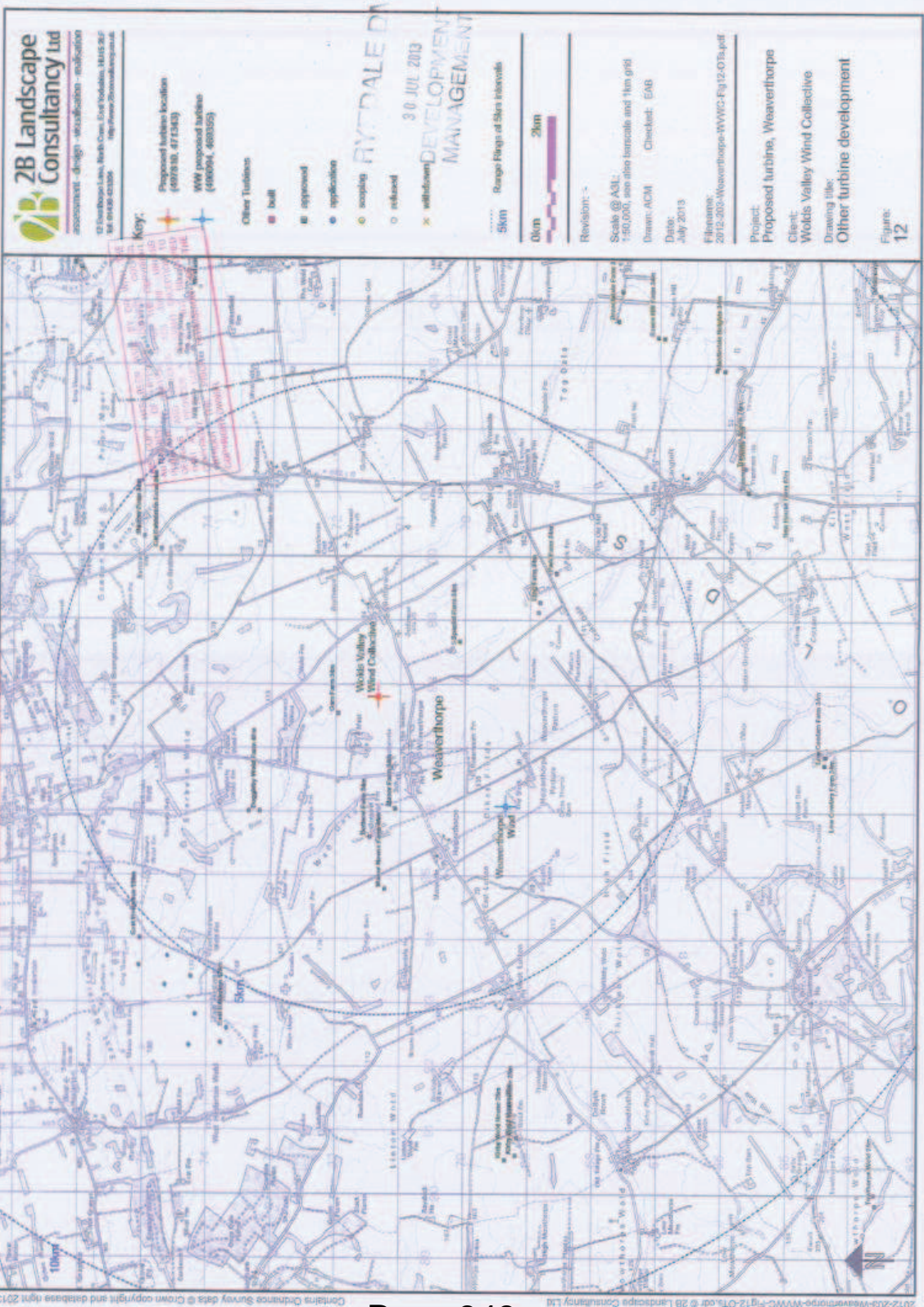


Revision: -  
 Scale @ A3: 1:25,000, see also base scale and 5m grid  
 Drawn: ACM Checked: BE  
 Date: July 2013  
 Filename: 2012-203-Weaverthorpe-WVWC-Fig11-MastLoc.pdf

Project: Proposed turbines, Weaverthorpe  
 Client: Wolds Valley Wind Collective  
 Drawing title: Meteorological Mast Locations

Figure: 11





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 28 Church Lane, West Cowe, East Tadcaster, WALSLEY  
 WALSLEY WF8 4JH  
 Tel: 01937 546200

**Key:**  
 Proposed turbine locations  
 (480350, 475303)  
 WW proposed surface  
 (480304, 480355)

**Other Turbines**  
 ■ built  
 ■ approved  
 ● application

○ scoping  
 ○ refused  
 ✕ withdrawn  
 RYSDALE DM  
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50m  
 0km  
 20m  
 Range flags at 5km intervals

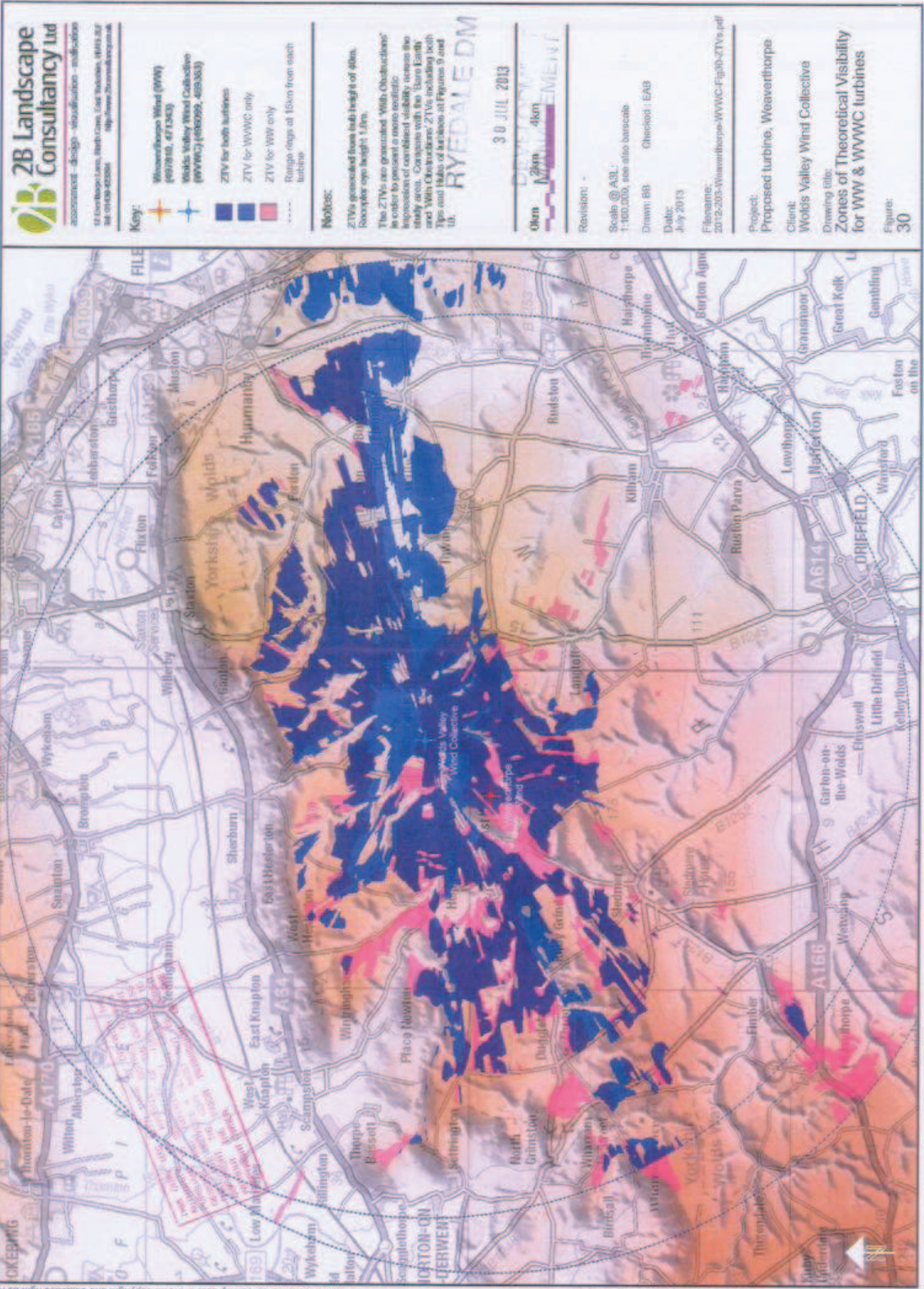
Revision: -

Scale @ A3L:  
 1:50,000, see also landscape and 1km grid  
 Drawn: ACM Checked: EAB  
 Date: July 2013

File name:  
 2012-203-Weaverthorpe-WWVC-Fig12-07a.pdf

Project:  
 Proposed turbine, Weaverthorpe  
 Client:  
 Worlds Valley Wind Collective  
 Drawing title:  
 Other turbine development

Figure:  
 12



**Proposed wind turbines for Weaverthorpe Wind and the Wold Valley Wind Collective on sites to the east and south-west of Weaverthorpe village, North Yorkshire.**

RYEDALE

20 APR 2013

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MA

11

**Planning Statement**

**Introduction and background**

1. This statement is written in support of two separate planning applications for the erection of single 500KW wind turbines by local community-based groups, namely, The Wolds Valley Wind Collective Limited (WVWC) and Weaverthorpe Wind Limited (WW).
2. The applications are submitted with help and assistance from the Humberside Co-operative Development Agency Limited, and have both been well-publicised locally in the Parishes of Butterwick, Helperthorpe, and Weaverthorpe.
3. A Screening Opinion under the terms of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011, in respect of the proposals was issued by Ryedale District Council on 6<sup>th</sup> February 2013, to the effect that an Environmental Statement would not be required.
4. Subsequently, a scoping meeting was held with planning officers from Ryedale District Council (on 15<sup>th</sup> April, 2013), at which the form and content of the two applications were discussed and agreed in principle.
5. The Wolds Valley Wind Collective is a share limited company with four members, holding one share each with two main two aims:
  - Primarily, to generate low carbon energy for the communities of the Great Wolds Valley, which will help them become energy independent and will also serve to reduce carbon emissions and thus reduce climate change, and;
  - Secondly, to generate sustainable incomes for its members so they can have confidence in their ability to deliver their social objectives.
6. Wolds Valley Wind Collective is a joint venture between the Landscape Research Centre Ltd (LRC), Wolds Valley Archaeological Trust (WVAT), the Rarey Farm Foundation (RFF) and Humberside Co-operative Development Agency Ltd (HCDA). All the members of the collective are not-for-profit organisations.
7. The Landscape Research Centre is a charity based in Yedingham, North Yorkshire. Its primary purpose is to undertake research into the archaeology of the Vale of Pickering. The director of the centre is Professor Dominic Powlesland DUniv, FSA.
8. The Wolds Valley Archaeological Trust is a charitable trust (not yet a registered charity), which undertakes similar work to the LRC but in the

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Wolds Valley area of North Yorkshire. Its director is Doctor Peter Wilson PhD, FSA, FSA Scot, MIFA.

9. The Rarey Farm Foundation is a charitable association based in Weaverthorpe which aims to improve the quality of life for people in Weaverthorpe. It engages in a number of local activities and is currently in the process of building a community training facility at Rarey Farm. The intention is to re-constitute it as a Charitable Incorporated Organisation (CIO) in the medium term.
10. Weaverthorpe Wind is a joint venture between Three Weavers Green (TWG) and Humberside Co-operative Development Agency Ltd (HCDA), both of whom are not-for-profit organisations.
11. Weaverthorpe Wind has two aims:
  - Primarily, to increase the sustainability of the communities of Weaverthorpe, Butterwick and Helperthorpe by offsetting their carbon emissions and generating a sustainable income stream to invest in the communities, and;
  - Secondly, to increase the sustainability of other communities across the wider region by generating a sustainable income stream for HCDA, which can be reinvested into supporting other social and environmental initiatives.
12. Weaverthorpe Wind is jointly owned by TWG and HCDA with HCDA having one Director, TWG having a second Director and Jill Wilson, a local resident, acting as an Independent Director. Whilst the company is jointly owned, any profits will be split 75:25 in favour of TWG.
13. Three Weavers Green is a sustainable development organisation established in 2011 to benefit the communities of Weaverthorpe, Butterwick and Helperthorpe. Its primary aim is the sustainable development of the three communities, with a focus on environmental sustainability but also encompassing economic and social sustainability issues. It is currently a non-trading charitable company, but will apply for registered charity status once it begins trading, which is expected to happen once the turbine is commissioned.
14. It has fifteen members who are all from the three local communities and a board of three directors. It operates as a collective, with the all major decisions being taken by the members.
15. TWG has an open membership policy with anyone resident in any of the three communities being welcome to join. It's current member represents around 10% of the local households.
16. Humberside CDA is a not-for-profit enterprise agency which was originally set-up in 1985 by Humberside County Council as an arms length agency to develop Co-operatives. It become independent in 1996 with the dissolution of

Humberside County Council and has since expanded its remit to include social and ethical enterprises as well as its core constituency of co-operatives.

17. Humberside CDA mainly operates in the area bounded by the Humber to the South, North York Moors to the North and A1M to the West, though it does also engage in a limited amount of activity south of the Humber and in the rest of the Yorkshire.
18. Most of its support services are provided free to client groups and it is involved in the Weaverthorpe Wind project as a way of supporting the communities of Weaverthorpe, Butterwick and Helperthorpe and also the wider co-operative, mutual and ethical sector in the sub-region.
19. WVWC and WW each intend to give an annual grant of £100 to every household in Weaverthorpe, Butterwick and Helperthorpe for a minimum period of 20 years to help with their energy bills, if the two proposed turbines are constructed and commissioned successfully.
20. TWG is a charitable company which will soon be registered with the charities commission. As such, all future income to TWG arising from the proposed turbines will be channelled into local schemes. At present, the organisation is considering schemes for, amongst other things: hedgerow replacement and improvement; improving local biodiversity; community transport; scholarships for local people; assistance for local business start-ups; further investment in renewable energy and energy efficiency schemes
21. LRC is a charitable company which will be utilising funds it receives from WVWC Ltd to engage in archaeological activity in the area. WVAT is a charitable trust which will be engaged in similar activities in the area.
22. The Rarey Farm Foundation will utilise funds from the WVWC to provide community services including running a community cafe, art gallery and craft workshops and the provision of training and similar opportunities for local people in related fields of activity.
23. Humberside CDA Ltd will utilise funds from WVWC and WW to support new and existing co-operative, mutual and ethical enterprises across Humberside, although its focus of activity is Hull, East Yorkshire and North Yorkshire to the East of the A1M (an area roughly centred around the Great Wolds Valley).

#### **The proposed developments**

20. The proposed turbines are identical three-bladed 500KW direct drive machines mounted horizontally on a 40 metre tubular steel tower with a maximum blade tip height of 67 metres (Colour: Grey RAL 9003/9016).
21. The WW turbine site is on the south side of a hill called Dikes Fields at approximately 130m above sea level to the north of Cross Thorns Farm, (Grid ref. SE 96113 69384). It lies to the south of Weaverthorpe and south east of Helperthorpe, within the administrative parish of Luttons.



- 22 The WVWC site lies to the east of Weaverthorpe village at approximately 150 metres above sea level, on the northern (south facing) slope of the Great Wold Valley, within the administrative parish of Weaverthorpe, (Grid ref. SE 97858 71145).
- 23 At the bottom of the valley there is a string of linear villages, the most relevant to this development being Weaverthorpe, Butterwick and Helperthorpe. A feature of this valley bottom is the Gypsy Race, an erratic, spring fed stream, which in this part of the valley is dry, or almost dry, for most of the year but which flows occasionally in winter.
- 24 Both turbine sites are located on agricultural land and are sited in excess of 400 metres from any occupied buildings. Each will be accessed from the local road system by means of purpose built tracks, as indicated on the submitted drawings and plans and described in the respective Transport Statements.
- 25 Full details of the proposed turbines are provided in the documentation accompanying the planning application, together with reports from independent consultants on the following issues:- Landscape, Cultural Heritage, Noise, Transport, and Ecology (as agreed with the Council's planning officers at the scoping meeting).
- 26 All connections from the two proposed turbines to the local electricity supply grid are to be made underground, with no surface features other than the turbines themselves, their associated transformer housings and the proposed access tracks.

**Planning policy**

- 27 The only current development plan policy directly relevant to the two applications is that contained in the (saved) Ryedale Local Plan at Policy RE I. This states that wind turbines (either individually or in groups) will only be permitted where they will have no significant adverse effects upon landscape, visual amenity, heritage, ecological, residential amenity, or highway considerations.
- 28 In the absence of any more up-to-date policy on renewable energy in the Local Plan, reference to the Council's emerging Local Plan Strategy (2012) is appropriate. This provides additional policy guidance at draft policy SP18, "Renewable and Low Carbon Energy" which generally supports such forms of development subject to considerations relating to landscape, community / cultural issues, ecology, and environmental issues such as air, soil and water quality.
- 29 In December 2012, the Department for Energy and Climate Change (DECC) issued an updated "roadmap" for the future of renewable energy in the UK under the title "UK Renewable Energy Roadmap Update" confirming its previous commitment to renewable energy developments and to achieving its stated target of generating 15% of UK energy from renewable sources by 2020.
- 30 The "roadmap" update notes that the Coalition Agreement included a

commitment to supporting community energy projects giving communities control over their own energy supply. The report also notes that local energy generation is complementary to energy management and energy saving measures, recognising and encouraging collective action to purchase, save, manage and generate energy where appropriate.

- 31 The Government's stated strategy is to empower communities to collectively own, control and benefit from their own energy in locally appropriate ways.
- 32 With specific reference to onshore wind, the Government states that it is seeking to remove barriers to the development of appropriately sited projects, while giving communities more influence in the planning process.
- 33 In 2005 a partnership of all the North Yorkshire planning authorities issued guidance under the heading "Delivering Sustainable Energy in North Yorkshire". This guidance focused on the development of positive planning policies for sustainable energy developments and provides a useful background to the current application.
- 34 Recommendation 7 of the North Yorkshire report advocates "positive support for the development of community renewable energy schemes".
- 35 Although the National Policy Statement for Renewable Energy Infrastructure 2011 (NPS) is primarily directed towards larger scale schemes dealt with via the National Infrastructure Planning Unit at The Planning Inspectorate, it is nevertheless a material consideration in connection with smaller schemes.
- 36 Policy EN-1 highlights the need to meet emissions targets set out on the "roadmap" (see above) and notes that onshore wind has an important role to play in meeting these targets. Likewise, Policy EN-3 reiterates the important role of onshore wind as well as dealing with issues of landscape, visual impact, noise, air-safety, biodiversity, and historic / cultural considerations.
- 37 Finally, the National Planning Policy Framework, (NPPF), issued in March 2012, contains up-to-date guidance on renewable energy developments, which should be followed when local development plan policies are out of date.
- 38 The NPPF contains a presumption in favour of sustainable development, describing this as a "golden thread" running through both plan making and decision taking at the local level (paragraph 14) and making it clear that development which is sustainable should be approved "without delay."
- 39 One of the "Core planning principles" contained within the NPPF seeks to encourage a transition to a low carbon future including the use of renewable resources, for example, by the use of renewable energy (paragraph 17).
- 40 Paragraphs 93 - 98 of the NPPF deal specifically with renewable energy proposals in the context of climate change. Paragraph 97 states that "... local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources" and

“support community-led initiatives for renewable and low-carbon energy...”

- 41 Paragraph 98 confirms that applicants for energy developments should not be required to demonstrate the overall need for the proposed development and that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
- 42 In addition to the above-mentioned policy guidance specifically dealing with renewable energy production, it is acknowledged that the development plan, the emerging Local Plan, and the NPPF, also contain a variety of policies and advice relating to aspects of the proposed development(s) that are material considerations, e.g. ecology, landscape, noise, traffic, and cultural heritage, to name just a few.
- 43 These policies have been borne in mind by individual consultants in the preparation of their reports and recommendations and are considered in more detail below.

#### **Landscape**

- 44 Landscape assessments and reports have been carried out and provided by 2B Landscape Consultancy Ltd, an East Yorkshire based practice with extensive experience in the renewable energy field.
- 45 The Assessment methodology follows the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (LVIA, 2013), produced by the Landscape Institute and the Institute of Environmental Management & Assessment.
- 46 The LVIA process included consultations with Ryedale District Council, desk top assessment, and field work, including the recording and assessment of 32 viewpoints.
- 47 The potential effects on both the landscape resource and upon visual amenity were assessed. In addition, the cumulative effects arising from the visual / landscape interaction of the two proposed turbines, with existing turbines, and with other proposed and/or permitted turbines of which the applicants are aware, were also considered.

#### Landscape effects

- 48 Published Landscape Character Assessments indicate an overall medium-high or high sensitivity to larger-scale development such as wind farms. Due to the minor scale of the proposed single turbines, it is considered to have medium-low magnitude effects, resulting in an overall moderate significance of effect on landscape character, at a local level.
- 49 No significant effects are anticipated upon landscape aspects like land use, landscape pattern, land form, tree and hedgerow cover or field boundaries.

#### Visual effects

- 50 Residential receptors have the highest sensitivity. The closest properties

would experience effects of moderate significance, reducing to slight significance at around 1.5-2km distance.

- 51 Recreational receptors are limited to relatively few users of the local footpath network from which the visual effects are likely to be of moderate to slight significance. The Church of St Andrew is a cultural destination from which the visual effects of the proposed turbines are considered to be moderate to slight in the case of WW, and substantial to moderate in the case of the WVWC proposal.
- 52 There will be some open views from public highways, although both turbines will be screened from substantial parts of the local highway system.
- 53 Effects will be moderate to slight for viewpoints less than 2km from the proposed turbines, and slight for viewpoints beyond 2km. Effects for workers will be in the same range as for highway users.

#### Cumulative effects

- 54 The cumulative assessment is concerned with the additional cumulative effect of the proposed turbines. Due to the positioning and spacing of the proposed turbines, relative to each other and to other potential turbine sites, cumulative effects would be experienced by relatively small numbers of residential properties, recreational users, highway users and workers. Potential effects would generally be of low magnitude and none are anticipated to be significant.

#### **Transport Statements**

- 55 Transport Statements for both schemes have been commissioned from, and are provided by, Local Transport Projects Ltd, (LTP), of Beverley, East Yorkshire.
- 56 LTP is a well-established company with experience of renewable energy developments throughout the UK.
- 57 The scope of the statements was discussed with LTP and agreed as follows:
  - Identification of most appropriate delivery routes (all vehicles);
  - Assessment of routes and identification of mitigation measures;
  - Swept path analysis at all potentially problematic locations;
  - Consideration of the proposed site access arrangements;
  - Conclusions and recommendations.
- 58 Relevant planning policy relating to highways and traffic issues is to be found at Policy T3 of the (saved) Local Plan, and in paragraph 32 of the NPPF, which requires that development generating significant traffic movements should be accompanied by a Transport Statement / Assessment.
- 59 LP policy T3 requires that all new development should be served by a local road network that can satisfactorily accommodate the traffic it will generate, and that any highway issues raised by a development are overcome (at the

developer's expense) that will not be detrimental to the rural character of the District or compromise road safety.

- 60 In the present case, LTP conclude that both developments are capable of being accessed by all forms of vehicles without any adverse effects on the road (or public footpath) network or on highway safety, subject to the implementation of a few minor (and temporary) measures along the preferred route.

**Noise**

- 61 Noise reports for both schemes have been commissioned from and provided by Environmental Noise Solutions Ltd of Doncaster (ENS).
- 62 ENS is a well-established company with experience of renewable energy developments throughout the UK.
- 63 ENS were commissioned to undertake an assessment of potential noise impacts on local residents associated with the two wind turbines and to make appropriate recommendations based upon noise emission data provided by the manufacturer using the appropriate methodology set out in ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms".
- 64 Relevant planning policy relating to noise is found in LP Policy RE 1(iv) which requires that there be no unacceptable adverse effect upon the residential amenities of nearby properties as a result of noise from the proposed turbines.
- 65 In addition, paragraph 123 of the NPPF is also considered to be relevant.
- 66 In the present cases the nearest residential properties not associated with the proposals are situated 440 metres (WW) and 700 metres (WVWC) away from the site of the proposed turbines, and ENS conclude that neither of the proposals will be likely to have any adverse effects on residential amenity at these properties by virtue of noise emission.

**Ecology**

- 67 Ecological surveys relating to both sites have been commissioned from and are provided by Wold Ecology Ltd of Drifffield, East Yorkshire.
- 68 Wold Ecology Ltd (WE) is a well-established company with over 30 years experience of renewable energy developments throughout the UK. The Company is an Associate Member of the RSPB and the Bat Conservation Trust, and is a benefactor and corporate member of the Yorkshire Wildlife Trust.
- 69 WE were commissioned to undertake a Phase 1 Habitat Survey, including a desk top study, consultation with appropriate bodies, and an extended field survey for each site for which the following species were targeted:

Bats  
Great Crested Newts

Badgers

Birds

- 70 The surveys were carried out in May 2013, in accordance with current guidance and meet the requirements of Regulation 53(9)(b) of the current Habitats Regulations.
- 71 WE make recommendations for each site in Section 7 of the two reports based on a set of evaluation criteria set out in 7.2.2. The only UK priority habitat found within either of the study areas were hedgerows, which are locally important for moths butterflies farmland birds bats and dormice.
- 72 The recommendations set out in paragraph 7.4.1.1.4, 5 and 6 with regard to hedgerows are relevant to the current proposals and should be incorporated into any subsequent planning permissions.
- 73 No mitigation works or restrictive planning conditions are recommended for either site in connection with birds, badgers, or great crested newts, while the siting requirements set out in paragraphs 7.6.10.1 and 2 with regard to bats are satisfied in both cases.
- 74 Relevant planning policy in the development plan is found in LP Policies RE 1(ii) and ENV 12 which are both primarily concerned with the protection of Sites of Special Scientific Interest (SSSIs) and other areas of nature conservation importance.
- 75 However, in these two cases there are no such protected sites within 2 km of either site (apart from a small locally designated site at the church yard in Weaverthorpe) and WE conclude that neither of the proposals will have any adverse effects on designated nature conservation sites.
- 76 The draft Local Plan Strategy supports developments that aim to conserve or enhance biodiversity and the incorporation of beneficial biodiversity features (Policy SP 14 “Biodiversity”). In these cases, both WW and WVWC are intending to reinvest some of the income from the proposed turbines into landscape improvements through the reinstatement / improvement of hedgerows in the immediate vicinity of the two proposed turbines and the wider surrounding area.
- 77 The NPPF also encourages the protection and enhancement of natural environments by applying the principles set out in paragraph 118.
- 78 In light of the above, it is considered that neither proposal will have any adverse effects on nature conservation interests provided that any permissions issued ensure that the recommendations regarding hedgerow protection and maintenance are incorporated by means of planning conditions.

**Heritage issues**

- 79 Heritage issues relating to both sites have been commissioned from, and are provided by, Hilary Byers Dip Bldg Cons, IHBC, a Heritage Conservation

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consultant based in Hull, East Yorkshire.

- 80 Hilary was commissioned to produce reports on the potential effects of the two proposed wind turbines on local heritage assets, including archaeology, listed buildings, the character and appearance of the area, and cultural / historic considerations.
- 81 Notwithstanding a “minor” concern with regard to the effect of the WVWC turbine on the setting of the Church of St. Andrew in Weaverthorpe, Hilary Byers’ reports conclude that neither of the two proposed wind turbines will detract from the appreciation and understanding of heritage assets in this part of the Great Wolds Valley.
- 82 In reaching this conclusion, Hilary has taken into account the advice contained in the NPPF and the Ryedale Rural Design Guide (1995) as well as making full use of the photographic record and landscape appraisal provided by 2B Consultancy, there being no relevant development plan policies relating to heritage issues in these cases.
- 83 In terms of archaeological considerations, Hilary recommends that a “watching brief” be maintained during the construction phase of the turbine bases, grid connections, and access tracks, and it is suggested that a planning condition be imposed on both permissions to this effect.

**The potential effect on broadcast and point to point radio frequency links**

- 84 Humberside CDA Limited has produced telecommunication and radio / television interference reports for both turbines based on telecoms data provided by Pager Power Limited and radio / TV transmitter data provided by the BBC.
- 85 No telecommunications links pass within less than 300m of either turbine so there is no risk of telecommunications disruption by either turbine.
- 86 The Bilsdale and Weaverthorpe TV transmitters serve the area where both turbines are located and an assessment was undertaken of potential impacts. It was concluded that there is a negligible chance of households suffering interference from the proposed turbines
- 87 It is recommended that, for a period of two years following construction, the owner(s) of the turbine(s) investigate any reports of interference with television reception for residences within the reflection zone, primary shadow and secondary shadow zones. Where such interference is attributable to the wind turbine, the owners will undertake to resolve the issue to the full satisfaction of the affected party.

**Shadow flicker**

- 88 Humberside CDA Limited has produced shadow flicker reports for both turbines.
- 89 The companion guide to PPS22 (ODPM, 2004) states that (Paragraph 76,

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Technical 5, Annex 8) 'Flicker effects have been proven to occur only within ten rotor diameters of a turbine. Therefore if the turbine has 80m diameter blades [80m rotor diameter], the potential shadow flicker effect could be felt up to 800m from a turbine.'

- 90 This zone of effect is reiterated in national Policy Statement for Renewable energy Infrastructure (en-3), (DECC, 2011a), at Paragraph 2.7.63 onwards, and the Parsons Brinkerhoff report DECC,2011b) which provides an update of the evidence base on shadow flicker for DECC.
- 91 For UK latitudes, the zone projected on to the ground in which properties may be affected by shadow flicker is 130 degrees either side of north.
- 92 The proposed turbines therefore have a 540m zone of potential shadow flicker which extends 130 degrees either side of north.
- 93 Neither turbine has any buildings within this potential zone of shadow flicker, so no mitigation, in respect of shadow flicker, is required for either turbine.

#### **Air safety**

- 94 Pager Power was commissioned to produce an aviation safety report for both turbines.
- 95 The report indicated that there is a technical possibility of objections from CAA or MoD but given that other turbines have been constructed in the area with similar height profiles to the proposed turbines there is no expectation that any objection will be raised.
- 96 The Page Power risk reports show that there are no private airfields within 2km of either turbine. Outside this zone, it is unlikely that turbines of the size proposed would have any significant air safety implications.
- 97 We suggest a condition requiring us to inform MoD when works commence and are completed plus maximum heights (for MoD plotting purposes).

#### **Summary and Conclusions**

- 98 The two proposed wind turbines would provide energy from a renewable source and make a small, but not insignificant, contribution towards local and national targets for carbon reduction, in accordance with national and local policy aspirations.
- 99 In addition, the proposed wind turbines will make significant contributions to the social, environmental and economic well-being of the area through the channelling of income into schemes of benefit to the local community through charitable organisations.
- 100 The various consultants' reports conclude that neither of the two proposed turbines are likely to have any significant adverse effects on interests of acknowledged importance, including landscape, visual amenity, highways, ecology, residential amenity, and a range of heritage assets.
- 101 In addition, information has been provided on other technical issues including



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air-safety, radar and telecommunications, and shadow flicker, all of which indicate that the two schemes can be constructed without causing harm to these additional areas of concern.

- 102 Relevant planning policy in the development plan and elsewhere has been assessed and no significant conflicts with this guidance have been identified.
- 103 Where mitigation measures are feasible, they have been incorporated into the scheme - or can be required through the imposition of suitably worded planning conditions, as suggested above.
- 104 Consequently, and in light of the fact that both schemes have a wide degree of support from within the local communities in which they are located, it is considered that planning permission should be granted for both schemes, subject to the imposition of suitably worded planning conditions.

**David K Hickling BSc DipTP MRTPI**  
**The Planning Cooperative Ltd**  
**July 2013**

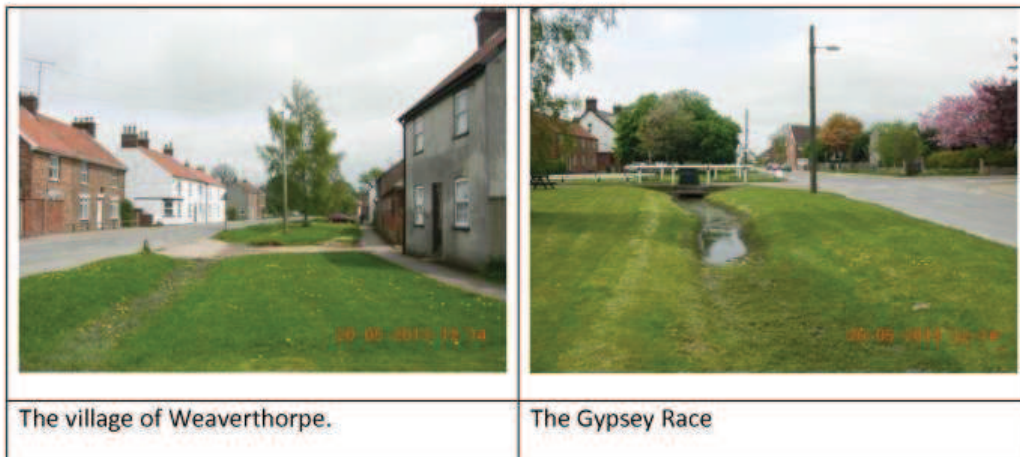
## Proposed Wolds Valley Wind Collective Turbine

### Impact on Heritage Assets

#### 1. Introduction

1.1 The site lies on the northern slope of the Great Wold Valley. Geologically it is situated on Middle Chalk of the Cretaceous system, and the area is characterised by rolling dry valleys.

1.2 At the bottom of the valley is a string of villages, the most relevant to this development being Weaverthorpe and Butterwick. A feature of this valley bottom is the Gypsey Race, an erratic, spring fed stream, which in this part of the valley is dry, or almost dry, for most of the year but flows occasionally in winter:



1.3 The turbine site is within the administrative parish of Weaverthorpe.

#### 2. Historical context.

2.1 As a whole the Yorkshire Wolds are particularly rich in prehistoric remains, especially from the Bronze Age, including barrows [burial monuments] and extensive boundary earthworks mostly dating from the period 2400-1500BC. Many have been ploughed out and cannot be identified at ground level but, in the case of barrows, the contents of grave pits may survive below ground. Through aerial photography it has been possible to reconstruct a dense pattern of fields, settlements and boundaries from this period. The greatest concentration of surviving monuments in this area is near to top of the southern slope of the valley, close to High Street [the B1253] some 3km to the south of the proposed turbine site. Only the tip of the blades of the proposed turbine would be visible from this position [View 25 of Fig 07] and it would not affect appreciation or understanding of the monuments.

2.2 There does not appear to be evidence of prehistoric features close to the proposed site of the Wold Valley Wind Collective turbine, but it is possible that some features identified by the geophysical survey of the manor site south and east of St Andrews Church in Weaverthorpe [see below], approx. 1km WNW of the proposed turbine, might be Bronze Age.

2.3 There is some evidence of Roman activity on the manor site, where Roman pottery has been found during excavations.

2.4 The area may have been settled by the Danes in the 9<sup>th</sup> to 10<sup>th</sup> century. ['Thorpe' means a secondary settlement].

2.5 By the 11<sup>th</sup> century Weaverthorpe was at the centre of a very important manor belonging to the Archbishop of York, and substantial 12<sup>th</sup> and 13<sup>th</sup> century buildings have been excavated at the site of Weaverthorpe manor, immediately south and east of St Andrew's church. These excavations are well documented and are interpreted on plaques in the churchyard. By the early Middle Ages Weaverthorpe was one of the most prominent and wealthiest settlements on the North Wolds. There was a windmill on Mill Hill, [off Ropery lane, just south of Weaverthorpe], by 1326.

2.6 The population declined from about the mid 14<sup>th</sup> to mid 18<sup>th</sup> century. The village became part of the Sledmere estate in 1739. Inclosure came late to this area in 1801-4. Most farmhouses stayed within the village, but some were built in the fields, generally protected from the wind by shelterbelts.



2.7 In the 19<sup>th</sup> century Weaverthorpe was a service village for the valley, with craftsmen, shops, a blacksmith and post office. The school was rebuilt in 1912 and the Village Hall built on the site of the old school in 1949. The village has recently lost the last of its shops, but the school [which had 63 pupils in 2006] has survived together with two 19<sup>th</sup> century pubs, the Blue Bell [1823] and Star [1840].

2.8 Butterwick is more of a hamlet than a village, and is not linear, being a cluster of 4 farms and some cottages around a cross roads. By the time the Gypsy Race reaches here it has largely disappeared underground. There are earthworks south of Manor Farm which indicate that historically the village was bigger. It was once a parish in its own right and has its own church which supports that idea. With Boythorpe it is now part of Foxholes Parish. Butterwick Manor had a windmill in 1359 and there was also a windmill in North Field in 1563.

**The effect of the proposed Wolds Valley Wind Collective turbine development on Heritage Assets.**

**3. Archaeology**

3.1 There are no recorded monuments or archaeological finds on the proposed site of the turbine, or its access track.

	
<p>View from St Andrews churchyard eastwards over the more recent burial ground which is part of the Manor site, towards the turbine site.</p>	<p>Interpretation boards within the churchyard.</p>

3.2 The nearest feature of note, and the most important archaeological feature in this part of the valley, is the site of the mediaeval manor of the FitzHerberts, approx. 1km to the WSW of the proposed turbine site. This Scheduled Monument is a series of earthworks which wraps around the east and south of St Andrews Church and includes part of the present graveyard. Before the Norman Conquest Weaverthorpe was owned by the Archbishops of York and was the centre of a major estate that incorporated land westwards along the Great Wold Valley and beyond. Herbert, Chamberlain to Henry 1, was granted the manor between 1108 and 1114. Herbert's descendants, the FitzHerberts, then held the manor until 1356.

3.3 Excavations took place on the manor site in 1951 and 1960 and geophysical surveys were undertaken in 2011. Evidence of Bronze Age and Romano-British occupation has been found as well as pottery from 9<sup>th</sup>-11<sup>th</sup> centuries, but of most significance are the remains of two large halls from the 12<sup>th</sup> and 13<sup>th</sup>-14<sup>th</sup> centuries.

3.4 The site is valuable evidence of the one time importance of the village and it is well interpreted on boards in the churchyard. The church is open to the public most days and is frequently visited.

3.5 Views from the churchyard to the south and east over the manor site are significant. The proposed turbine would be visible looking ENE from the churchyard past the eastern end of the church. However, it is over 1km from the site and five fields away. It will not detract from appreciation and understanding of the Scheduled Monument.

3.6 There are earthworks south of Manor Farm in Butterwick which are recorded as a monument but not scheduled. They are considered to be remains of crofts and garths and to be indicative of a shrunken village. Their appreciation will not be affected by the turbine development.

3.7 Although there are no finds recorded in the immediate vicinity of the proposed turbine site, it is proposed to maintain a 'watching brief' during construction of the foundations of the turbine and access road.

#### 4. Listed Buildings

4.1 There are no Listed Buildings directly affected by the development of the proposed turbine.

4.2 The most important Listed Building in the vicinity is the church of St Andrew in Weaverthorpe [Grade 1], a Norman Church from the early 12<sup>th</sup> century. Although restored by G.E. Street for Sir Tatton Sykes II in 1870-72, this church has retained many earlier features including the unusually tall Norman tower. The church is situated immediately north west of the manor site described above. Also Listed within the churchyard are a stone effigy, probably 14<sup>th</sup> century, near to the porch, and the lychgate, attached churchyard walls and footgate to the south, all Grade 2. Currently the church is open to the public most days and is well visited. Plaques within the churchyard explain the history and significance of the church and churchyard.

	
<p>St Andrews Church Weaverthorpe with its distinctive Norman tower. The turbine will be hidden behind the church in this view.</p>	<p>View from the south wall of the churchyard looking ENE towards the turbine site.</p>

4.3 The proposed turbine site is over 1km ENE of the church. It will be visible from the churchyard after passing the eastern end of the church. However, there is no reason why the turbine should prevent visitors from understanding and appreciating the special architectural and historic interest of the church and other churchyard features.

4.4 Other Listed Buildings in Weaverthorpe are farm houses and their associated outbuildings and walls, all Grade 2 [Rarey Farmhouse and attached walls, Dotterel Cottage Farmhouse and Dale Farm]. The special interest of these buildings is best appreciated from close up; from such viewpoints the turbine will be either not visible or only glimpsed between buildings, trees and hedges. In all cases, the special architectural and historic interest of these buildings will not be affected by the proposed development.

4.5 There are no Listed Buildings in Butterwick.

## **5. Visual Impact**

5.1 The unusually tall tower [for a Norman Church] and location of the church on the side of a hill, suggest a building that was designed to be seen from a distance. Views of the church are therefore important and any effect the proposed turbine might have on these views needs to be taken into account.

5.2 An assessment has been taken of the view from the public bridleway south of the village, passing Rosemount Farm [position No 14 on Fig 07]. This is an interesting view with the church clearly visible on the hillside although the village is hidden in the valley. From this position the turbine would be seen. However, from this vantage point, the church and turbine are seen to be far apart, and the turbine is unlikely to detract from appreciation of the view of the church. This is also the case for views from the road south between Helperthorpe and Weaverthorpe [No 13].

5.3 An assessment has also been taken from the main road between Helperthorpe and Weaverthorpe near the access to Dotterel Cottage Farm [position No 12 on Fig 07], looking towards Weaverthorpe. From this position both the turbine and church are in view and closer together than the previous viewpoint. The turbine could be considered to draw the eye away from the church in this position. However, the road soon curves round to present a more central view of the church. Views from other positions along the road would tend to be masked or part masked by trees, hedgerows or buildings [views Nos 5 and 10 looking east]. The turbine would be more in view from further up the north slope of the valley [views No 9 and 18]. However the church is hidden from these viewpoints.



5.4 The setting of a heritage asset [such as a listed building or scheduled monument] is the surroundings in which it is experienced. [National Planning Policy Framework Annex 2]. Its

extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

5.5 From some viewpoints the proposed Wolds Valley Wind Collective development will be within the broad setting of St Andrews Church. From those viewpoints it could be considered to have the potential to draw the eye away from the focal point which is the church tower. However, it will not affect the ability to appreciate and understand the significance of this or any other heritage assets. On balance it is considered that any negative effect will be minor.

## 6. Village Character

6.1 Weaverthorpe village is not a Conservation Area. Nevertheless it does have a distinctive character, with a linear form following the road through the valley, which also follows the Gypsy Race. Farms within the village, with long low outbuildings generally presenting a blank wall to the street, are also a characteristic feature. The village could be considered a 'non designated heritage asset' [NPPF para 135]. Buildings and hedgerows will largely prevent views of the turbine from within the village, but it will be visible from some viewpoints outside the village. However, there is no reason why it should impinge on appreciation of the special character of the village.

	
<p>Traditional farm buildings [Grits Farm] at the entrance to Weaverthorpe from the east, approx. 0.7km from the turbine site entrance. Tall hedges will tend to screen the turbine from the main road.</p>	<p>A typical shelter belt of trees surrounding a farm [Dotterel Cottage Farm].</p>

6.2 Butterwick is a small collection of farm buildings and cottages near a crossroads and departs from the linear nature characteristic of villages in this valley. It would not be classed as a 'heritage asset'.

6.3 The Ryedale Rural Design Guide of 1995 references the surroundings of Weaverthorpe as “large, arable fields set in ‘tree less’ Wolds valley”. In practice, this valley is less ‘tree less’ than is implied, and shelter belts of trees around farms are a distinctive feature of the landscape.

## **7. Conclusions**

7.1 The addition of the Wolds Valley Wind Collective development will, together with other wind turbines existing and proposed, introduce a new element into this landscape, but the whole history of this valley has been one of change and the introduction by people of new elements into the landscape. None of this change detracts from the appreciation and understanding of the heritage assets of the valley.

## **References**

- [1] The East Riding of Yorkshire Landscape, K.J.Allison , Hodder and Stoughton 1976
- [2] The Victoria History of the Counties of England. York: East Riding Vol 8 East Buckrose: Sledmere and the Northern Wolds, edited by David and Susan Neave, 2008.
- [3] Interpretation boards within the churchyard, St Andrews Church Weaverthorpe. 2011
- [4] Monuments Record, English Heritage 2007
- [6] Statutory List of Listed Buildings.

Hilary Byers MRTPI, DipBldgCons, IHBC

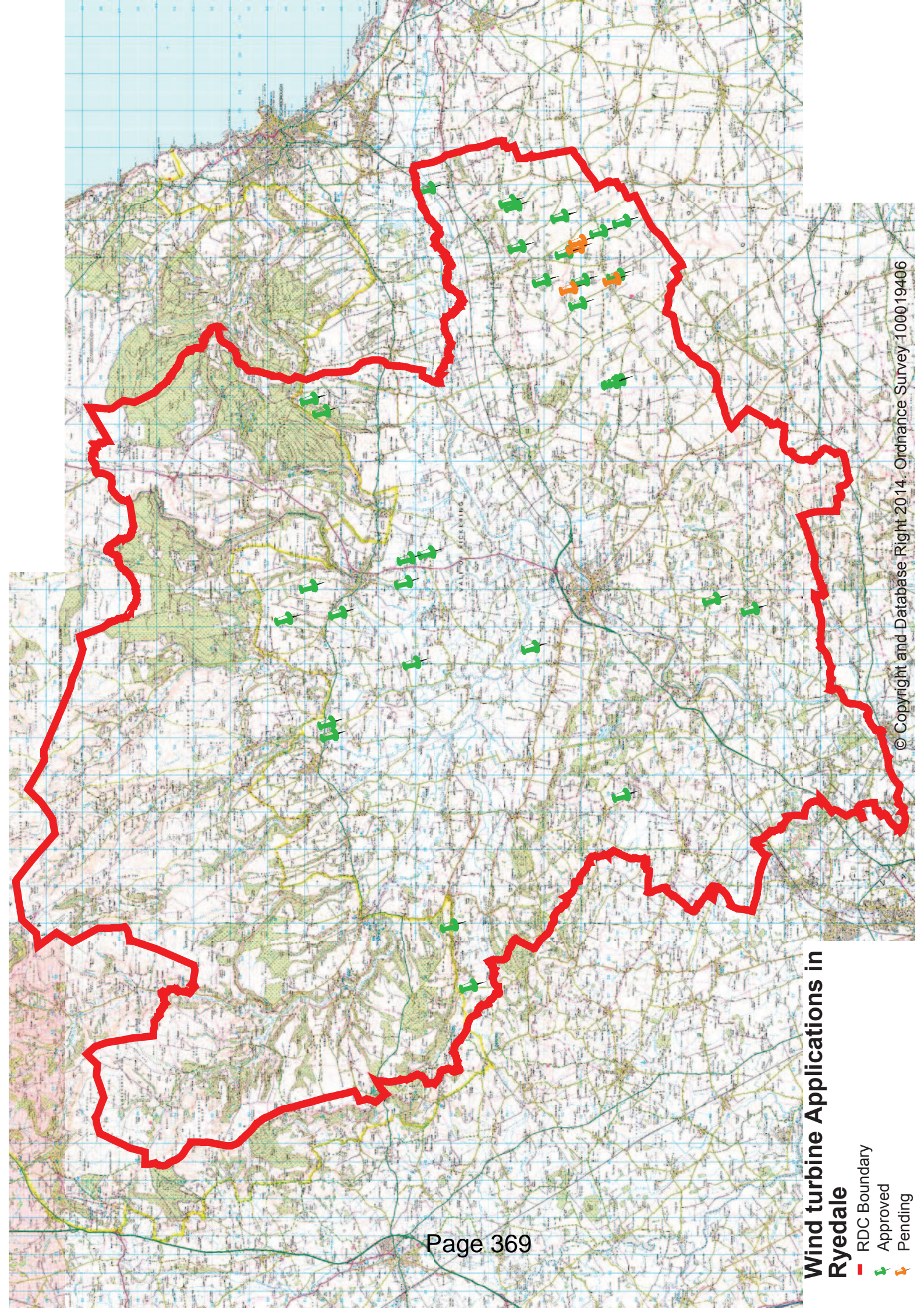
Heritage Conservation

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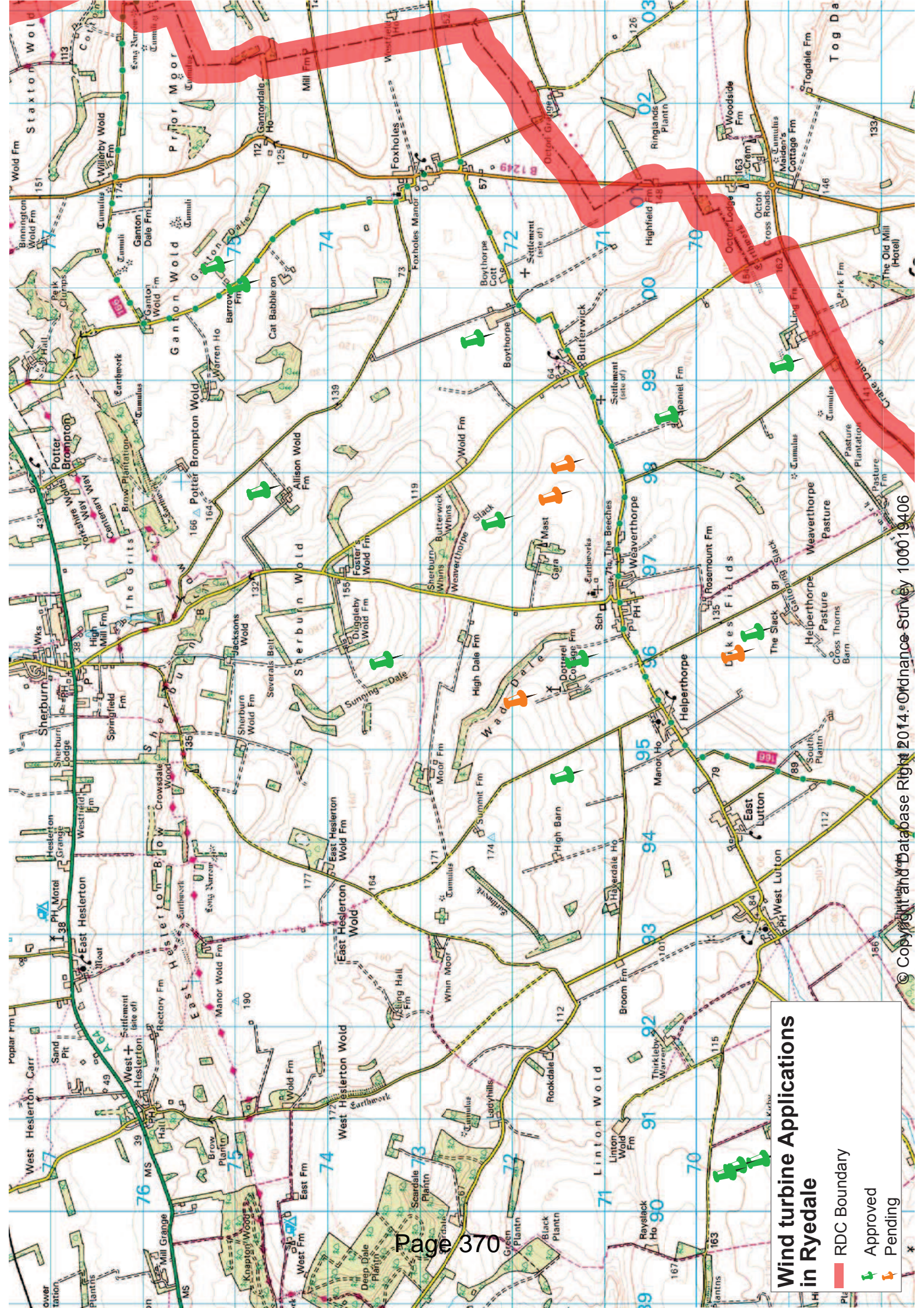
4<sup>th</sup> July 2013





### Wind turbine Applications in Ryedale

-  RDC Boundary
-  Approved
-  Pending



**Wind turbine Applications in Ryedale**

- █ RDC Boundary
- 📌 Approved
- 📌 Pending

SKM

(15)

# LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

Holly House  
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North Yorkshire  
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Karen Hood  
Managing Development Team Leader  
Development Management  
Ryedale District Council  
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Malton  
North Yorkshire YO17 7HH

11 September 2013

KK 12/09/13  
RYEDALE DM  
12 SEP 2013  
DEVELOPMENT

Dear Karen,

**Planning Application No. 13/00850/FUL Erection of 500kW wind turbine on land to west of Pasture Road, Weaverthorpe by Weaverthorpe Wind Ltd**

And

**Planning Application No. 13/00851/FUL Erection of 500kW wind turbine on land to north of Main Road, Weaverthorpe by Wolds Valley Wind Collective Ltd**

At its meeting on 10<sup>th</sup> September, Luttons Parish Council unanimously resolved to **object** to the above application (and its partner application 13/00851/FUL), in the strongest possible terms. This followed a show of hands at the meeting whereby 42 parishioners in attendance unanimously chose to object with no abstentions. This vote follows a similar rejection of this and its partner application (13/00851/FUL) at the meeting of the Weaverthorpe Parish Council the previous evening.

This Council's grounds for objection are set out below.

### **Planning Context (13/00850/FUL and 13/00851/FUL)**

In September 2012 Natural England published their National Character Area Profile 27: Yorkshire Wolds that states:

*'This gently rolling landscape instils a sense of openness, escapism and tranquillity provided by the expansive views, sparse population and agriculture. Protection of the rural character and long, open views is important for conservation of this distinctive landscape.'*

and provides a Statement of Environmental Opportunities SOE3:

*'Improve opportunities to enhance people's enjoyment of the area while protecting high levels of tranquillity by conserving extensive views and intimate, steep-sided valleys which contribute to sense of*

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*place, and by protecting and promoting the extensive historic evidence of past human settlement, landscape change and designed landscapes.'*

The Council believes this to be the most recent assessment of the value of the landscape of the Wolds by a national body, and considers it material to this application in establishing the quality and character of the landscape.

The Ryedale Plan, adopted by the RDC on 5<sup>th</sup> September 2013 in full accord with the National Planning Policy Framework (NPPF), confirms the area as one of High Landscape Value. Policy SP13 Landscapes and Policy includes:

*'Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities'*

*'The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'*

This Council believes that the introduction of three (Weaverthorpe Wind, Wolds Valley Wind Collective, Dotterel Farm) industrial-scale turbines, 67m to blade tip, will have a detrimental effect on the landscape of the Great Wold Valley and its surroundings. These elevated and highly visible development against the skyline will have an overbearing presence on the local communities and for miles around.

In Policy SP18 of the Ryedale Plan, Renewable and Low Carbon Energy, states:

*'Developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:*

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;'*

This Council does not believe that the proposed developments can be assimilated into the landscape due to their scale and location; moreover, the Council believes that the proposals, by damaging perceptions of the landscape, will adversely impact upon the local communities and the local economy which is highly dependent upon visitors. This would undermine Policy SP8 Tourism wherein RDC would support *'Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds'* and Policy SP12 Heritage wherein *'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.'*

This parish values its environment and heritage, as expressed by the overwhelming majority of parishioners in their Parish Plan of September 2008. Aside from the Wolds Way National Trail, recent efforts to attract visitors and promote economic activity have included the National Cycle Route 166,

local cycle routes (Big Skies Bike Rides) and heritage trails (Sykes Churches, Great Wold Valley) all of which pass down the valley past the proposed development sites. The USP for these initiatives has been the heritage landscape of the Wolds, which this development puts at risk.

In July 2013 the Government published new 'Planning Practice Guidance for renewable and low carbon energy'. The Secretary of State made a statement that preceded it, which included the following:

- *planning works best when communities themselves have the opportunity to influence the decisions that affect their lives. However, current planning decisions on onshore wind are not always reflecting a locally-led planning system.*
- *It has become clear that action is needed to deliver the balance expected by the National Planning Policy Framework on onshore wind. We need to ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment.*
- *local communities have genuine concerns that when it comes to wind farms insufficient weight is being given to environmental considerations like landscape, heritage and local amenity. We need to ensure decisions do get the environmental balance right in line with the framework and, as expected by the framework, any adverse impact from a wind farm development is addressed satisfactorily.*
- *We have been equally clear that this means facilitating sustainable development in suitable locations. Meeting our energy goals should not be used to justify the wrong development in the wrong location.*

The Planning Practice Guidance itself states:

- *the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities;*
- *decisions should take into account the cumulative impact of wind turbines and properly reflect the increasing impact on (a) the landscape and (b) local amenity as the number of turbines in the area increases*
- *local topography should be a factor in assessing whether wind turbines have a damaging impact on the landscape*

The cumulative impact of wind turbines upon the landscape is of particular concern to this Council. There are currently 16 turbines, applied for, approved or erected, in the three small Wolds parishes of Kirby, Luttons and Weaverthorpe, excluding the 10 in the proposal for the wind farm at West Heslerton. Whatever their size, these structures are alien to the environment and a dynamic insult to the tranquil landscape. The Planning Guidance is expansive on both landscape and visual impacts, and on the need to assess the cumulative effects of all turbines whether in application or approved. Included in Fig.1, with reference to sequential cumulative effects, is: '*Common routes through a landscape (eg major roads, long distance paths or cycle routes) can be identified as 'Journey scenarios' and the proposals impact on them can be assessed.*' The applicant has not examined either the cumulative impact of all turbines in the area or their effect upon residents going about their daily lives or upon visitors, especially tourists, walkers and cyclists.

As a small rural parish, with communities directly affected by this proposed development, the Council struggles to make its voice heard. It therefore welcomes the Minister's direction that the concerns of local communities should feature more strongly. The area's principal asset is not wind but the unique heritage landscape. This Council believes that the proposed development will be detrimental to the character and perception of the landscape with adverse consequences for local communities and economy, and so runs contrary to national and district policy. As the Minister says, this is '*the wrong development in the wrong location*'.

### The Application (13/00850/FUL)

The co-ordinates for the location of the wind turbines in both applications differs significantly between the application form and the supporting documentation, in one case by 900m and in the other by 1800m. The applicant states that both turbines stand in Weaverthorpe; this is not so as one stands within Luttons parish. Unfortunately, this unprofessional 'oversight' has affected consultation and early communication, particularly in the Helperthorpe community. The location of other wind turbines in figure 01 is incomplete, in particular omitting the recent applications at Dotterel Farm (13/00551), Jubilee Farm (13/00624) and High Barn Farm (13/00699).

At 67m to tip and with a rating of 500kW this turbine is excessively large in both physical presence and output to justify its prominent location overbearing the village of Helperthorpe. It will stand only 800m from that proposed on Jubilee Farm (13/00624). The scale, location and relative position of the current proposal is detrimental to the landscape, the village and its residents.

Although the Conservation Officer does not take issue with this turbine's impact on Scheduled Monuments and Listed Buildings, we contend that there is a detrimental impact upon the *'the visible and hidden finite resource of past human landscape change, land use and settlement – for example, the extensive prehistoric, ritual landscapes, later iron-age and medieval settlements, and 18th-century landscape reorganisation [through the Parliamentary Enclosures](Natural England NCAP27)'*. The dynamic vertical intrusion of wind turbines into this landscape detracts from both the landscape itself and from the historic Grade 1 and 2 buildings, particularly the 'Sykes' churches for which the valley is widely known.

The proposed site is within an area of unique Iron Age earthworks that are believed to relate to large scale cattle ranching. These earthworks have been identified from crop-marks but are not recorded as 'monuments'. The applicant's assessment of 'Impact on Heritage Assets' makes only passing comment on both the Dikes Field earthworks and the landscape created by the Parliamentary Enclosures, that will be significantly impacted by the proposed development. However, *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application'* (NPPF #135) and *'non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'* (NPPF #139). *'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'*(NPPF #128). The applicants recently submitted a Fluxgate Gradiometer Survey of the site but that report does not include an overview of the whole earthworks nor its context in the 'enclosed' landscape of the Great Wold Valley; consequently the full contextual significance of these unique earthworks is not considered.

The ecological assessments undertaken as part of the planning application are based on the impact of each turbine individually. However, just as the National Planning Policy Framework places an obligation to consider the cumulative visual impact, the planning process also has to consider the cumulative impact of multiple turbines on vulnerable wildlife. Indeed the cumulative impact of multiple turbines is recognised by Ryedale Council's Countryside Officer in a response to ecological objections for another live turbine application (13/00551/FUL Dotterel farm) in the same parish *'...gatherings of turbines in the countryside will have a greater potential to impact populations of bats locally and possibly nationally...'*. The existing and planned turbines in the Helperthorpe/Weaverthorpe areas of the Great Wold Valley clearly represent such a gathering of turbines. The inevitable cumulative impact on vulnerable bats and birds has not been considered in either of the planning applications for the Helperthorpe/Weaverthorpe turbines. There is evidence that bats are attracted to turbines, for example to investigate potential roost

sites or to forage on insects that themselves are attracted to the turbines; they may be at greater risk than birds because they can be affected by barotrauma as well as by direct collision. Natural England categorises both the risk of collision with wind turbines and the risk to the UK population from collision with turbines as high risk for noctule bats. For birds, there are numerous species of conservation concern in the local area.

The Shadow Flicker Report and the Radio Interference Report are authored by The Humberside Community Development Agency, and the more recent Fluxgate Gradiometer Survey is authored by the Landscape Research Centre. All are beneficiaries of the schemes. The Shadow Flicker Report and the Radio Frequency Interference Report do not allay the concerns of Helperthorpe residents due to the winter sun and satellite angle from residences passing to the south of the turbine.

The Landscape Characterisation 3.2 is based upon a study commissioned by North Yorkshire County Council in 2011, without acknowledgement to Natural England's NCAP27. The Landscape and Visual Impact Assessment is a shallow piece of work. The author shows little understanding of the area, for example, in 3.4.4 failing to understand the significance of Gypsey Race as the most northerly chalk stream in the UK and as a typical gypsey stream running the length of the Great Wold Valley. The study names Weaverthorpe as the nearest settlement (3.4.10) although Helperthorpe is nearer and more affected by the proposals. In 3.4.16 the study finds 'a number existing turbines in the area of similar scale to that proposed' but omits three turbines applications predating this application, at Dotterel Farm, Jubilee Farm and High Barn Farm; that at Jubilee Farm is only 800m away from the Weaverthorpe Wind turbine site. The author then contradicts themselves in 6.3.5 by stating that 'they are both taller than any of the other turbines existing or planned in a 5 kms radius'. The turbine proposed in both 13/00805, 13/00851 and 13/00551 is significantly larger than anything erected or proposed previously (bar those in the West Heslerton Wind Farm proposal) at 67m to tip and 500kW, and appears to be a version of the maker's industrial 900kW machine de-rated to 500kW to maximise on the domestic Feed-in-Tariff. Throughout the Landscape and Visual appraisal the 'Magnitude' is reduced by the dismissive 'Reversible due to 25-year lifespan of the proposed turbine' to 'Low due to moderate scale of reversible local effects over a long period'; consequently the 'Significance' is reduced to 'Slight' in nearly every case. The author fails to acknowledge that 25 years is a generation during which a business can fold in less than one year if trade falls off or house prices can fall as perceptions of the area change. Some of the photographs from the Viewpoints conveniently use trees or hedgerows to hide the turbine, after which the study plays lip service to cumulative effect, particularly sequential. Sequential effects, whether landscape or visual, are key to the sustainability of the area as visitors move through it, and yet there is only mention of Wolds Way (a national trail) some distance away rather than Cycle Route 166, Big Skies Bike Rides, the Sykes Churches Trail or the Great Wold Valley Heritage Trail, all of which draw visitors into the immediate area. Panoramic and long views are devalued or omitted from the study (for example, those from the B1253 ridgeway, the C356 valley road, the C359/360 and the Settrington High Street) even though they clearly lie within the 'bare earth' Zone of Theoretical Visibility and are the essence of Natural England's NCAP 27. Possibly in an attempt to satisfy the new planning guidance on cumulative effect, the study 'shows that for each turbine, across its area of ZTV, the other turbine would be visible across around 70-80% of that area' (6.3.7); furthermore, the study concludes 'The full range of turbines built, consented and in the planning system, if all built, would be likely to have a cumulative effect on local landscape character' – and that is without three pre-dating applications.

This proposed turbine, together with that proposed in the related Planning Application No. 13/00850/FUL, bring the number of individual turbines (either approved or applied for) in the small parishes of Kirby Grindalythe, Luttons and Weaverthorpe to sixteen. Of these nine are visible from the environs of the villages of Helperthorpe and Weaverthorpe. The cumulative impact, including combined or simultaneous visibility (static), successive or repetitive visibility (static), and sequential (on

the move), of such numbers of turbines in a limited area of high landscape value has not been adequately explored by the applicant. The locations of assessed viewpoints, when related to the Zone of Theoretical Visibility, fail to adequately cover the B1253, the C356, the C359/360 and the Settrington High Street, particularly to the west of the 5km radius; these are the routes most used by residents and visitors to the area. The extensive views from the ridgeway and down the valley from the C356 are not adequately assessed for cumulative impact. Cumulative impact has now reached its tipping point.

**Management structure (Planning Statement 13/00850/FUL and 13/00851/FUL)**

This Council is concerned that this project is presented as a 'community project' or 'for the benefit of the community'. Minimal 'consultation' has taken place and the usual channels of representation through parish councils ignored. Support has been garnered from outside the area whilst the proposal has proved divisive within the community, due in no small part to the application being designated as in Weaverthorpe rather than Helperthorpe. From the evidence of the applicant's own planning statement there is a suggestion of narrow interests, rather than community representation and wider benefit; the management structure is neither transparent nor representative. No business plan has been presented but the financial inducement to households is a small part of the yield and subject to erosion by tax and inflation; the scheme is only as good as the continuing government subsidy. There is concern that funds generated will leave the area or be under individual control.

The Council is informed that the structuring of the scheme only becomes material to the planning application if there is demonstrable misrepresentation. This Council believes that the failure of the applicants to consult the wider community, the shortcomings of the application itself, the exclusion of Helperthorpe from formal notification, the lack of a business plan and the opaque presentation of the control and beneficiaries of the scheme, taken together amount to unintentional misrepresentation. The perception of misrepresentation was confirmed by 42 parishioners in a second unanimous show of hands at the meeting on 10<sup>th</sup> September. The public anger and expressions of concern that these proposals have initiated have never before been witnessed in this parish. Planning Officers and the RDC Planning Committee are asked to set aside any suggestion that these proposals have community support or community benefit and to dismiss proforma 'letters' of support solicited upon the prospect of financial benefit rather than planning grounds.

One of the true assets that the area possesses is not wind but a large area of unspoilt historic countryside – that is until the advent of the wind turbine and government subsidies. The area will only be truly sustainable if it remains an attractive place to live and retains and attracts business, particularly tourism. Visitors will not come to the valley to view wind turbines and we allow the desecration of the landscape by them at our peril.

Please ensure that the Council's views are represented to RDC Planning Committee. Furthermore, please accept this letter as the personal submission of all nine elected/co-opted Councillors who, until the meeting on the 10<sup>th</sup> September have been unable to express an individual opinion. The Council would like to see the Officer's Report upon publication and to be informed of the date of the Committee at which this application will be considered.

Yours sincerely

Andy Macdonald  
Councillor and Clerk to Luttons Parish Council

c. Councillors of Luttons Parish Council, Cllr Edward Legard, Cllr Janet Sanderson, Clerks to Weaverthorpe Parish Council and Foxholes Parish Council



SHN

**Weaverthorpe Parish Council**  
**C/o Boltby Cottage**  
**Main Road**  
**Weaverthorpe**  
**North Yorkshire**  
**YO17 8EY**  
**Tel: 01944 738841**

Karen Hood  
Managing Development Team Leader  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 8EY

09)  
KK 12/09/13  
**RYEDALE DM**

12 SEP 2013

**DEVELOPMENT  
MANAGEMENT**

Dear Ms Hood,

**Application number: 13/00851/FUL Wolds Valley Wind Collective Ltd., Land to north of Main Road Weaverthorpe**

This planning application was discussed by Weaverthorpe Parish Council on 9<sup>th</sup> September 2013, at a meeting attended by over forty members of the public. There are strong feelings in the community on the subject matter contained in this letter. Those present at the meeting voted overwhelmingly to oppose the application.

Previous applications approved for wind turbines within Weaverthorpe have been a total height of 34.2 metres ( Manor Farm and Gara Farm). This application is for a turbine with an overall height of 67 metres almost twice the height of the turbines already erected. This is a major source of objection within the community.

This turbine will dominate the sky line and be visible from most parts of the village, as it is situated on one of the highest points on the north of the valley. Views of the valley will be ruined, particularly that of the Grade 1 listed St Andrews Church. The co ordinates given on the planning application put the turbine in a different place to that shown on the map produced by the applicant. We have already stated in previous replies to planning applications for wind turbines that there are too many being built in such a small area of our countryside.

Previous planning applications for wind turbines have been for electricity for farm use, thus reducing the carbon footprint of the valley. 50% of the income from this turbine will go outside of the local community despite the title of the application saying that it is for the benefit of the local community.

Wolds Valley Wind Collective is made up of Landscape Research Centre Ltd, Humberside Co operative Development Agency, Rarey Farm Foundation and Wolds Valley Archaeological Trust. The first two of these organisations have nothing to do with the local community and are based outside of the local area. The last two of these organisations do not exist at present, it is unclear exactly what these organisations will be doing for the local community and it could be argued that the benefit for the local community is for a small proportion of the residents. This is the reason for a strong feeling in the community that they will have to look at huge turbines decimating our landscape for the sake of benefits being gained elsewhere.

PLANNING1300851

Of the public comments on the planning portal web site, many of the supporters live well outside of the local area, many of which come from Hull which is where HCDA is based. We do not feel that the planning authority should consider that support from outside the authority area.

The planning statement in paragraph 2 says that both wind turbines (the other is 13/000850/FUL) have been widely publicised locally in the parishes of Butterwick, Helperthorpe and Weaverthorpe. The first, and we believe only mention of a second turbine was made in the Wolds Valley Warbler, August edition, which informed residents that planning applications had been submitted. There has been no consultation with the community on this turbine and it was a total surprise to the local community. There were statements made by the applicants that the community would be consulted about their plans before anything was formalised, but this did not happen.

Paragraph 52 of the planning statement says that the turbine will be screened from substantial parts of the highway system. This is not true as both this turbine and the turbine for Weaverthorpe Wind at Helperthorpe will be visible from the main valley road and feeder roads into the valley. The height and location will make them a dominant feature of the landscape for miles around.

Many homeowners believe that their property values will be adversely affected by the presence of two large turbines. Further, a few residents who are dependent on the tourism business believe the effect on the landscape will decrease the number of visitors to the Great Wolds Valley.

It is evident from the feedback that the Parish Council received from the public that this is an issue which has deeply divided our communities because of the lack of information, consultation and the size of the turbine.

Two members of the community offered to fund a referendum across the villages of Helperthorpe, Weaverthorpe and Butterwick. We are unsure whether this would be too late for the timing of this application and whether the results would have any effect on the decision made by RDC. We would welcome your views on this.

Based on the foregoing Weaverthorpe Parish Council **OBJECT** to this application.

Yours sincerely

J House  
Clerk to Weaverthorpe Parish Council

**Item Number:** 15  
**Application No:** 14/00315/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr John Skaife  
**Proposal:** Erection of an agricultural building for the housing of livestock and storage of machinery and feed, together with formation of additional hardstanding.  
**Location:** Land South Of Street Lane Pickering North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 6 June 2014  
**Overall Expiry Date:** 22 July 2014  
**Case Officer:** Matthew Mortonson **Ext:** 332

## CONSULTATIONS:

<b>Highways North Yorkshire</b>	Recommends alterations to access are included on application, and concerns re visibility, recommends formation of visibility splays
<b>Countryside Officer</b>	Object as insufficient information- further response awaited
<b>Sustainable Places Team (Yorkshire Area)</b>	No objections – awaiting response regarding conditi
<b>Environmental Health Officer</b>	No views received to date
<b>Land Use Planning</b>	Yorkshire Water – conditional support
<b>Parish Council</b>	No objection
<b>Land Use Planning</b>	Recommend condition

## Neighbour responses:

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## SITE:

The application site is located to the south of Street Lane to the west of Keld Head, Pickering. The site is situated within the open countryside and the Keld Head Springs Site of Important Nature Conservation. The site is also located adjacent to, but not within, the Keld Head Conservation Area and Visually Important Undeveloped Area.

## PROPOSAL:

The proposal seeks planning permission for the erection of an agricultural building for the housing of livestock and storage of machinery and feed, together with formation of additional hardstanding.

The applicant has provided a Habitat Survey in support of the proposal.

The application is reported to Members for decision because the applicant is related to a Member of the Council.

## HISTORY:

There is no relevant planning history to this site.

## **POLICY:**

### National Policy Guidance

National Planning Policy Framework  
National Planning Practise Guidance

### Ryedale Plan: Local Plan Strategy

Policy SP9 – The Land Based and Rural Economy  
Policy SP12 – Heritage  
Policy SP13 – Landscapes  
Policy SP14 – Biodiversity  
Policy SP16 – Design  
Policy SP20 – Generic Development Management Issues

## **APPRAISAL:**

The main considerations in the assessment of this application are:

- i) Principle of the Development
- ii) Keld Head Springs - Site of Important Nature Conservation
- iii) Groundwater Protection Zone
- iv) Highway Related Issues

### Principle of the Development

National and Local policies support new buildings that are necessary to support land-based activity and a working countryside, including for farming. The applicant seeks to develop this site for an agricultural business. The economic benefits of promoting the agricultural business need to be weighed against the harm the proposed development would have on the character of the open countryside, the Conservation Area (which is approximately 30 metres to the east at its nearest point) and Visually Important Undeveloped Area.

The building proposed would measure approximately 18.6m long x 9.3m wide x 5.7m high, and is proposed to be formed of concrete panels, Yorkshire Boarding and dark grey fibre cement roofing. The building would be simple in its design and typically agricultural in its appearance. There are established hedgerows along the northern boundary of the site which will soften views of the building from the public highway to the north. On the eastern boundary is located a mixture of established trees and hedgerow which will, to some extent, help screen the development when viewed from the east and provide a backdrop for the building when view from the west. Nevertheless, parts of the building would be visible when viewed from across the Conservation Area and the Visually Important Undeveloped Area, therefore in order to mitigate the impact of the building a landscaping condition is recommended to ensure additional screening on this boundary.

### Site of Important Nature Conservation (SINC)

The applicant has submitted a Phase 1 habitat survey. The application site is located within the semi-improved neutral grassland of the Site of Important Nature Conservation. As identified by the habitat survey this part of the SINC is as follows:

*“The dominant habitat type consists of this habitat type and is maintained through light grazing by sheep and mowing. At the time of the survey, the sward was approximately 10cm tall. There appears to have been little nutrient improvement of the field beyond animal inputs as species diversity is rich.”*

The Council’s Countryside Officer has been consulted on the application originally objecting on the basis of insufficient information. Since then, further information has been submitted and the further

comments of the Countryside Officer are awaited. These will be provided to Members in the late pages or at the Planning Committee Meeting.

#### Groundwater Protection Zone

The Environment Agency have noted that the application site is located within Groundwater Protection Zone 1 for the Yorkshire Water Services drinking water supply for Pickering. As a result, objections were raised to the development as insufficient information was provided to allow proper assessment of the risk on groundwater supply in the locality. However, following discussions between planning officers and the Environment Agency, it was agreed that should the applicant connect the surface water run-off from the building to the public sewer that the Environment Agency would remove their objection. The applicant has agreed to do this.

In addition to the Environment Agency's concerns, Yorkshire Water have also been consulted due to the proximity of the site to the Corallian aquifer which is used extensively for public water supply. Following discussions with planning officers, to ensure no adverse impact, Yorkshire Water have recommended conditions to any planning permission granted.

#### Highway Related Issues

With respect to highway safety, NYCC Highway Authority have raised concerns regarding the visibility splays of the access into the site. Revised plans have been requested from the applicant which are expected to be received in the near future. The further comments of the highway authority are awaited, and will be provided to Members within the late pages or at the Planning Committee Meeting.

To conclude, the recommendation is one of approval subject to final confirmation from the Councils Countryside Officer and NYCC Highway Authority that all matters have been resolved. In the event that any of the matters are not agreed delegation to the Head of Planning and Housing is sought should any consultation response received result in an alternative recommendation.

National Planning Policy Framework

National Planning Policy Guidance

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

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

#### **RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2            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 appropriate appearance in accordance with the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

3            Before any part of the development hereby approved commences, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules

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**PLANNING COMMITTEE**  
**30 July 2014**

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 during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved.

- 4 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Unless approved by the local Planning Authority, surface water shall not drain to soakaway.

Reason: To ensure that the development can be properly drained without detriment to the public water supply.

- 5 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 6 No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local Planning Authority. Furthermore, no development shall commence until any approved mitigation measures with respect to the protection of groundwater have been implemented to the satisfaction of the local Planning Authority.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 7 Any conditions recommended from the Council's Countryside Officer

- 8 Any conditions recommended by the Environment Agency

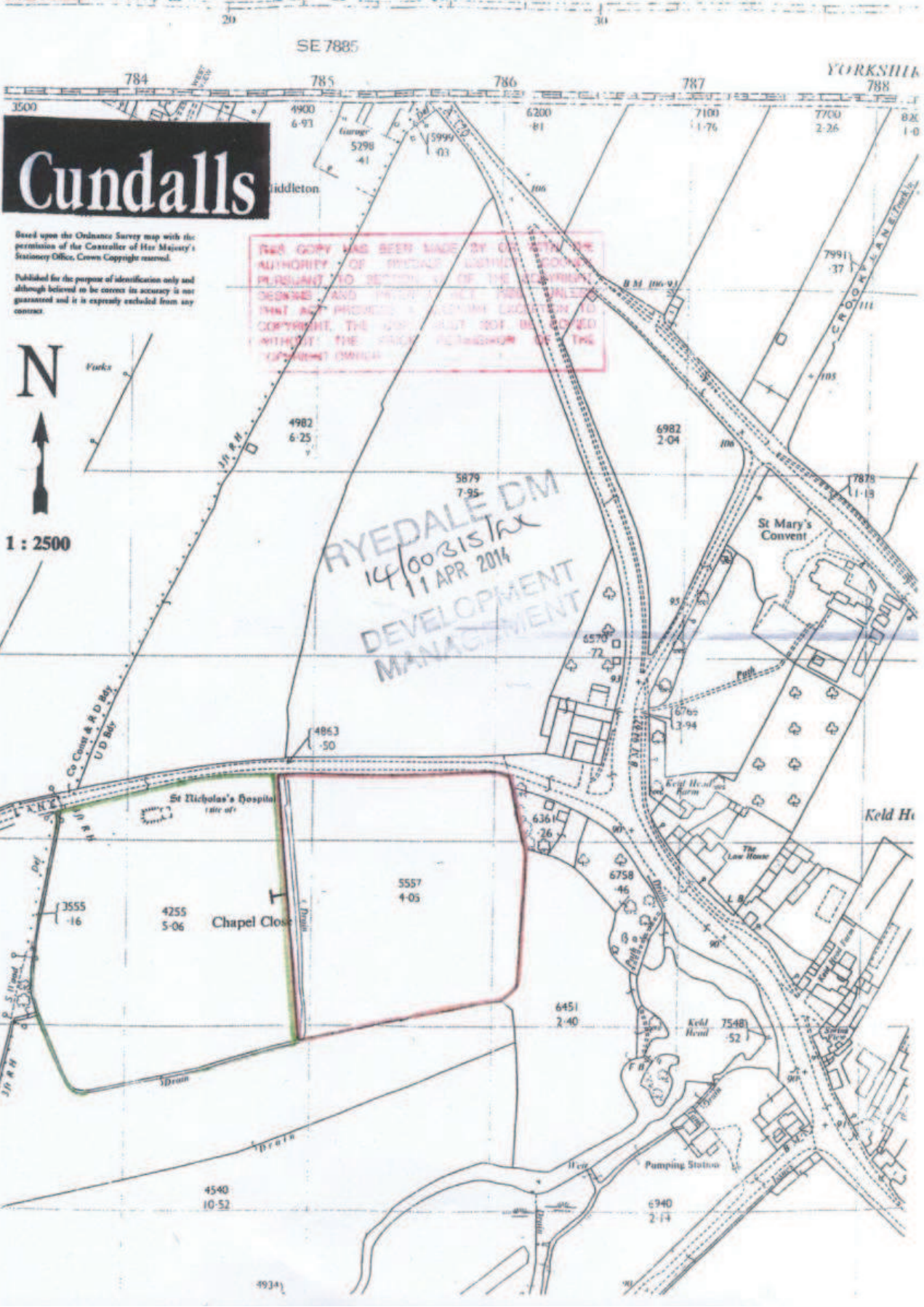
- 9 Any conditions recommended by NYCC Highway Authority

- 10 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



**Cundalls**

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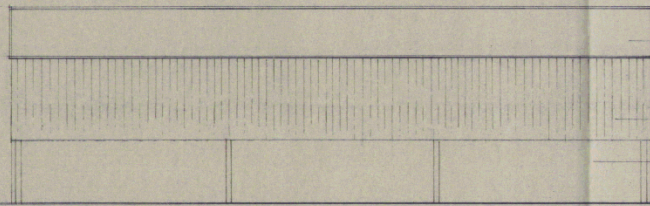
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RYEDALE DM  
14/00315 Tax  
11 APR 2014  
DEVELOPMENT  
MANAGEMENT

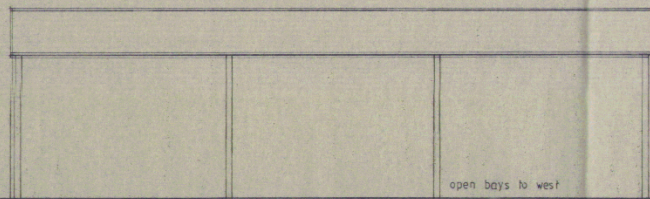


dark grey corrugated cement fibre roofing sheets

Yorkshire boarding to upper walls

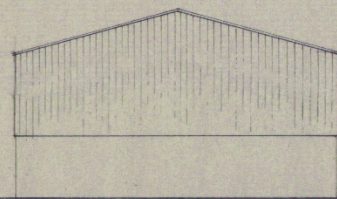
concrete panels

E A S T

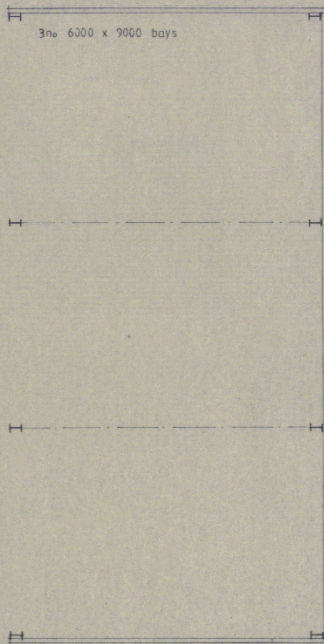


open bays to west

W E S T

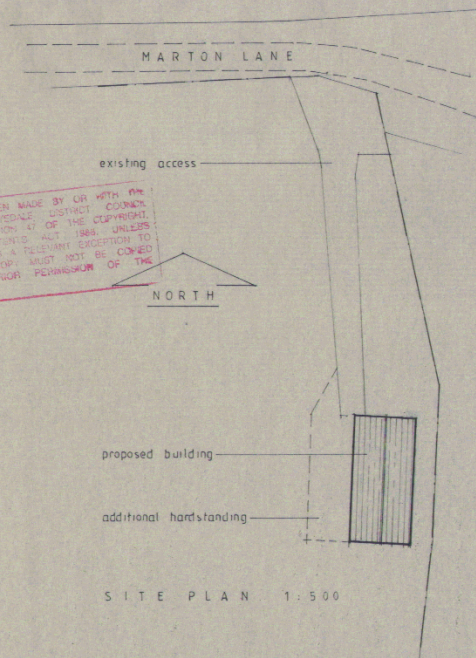


N O R T H & S O U T H



FLOOR PLAN

RYEDALE DM  
14/00315/12  
11 APR 2014  
DEVELOPMENT  
MANAGEMENT



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N O R T H

S I T E P L A N 1 : 5 0 0

PETER RAYMENT DESIGN LTD ARCHITECTURAL DESIGNERS  
STRAY HEAD AISLABY PICKERING NORTH YORKSHIRE YO18 8PE TELEPHONE 01751 472541

SCALE 1:100 1:500 DRAWING 230 412 1 AMENDMENT A

PROPOSED AGRICULTURAL BUILDING  
LAND AT KELD HEAD  
PICKERING

CLIENT MR J SKAIFE

Maple Leaf Design Supplies 529696



Agricultural Building ref: 14/00315/FUL

The proposed building is needed in order to provide storage for agricultural machinery, shelter for livestock to be kept on the land and storage for fodder for the livestock.

It is our intention to keep both sheep and cattle on a year round basis, hence the need for shelter for the livestock. Ultimately we are hoping to establish a centre for breeding rare breeds of both cattle and sheep. As it happens lambing outside would have been Ok this year – last year it would have been a disaster!

We would need to visit the site twice a day to check on the livestock.

We believe that the application is in accordance with Local Planning Policy SP9 in that this building will allow us to establish a small land-based activity which is sustainable and will ultimately supply the growing local food economy, which demands locally produced food. We have the use of a further 2 acres of land in Middleton Carr Lane if needed, but this application is not part of a larger agricultural unit.

SP 13 seeks to protect the countryside and we believe that this development is of a sufficiently small size as to cause no harm to the landscape. If it is felt that existing planting is insufficient we are willing to undertake further planting of indigenous trees and hedging.

SP 16 deals with the design of similar local buildings. We have taken note of similar local developments and submitted a design which we believe reflects that. However if the design is felt to be inappropriate then we are willing to change to suit

RYEDALE  
14/00315/FUL  
11 APR 2014

Mmo 7/5/14 JZ

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)  
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RYEDALE DM

- 7 MAY 2014

DEVELOPMENT  
MANAGEMENT

# Agenda Item 16

**Item Number:** 16  
**Application No:** 14/00362/FUL  
**Parish:** Luttons Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr David Pattison  
**Proposal:** Change of use and alterations of public house to form a 4 bedroom dwelling.  
**Location:** Three Tuns Inn Main Street West Lutton Malton North Yorkshire YO17 8TA

**Registration Date:**  
**8/13 Wk Expiry Date:** 29 July 2014  
**Overall Expiry Date:** 7 July 2014  
**Case Officer:** Alan Hunter **Ext:** Ext 276

## CONSULTATIONS:

<b>Highways North Yorkshire</b>	No objection
<b>Property Management</b>	No views received to date
<b>Parish Council</b>	Object
<b>Tree &amp; Landscape Officer</b>	Request tree report

**Neighbour responses:** Andrea Dixon, Denise Winks, Vanessa Hottley, Mr & Mrs Keith, Dawn Hardcastle, Mr Paul Everett, Audrey Corbett, T.J. Phillips, Robert And Jayne Buck,

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## SITE:

The application site comprises a Public House, Three Tuns, which is located within the development limits of West Lutton. The application site is located within Flood Zones 2 and 3 by virtue of its proximity to the Gypsy Race. The Public House use is contained on the ground floor with a 3 bed unit of accommodation above. To either side are residential properties.

## PROPOSAL:

Planning permission is sought to change the use of the Public House to form a 4 bedroom dwelling.

Internal alterations include:-

### Ground floor

The bar is proposed to become a lounge  
The beer cellar is proposed to become a bathroom  
The pool room is proposed to become a dining room  
The pub kitchen, and toilets is proposed to become a house kitchen.

### First floor

The lounge is proposed to become bedroom 4.

### External alterations

It is proposed to re-roof the property in a new terracotta pantiled roof

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**PLANNING COMMITTEE**  
**30 July 2014**

Brick up outer cellar doors in matching brick.

**HISTORY:**

2005 - Planning permission granted for the formation of a vehicular access with timber entrance gates (retrospective application)

1988 - Planning permission granted for the erection of a single story extension to form lounge extension.

1987 - Planning permission granted for the erection of a rear extension to form a function room and kitchen.

1979 - Planning permission granted for extensions to premises to provide Ladies and Gents toilet

**POLICY:**

National Policy Guidance

National Planning Policy Guidance 2014 (NPPG)  
National Planning Policy Framework 2012 (NPPF)

Local Plan Strategy - adopted 5 September 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 SP11 - Community Facilities and Services  
Policy SP13 - Landscapes  
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 are:-

1. The principle of the proposed change of use and the loss of the Public House;
2. Whether the proposed use can be undertaken without having a material adverse effect upon the amenity of the adjoining properties.
3. Whether the proposal will have a material adverse effect upon the amenity of adjoining properties.
4. Flood risk.
5. Parking and highway safety.
6. Trees.

Members are advised that the public consultation exercise on this application has generated:-

- An objection from the Parish Council. This raises the following issues, the loss of the Public House as an important community facility; suggested inaccuracies within the submitted information by the agent; and that some of the proposed ground floor rooms will not have windows
- A petition against the proposal signed by 113 people
- 5 letters of objection against the proposed change of use because of its importance as a community facility.

- 2 representations from adjoining properties raising no objection in principle to the proposed change of use, but do not wish to see the building extended.

The above responses are available to view online under the application reference number.

#### Principle of the proposed development

Para. 28 of NPPF seeks to protect and retain community uses, such as public houses within existing rural areas. Furthermore Policy SP11 of the Local Plan Strategy states:

*‘Existing local retail, community, cultural, leisure, and recreational services and facilities that contribute to the vitality of the towns and villages and the well-being of local communities will be protected from loss/redevelopment unless it can be demonstrated that:*

- *There is no longer a need for the facility or suitable and accessible alternatives exist, or*
- *That it is no longer economically viable to provide the facility, or*
- *Proposals involving replacement facilities provide an equivalent or greater benefit to the community and can be delivered with minimum disruption to provision.’*

The agent has informed that the pub has been closed since June 2013 due to its poor economic performance. The agent has also confirmed that The Three Tuns has been marketed by Christie & Co (Leeds) since April 2013. Christie & Co have confirmed that whilst they have provided details of the property to a number of people interested in purchasing pubs in the Yorkshire area and there have been 7 viewings of the property. No offers have been received. Christie & Co have stated that the property was marketed online, by fixed advertising board outside the premises and in the Yorkshire Post and Morning Advertiser. The pub and accommodation above was marketed at £245,950. The Council’s Valuer has considered the submitted marketing details and considers the marketing price represents an acceptable valuation for the Pub and accommodation. Furthermore the Council’s Valuer considers that the marketing exercise carried out is reasonable. The Council’s Valuer is of the opinion that the Pub is not economically viable.

Members should note that The Three Tuns is a ‘wet sales’ only pub. The Council’s Valuer considers that to include food sales would require significant investment in a kitchen extension and cooking facilities, which would not represent viable expenditure given that the current use is already deemed economically unviable, and to which there has been no demand.

Whilst Officers are reluctant to see the loss of this village pubs, in view of the advice from the Council’s Valuer, there are considered to be no sustainable planning grounds to object to the loss of this pub in principle. The Parish Council’s comments (received 17 July 2014) about how the pub has been operated and marketed have been forwarded to the applicant and the Council’s Valuer for their further views. However, preliminary discussions with the Council’s Valuer do not indicate that his view would change. Members will be updated at the meeting.

There is already a unit of residential accommodation at the Pub and the proposed change of use would simply extend that use across both the ground and first floor. In view of this arrangement it is not possible to impose a Local Needs Occupancy condition or request a financial contribution towards Public Open Space as there is no net increase in the number of residential units.

#### Flood Risk

In accordance with Technical Guidance to NPPF, the existing drinking establishment use is a ‘More Vulnerable’ use and the proposed dwelling use is also a ‘More Vulnerable’ use. The flood risk vulnerability of the existing use and the proposed use is exactly the same. The sequential test in this case is considered to be met in view of the application representing a change of use within an existing building to a use that is no more vulnerable than the existing use.

### Residential amenity

It is understood that the building was built as a dwelling originally. The proposed building is considered to be capable of being used as a dwelling without having a material adverse effect upon the amenity of the adjoining properties. The proposed use is also considered likely to have less impact than the current Pub use, in terms of noise and disturbance to surrounding properties and movements to and from the site.

The owners of the two neighbouring properties have also supported the proposed change of use to a dwelling but have reservations regarding potential extensions that would be undertaken to it in the future. It is therefore considered appropriate to withdraw permitted development rights by condition.

There are no new window positions proposed and no unacceptable level of potential overlooking arising from the proposal. There is also considered to be a reasonable sized rear garden in keeping with adjoining properties. The proposal is therefore considered to have a satisfactory level of residential amenity and not to have a material adverse effect upon the amenity of adjoining properties.

The Parish Council's comments about the proposed ground floor bathroom, dining room and kitchen having no windows have been forwarded to the applicant, for clarification. The applicant would need to include windows in the dining room and kitchen for Building Regulation purposes. However, both these rooms are at ground floor and it is considered that with some re-arrangement to the rear, these openings can be sympathetically accommodated without adversely affecting neighbours. Moreover, photographs of the property indicate windows on the front elevation that could be retained.

### Highway Safety

The local Highway Authority has no objection to the proposal.

In addition the Tree and Landscape Officer recommends a condition in respect of protection measures in respect of a mature tree that stands in the south eastern corner of the garden of the property.

In view of the above assessment the recommendation is one of approval.

National Planning Policy Guidance

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 SP3 Affordable Housing

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

Local Plan Strategy -Policy SP11 Community Facilities and Services

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**

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

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**PLANNING COMMITTEE**  
**30 July 2014**

- 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.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 No service/or the storage of any materials connected with the approved development shall take place within a radius of 8.4m from the trunk of the mature tree which stands in the south eastern corner of the garden of the property.

Reason: To ensure that the rooting zone of the tree is not compacted or roots severed as a consequence of the development, in accordance with British Standard 5837:2012 'Trees in relation to Demolition Design and Construction – Recommendations', and in accordance with Policy SP13 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 Prior to the commencement of the development precise details of the front boundary details shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

Site location plan

Downstairs floor plan – before

Downstairs floor plan – after

Upstairs floor plan before

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



Land Registry  
Current title plan

Title number NYK182420  
Ordnance Survey map reference SE9369SW  
Scale 1:1250 enlarged from 1:2500  
Administrative area North Yorkshire : Ryedale



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RYEDALE  
14/06/2014  
- 3 JUN 2014  
DEVELOPMENT MANAGER

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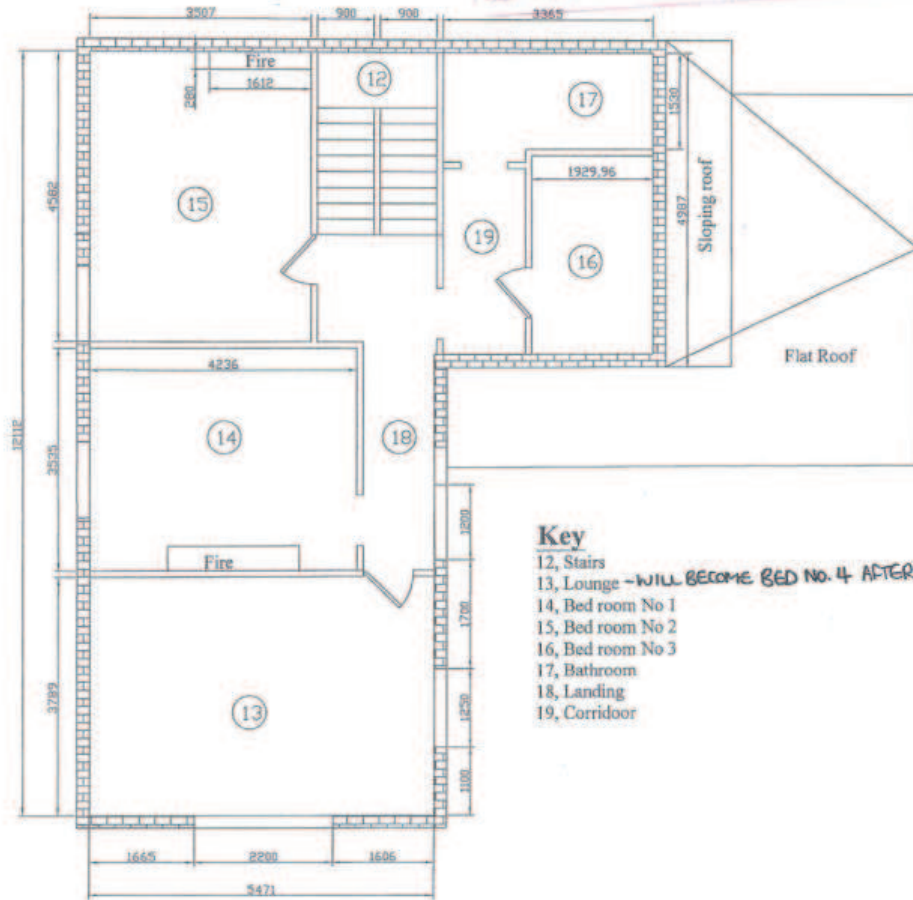
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# Tuns Public house

## Before Up Stairs

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- Key**
- 12, Stairs
  - 13, Lounge - WILL BECOME BED NO. 4 AFTER C.O.U.
  - 14, Bed room No 1
  - 15, Bed room No 2
  - 16, Bed room No 3
  - 17, Bathroom
  - 18, Landing
  - 19, Corridor

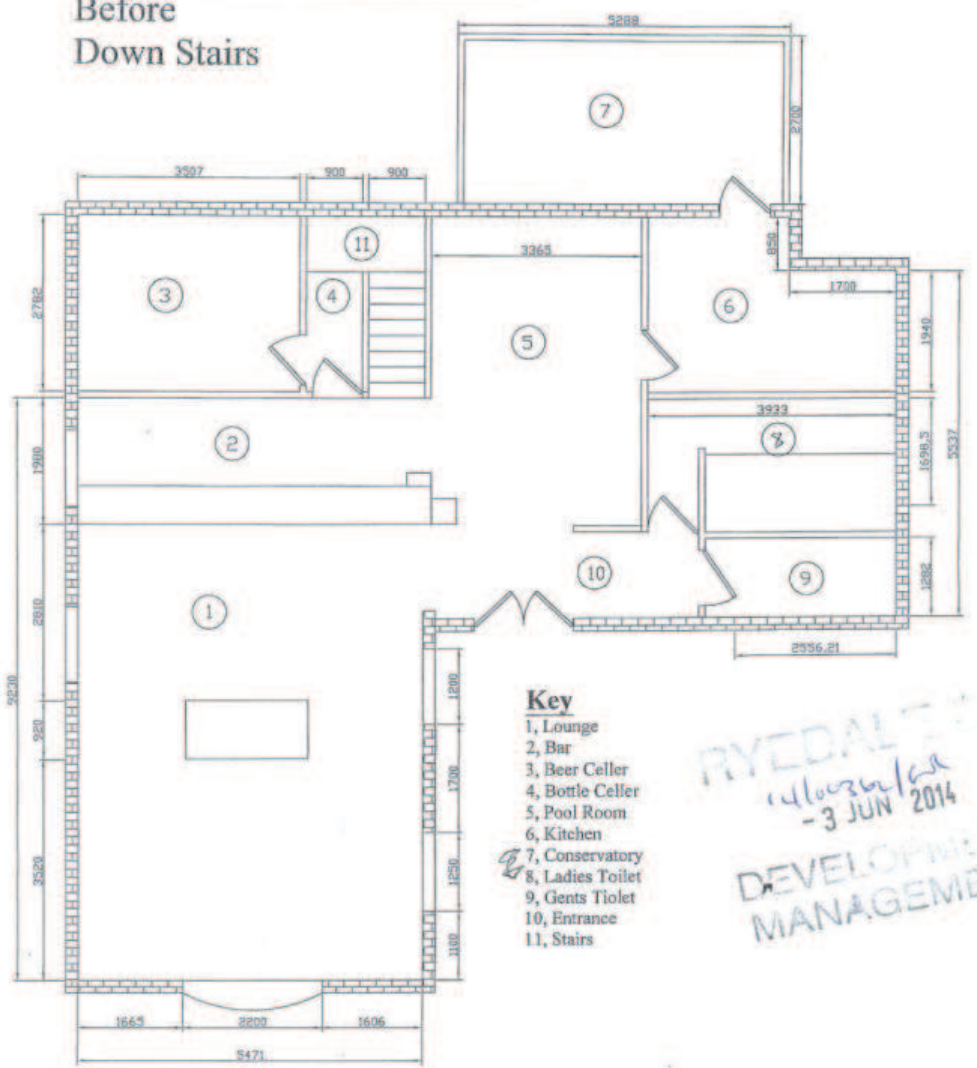
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BY DALE DM  
1-1/2014  
- 3 JUN 2014  
MANAGEMENT

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### 3 Tuns Public house

Before  
 Down Stairs



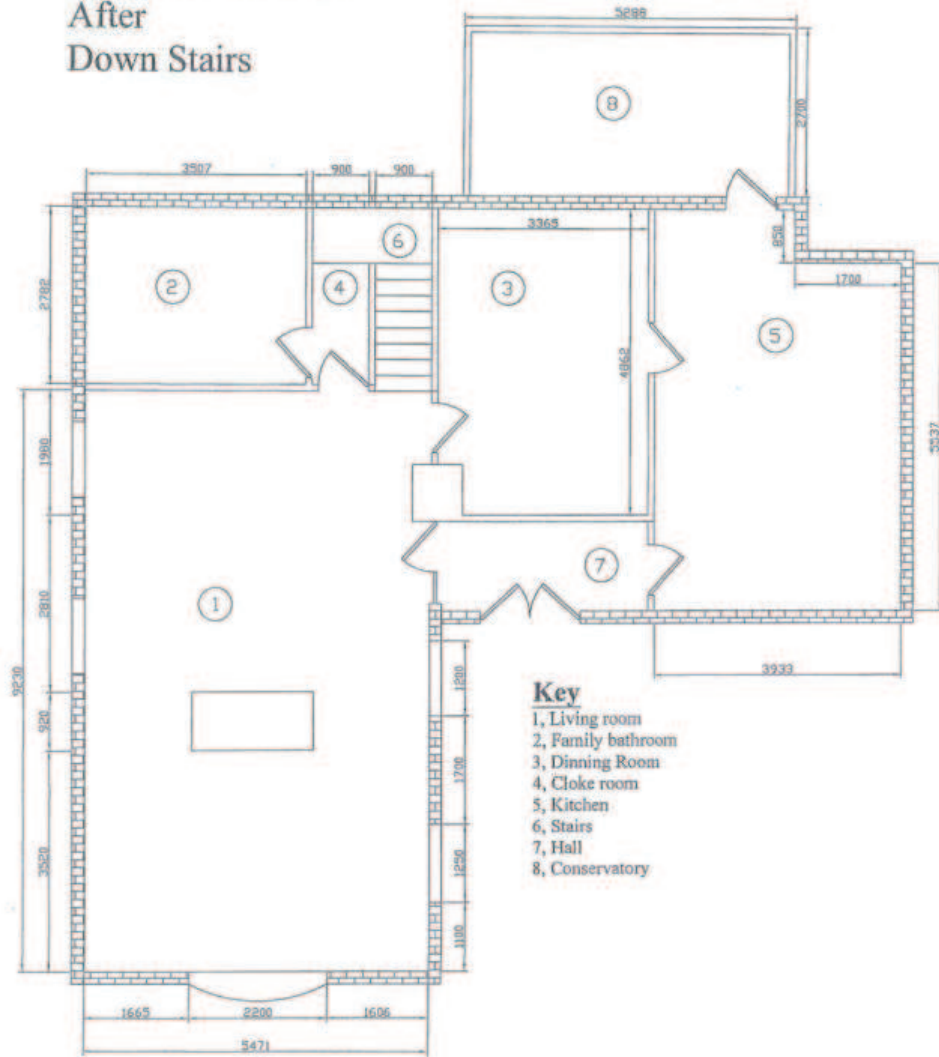
- Key**
- 1, Lounge
  - 2, Bar
  - 3, Beer Celler
  - 4, Bottle Celler
  - 5, Pool Room
  - 6, Kitchen
  - 7, Conservatory
  - 8, Ladies Toilet
  - 9, Gents Toilet
  - 10, Entrance
  - 11, Stairs

RYEDALE  
 14/03/2014  
 - 3 JUN 2014  
 DEVELOPMENT  
 MANAGEMENT

1:100

# Tuns House

After  
Down Stairs



1:100

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RYECAST DM  
14/06/2014  
- 3 JUN 2014  
DEVELOPMENT  
MANAGEMENT

Our ref:54/55117-RL/HS

**Private and Confidential**

Mr David Pattison  
The Range Group  
Parry Lane  
Bradford  
West Yorkshire  
BD4 8TJ

Aquis House  
Greek Street  
Leeds  
LS1 5RU

T 0113 389 2700  
F 0113 389 2701  
E leeds@christie.com  
DX 713107 Leeds Park Square

11<sup>th</sup> April 2014

Dear Mr Pattison,

**Re: Three Tuns Inn, Main Street, West Lutton, YO17 8TA**

Further to our conversation on the 11<sup>th</sup> of April with regards to the above mentioned freehold property and land.

I can confirm that Christie & Co, from our Leeds office, have been marketing the opportunity since April 2013, (last 12 months). In this time we have provided the details to a number of buyers that we have registered looking for pubs in North Yorkshire, the property has been viewed on our website many times, we have advertised the property in both the Yorkshire Post and Morning Advertiser, on a number of occasions, as well as having a for sale board fixed to the external of the building.

To date this has resulted in 7 different parties viewing the pub, however we have not, for all of our efforts, been able to achieve a suitable offer for the property, as a vacant, or trading public house. However, we have had a number of parties comment, to state that it would make a fantastic residential dwelling. We therefore consider this option to be a very viable one moving forward.

I trust the above updates you of our position and we await further instructions.

Yours sincerely

Ryan Lynn  
Licensed Agency  
T 0113 389 2706  
E ryan.lynn@christie.com

Enc

RYEBAI  
14/00 sbc/ksc  
- 3 JUN 2014  
DEVELOPMENT  
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- Large beer garden ( not fully utilised) with car park area and stand alone garage.
- 100% wet trade with major potential for food.
- Currently quietly trading on limited hours. Turnover y/e 2006 at circa £61,000 per annum (inc. VAT) with potential to develop a real business. Anticipated turnover for y/e 2007 circa £70,000 (inc. VAT) (to be confirmed by vendor's accountant).



**AN IDEAL OPPORTUNITY AS A FIRST RUNG ON THE FREEHOLD LADDER FOR 'HANDS ON' OPERATOR TO BUILD ON THE EXISTING TRADE AND INTRODUCE A FOOD OFFERING WHILST ENJOYING THE 'COUNTRY' LIFESTYLE OF BEAUTIFUL NORTH YORKSHIRE**

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**Peter Wade Consultancy**  
CONSULTING ENGINEERS

## Peter Wade Consultancy

PLANNING STATEMENT

REF:- PWC/2424

**PROPOSED CHANGE OF USE TO A DWELLING  
THREE TUNS INN PUBLIC HOUSE  
MAIN STREET, WEST LUTTON,  
MALTON, NORTH YORKSHIRE.  
YO17 8TA**

## Peter Wade Consultancy

*Consulting Civil & Structural Engineers*

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WF9 1FE

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Fax: 01977 647823

Email: [mail@peterwadeconsultancy.co.uk](mailto:mail@peterwadeconsultancy.co.uk)

RYEDALE  
14/08/2016  
- 0304 2016

**1. Planning Statement**

- 1.1 A planning application associated with this statement has been submitted to Ryedale District Council and given the reference no. 14/00362/FUL. The application is for a change of use to convert an existing public house, the Three Tuns Inn, into a private detached dwelling house.
- 1.2 The public house is the only licensed premises in West Lutton and ceased to trade in June 2013. The freehold property was offered for sale through Guy Simmonds Business Transfers Ltd, a specialist licensed property agency. Following almost a year on the market and unable to find a group or individual wishing to purchase the public house and continue trading the applicant wishes to convert the property to a dwelling.
- 1.3 CAMRA are a campaign group campaigning, amongst other things, against the closure of traditional British pubs. They reported in April 2012 that 12 pubs per week close across Britain, 8 in suburban areas, 4 in rural areas. Mike Benner, CAMRA Chief Executive reports '*Whether situated in a small village, city high street, or on the edge of a housing estate, pubs are so central to our society that whole communities can grow around a particular pub. A threat to the future of traditional pubs is therefore also a threat to countless social groups within Britain that thrive because of their local.*' There is little doubt that a village public house is an integral part of the community however the high costs involved in maintaining a public house require financial support from the local community. The Three Tuns Inn is located in the small rural village of West Lutton which has less than 100 homes, and by the spring of 2013 there were not a sufficient number of residents sustaining the local public house.
- 1.4 The property has been offered for sale for more than a year and there have been no offers. Under these circumstances there is no prospect of re-opening.
- 1.5 The last licensed tenant of the pub operated for 5 years, according to the advertising material provided by Guy Simmonds, before ceasing to trade.



CAMRA have regularly laid the blame for pub closures on high taxation on alcohol resulting in higher and higher running costs.

- 1.6 The Three Tuns Inn is the only public house in West Lutton and will no doubt be a loss to a few members of the community. West Lutton does have a primary school, Luttons Community Primary School, which is located at the Eastern end of the village. The school may in the future provide a facility for community groups as a meeting place.
- 1.7 The conversion to a dwelling should not require a great deal of alteration works, the building was originally constructed as a dwelling house.
- 1.8 The original village pub, The Village Inn, is located next to the Three Tuns and has been converted to a dwelling, the works undertaken several years ago.
- 1.9 The appearance of the detached building is in character with the other buildings in the village. This would be anticipated considering that the pub was originally built as a dwelling. The scale, height, proportions and construction materials all blend harmoniously with adjacent properties.
- 1.10 The plot dimensions are also similar to neighbouring dwellings and the proposed rear garden will have a common boundary, at the sides, with rear gardens to the neighbours. To the South is a line of tall mature conifer trees providing a screen to the agricultural buildings to Church Farm. There are several agricultural buildings in West Lutton, such is the nature of rural villages.
- 1.11 The applicant has discussed the proposals with the neighbours who all support the proposed conversion and the proposed landscaping works at the rear to remove the existing car park and beer garden to the pub.
- 1.12 It is not proposed to alter the existing drainage arrangements of the building and the proposed works will not increase the risk of drainage to other areas. The Environment Agency data warns that the site is in a high risk area of

flooding by rivers or sea and in a medium risk area of flooding by surface water. On completion of the conversion works the occupiers are to be advised to prepare a flood emergency plan as recommended in the Environment Agency guide book 'Preparing for a flood'.

- 1.13 The proposed conversion works are required to be in accordance with the relevant sections of Ryedale District Council 'Ryedale Plan – Local Plan Strategy' planning document. The proposals do not require that new buildings are to be constructed, or altered externally, or that existing site boundaries and vehicular access to site be created. It is therefore anticipated that the proposals will be relevant only to a small part of sections of the planning documents.
- 1.14 Section SP1 requires that development is accommodated without detriment to the character of the settlement. The building meets with this requirement, it has existed for approximately 200 years and is part of the fabric of the village. Its continuous usage as a public house has not been supported by the local community resulting in its closure.
- 1.15 Section SP1 also requires that development satisfactorily addresses highway safety. The closure of the pub has resulted in a reduction of vehicle movements through the village, improving road safety.
- 1.16 Section SP2 recognises that to meet the target of 3000 new homes in Ryedale between the period 2012-2027 conversion of existing non-residential buildings to dwellings is to be permitted, within settlement limits. The proposed conversion is in accord with this directive.
- 1.17 Section SP11 acknowledges that public houses provide a valuable contribution to sustainable communities. However, the section also concedes that a service to the community may be lost if it is no longer economically viable. The community of West Lutton have not supported the public house in sufficient numbers over recent years to allow the pub to remain in business. The owners have engaged the services of a specialised agent to find new owners and have

offered the building for sale as freehold. The property still remains unsold almost a year after closing.

- 1.18 Section SP21 requires that new development meets the housing needs of the local community by imposing occupancy restrictions on who is to reside in new dwellings. The Three Tuns is odd in the context of Section SP21 because it is currently part dwelling, the first floor has provided a home for the pub landlord for many years. The existing three bedroom accommodation can currently support a small family. The planning application is to convert the public areas of the pub and assimilate these into the current dwelling. It is not proposed to create a new dwelling but to enlarge an existing one. The planning application is merely a change of designation of the building as a whole.
- 1.19 Section SP21 recognises that as a business fails and closes it may be permissible to remove the occupancy restrictions should the closure result in a new home be offered for sale, providing efforts have been made to continue the running of the business. The Three Tuns has not traded for almost a year and the owner has advertised the building for sale through a specialised agent without finding anyone wishing to continue the operation of the public house.
- 1.20 In conclusion, the Three Tuns has not been supported economically by the local community which has led to closure almost a year ago. The building, which was formerly a dwelling, is an integral part of the fabric of the village and sits in harmony with surrounding dwellings. The conversion to a dwelling is supported by the neighbours and the proposals will provide a positive contribution to the sustainability of the village.

AW

OBJECT

# LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

Holly House  
West Lutton  
Malton  
North Yorkshire  
YO17 8TA

16 July 2014

Karen Hood  
Managing Development Team Leader  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

RYEDALE DISTRICT COUNCIL  
17 JUL 2014  
DEVELOPMENT

Dear Karen

**Application No. 14/00362/FUL : change of use and alterations of public house (Three Tuns, West Lutton) to form a 4-bedroom dwelling : Pattison**

Luttons Parish Council considered the above application at its meeting on 15<sup>th</sup> July; over 20 members of the public attended for the agenda item. The Council is grateful for the extension in the deadline that allowed public discussion.

The Council was mindful of the protection afforded to community facilities, including public houses, by Policy SP11 of the Ryedale Plan and by possible Nomination as an Asset of Community Value and the subsequent Right-to-buy. In a small parish of only 138 households it is unlikely that Nomination and the Right-to-buy would be either practical or sustainable. However, the Council is aware of the strength of feeling that closure of the pub and the application for change-of-use have generated amongst residents who have raised a petition of 113 signatories.

This Council **objects** to the application for change-of-use and to the proposed alterations on the grounds that the applicant fails to demonstrate that the facility is no longer economically viable and that the application is riddled with discrepancies. From contact with the last publicans, there is a belief amongst the public that the owner has so undermined the business that it is now unattractive as a going concern, despite trading successfully in recent years. The following discrepancies in the application may support this contention.

The Planning Statement states that the pub 'ceased to trade in June 2013'. The last tenants were dismissed on 3<sup>rd</sup> May 2013 and, although the pub continued to trade under a manager, it closed on 21<sup>st</sup> July only after a short boycott by regulars. The closure of the pub, the vacancy of the property and the lack of consistent trading up to closure all serve to make the property unattractive as a business.

Tel: 01944 738520

E-mail: clerkluttonspc@hotmail.co.uk

The Planning Statement refers to 'advertising material provided by Guy Simmonds'; this material is that used in a previous sale in 2007 and quotes turnover information from around that time. The application also contains a letter from Christie & Co. confirming that they 'have been marketing the opportunity since April 2013'. An enquiry by this Council to Christie & Co. obtained the current sales particulars for the property in which it is stated that 'Christie & Co. have not been provided with any historic account information' despite the pub continuing to trade successfully under the last tenants at that time. The implication is that the owner was not trying to sell the property as a going concern. Furthermore, it is difficult to understand how any of the parties to this application (Christie & Co., Peter Wade Consultancy, Guy Simmonds Business Transfers Ltd) can have an informed opinion as to the economic viability of the business without sight of any recent accounts or even a purchase appraisal.

The historic information in both the Planning Statement and sales particulars is incorrect. The original public house (the Board Inn, renamed the Three Tuns by 1840) was demolished after the First World War and relocated to the adjacent former rifle clubhouse. The Three Tuns was not constructed as a dwelling. The properties to either side are both recent new builds, that to the west being built upon the lawn/camping and caravan site of the pub sold off by the previous owners. The particulars from Christie & Co. still lay claim to a 'C/L camp site for 4-5 caravans or motor homes'.

It is this Council's contention that there are so many discrepancies in the application, the planning statement and the associated sales particulars that there is no evidence of a concerted sales campaign, for a sufficient period, **at a price evidenced as consistent with the business**, to claim that Christie & Co. 'have not been able to achieve a **suitable** offer for the property, as a vacant or trading public house' or that the business is no longer economically viable (SP11).

Turning to the alterations, the Council is concerned that the downstairs bathroom, dining room and kitchen, and the upstairs bathroom and bedroom 3, have no natural light. The plans seem hastily drafted to substantiate the change-of-use rather than produce a well-designed four-bedroom home.

It is a source of considerable regret that the condition of this property will continue to deteriorate and blight the centre of West Lutton until the owner/applicant presents a more realistic and compliant case for the development of his business.

Yours sincerely,

Cllr Andy Macdonald  
Clerk to Luttons Parish Council

# Agenda Item 17

**Item Number:** 17  
**Application No:** 14/00458/FUL  
**Parish:** Scrayingham Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Stuart Wood  
**Proposal:** Erection of an agricultural livestock building for calf housing  
**Location:** Poplar House Farm Leppington Lane Leppington Malton North Yorkshire YO17 9RL

**Registration Date:**  
**8/13 Wk Expiry Date:** 1 July 2014  
**Overall Expiry Date:** 1 June 2014  
**Case Officer:** Matthew Mortonson **Ext:** 332

## CONSULTATIONS:

**Parish Council** No views received to date  
**Highways North Yorkshire** No objections  
**Environmental Health Officer** No views received to date

**Neighbour responses:** Mr Colin Beevers, Mr Simon Flounders, M J S Preece,

.....

## SITE:

Popular House Farm is an operational farmstead situation to the northern edge of Leppington. Whilst the farmhouse is located within the development limits of the village, the associated agricultural buildings are located in the open countryside and the Area of High Landscape Value.

## PROPOSAL:

Planning permission is sought for the erection of an agricultural livestock building for calf housing.

## HISTORY:

13/01326/FUL - Erection of replacement agricultural building for the housing of livestock (retrospective application)

13/01327/FUL - Erection of replacement agricultural building for the housing the livestock (retrospective application)

14/00459/FUL - Erection of an agricultural lean to livestock building adjoining existing livestock building

## POLICY:

### National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Practise Guidance (NPPG)

### Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

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PLANNING COMMITTEE  
30 July 2014

Policy SP13 - Landscapes  
Policy SP16 - Design  
Policy SP19 - Presumption in favour of sustainable Development  
Policy SP20 - Generic Development Management Issues

#### **APPRAISAL:**

This application is presented before Planning Committee because objections have been received to the proposal. This main issues raised include the siting of the building, noise, smell, overshadowing and loss of light.

Members will note that during the course of this application, the Council's Environmental Health Officers have raised concerns to the potential impact of the development on nearby residential dwellings. The nearest residential dwellings are sited approximately 40m from the proposed building.

In response to these concerns, Members will note that the applicant has revised the design of the building to ensure that only the western elevation of the building (facing away from the residential dwellings) is open sided. All other elevations have been closed. Further, the following comments have been made:

*"The shed currently under discussion is for young stock (baby calves, weaning to 6 months old). The simple rationale this proposed siting is:*

- *Small calves intake is low, therefore, less tractor time to feed.*
- *It is imperative that small calves are kept on dry bedding, with actual faecal content of the manure is very low resulting in less odours.*
- *All cattle need open ventilated housing, with Leppington being sited on the hill top it catches the prevailing breeze to move lingering trapped smells away – an open shed should, therefore, help prevent a building up of flies in low dark corners.*
- *With young calves, in order to not spread any disease it is vital they are regularly cleaned out and disinfected – further reducing the build up of old manure for odour and flies etc.*
- *It is situated within the curtilage of the yard as per advise given by the Ryedale Planning Officers."*

Following the provision of the above, the Council's Environmental Health Officers have raised no objection to the proposal subject to the recommended condition relating to manure management.

With regards to the siting of the building, the proposal has been located immediately adjacent to the existing farm buildings and within the existing farmstead. Although there are residential dwellings located within close proximity to the site (approx. 40m), it is important to note that this is an established farmstead, and given the nature of the building and the comments of Environment Health Officers, it would be unreasonable to require the siting of the building elsewhere.

The design of the building is considered to be appropriate and given its scale would not result in any harmful overshadowing or loss of light to the nearest residential dwellings. In terms of the wider landscape impact, the building would be seen in the context of the farmstead. This is considered to be the most appropriate siting for the building in landscape terms and would not harm the character of the Yorkshire Wolds Area of High Landscape Value.

#### **CONCLUSION:**

The planning application is considered to accord with relevant planning policy and there are no material considerations, which override this compliance. The recommendation is therefore one of conditional approval.

National Planning Policy Framework  
National Planning Policy Guidance  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP20 Generic Development Management Issues

**RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2            All farmyard manure shall be removed from the Approved buildings within a cycle of 35 days and removed offsite for disposal immediately, unless a revised manure management plan is submitted for approval in writing to the Local Planning Authority. Thereafter the manure management plan shall be reviewed annually and submitted to the Local Planning Authority prior to any major change occurring.

Reason:- To prevent a build up of agricultural wastes leading to problems of odour and flies to neighbouring residents. To protect residential amenity in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

3            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: In the interest of visual amenity in accordance with the requirements of Policy SP13 and SP20 of the Ryedale Local Plan Strategy.

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

Drawing Ref. WFT April 2014 (Revised Plan)  
Site Location Plan (date stamped 6 May 2014)

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



Location Plan



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14/00458/FUL

Applicant: S Wood



Poplar House Farm, Leppington

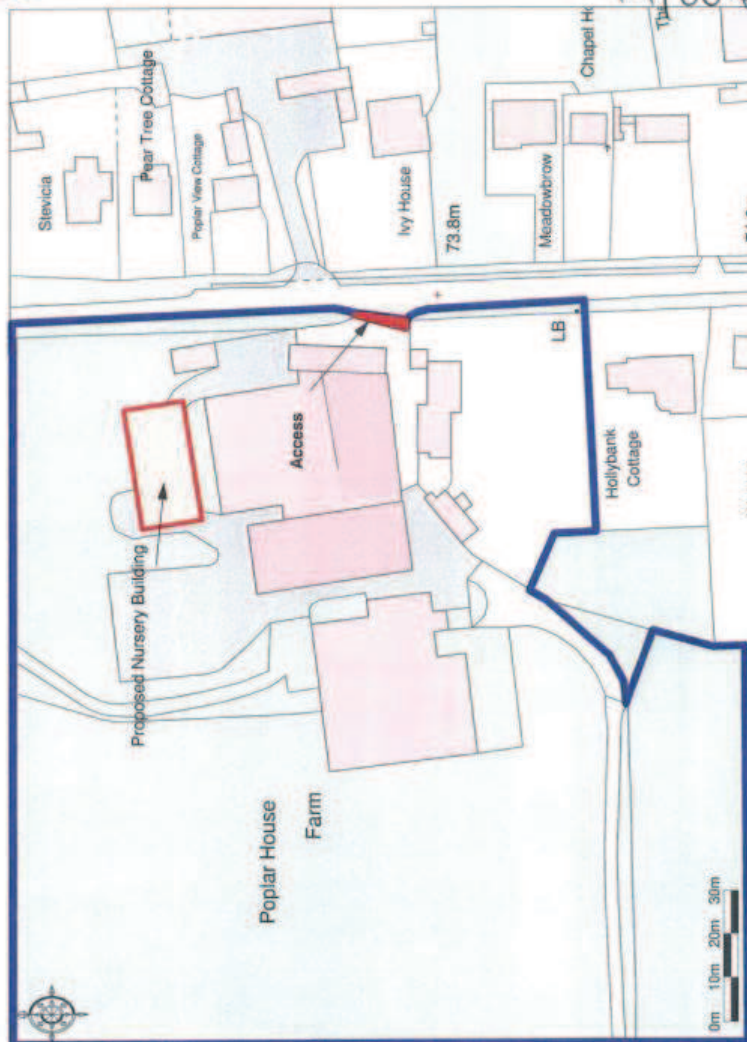
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RYEDALE DM

- 6 MAY 2014

DEVELOPMENT  
MANAGEMENT

14/00458/Full



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Applicant: S Wood



Date: April 2014

Ref: WFT

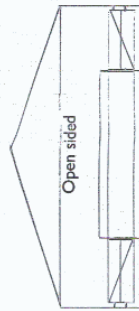
Proposed Calf Nursery Building

Notes:

Planning Application plan for livestock housing building at Poplar House Farm, Leppington, Malton

**REVISED**

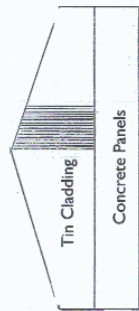
West elevation



5.79m

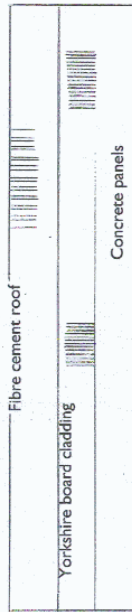
Gated access

East elevation

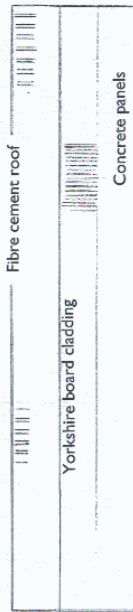


3.66m

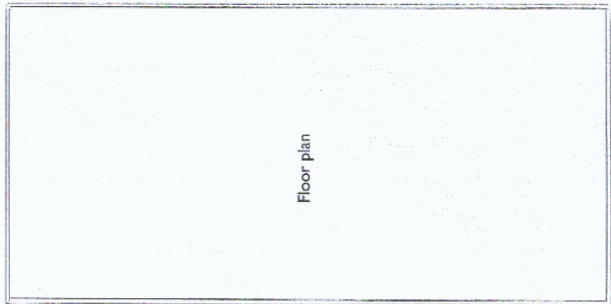
North elevation



South elevation

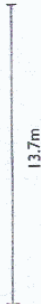


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Floor plan

27.4m



13.7m

Title: Poplar House Farm

Client: S Wood

Scale: 1:200



Cundalls

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malton@cundalls.co.uk  
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## DESIGN AND ACCESS STATEMENT

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**LIVESTOCK NURSERY BUILDING**

**AT**

Poplar House Farm  
Leppington  
Malton  
North Yorkshire

RYEDN 1011

- 6 MAY 2014  
DEVELOPMENT  
MANAGEMENT

14/00458/RL

APPLICANT: S WOOD

April 2014

## APPLICATION DETAILS

Applicant:	Stuart Wood
Applicants Address:	Poplar House Farm, Leppington, Malton, North Yorkshire, YO17 9RL
Applicants Agent:	William Tyson BSc (Hons) MRICS FAAV, Cundalls Chartered Surveyors
Agents Address:	Cundalls, 15 Market Place, Malton, North Yorkshire, YO17 7LP
Site Address:	Poplar House Farm, Leppington, Malton, North Yorkshire, YO17 9RL
Application Title:	Full planning application for a calf nursery building
Application Type:	Full Planning Application
Application Date:	April 2014
Location:	Poplar House Farm, Leppington, Malton, North Yorkshire
Proposed Use:	Agriculture
Reason for Proposal:	Essential need a calf rearing building at the main holding
Parking:	Vehicle and pedestrian access to the new building will be via the existing private access.
Foul Water:	The building will have a natural soak-away drainage system.
Size:	Overall area of 375 square meters
Dimensions:	building dimensions: <ul style="list-style-type: none"><li>• North elevation = 27.4m</li><li>• South elevation = 27.4m</li><li>• West elevation = 13.7m</li><li>• East elevation = 13.7m</li></ul>

## **INTRODUCTION**

This planning application seeks planning approval for an agricultural building to provide much need additional undercover housing for baby and weaned calves. The building will be constructed of recycled materials and has been specifically designed to sit comfortably within the farmstead at Poplar House Farm.

## **AMOUNT**

The amount of the development is the erection of an agricultural building. The proposed building extends to:

- North elevation = 27.4m
- South elevation = 27.4m
- West elevation = 13.7m
- East elevation = 13.7m
- 6.5m ridge height and 4.5m eaves height

## **USE**

The building will be used for livestock housing.

## **LAYOUT**

The building will provide much needed standard livestock housing and has no material adverse effect upon existing amenities or surrounding properties.

The building will have no adverse effect on the wildlife value or natural environment surrounding.

## **SCALE**

The building will be a single story unit of 375 square meters. The building has been specifically designed to mirror other steel portal framed buildings within the area.

## **LANDSCAPING**

The development will have no effect whatsoever on existing hedgerows or shrubs lying adjacent to the proposed site.

## **APPEARANCE**

The external appearance of the building is steel portal framed with brown Yorkshire board cladding, grey concrete panels and a dark grey fiber cement roof.

## **VEHICLE ACCESS**

The proposed vehicle access will be via the existing access. This will not have a detrimental impact on the safety of pedestrians and/or other road users or the free flow of traffic upon the highway network as it is a private roadway.

Our Ref: WT/RMB  
Date: 5<sup>th</sup> June 2014

Ryedale District Council  
Ryedale House  
MALTON  
North Yorkshire  
YO17 7HH

**FTO Mathew Mortonson**

Dear Mr Mortonson

**RE: APPLICATION 14/00458/FUL  
DEVELOPMENT AT POPLAR HOUSE FARM AT LEPPINGTON MALTON**

Further to the submission of the above application I write with regards to recent comments and correspondence received from neighbouring properties regarding the application details.

Having carefully considered the comments and concerns raised by some neighbouring properties my client; the applicant is prepared to make to following amendments to the proposed building:

- To reduce noise and smell to neighbouring properties the applicant is prepared to completely cover the eastern elevation of the proposed building with 2 meter high concrete panels of a dark grey colour and additional dark green tin cladding to the ridge height. The materials and colours used will match similar buildings of this style and hopefully provide the necessary screening and cover that is required.
- In addition to the changes to the eastern elevation of the proposed building, my client is also prepared to reduce the height of the proposed building to an eaves height of 3.66 meters, with an overall total height and ridge height of 5.79 meters.
- With regards to the potential drainage of the proposed building, my client is prepared to connect any rainwater or effluent drainage from the proposed building to the existing farmyard drainage system at Poplar House Farm which has more than enough capacity for this additional drainage requirement due to the substantial pig shed drainage in the past.
- Given the use of the proposed building will be for baby calves and young stock there will be no slurry whatsoever within the building and all cattle will be bedded on an open straw yard system. Young stock such as baby calves require clean fresh straw every day to ensure they keep a high health status and remain free from infection. It is of the upmost importance that the applicant keeps the building clean, tidy and free from slurry and poor quality manure as an infected / poorly calf can have serious financial and herd quality implications.
- To provide additional screening on the eastern side of the yard facing neighbouring properties the applicant has already planted a variety of trees and shrubs which in time will grow up and establish a natural screen of the farm buildings.



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**In association with;**  
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Email: enquiries@reagarthfas.co.uk





ESTABLISHED 1860

My client is more than prepared to work with the council and local residents to ensure the needs and aspirations of both Local and National Planning Policy and the local community, are met however, the additional livestock need and requirements are of the utmost importance to my client and it is hoped that these changes to the design and scale of the building will be acceptable to all parties.

With the above in mind please find enclosed an amended plan of the proposed building with the amended height and appearance changes detailed.

I hope all of the above provides more clarity to the situation and if any further information is required at this stage, please do not hesitate to contact me.

Yours faithfully

**William Tyson BSc (Hons) MRICS FAAV**

t. 01653 697820  
m. 07977 560109  
e. [will.tyson@cundalls.co.uk](mailto:will.tyson@cundalls.co.uk)

File: R:\Agriculture\PLANNING\Poplar Farm, Leppington (S Wood)



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# Agenda Item 18

**Item Number:** 18  
**Application No:** 14/00593/FUL  
**Parish:** Lillings Ambo Parish Council  
**Appn. Type:** Full Application  
**Applicant:** J And J Properties (Mr John Nellis)  
**Proposal:** Demolition of existing dwelling and agricultural buildings to allow erection of 1no. four bedroom replacement dwelling with detached double garage, erection of two storey and single storey extensions to existing farmhouse to form a five bedroom dwelling following demolition of single storey outbuildings and erection of a terrace of 3no. three bedroom dwellings with block of 3no. detached garages  
**Location:** Village Farm Goose Track Lane West Lilling YO60 6RP  
**Registration Date:**  
**8/13 Wk Expiry Date:** 29 July 2014  
**Overall Expiry Date:** 18 July 2014  
**Case Officer:** Alan Hunter **Ext:** Ext 276

## CONSULTATIONS:

<b>Property Management</b>	Contribution to POS requested
<b>Countryside Officer</b>	Recommend conditions
<b>Environmental Health Officer</b>	Recommend condition
<b>Highways North Yorkshire</b>	No views received to date
<b>Land Use Planning</b>	No views received to date
<b>Countryside Officer</b>	Recommend condition
<b>Parish Council</b>	Concerns re position of replacement and new dwellings and clarify on mains drainage request & requests garage condition.

## Neighbour responses:

---

## SITE:

The application site is located partly within and partly outside the development limits of West Lilling. The site comprises two detached dwellings and a range of redundant agricultural buildings. The application site has a frontage onto Goose Track Lane measuring 59m and a depth of approximately 41m at its greatest.

## PROPOSAL:

Planning permission is sought for the demolition of an existing dwelling and agricultural buildings to allow the erection of 1no. four bedroom replacement dwelling with detached double garage, erection of two storey and single storey extensions to existing farmhouse to form a five bedroom dwelling following demolition of single storey outbuildings and the erection of a terrace of 3no. three bedroom dwellings with a block of 3 no. detached garages. The proposed development will be constructed of clamp bricks under a mixture of clay pantile and slate roofs with timber windows and doors. The specific details of the scheme include:

- The proposed replacement dwelling will approximately measure 10.5m by 13.4m at its largest and be 4.9m to the eaves height and 7.9m to the ridge height.

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**PLANNING COMMITTEE**  
**30 July 2014**

- The single storey side extension to Village Farmhouse will have a footprint approximately measuring 5.4m by 9.2m and be 4.8m at its ridge height, and a rear two-storey extension that will have a footprint approximately measuring 13.5m at its largest by 5.5m and 6.7m at its ridge height.
- Two of the proposed terraced dwellings will have a footprint that will approximately measure 7.1m by 8.4m and be 4.6m to the eaves height and 7.1m to the ridge height. The end terraced dwelling at the western side will be slightly larger and measure 7.1m by 9m and be 4.7m to the eaves height and 7.7m to the ridge height.
- The proposed triple garage will measure 10.4m by 6m and 2.5m to the eaves height and 4.2m to the ridge height, it will be located at the rear of the terrace of dwellings. A double garage approximately measuring 6.4m by 6m and be 2.5m to the eaves height and 4.2m of the ridge height it proposed to serve the replacement dwelling.

The proposal is to have two access points at either side of the central terrace of dwellings; the access to the eastern side is proposed to serve the replacement dwelling and the proposed terrace of three dwellings and the access to the western side will serve Village Farm House. A solid 2m high timber fence is proposed across the rear boundary. A pedestrian footpath is proposed across the majority of the site's frontage.

#### **HISTORY:**

There is no relevant planning history relating to the site.

#### **POLICY:**

National Planning Policy Framework 2012  
National Planning Policy Guidance 2014

#### Local Planning Strategy - adopted 5 September 2013

Policy SP1 - General Location of Development and Settlement Hierarchy  
Policy SP2 - Delivery and Distribution of New Housing  
Policy SP4 - Type and Mix of New Housing  
Policy SP11 - Community Facilities and Services  
Policy SP14 - Biodiversity  
Policy SP16 - Design  
Policy SP18 - Renewable and Low Carbon Energy  
Policy SP19 - Presumption in favour of sustainable development  
Policy SP20 - Generic Development Management Issues  
Policy SP21 - Occupancy Restrictions  
Policy SP22 – Developer Contributions

#### **APPRAISAL:**

The main considerations in relation to this application are:

1. The principle of the proposed development;
2. The siting, scale and design of the proposed developments;
3. Occupancy restrictions;
4. Impact upon the amenity of the adjoining neighbours;
5. Whether the proposal has a satisfactory level of residential amenity;
6. Public Open Space;
7. Drainage;
8. Ground contamination;
9. Highway safety; and

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**PLANNING COMMITTEE**  
**30 July 2014**

## 10. Landscaping.

An application was submitted for a similar proposal on this site last year. That application was withdrawn due to Officer concerns regarding the design of the scheme and inadequate information in relation to protected species.

### Principle of the proposed developments

There is considered to be no objection in principle to the demolition of Yew Tree Cottage or the existing agricultural buildings, and they are afforded no protection. The location of the new dwellings are within the development limits of West Lilling. Their gardens extend beyond the development limits, however, there is considered to be no significant impact upon the open countryside, given the redundant buildings that are to be removed.

Policy SP2 supports the provision of replacement dwellings within the development limits of West Lilling. Furthermore Policy SP2 also supports infill development within the development limits of West Lilling, providing it is within a 'continually built up frontage', subject to a Local Needs Occupancy condition. This is because West Lilling is not a 'Service Village'. The agent has confirmed that the three new properties are to have a Local Needs Occupancy condition and that there are potential occupiers available to meet the requirement of the condition. A list of potential occupiers has been submitted with the application.

Extensions to existing dwellings are acceptable in principle providing that they meet the criteria contained within Policy SP16 and SP20 of the Local Plan Strategy.

### Replacement dwelling (Yew Tree Cottage)

Yew Tree Cottage measures 9.5m by 5m and is 4.4m to its eaves and 6.9m to its ridge height. It is a double frontage cottage. The replacement dwelling is 1.5m wider and excluding the rear wing is 4m deeper. It is also 1m higher at its ridge height.

The replacement dwelling is also in a double fronted style, and it is considered to relate well to the character and appearance of the settlement. Its scale, whilst larger than the existing dwelling is considered to represent an acceptable form of development that is in keeping with other properties within the village. The siting of the front elevation of the replacement dwelling is in exactly the same location as the existing dwelling, ensuring the street frontage character of the development is retained. In summary, the siting, scale and design of the replacement dwelling is considered to meet the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

The proposed detached double garage is located to the rear of the Village farmhouse and it is considered to be acceptable in terms of its siting, sale and design.

Following receipt of comments from the neighbour to the east, Ambleside the proposed dwelling has been set in from the common boundary. Its side windows are proposed to be obscure glazed, and given the separation distances it is not considered that the proposed development will have an adverse effect upon the adjoining properties.

### Extensions to Village Farmhouse

The proposed single storey side extension will relate well to the front elevation of Village Farmhouse and the rear projecting wing is considered to be sympathetic to the character and appearance of the existing dwelling. The rear two storey extension will feature a double gable running parallel to the main roof ridge. This double gable feature is a traditional way of extending farmhouses in Ryedale, and in this case the proposal is considered to represent a sympathetic extension to the dwelling. The proposed gabled canopy porch is considered to break up the front elevation.

It is considered that the proposed extensions will not have a material adverse effect upon the streetscene.

By virtue of the window arrangement and separation distances, the proposed extensions are not considered to have a material adverse effect upon the amenity of the adjoining neighbours.

#### Proposed terrace of three dwellings

Since originally submitted, officers have negotiated design improvements to the terraced dwellings relating to their siting, design and their detail of design.

The proposed terraced dwellings have been designed with the western-most property being slightly larger and set 0.5m further forward than the other two properties. This is to break up and add interest to the terrace, together with changes on the detail of design of each dwelling. The general design of these properties is representative of the other terraced dwellings to the west of the application site. The proposals are considered to represent an acceptable form of development that relates well to the character of the local area.

The proposed terraced dwellings are located between the replacement dwelling and Village Farmhouse, with a paddock area to the rear and agricultural land opposite. In view of this arrangement, the proposals are not considered to have a material adverse effect upon adjoining neighbours.

#### Whether the proposals will have a satisfactory level of residential amenity

The proposed site is relatively large and the proposed new dwellings will have a satisfactory level of private residential amenity. There is considered to be sufficient separation from the grain dryer at West Lilling Farm to the southern side (minimum 42m). This arrangement has been discussed with the Environmental Health Officer and no objections are raised. It is noted that there are existing properties that are closer to the grain dryer and that there are agreed protection measures in place regarding its operation. The position of the existing outbuildings, garages and the proposed 2m solid close-boarded fence will help attenuate noise from the grain dryer to ensure the amenity of the proposed properties are not compromised.

#### Highway safety

The Local Highway Authority has requested amendments to the application relating to passing places on the access to the eastern side, a pedestrian footpath and visibility sight lines. It is understood that agreement has been reached with the Highway Authority over the changes and the applicant is currently amending the drawings to reflect the requirements of the Highway Authority, Members will be updated at the meeting.

#### Ecology and protected species

The Council's Countryside Management Officer had requested an additional survey. On receipt of this survey the Countryside Management Officer has recommended a condition. Although a bat license is not required the mitigation recommends that the actions contained in Section 7.3 of the additional report are undertaken. These include a pre-works commencement survey, construction of a bat loft, restrictions on the timing of works to the building, and the adoption of a method statement for works.

#### Public Open Space

In accordance with Policy SP11 of the Local Plan Strategy, a financial contribution is required towards Public Open Space from the proposed three new terraced dwellings. The Council's Valuer has calculated this to be £6,525. A S106 legal agreement is required in order to secure this contribution.

#### Ground contamination

The Council's Environmental Health Officer has considered the submitted screening information in relation to ground contamination and has no objection subject to the imposition of a standard condition requesting further information.

Other issues

The Parish Council has raised three concerns; it considers that the replacement dwelling and terrace of three dwellings should be set back from Goose Track Lane by 3-4m in order to provide a passing place/widened part of the highway; that the garages are only used for that purpose; and concerns regarding the method of draining foul water. Their concern in relation to the layout of the dwellings particularly relates to the number of heavy vehicles using Goose Track Lane and movements through the village. Their concerns have been discussed with the Highway Authority and considered in detail. However, there is no requirement from the Highway Authority for such a lay-by re-arrangement in terms of highway safety. Furthermore, to make that change would mean that the three new dwellings and the replacement dwelling would be located outside the development limits of the village for no justifiable reason. The garages can only be used for domestic purposes, and to change their use would require a separate planning application for consideration. It is, therefore, considered unnecessary to condition their use. The foul water is proposed to drain to a package sewage treatment plant. The applicant owns the land to the rear and the Environmental Health Officers have no concerns regarding the acceptability of this method of drainage. The precise details would be addressed at Building Control stage. If the package treatment plant is to drain into a ditch or culvert, consent from the Environment Agency would also be required.

In view of the above, this application is recommended for approval subject to a S106 Agreement in respect of Public Open Space and a satisfactory response from the Highway Authority.

**RECOMMENDATION:                      Approval subject to S106 Agreement in respect of Public Open Space**

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            Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

4            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.

- 5 Before any part of the development hereby approved commences, 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 trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. 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 SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 The 3 no. terraced dwellings hereby approved shall only be occupied by a person(s) including their spouse and any dependants 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.

- 7 No development shall commence on site until further details of finished ground floor levels in relation to a measurable datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels details.

Reason: To ensure that the appearance of the area is not prejudiced and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Prior to the commencement of the development precise details of the means of draining foul water, including percolation tests shall be submitted to an approved in writing by the Local Planning Authority.

Reason: In order to ensure that the site can be effectively drained and to comply with Policy SP3 of the Ryedale Plan - Local Plan Strategy.

- 9 Prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 10 Prior to the commencement of development hereby approved, precise details of the ground surfacing materials 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.

- 11 Unless otherwise agreed in writing with the Local Planning Authority, development shall not commence until actual or potential land contamination at the site has been investigated and a Phase 1 Desk Study Report has been submitted to and approved in writing by the Local Planning Authority. Should further intrusive investigation be recommended in the Phase 1 Report or be required by the Local Planning Authority, development shall not commence until a Phase 2 Site Investigation Report and if required, or requested by the Local Planning Authority, a Remediation Statement have been submitted to and approved in writing by the Local Planning Authority. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175(2011) Code of Practice for the Investigation of Potential Contaminated Sites. Submission of a verification report to be approved in writing by the Local Planning Authority will be required on the completion of any remedial work.

Reason: In order to fully assess potential ground contamination and to satisfy National Planning Policy Framework.

- 12 The development shall be undertaken in accordance with Section 7.3 of the Bat Activity Report dated May 2014 with precise details to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of the development.

Reason:- In order to take account of protected species and to satisfy Policy SP14 of the Ryedale Plan - Local Plan Strategy.

- 13 Conditions recommended by Highways Authority

- 14 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





RYEDALEDN  
14/05/2014  
-3 JUN 2014

OS Mastermap  
04 July 2013, ID: BM1-00241335  
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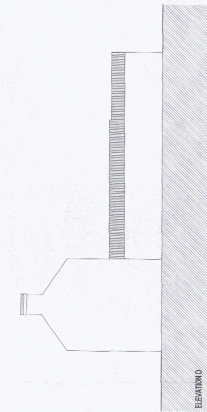
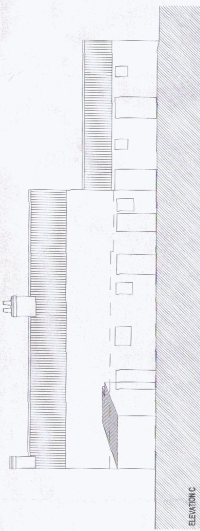
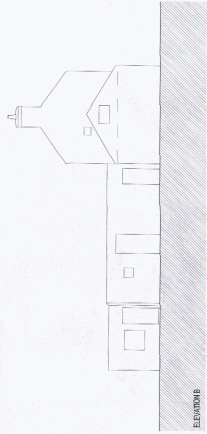
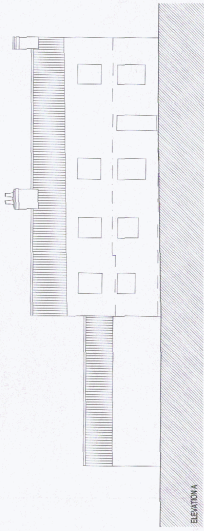


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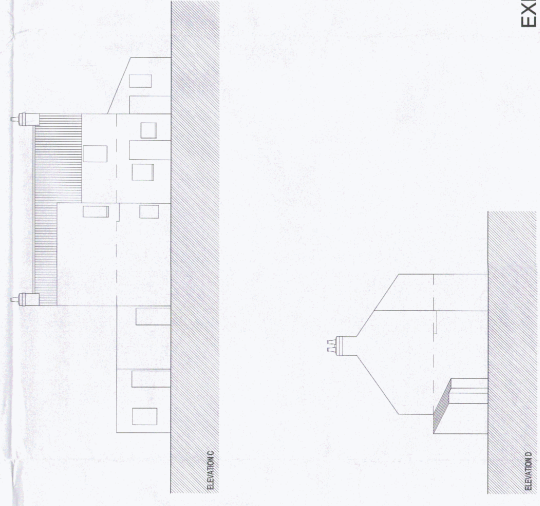
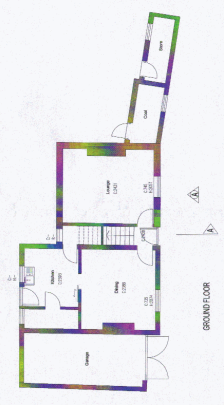
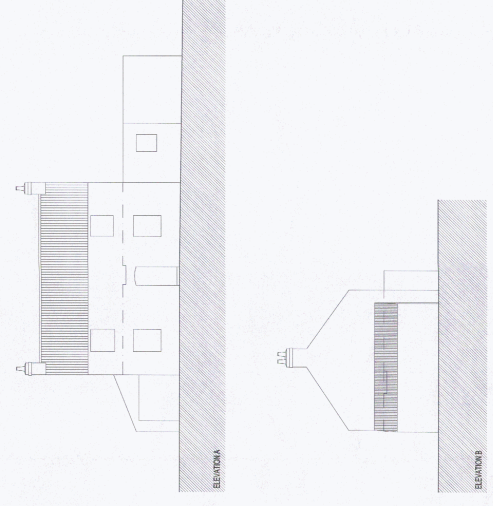
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 PLANS & ELEVATIONS  
 SURVEY

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 624

**ELEVATION A**

**ELEVATION B**

**ELEVATION C**

**ELEVATION D**

**EXTERNAL FINISHES KEY**  
 01 BRICK  
 02 RAFTLES

**SCALE BAR**  
 0m 5 10

**PROPOSED ELEVATIONS FARM**

**RYEDALE DM**  
 14/06/2014  
 3 JUN 2014  
 RYEDALE DM  
 14/06/2014

**ROBERT BURNS DESIGN ASSOCIATES**  
 100, WEST LILLING ROAD  
 WEST LILLING, WEST YORKSHIRE  
 LS23 7JH  
 TEL: 01937 543333  
 WWW.RBDA.CO.UK

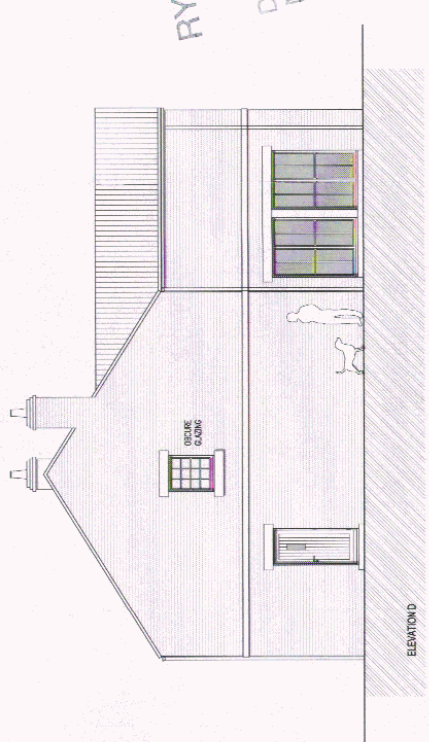
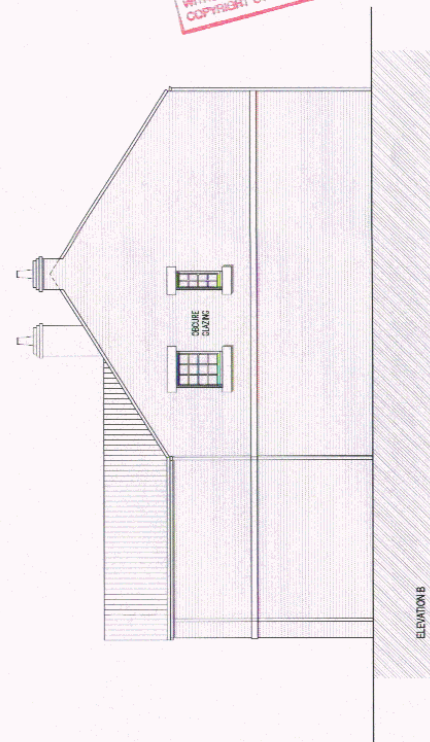
**VILLAGE FARM WEST LILLING**  
 PROPOSED PLANNING PERMITS - FARM HOUSE

VP/PL	07	11/09/03	08/PT13
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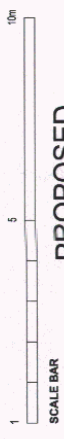
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EXTERNAL FINISHES KEY  
01 BRICK  
02 PAINTILES



**PROPOSED  
ELEVATIONS  
YEW TREE HOUSE**

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RYEDALE  
14/06/2014  
3 JUN 2014  
DEVELOPMENT  
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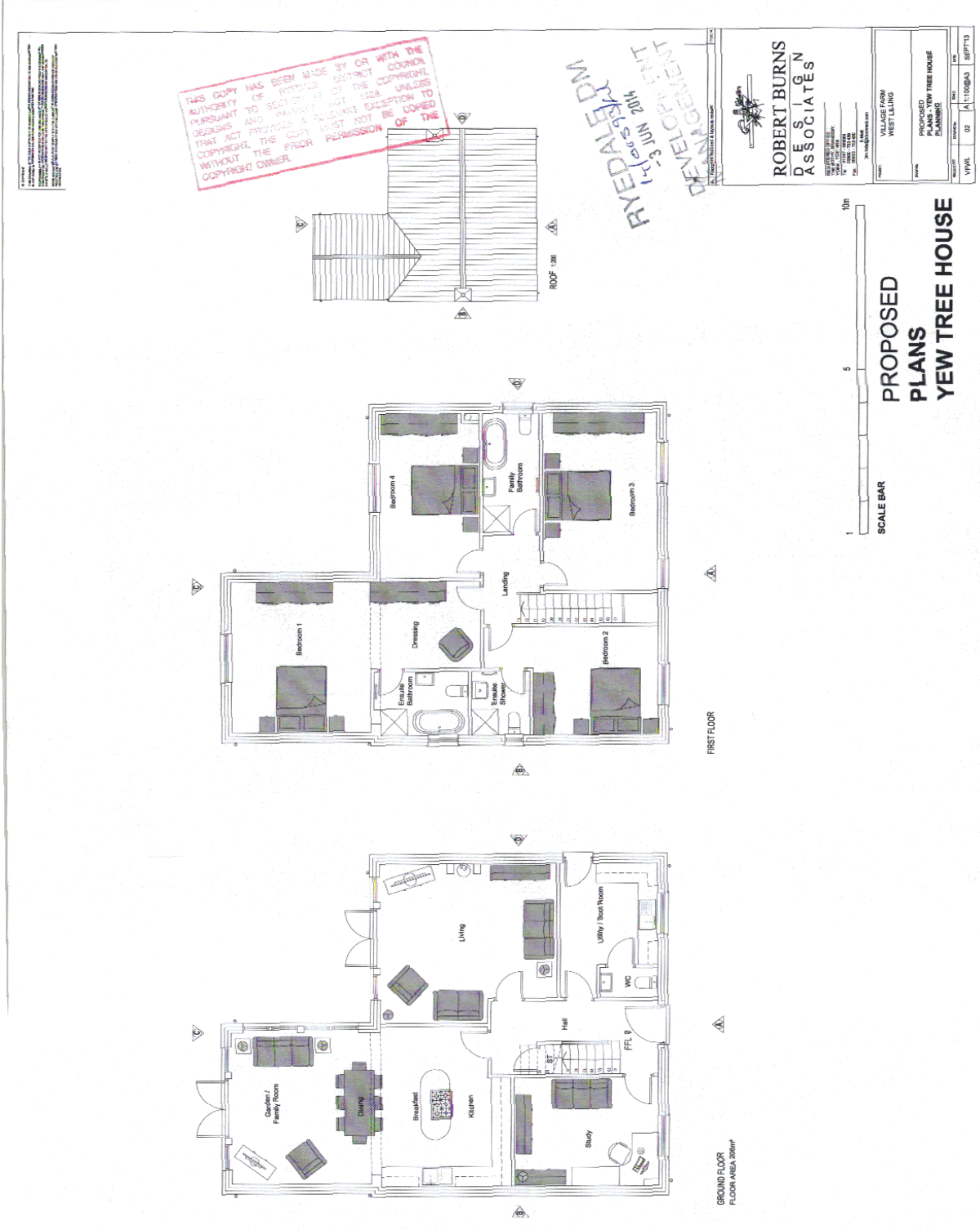
ROBERT BURNS  
DESIGN  
ASSOCIATES

RYEDALE  
14/06/2014  
3 JUN 2014  
DEVELOPMENT  
MANAGEMENT

VILLAGE FARM  
WEST LILLING

PROPOSED  
ELEVATIONS - YEW TREE HOUSE  
PLANNING

VPWL	05	0	11/06/03	SEPT10
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GROUND FLOOR  
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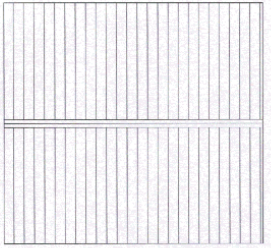
FIRST FLOOR

SCALE BAR  
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**PROPOSED  
PLANS  
YEW TREE HOUSE**

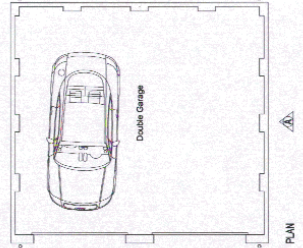
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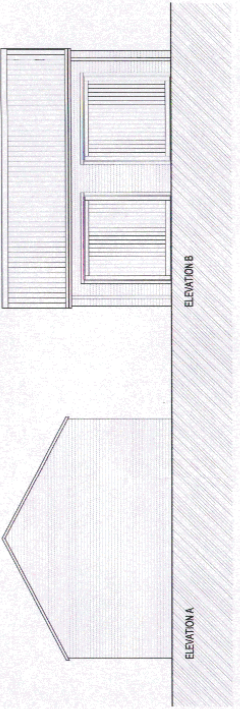
RYED  
14/05/2014  
- 3 JUN 2014  
DEVELOPMENT



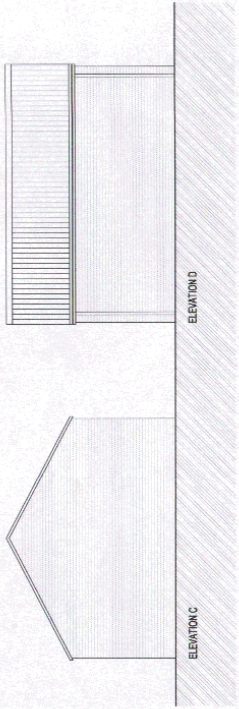
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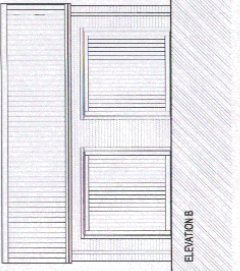
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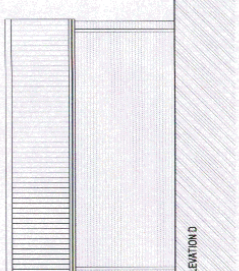
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ELEVATION B

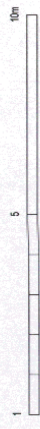


ELEVATION C



ELEVATION D

EXTERNAL FINISHES KEY  
01 BRICK  
02 PAN/TILES



SCALE BAR

**PROPOSED  
GARAGE  
YEW TREE HOUSE**

<p><b>ROBERT BURNS DESIGN ASSOCIATES</b></p> <p>1000 BURNING WOODS 1700 WEST LILLING GLASGOW, G12 8JG TEL: 01463 712100 WWW.RBDASSOCIATES.CO.UK</p>		<p>PROJECT: VILLAGE FARM WEST LILLING</p> <p>CLIENT: PROPOSED GARAGE - YEW TREE HOUSE</p> <p>DATE: 14/05/2014</p> <p>SCALE: 1:100 @ A3</p> <p>DATE: 06 SEPT 13</p>
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**ELEVATION A**

**ELEVATION B**

**ELEVATION C**

**ELEVATION D**

**RYEDALE DEVELOPMENT MANAGEMENT**  
 4/00893/FL  
 - 3 JUN 2014

**PROPOSED FULL ELEVATIONS BARN TERRACE**

**ROBERT BURNS DESIGN ASSOCIATES**  
 ARCHITECTS  
 100, BURNING WOOD ROAD  
 WEST LILLING, WEST YORKSHIRE  
 WF16 9JH  
 TEL: 01937 546464  
 FAX: 01937 546465  
 WWW: WWW.RBDA.CO.UK

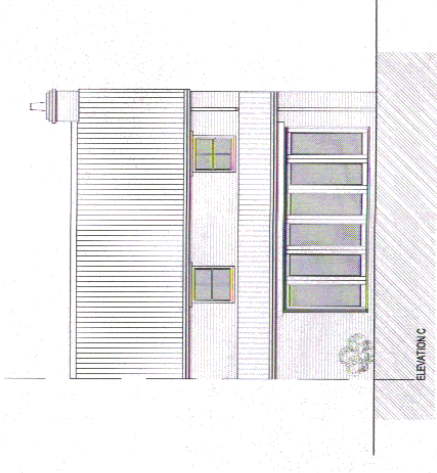
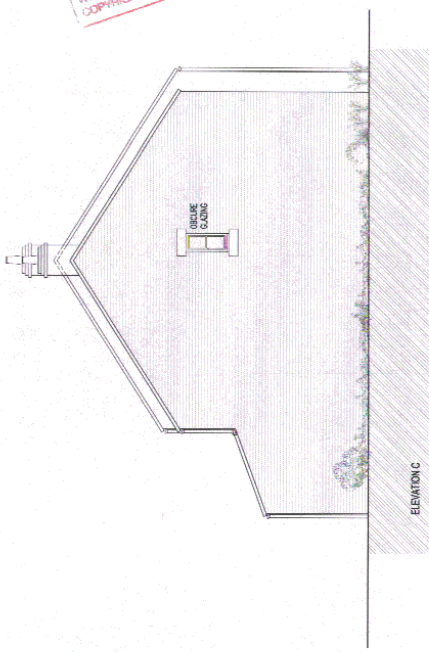
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 DRAWING NO: PROPOSED FULL ELEVATIONS BARN TERRACE PLANNING  
 DATE: 12 JUN 2014  
 SCALE: 1:1000  
 SHEET NO: 01 OF 01

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RYEDALE DM  
14/03/2014  
DEVELOPMENT  
MANAGEMENT



ROBERT BURNS  
DESIGN  
ASSOCIATES

RYEDALE DISTRICT COUNCIL  
PLANNING DEPARTMENT  
14/03/2014

VILLAGE FARM WEST LILLING  
PROPOSED ELEVATIONS - BARN TERRACE PLANNING

DATE: 14/03/2014  
DRAWN BY: [Name]  
CHECKED BY: [Name]

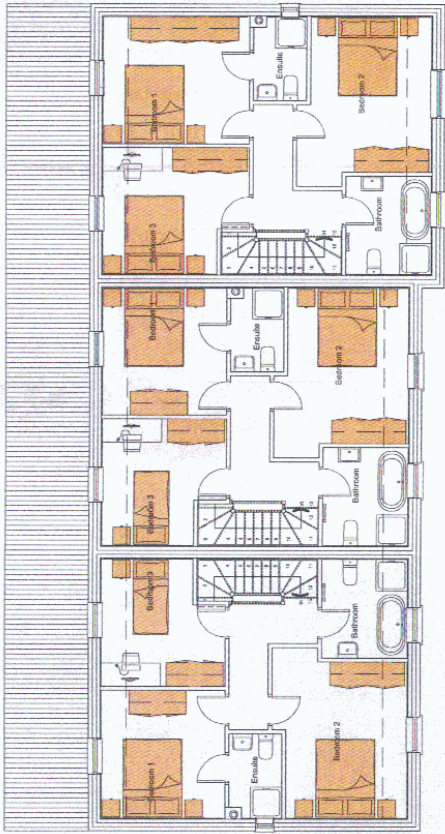
VPWL 09 111008A3 | SEPT13

EXTERNAL FINISHES KEY  
OF BRICK  
OR PAINTLES

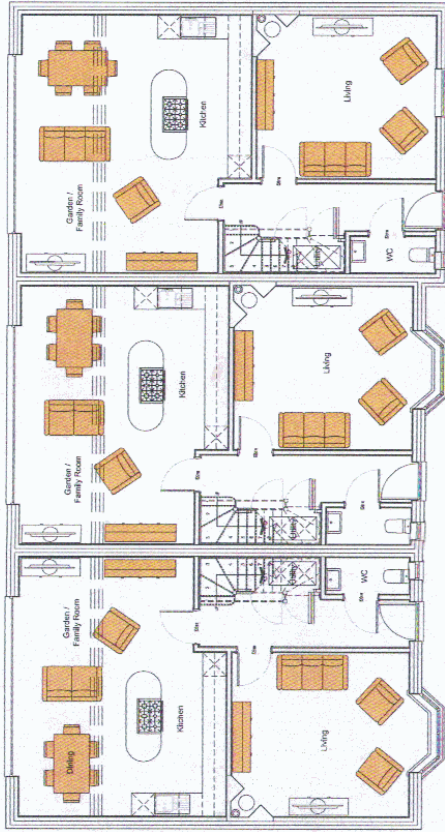


PROPOSED  
ELEVATIONS  
BARN TERRACE

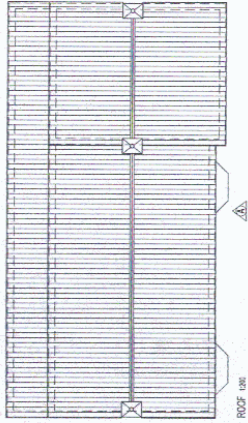
Village Farm West Lilling - Barn Terrace Full Plans



FIRST FLOOR



GROUND FLOOR



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**RYEDALE DM**  
*ryedale*  
 - 3 JUN 2014



**ROBERT BURNS  
 DESIGN  
 ASSOCIATES**

ARCHITECTS  
 100 WEST LILLING  
 WEST LILLING  
 WEST LILLING

PROJECT	WEST LILLING WEST LILLING
DATE	PROPOSED FULL PLANS BARN TERRACE PLANNING
SCALE	1:100
DATE	11 JUN 14
DATE	11 JUN 14

**PROPOSED  
 FULL PLANS  
 BARN TERRACE**

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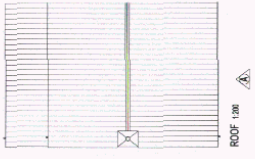
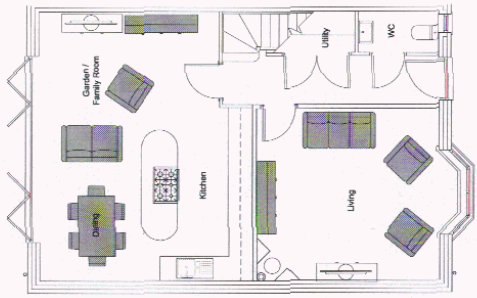
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RYEDALE  
17/06/2014  
-3 JUN 2014

DEVELOPMENT  
MANAGEMENT

ROBERT BURNS  
DESIGN  
ASSOCIATES

PROJECT	VILLAGE FARM WEST LILLING
DATE	17/06/2014
SCALE	1:100
VPIN	13
DATE	17/06/2014
SEPT	13

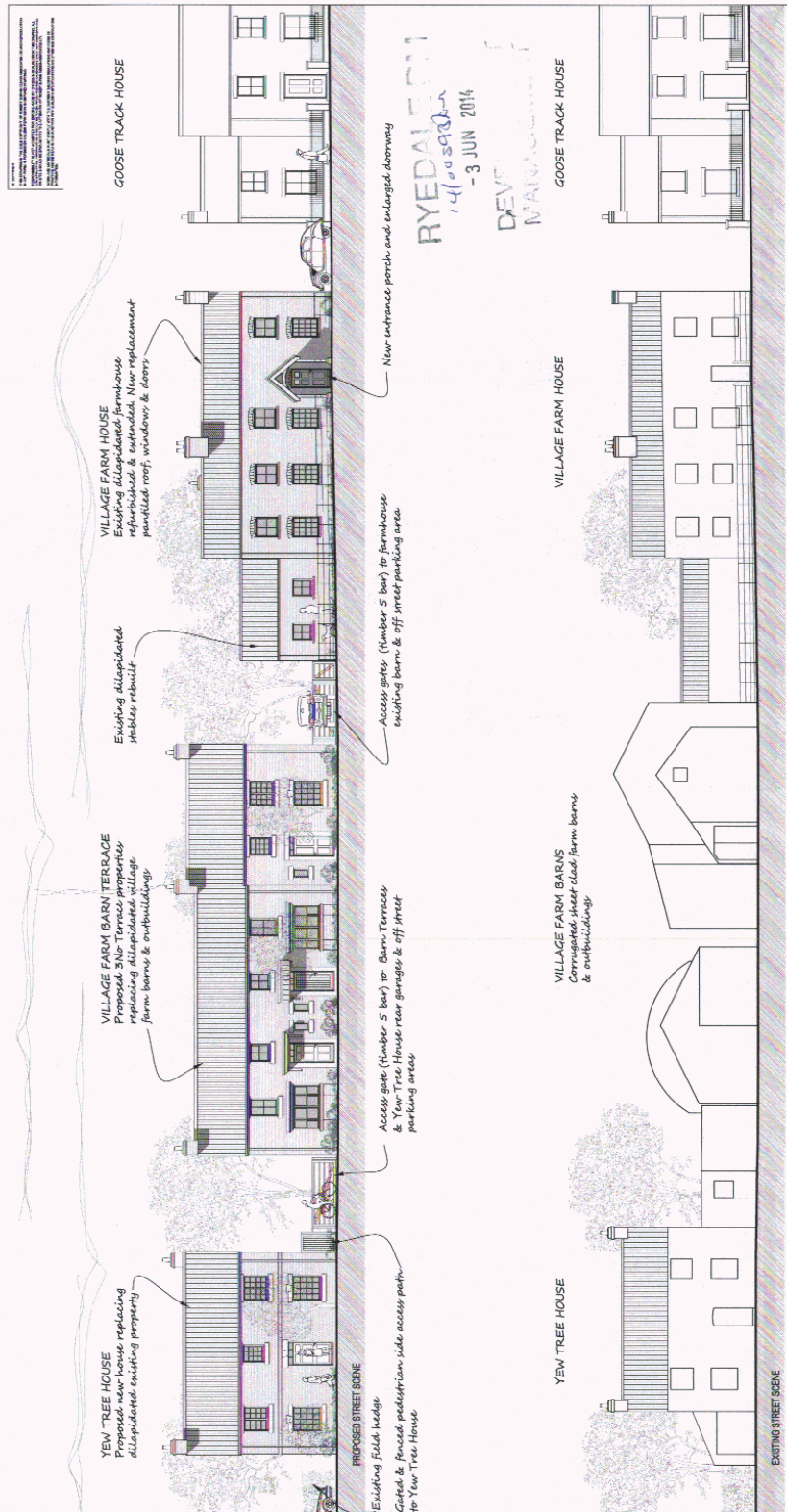


PROPOSED  
PLANS  
BARN TERRACE





# Village Farm West Lilling - Street Scenes Proposed & Existing



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ROBERT BURNS  
DESIGN  
ASSOCIATES

PROJECT	VILLAGE FARM WEST LILLING
DATE	14/06/2014
SCALE	1:500
NO. OF SHEETS	08
SHEET NO.	08
DATE	14/06/2014
BY	RB
CHECKED BY	RB
DATE	14/06/2014
PROJECT TITLE	VILLAGE FARM WEST LILLING
PROJECT TYPE	PROPOSED & EXISTING STREET SCENES PLANNING
SCALE	1:500
NO. OF SHEETS	08
SHEET NO.	08
DATE	14/06/2014
BY	RB
CHECKED BY	RB
DATE	14/06/2014

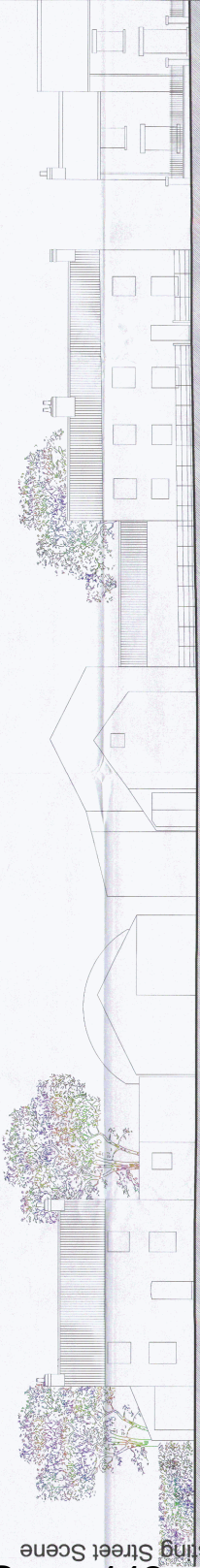
## PROPOSED & EXISTING STREET SCENES




CONCEPT  
 ARCHITECTURE AND INTERIOR DESIGN  
 PROFESSIONAL ARCHITECTS AND INTERIOR DESIGNERS  
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 TEL: 303.733.1100  
 WWW.RBAAS.COM



PROPOSED STREET SCENE



EXISTING STREET SCENE


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PROJECT: VILLAGE FARM WEST LILLING  
 DRAWING NO: DBA1  
 SCALE: B 1:100@A1  
 DATE: SEPT13

PREPARED BY: RBAAS  
 CHECKED BY: RBAAS  
 APPROVED BY: RBAAS

PROJECT MANAGER: [Signature]  
 DEVELOPMENT MANAGEMENT

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 08/13/2013 BY 60322  
 (U)

**PROPOSED  
 & EXISTING  
 STREET SCENES**

# Proposed Residential Development

Village Farm, West Lilling, York

North Yorkshire

October 2013 Amended May 2014

RYEDALE D.A.  
14/00893/AL  
-3 JUN 2014  
DEVELOPMENT  
MANAGEMENT



**ROBERT BURNS**  
DESIGN  
ASSOCIATES



RESIDENTIAL DESIGN  
OF THE BOTHY BRANDSBY YORK  
2003-04

TEL: 01347 889088  
FAX: 01347 889088  
WWW.RBDA.CO.UK

PLANNING DESIGN  
LANDSCAPE ARCHITECTURE

## Design & Access Statement

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### Robert Burns Design Associates

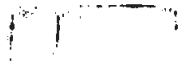
The Bothy, Brandsby, York

01347 889088

[jim.rbda@btconnect.com](mailto:jim.rbda@btconnect.com)

## Contents

- 1.0 Executive Summary
- 2.0 Site Location
- 3.0 Site As Existing
- 4.0 Site As Proposed
- 5.0 Design Philosophy
- 6.0 Planning Policy
- 7.0 Sustainability
- 8.0 Consultation
- 9.0 Flood Risk
- 10.0 Ecology
- 11.0 Contamination



---

**Robert Burns Design Associates**

The Bothy, Brandsby, York

01347 889088

[jim.rbda@btconnect.com](mailto:jim.rbda@btconnect.com)

## **1.0 Executive Summary**

- 1.1 This Design and Access Statement aims to support the planning application for a small development of three new dwellings at the property known as Village Farm West Lilling. This scheme is to include for the retention of an extended Village Farm House, the demolition of the adjacent dwelling known as Yew Tree Cottage and its replacement with a more traditional cottage built on the footprint of the present building. Together with the above, between these two dwellings, the proposal is for a terrace of three small cottages. The design of all the properties is very much in the vernacular and typical of village cottages and houses in the immediate neighbourhood.
- 1.2 This statement highlights the 'as existing' situation, the intended changes to the existing buildings and the redevelopment of the redundant steel and corrugated sheet steel outbuilding to the rear of the development into a high performance environmental friendly group of dwellings built to code 4 of The Code for Sustainable Homes with a very low carbon footprint. We also offer an analysis of the relevant planning policy situation.
- 1.3 The scheme has been carefully considered and designed to ensure a sympathetic response to the immediate context - with special consideration given to the needs of the planning policies and guidance from Central Government. The scheme and its dwellings sit within the development line for West Lilling with part of the gardens to the rear beyond this line. These small areas of gardens and adjacent garages sits within a very small percentage of the footprint of the previously commercial steel framed building, now redundant, effectively a brown field site, These buildings will be removed and the boundary brought forward with the land presently covered by the bulk these commercial buildings released back into green fields.
- 1.5 The majority of the new buildings are within the approved development limits and as such are consistent with all current planning guidance about rural residential brown field developments. It is only a small part of rear gardens and the proposed garages that sit outside of the approved development limits, however this small area will be sited on the footprint of these existing commercial buildings and its construction will allow the demolition of redundant and unsightly steel structures as well as releasing land back into agricultural green field land. It must also be noted that the small area of garden and the garage area sits within the existing group of steel building's footprint plan and therefore no further encroachment into the countryside is occurring. This group of buildings are used commercially and effectively the whole complex is a brown field site attached and adjacent to the domestic buildings. Clearly the aspect from the village and from the country side will be considerably improved as will the comfort of the neighbours with a commercial/agricultural nuisance removed from their doorstep. Substantial landscaping and tree planting will further enhance the scheme and the view from open countryside.

---

### **Robert Burns Design Associates**

The Bothy, Brandsby, York  
01347 889088  
jim.rbda@btconnect.com

- 1.6 Overall we would hope that the local planning authority is able to view this application favourably and appreciate that the progression of this development group removes unsightly, unsuitable structures and provides further much needed rural housing within an established residential area and therefore limits encroachment into the countryside - a key planning concern.

The key benefits to the village and the sites neighbours are.

- The removal of a commercial/agricultural enterprise that causes nuisance to its neighbours.
- The removal of unsightly commercial/agricultural buildings that are an eyesore from the village street and from the open countryside.
- The building of sustainable Code 4 eco homes with a very low carbon footprint and their own renewable energy sources on the site of an ugly steel commercial building. A benefit to the local ecology and its environment.
- The provision of much needed village housing within the development line of the village and in accordance with local policy and the development policy framework. The three new houses being for Local Occupancy.
- More families within the area supporting local amenities, schools, churches, shops and restaurants.
- Support for the local industrial estate that is a major contributor to employment in the area positioned only 500m from this scheme.
- During construction and once built and occupied the development will be a substantial contributor to the economy of the local area.
- A sustainable scheme has been demonstrated which will support the local infrastructure, its amenities and have a positive effect on the viability of the local area
- The scheme complies with local policy and the National Planning Policy Framework

## **2.0 Site Location**

- 2.1 The development site in question is located within the small village of West Lilling, North Yorkshire, within the district of Ryedale.

- 2.4 West Lilling is organised mainly along a central traffic route, its linear housing has developed along this road. The site sits on this road frontage within the village development line.

## **3.0 Site as Existing**

- 3.1 The site has a frontage of 60 meters on tom the Village Street with an existing dwelling at either end. To the west is Village Farm House, traditional in appearance built of handmade clamp bricks with traditional sliding sash windows, to the east is Yew Tree Cottage a poorly built dwelling made of common bricks with 1950's modern casement windows. Between

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these two dwellings and positioned to the front and rear but within the development site is a group of steel and asbestos agricultural/commercial buildings that have been part of the business known as Village Farm. There are two small brick masonry structures to the rear; however these small buildings are dominated by the group of large black steel and corrugated sheeting buildings that are now redundant. All these buildings are currently in a poor state of repair and are not worthy of retention,

- 3.4 For further information on the layout of the existing site please view the accompanying planning drawings.

#### **4.0 Site as Proposed**

- 4.1 Accompanying this design and access statement are comprehensive drawings that fully illustrate what is intended for this project.

- 4.2 The development proposal is for the demolition of unstable redundant outbuildings and the removal of unsightly steel and asbestos sheds with the development of three new dwellings at the property known as Village Farm West Lilling. This scheme is to include for the retention of an extended Village Farm House, the demolition of the adjacent dwelling known as Yew Tree Cottage and its replacement with a more traditional cottage built on the footprint of the present building. The new terrace of smaller homes will sit between these two dwellings; the proposal is for a terrace of three small cottages. The design of all the properties is very much in the vernacular and typical of village cottages and houses in the immediate neighbourhood. The terrace will sit back from the road to allow an area of open space that can be planted with shrubs and trees, a feature found at the opposite end of the village. This will give a softer feel to this corner of the village where houses are predominantly built tight to the road side.

- 4.3 The majority of the new buildings are within the approved development limits and as such are consistent with all current planning guidance about rural residential brown field developments. It is only a small part of rear gardens and the proposed garages that sit outside of the approved development limits, however this small area will be sited on the footprint of these existing commercial buildings and its construction will allow the demolition of redundant and unsightly steel structures as well as releasing land back into agricultural green field land. It must also be noted that the small area of garden and the garage area sits within the existing group of steel building's footprint plan and therefore no further encroachment into the countryside is occurring. This group of buildings are used commercially and effectively the whole complex is a brown field site attached and adjacent to the domestic buildings. Clearly the aspect from the village and from the country side will

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be considerably improved as will the comfort of the neighbours with a commercial/agricultural nuisance removed from their doorstep. Substantial landscaping and tree planting will further enhance the scheme and the view from open countryside quality. These will be built to level 4 of the Code for Sustainable Homes.

- 4.4 To assist in achieving Code Level 4 the units will incorporate solar water heating systems including roof panels as well as improved thermal performance and other measures including recycling bins, cycle stores, drying spaces and bat roosts.
- 4.7 There are also special measures included to provide mitigation for bats so as to improve the ecological performance of the development and to protect nearby habitats. A survey has been completed detailing this and is included within this application. Mitigation measures are mentioned at the end of this statement in the ecological chapter.

#### **5.0 Design Philosophy**

- 5.1 There has been one quite simple and clear design philosophy present throughout this application process which we feel has been successfully executed in the current design proposals – that of sensitivity to the village, the immediate neighbours and the existing dwelling, Village Farm House.
- 5.2 It is viewed as crucial by all concerned that the context and character of the area are retained, protected and even *enhanced* where possible.

#### **6.0 Planning Policy**

- 6.1 West Lilling is within the planning jurisdiction of Ryedale District Council. The new Local Plan has now been adopted and we address the relevant sections.

### **Section 3 - Aspirations and Strategy**

West Lilling comes within the definition of "other villages" within the plan. Here developments are restricted to the "consolidation of new development within the current building limits..... Development is restricted to that which is "necessary to support a sustainable, vibrant and healthy rural economy and communities.....and can be justified in

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order to secure significant improvements to the environment or conservation of significant heritage assets in accordance with the National Enabling Policy and Policy 32 of this Plan."

West Lilling is also unusual as it is attached to Sherriff Hutton with a purpose built dedicated footpath that also has spasmodic development along its length.

Parts of West Lilling are closer to amenities within Sherriff Hutton than developments on the extremities of Sherriff Hutton itself. These are the Community centre/Village Hall, The Highwayman Public House and The Industrial site, a major employer in the area.

Thus it is very difficult to view West Lilling in isolation and easier to see it as part of an extended Sherriff Hutton.

*The aspirations and strategy under the Ryedale Plan are clearly demonstrated in this proposed scheme*

#### **Plan Policy SP2 - Delivery and Distribution of New Housing**

In "other villages" the following types of development can be appropriate:

- "infill development" can be appropriate where it relates to small open spaces in an otherwise continually built up frontage, subject to a local needs occupancy condition;
- conversion and redevelopment of previously developed land and buildings within development limits, restricted to local needs;
- 100% rural exception sites on the edge of development limits or contiguous with them in line with Policy SP3 - Affordable Housing.

*Our proposals fall within infill and redevelopment of previously developed land all within the development limits. We are happy to support occupation limited to local needs*

#### **Plan Policy SP2 SP3 - Affordable Housing and Local Occupancy**

The site is below the threshold of 5 dwellings. An affordable housing contribution will not be sought from schemes where the housing is the subject of a local needs occupancy condition.

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We have compiled a separate statement on how the site complies with Local Needs Occupancy Conditions and have provided a list of people who satisfy these conditions for the three new houses, that is the new terrace of three houses.

*The development satisfies the requirements of Policy SP2 and SP3*

#### **Plan Policy SP12 - Heritage**

The scheme recognises the distinctive character and pattern of development in this part of the village.

The setting of the adjacent traditional buildings will be considerably improved and their future largely secured by the redevelopment of this site in the manner proposed.

*The scheme accords with this policy*

#### **Plan Policy 13 - Landscapes**

The development will contribute to the preservation and enhancement of the landscape character as it will match the form of the settlement, its building style and local materials.

*The scheme accords with this policy*

#### **Plan Policy 16 - Design**

The development will respect the existing form and structure of this part of the village, and reinforce local distinctiveness. It will match the scale, form, materials and detailing of existing housing and incorporate hard and soft landscaping to enhance its setting.

The scheme makes efficient use of the land and will minimise fear of crime through the considered design of the buildings and the interconnecting spaces.

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*The scheme accords with this policy*

**Plan Policy SP 18 - Renewable and Low Carbon Energy**

The buildings have been designed to enhance the character and appearance of the area whilst meeting the highest 'code for sustainable homes' criteria that are feasible and viable on this site. Code level 4 will be achieved

*The scheme accords with this policy*

**Plan Policy SP 19 - Presumption in Favour of Sustainable Development**

The scheme is fully in line with this policy as well as general guidance contained in the National Planning Policy Framework.

*The scheme accords with this policy*

**Plan Policy SP 20 - General Development Management Issues**

The proposal respects the character and form of development in this part of the village and the design closely follows the principles set out in Policy SP 16.

It will have a positive impact on the character, appearance and safety of the area.

A full range of parking and storage facilities is incorporated in the development including secure storage for bicycles.

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The redevelopment of this site has been designed with the above aims in mind, and as such is in line with policies contained in the new Ryedale Plan.

*The scheme accords with this policy*

### **National Planning Policy Framework**

- 6.1 The NPPF in essence embraces the philosophy that new development must follow sustainable patterns of development, reduce the CO2 impact upon the environment and promote good design. As we will demonstrate, this particular development indeed achieves this.
- 6.14 The National Planning Policy Framework (NPPF) is a highly influential document and contains much open thinking with regard to holistic sustainability.
- 6.15 The new framework puts sustainable development at its core and identifies three key dimensions to sustainable development: economic, social and environmental.
- 6.15.1 These dimensions give rise to the need for the planning system to perform a number of roles:
- an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.15.2 The overall aims of NPPF are therefore clearly aligned with the objectives shown in our proposal to develop a small residential scheme within an established residential

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community and desiring to make use of current brown field and developed land to propose a highly environmentally sustainable development socially, economically and environmentally.

6.15.3 The statements above also show that the NPPF needs to be thoroughly considered as *"14. 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."* Therefore greater consideration must be given to development proposals outside of the approved development limit under the previous system given the exemplary eco standards it is aiming to achieve.

6.15.4 Other Key NPPF Principles include:

*"15. Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally."*

6.15.5 The design shown in this proposal very much looks to improve upon the character and quality of the immediate area. Removing unsightly steel structures to replace them with small high quality cottage style dwelling houses would be most welcomed by the existing community and protect the nature of West Lilling

6.15.6 It is clear that the development is situated ideally to survive and thrive through the existing infrastructure and surrounding development pattern established for many years – making it an economically sustainable proposal supporting the NPPF's aim of delivering sustainable development in chapter 3, especially in rural areas under point 28.

6.16 Chapter 6 and 7 of the NPPF discusses the Governments aspirations for facilitating the delivery of a wide choice of high quality homes.

6.16.1 Point 49 comments that *"Housing applications should be considered in the context of the presumption in favour of sustainable development."* Given that the houses will be Code Level 4 and sustainable in terms of materials and transport clearly indicates that this scheme needs to be considered within this context.

6.16.2 Point 51 comments that *"Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies"*. This fundamental desire by the Government is something obviously expressed in this application where a local client is wishing to turn their

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6.16.11 The site is located within the residential settlement of West Lilling, easily accessible to the main transport artery A64 linking to the nearby city of York.

- *safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*

6.16.12 The area is surrounded by high quality open green space and countryside.

- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*

6.16.13 The design is deliberately produced so as to reflect the surrounding context in terms of scale, detailing, massing and urban grain. The style is somewhat traditional but with a contemporary edge, the motifs and form are very clearly consistent with the vernacular style of the area and should make a rich addition to the tapestry of architecture in the area.

- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*

6.16.14 The design is such that it is intended to reach Code Level 4 of the Code for Sustainable Homes – a difficult challenge and one that if met will certainly meet the above criteria.

- *Planning authorities should: take into account the desirability of new development making a positive contribution to local character and distinctiveness.*

6.16.15 The traditional aesthetic of the scheme combined with the vernacular detailing and motifs mean that the housing will add to the architectural tapestry of the immediate area. The local area will be aware of the development and when detailed to a high quality the housing will surely attain prestige with residents as well as potential journals and literature.

6.17 A key element for the sustainable growth and development of rural areas and settlements is ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods, a desire that we believe is reflected within our concept proposals.

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- 6.17.1 The design aims to promote more sustainable patterns of development, revitalizing the existing building stock, a key component of our scheme.
- 6.17.2 The design aims to prevent the encroachment into the countryside, as there are too many examples of haphazard type developments that erode our key green resources. The scheme proposed very clearly avoids such damaging development patterns, but looks instead to firm up the existing green boundary and complete the current urban block, connected directly to the village of West Lilling.
- 6.18 In terms of sustainable development, guidance for housing proposals, and policy affecting rural areas, it can be said using the arguments above that the proposals for housing on this land are very much in line with national planning policy and therefore in these terms it should be supported by Ryedale Planning authority.

## **7.0 Sustainability**

- 7.1 As previously mentioned our client is aiming to achieve Code Level 4 of the Code for Sustainable Homes for all houses on the proposed development. This will mean higher levels of insulation and improved levels of construction together with improvements to the environment and local ecology. A SAP Assessor will be employed to demonstrate this.
- 7.2 All materials for the construction of the dwellings will be sourced locally with local labour used throughout the build. Where ever possible reclaimed bricks and timber will be used again from local suppliers.
- 7.3 Renewable energy sources will be incorporated in all dwellings these will take the form of Air Source Heat Pumps and Wood burning stoves. Rain water will be recycled. Specific areas both inside the dwellings and outside will be dedicated for waste sorting and storage.
- 7.4 Cycle storage will be incorporated into all garages. With all facilities for shopping, recreation and eating out on hand, the use of cars will be negated for these purposes and dedicated cycle stores will encourage people to leave their cars at home. This small development all be it in West Lilling is closer to these amenities and employment facilities than dwellings to the opposite end of Sherriff Hutton.
- 7.4 The opportunity to work locally has been encouraged by Ryedale Council with the construction of the Sherriff Hutton Industrial Estate, a major employer in the area. Other smaller businesses exist in the immediate locality and all are within easy walking or cycling

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distance. Again negating the use for cars. Regular bus services from the local area to York and Easingwold also allow people to work or visit beyond the local area.

- 7.5 Village Farm though in a poor state of repair is to be kept and improved thus making better use of the existing building in line with policy.

*Local policy and The Development framework allow for a presumption to approve Sustainable Developments. Clearly this scheme is just such a sustainable development and complies with policy.*

## **8.0 Consultation**

- 8.1 Neighbours will be notified as per the statutory practice of the planning process once the application is submitted.

## **9.0 Flood Risk**

- 9.1 The area is not subject to flooding and this is clearly shown on the map from the Environment Agency.

## **10.0 Ecology**

- 10.1 As previously mentioned a separate report has been commissioned to produce a comprehensive ecological statement for this development site by Wold Ecology Ltd.

- 10.2 The statement itself is included within the application package and should be consulted upon during any decision making process.

- 10.3 The survey focussed on the following key specific areas:

10.3.1 Bats

10.3.3 Birds

10.3.4 Badgers

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- 10.4 No protected species were found during the survey and no traces of roosting or nesting bats were found.
- 10.5 However to assist the local bat population the development will be incorporating bat roost boxes on the gables of the proposed dwellings together with the mitigation measures as set out in the report.
- 10.6 Additional trees and shrubs have been incorporated into the landscaping of the site and should further works or landscaping features be required we would expect a dialogue to be undertaken during the application process and relevant planning conditions be included upon a successful decision.
- 10.7 The project team is intending to implement a high quality and varied landscaping scheme so as to encourage biodiversity and crucially score further credits within the Code for Sustainable Homes.

#### 11 Contamination.

We have carefully walked the site and examined the buildings and surrounding land and as far as we can determine the whole area has been used for dry storage and winter shelter for sheep/cattle for the past 60 years and possibly more. All the ground within the buildings and immediately around the buildings is concreted or hardcored and all the buildings are empty and relatively clean. Beyond the buildings the land is down to grass. There are two small diesel tanks within the buildings. One 600 litre is empty, dry and unused with no signs of spillage. The second 1000 litre is 20% part full with small spillage around the valve. These tanks will be emptied and removed from site with any contaminated ground packed into plastic bags and removed to a registered site for disposal. We could not find any other contamination within the buildings or structures on the site as they stand at present. Some of the corrugated cladding on the buildings is cement asbestos sheeting. This will be taken down and correctly disposed of offsite by a registered contractor.

Two historic maps that we have attached demonstrate that this site has been domestic, rural or farming within the immediate area with no activity indicated other than farming for over 100 years.

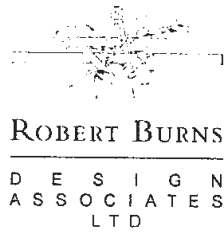
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RYEDALE  
14/00593/PL  
- 3 JUN 2014  
DEVELOPMENT

**Proposed development of three terrace houses on the site of Village Farm West Lilling York to satisfy Local Occupancy Need.**

With the new policy coming into force development in West Lilling is now restricted to infill frontage schemes for local occupancy only.

I set out the need and demonstrate how this development complies.

West Lilling is a small village located immediately adjacent to a wealth of local amenities and local industries with potential for work and employment. It is also well connected to other local towns and villages with a good local bus service. Whilst the local amenities are those of Sherriff Hutton many of these facilities are closer to West Lilling than those houses situated on the northern and eastern extremities of Sherriff Hutton. As such we consider these facilities to be shared with West Lilling.

West Lilling needs to have new small infill developments that would allow local families to live in the village to ensure its existing facilities continue. These facilities are all at risk without continued growing support.

The Shop, Tea room and Delicatessen. The Pub and Restaurant. The Garage. The School. The Village Hall. The Church.

To lose these facilities directly as a result of the lack of small new developments within the village would be a great loss to the community and eventually would bring about the demise of the social structure within the village.

Villages and their community facilities should be encouraged to remain and grow with small scale development within the village development boundary limits.

The policy allowing small infill sites for local occupancy is clearly designed to support local villages and their much needed facilities. This is just such a site.

1. The local Primary School would welcome new children in 2015 and onwards together with the support new families would bring. It is of course an employee in the area.
2. The local delicatessen and tea/coffee shop would be supported by new families and is a source of local employment. This shop needs new families to use it and support it.
3. The local garage could be supported by new families and is a source of local employment. This small local business needs to be used by local people if it is to survive.

4. The local pub and restaurant would be delighted to have potential new customers and is always looking for staff. It would be a great shame if such a facility were to close yet again because of the lack of local support; new families would help toward such support.

5. The local Church would welcome new members and the support that new families may bring.

6. The local Village Hall and Tennis Club needs support and new families could provide such support.

7. West Lilling is well served by regular local buses both through the village and on the A64 and these link regularly to Malton, York, Easingwold, Strensall and beyond.

9. There are no similar small modern energy efficient properties for sale in West Lilling. The bulk of the housing stock available is old and inefficient and requires investment to bring it up to modern levels of thermal efficiency.

There are no new small terrace properties available built to high standards of insulation and efficiency.

*'The new houses would be designed to achieve close to Code Level 3 of The Code for Sustainable Homes, we will incorporate solar water heating systems, photovoltaic panels to include discreet roof panels to the rear south facing roofs as well as improved thermal performance and other measures including recycling bins, cycle stores, drying spaces and bat roosts. The new scheme would be sustainable with a low carbon footprint'.*  
(Passage from our Design and Access Statement).

Whenever modern well-designed modern thermally efficient village houses come on to the market they are sold easily and quickly. The total absence of new properties available underlines the need for new efficient well insulated homes within the village.

10. The three new terrace houses to be built on Village Farm would be for people who comply with the local needs occupancy, this condition restricts who can purchase and as a result lowers the market price for the houses by some 15 to 20%. Thus they become affordable to local people who comply with the local needs occupancy.

11. A letter from Boulton Cooper identifies the need for local housing in smaller out-lying villages. Boulton and Cooper are well respected Agents and Surveyors in the area and they see this lack of properties as a housing shortage within these villages and Ryedale in general.

We have identified fourteen individuals or families who comply with the Local Occupancy Need requirements and who want to move into the West Lilling area or close by, but into new thermally and fuel efficient dwellings. See the attached list.

LIST OF LOCAL PEOPLE WHO WISH TO LIVE IN NEW PROPERTIES IN THE  
WELBURN OR ADJACENT AREA AND COMPLY WITH LOCAL  
OCCUPANCY NEEDS

Whilst we are happy for you to contact these people we would ask that the identities of these individuals are kept off the public record for privacy reasons.

Report compiled by:

Jim Burns  
RBDA Ltd  
The Bothy  
Brandsby  
York YO61 4RN

7<sup>th</sup> May 2014



St. Michael's House • Market Place • Malton • YO17 7LR

Tel: 01653 692151 Fax: 01653 600311

Email: malton@boultoncooper.co.uk

Website: www.boultoncooper.co.uk



HJS

10<sup>th</sup> December 2013

RBDA Ltd  
The Bothy  
Brandsby  
YORK  
YO61 4RN

Dear Sirs

**Re: Village Farm, West Lilling, YO60 6RP (J & J Properties)  
Planning Application: 13/01342/FUL**

Further to a recent telephone conversation with your above client, we have been asked to comment briefly on the residential market conditions in the locality, and how this effects the above planning application.

The residential sales market in the Ryedale area continues to show signs of improvement and recovery, particularly over the last 8 to 10 months. This has been as a consequence of a range of factors, including improved demand from first time buyers, with greater mortgage availability and initiatives; other purchasers returning to the market place, having previously resorted to the rental market and now experiencing greater certainty and optimism in the housing market and wider economy.

Whilst we continue to experience growing demand, there does remain a shortage of good quality new build homes in Ryedale and, in particular the out-lying villages, to complement the existing housing stock. Having looked at the above proposed planning application, this would go some way to alleviate the housing shortage in the locality, particularly with growing demand for family houses and smaller units, targeted at the growing first-time buyer market.

I hope the above planning application and development is successful, and if you require any further information, please do not hesitate to contact me at our Malton office.

Yours faithfully

**H J Scott BA (Hons) MSc MRICS  
RICS Registered Valuer**

**For Boulton & Cooper Stephensons**

Local Partners: JF Stephenson MA (Cantab) FRICS FAAV  
•RL Cordingley BSc FRICS FAAV

Board of Management: PG Fletcher MRICS (Pickering)  
•PM Place FRICS FAAV (Livestock)  
•DB Lindley MRICS (Agriculture)  
•AD McMillan ASFAV (Fine Arts)  
•H Barclay MA MRICS (Surveying & Valuations)  
•Marc Jones (Estate Agency)

Boulton & Cooper Stephensons offices at:

Pickering 01751 472724	Knarborough 01423 867700
Malton 01653 692151	York 01904 625533 / 655452
Helmsley 01439 770232	Boroughbridge 01423 324324
Kirkbymoorside 01751 432792	Easingwold 01347 821145
York Auction Centre 01904 489731	Selby 01757 706707

AM

LILLINGS AMBO PARISH COUNCIL.

Clerk. Mrs A.Bailey. Rose Villa. West Lilling. York. YO60 6RP

19-6-2014

RYEDALE DISTRICT COUNCIL

23 JUN 2014

DEVELOPMENT

RYEDALE DISTRICT COUNCIL

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Karen Hood.

Managing Development Leader.

Ryedale District Council

Dear Karen Hood,

At a meeting of the Lillings Ambo Parish Council held on 10<sup>th</sup> June 2014 the following revised planning application was considered.

Application No 14/00593/FUL. J and J Properties.

Village Farm. Goose Track Lane. West Lilling.

The council would like to pass on the following comments in the same order as our previous letter of 3-1-2014.

1. Road Safety/Car Parking.

We discussed again the "building line versus part intrusion outside the village envelope" issue and we are of the unanimous view that the position of both the replacement Yew Tree dwelling (+ garage & turning/parking area) and the three new-build properties (+ their garages & turning /parking areas ) should all be moved in a S/SSW direction by between 3 & 4 metres. From the most important SAFETY angle, this would enable a lay-by to be considered for further off-highway parking. Everyone in Lilling is cognisant of the high volume of particularly HGV traffic, often travelling, we believe, at less than cautious speeds through the village and the council remains very concerned. We believe that any new-build properties should be moved away from the highway if possible, and in this case, there would be gradual reduction in the building line as you enter Lilling from the south i.e. Broadacres, Ambleside, Yew Tree Cottage, and 3 new build houses and then Village Farm on its original site.

The council noted the improved passing place scheme between Yew Tree House and the new build houses.

2. Foul Sewage & Surface Water Drainage.

Please clarify if it is the case that if;

- a) Ryedale District Council approves.
- b) Yorkshire Water approves
- c) There are no objections from neighbours who may be affected, then Lillings Ambo Parish Council cannot insist on mains drainage being used.

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3. Garages To South Side Of Village Farm.

We reiterate that there should be a “garaging only” clause, our concerns being noise levels and adjacent dwellings.

Yours sincerely

J.L.C.Pratt.  
Chairman of Lillings Ambo Parish Council.



**Item Number:** 19  
**Application No:** 14/00695/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Jamie Rotherham  
**Proposal:** Installation of automatic doors to west elevation to replace existing manual doors.  
**Location:** Ropery House RDC Area Office The Ropery Pickering North Yorkshire YO18 8DY

**Registration Date:**  
**8/13 Wk Expiry Date:** 15 August 2014  
**Overall Expiry Date:** 21 July 2014  
**Case Officer:** Rachel May **Ext:** 329

## CONSULTATIONS:

**Parish Council** No views received to date

**Neighbour responses:** No views received

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## SITE:

Ropery House is the Tourist Information Centre located in the market town of Pickering, within the 'saved' Development Limits.

## PROPOSAL:

Planning permission is sought for the installation of automatic doors to west elevation to replace existing manual entrance doors.

Members are advised that this application has been referred to Planning Committee as the application is submitted on behalf of Ryedale District Council.

## HISTORY:

None.

## POLICY:

### National Policy Guidance

National Planning Policy Framework  
National Planning Policy Guidance

### Ryedale Plan - Local Plan Strategy

Policy SP16 - Design  
Policy SP19 - Presumption in Favour of Sustainable Development  
Policy SP20 - General Development Management Issues

## **PUBLICITY:**

No responses received.

## **APPRAISAL:**

The main considerations to be taken into account when considering this proposal are:

- i. Character and Form
- ii. Impact upon the streetscene
- iii. Other matters

### **(i) Character and Form**

The proposed doors will be 2.4 m x 2.45 m, which are exactly the same size as the existing doors, and therefore they are considered appropriate. They will be positioned in the same place as the current doors, fronting on to The Ropery.

It is proposed the doors will be aluminium frames and will retain the overall external appearance of the existing doors. It is considered, therefore, that the replacement doors integrate well into the surroundings whilst also improve the accessibility to the building. It is considered that the proposal is compliant with Policy SP16 of the Ryedale Plan - Local Plan Strategy.

### **(ii) Impact upon the street scene**

The utilisation of similar doors and appropriate material respects the immediate locality and will not have any adverse impacts upon the street scene of The Ropery. Therefore this proposal is considered to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

### **(iii) Other Matters**

No response has been received from Pickering Town Council or the neighbours with regard to the proposal.

## **Conclusion**

In view of the above, the recommendation on this application is one of approval subject to no additional issues raised following the expiry of the consultation period.

National Planning Policy Guidance  
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  
National Planning Policy Framework

## **RECOMMENDATION:                      Approval**

- 1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

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

Proposed New Entrance Doors - drawing number ROP/002

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

---

**PLANNING COMMITTEE**  
**30 July 2014**

**Background Papers:**

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties

# Replacement Entrance Doors Ropery House TIC



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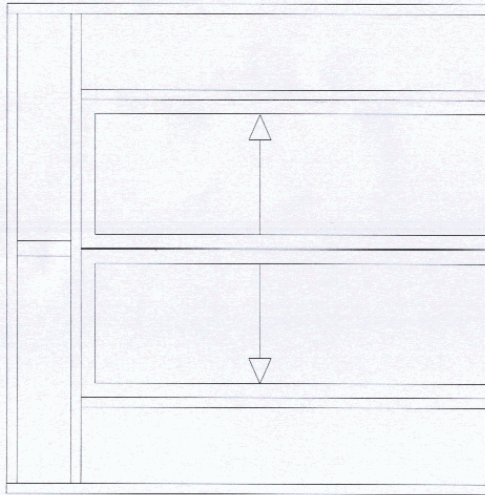


Scale 1 : 1250 on A4



RaP/003

Pickering TIC Proposed New Doors 1:20



2400

2450

NOTES :

Do not take any measurements from this drawing

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Rev	Amendment Details	Date
	FACILITIES & EMERGENCY PLANNING Ryedale House Old Melton Road Melton, North Yorkshire YO17 7HH (01653) 600 666	
	Property Derwent Pool Norton Pool YO17 7HP	
	Title Proposed New Entrance Doors	
Drawn JAS	Date June 2014	Scale 1:20 @ A3
CD File Ref.		Revision RDP/002





**Item Number:** 20  
**Application No:** 14/00699/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Ryedale District Council (Robert Austin)  
**Proposal:** Replacement of existing hardwood windows on south elevation with aluminium double glazed units and replacement of UPVC windows in bay window with aluminium double glazed units together with installation of flat roof on bay window.  
**Location:** Ryedale Swimming Pool Mill Lane Pickering North Yorkshire YO18 8DJ

**Registration Date:**  
**8/13 Wk Expiry Date:** 18 August 2014  
**Overall Expiry Date:** 28 July 2014  
**Case Officer:** Charlotte Cornforth **Ext:** 325

## CONSULTATIONS:

**Parish Council** No objection

**Neighbour responses:** None

---

## SITE:

Ryedale Swimming Pool is a community facility that is located on the southern side of the Market Town of Pickering. It is directly accessed off Mill Lane and there is a car park to the front of the building. This application seeks changes to the rear of the building that directly faces onto a green parcel of land that is also owned by Ryedale District Council.

## HISTORY:

There is no relevant history in relation to the proposal.

## PROPOSAL:

Members are advised that this application has been referred to Planning Committee as the application is submitted on behalf of Ryedale District Council.

This planning application seeks to replace the existing hardwood windows on the south elevation with aluminium double glazed units and replace the UPVC windows in the bay window with aluminium double glazed units together with the installation of a flat roof on bay window. All of the above changes are to the rear of the building

## APPRAISAL:

The main considerations to be taken into account when considering the proposal are the following:

- i. Character and form
- ii. Impact upon the street scene
- iii. Impact upon neighbouring amenities
- iv. Other matters

i. Character and form

The proposal seeks to replace both hardwood windows and UPVC windows with aluminium double glazed units. The proposed materials of aluminium and double glazing are considered to be appropriate and sympathetic to the character and appearance of the existing building, complying with Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy. The proposed design of the windows will be vertically glazed. The installation of a flat roof on the bay window is also considered to be appropriate and sympathetic to the character and appearance of the existing building. The double glazed units are considered to improve the thermal efficiency of the building and reduce solar gain.

ii. Impact upon the street scene

Due to the proposed alterations being to the rear of the building, they will not be readily visible from any public viewpoints. Therefore, the proposal will not have a detrimental impact upon the immediate locality and the street scene, complying with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

iii. Impact upon neighbouring amenities

With the proposal being replacements, there will be no additional windows added to the building. The rear of the properties of 'Pool Court' and 'Malton Road' are located adjacent to the green parcel of land and the building and the windows do not directly face into their rear gardens. The proposed flat roof will measure the same height to the ridge as the existing lean to bay window. Therefore, the proposal will have minimal impact upon neighbouring amenities in terms of being overbearing in presence, causing loss of light or loss of privacy, complying with Policy SP20 (Generic Development Management Issues).

iv. Other matters

No response has been received from Pickering Town Council or the neighbours with regard to the proposal. However Members should note that the consultation period of the application does not expire until 28th July 2014.

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:                      Approval**

- 1            The development hereby permitted shall be begun on or before .  
  
                 Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
  
- 2            The development hereby permitted shall be carried out in accordance with the following approved plan(s):  
  
                 Drawing Number RP/WR/002.  
  
                 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



# Replacement Glazing at Ryedale Pool, Pickering



DRAWING No. RP/WR/001  
LOCATION PLAN

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Scale 1 : 1250 on A3

14/00699/FUL.

# Replacement Glazing at Ryedale Pool, Pickering



RYEDALE DISTRICT COUNCIL  
 23 JUN 2014  
 DEVELOPER



DRAWING NO RP/WR/003  
ELEVATION IDENTIFICATION

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Scale 1: 1250 NTS

14/00699/EUL





# Agenda Item 23

## RYEDALE DISTRICT COUNCIL

### APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

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1.

**Application No:** 13/01300/ADV **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Fitzwilliam (Malton) Estates (Mr K Davies)  
**Location:** Talbot Hotel 45 - 47 Yorkersgate Malton North Yorkshire YO17 7AJ  
**Proposal:** Display of 2no. internally-illuminated brass menu boards above and either side of north elevation entrance door

---

2.

**Application No:** 13/01301/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Fitzwilliam (Malton) Estates (Mr K Davies)  
**Location:** Talbot Hotel 45 - 47 Yorkersgate Malton North Yorkshire YO17 7AJ  
**Proposal:** Display of 2no. internally-illuminated brass menu boards above and either side of north elevation entrance door

---

3.

**Application No:** 14/00338/FUL **Decision: Approval**  
**Parish:** Sinnington Parish Council  
**Applicant:** Mr T Scaling  
**Location:** Cliff Farm Cross Lane Sinnington Pickering YO62 6SS  
**Proposal:** Change of use of agricultural land to form an extension to existing touring caravan site to include 12 no. additional touring caravan pitches, extension of existing site road, landscaping and formation of 3m wide bund to southern boundary

---

4.

**Application No:** 14/00346/73AM **Decision: Partial Approve/Refuse**  
**Parish:** Malton Town Council  
**Applicant:** Taylor Wimpey (North Yorkshire) Ltd  
**Location:** Land North Of Broughton Road Malton North Yorkshire  
**Proposal:** Variation of Conditions 11(1)(a) and 15 by replacement of "50 No. dwellings" by "80 no. dwellings" - maximum number of occupied dwellings that relate to the temporary vehicular access arrangements and the completion of construction of the listed highway works - and Variation of Condition 16 to allow the use of the temporary access for 24 months from the first occupation of a dwelling on the site (until April 2016) - addition of a further 12 months of use. All Variations in relation to approval 10/00899/MOUT dated 07.11.2011.

---

5.

**Application No:** 14/00413/FUL **Decision: Refusal**  
**Parish:** Pickering Town Council  
**Applicant:** Mr R Miah  
**Location:** 12 Eastgate Square Eastgate Pickering North Yorkshire YO18 7DP  
**Proposal:** Change of use from office (Use Class B1) to Hot Food Takeaway (Use Class A5) and installation of extraction unit to rear roofslope

---

6.

**Application No:** 14/00459/FUL **Decision: Approval**

**Parish:** Scrayingham Parish Council  
**Applicant:** Mr Stuart Wood  
**Location:** Poplar House Farm Leppington Lane Leppington Malton North Yorkshire YO17 9RL  
**Proposal:** Erection of an agricultural lean to livestock building adjoining existing livestock building

---

**7.**  
**Application No:** 14/00470/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Town & Country Fires  
**Location:** 2 - 4 Enterprise Way Thornton Road Industrial Estate Pickering North Yorkshire YO18 7NA  
**Proposal:** Change of use of car showroom, workshop and offices to a showroom, workshop and offices for the sale, storage and manufacturing of heating appliances and related products

---

**8.**  
**Application No:** 14/00496/FUL **Decision: Approval**  
**Parish:** Leavening Parish Council  
**Applicant:** Mr T W Midgley  
**Location:** Land At Sandfield Farm Westow Malton North Yorkshire  
**Proposal:** Erection of a 3 bedroom detached equestrian worker's dwelling, formation of parking/turning area and provision of a domestic curtilage

---

**9.**  
**Application No:** 14/00499/FUL **Decision: Refusal**  
**Parish:** Rillington Parish Council  
**Applicant:** Mr Andrew Craven  
**Location:** 57 Westgate Rillington Malton YO17 8LN  
**Proposal:** Subdivision, alteration and extension of existing 3 bedroom dwelling to form 2no. three bedroom dwelling to include erection of a two storey extension (plot 1) and part two storey/part single storey extension (plot 2) together with parking and shared manoeuvring space

---

**10.**  
**Application No:** 14/00502/HOUSE **Decision: Approval**  
**Parish:** Harome Parish Council  
**Applicant:** Mr Chris Ward  
**Location:** The Haven Main Street Harome Helmsley YO62 5JF  
**Proposal:** Erection of two storey rear extension and detached outbuilding following demolition of existing outbuilding

---

**11.**  
**Application No:** 14/00506/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr & Mrs Campbell  
**Location:** 43 Forest Road Pickering North Yorkshire YO18 7EE  
**Proposal:** Erection of two storey side extension and formation of vehicular access.

---

**12.**  
**Application No:** 14/00513/LBC **Decision: Approval**  
**Parish:** Westow Parish Council  
**Applicant:** Mrs Anne Henson  
**Location:** The Garden Bungalow Kirkham Kirkham Abbey Malton YO60 7JS

**Proposal:** Blocking up of 1 no. window and formation of 2 no. windows to garden wall following erection of replacement dwelling.

---

**13.**

**Application No:** 14/00516/HOUSE **Decision: Approval**  
**Parish:** Bulmer Parish Council  
**Applicant:** Mr Robert Tulloch  
**Location:** Chapel House Main Street Bulmer Malton YO60 7BN  
**Proposal:** Installation of 2no. conservation roof windows on single storey south elevation roofslope.

---

**14.**

**Application No:** 14/00518/ADV **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Yorkshire Building Society (Miss Lauren Gilchrist)  
**Location:** 4 Wheelgate Malton North Yorkshire YO17 7HP  
**Proposal:** Display of 1no. non-illuminated fascia sign and 1no. non-illuminated hanging sign to front elevation and 1no. non-illuminated fascia sign to side elevation.

---

**15.**

**Application No:** 14/00541/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Fitzwilliam (Malton) Estate (Mr Keith Davies)  
**Location:** 14 Saville Street Malton North Yorkshire YO17 7LL  
**Proposal:** Display of 1no. non-illuminated timber hanging sign on iron bracket.

---

**16.**

**Application No:** 14/00532/FUL **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr & Mrs David Rooke  
**Location:** West Mill House Farm Stittenham Hill Bulmer YO60 7TP  
**Proposal:** Change of use of agricultural land to form a 50m x 25m menage together with installation of a horse walker for private domestic use

---

**17.**

**Application No:** 14/00536/FUL **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr Nick Leedham  
**Location:** Buildings At Finkle Street Sheriff Hutton  
**Proposal:** Erection of replacement agricultural building for the storage of produce and housing of livestock.

---

**18.**

**Application No:** 14/00538/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Miss S Beswick  
**Location:** West Lodge 3 West Side Close Malton North Yorkshire YO17 7AR  
**Proposal:** Erection of garden room extension to south-east, replacement of kitchen window with double doors to east and replacement of 2no. doors and 6no. windows with double glazed units to south-west.

---

**19.**

**Application No:** 14/00539/HOUSE **Decision: Approval**  
**Parish:** Fryton Parish Council

**Applicant:** Claire Hudson  
**Location:** Rose Cottage 3 Fryton Lane Slingsby Malton YO62 4AT  
**Proposal:** Erection of replacement single storey rear extension.

---

**20.**  
**Application No:** 14/00540/HOUSE **Decision: Approval**  
**Parish:** Westow Parish Council  
**Applicant:** Mr Robin Graham  
**Location:** Chapel House Chapel Lane Westow Malton YO60 7ND  
**Proposal:** Replacement of 1.2m x 0.5m timber strip window on south elevation by 1.2m x 1.3m timber window.

---

**21.**  
**Application No:** 14/00547/73A **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr & Mrs F Tobin  
**Location:** 4 St Andrews Castle Howard Road Malton North Yorkshire YO17 7AY  
**Proposal:** Variation of condition 03 of approval 13/01362/HOUSE dated 20.01.2014 to state "The development hereby permitted shall be carried out in accordance with the following approved plan(s): Proposed Floor Plans (date stamped 25 November 2013), Proposed elevations 1 drawing no. D413005/07 Rev A and Proposed Elevations 2 drawing no. D413005/08 Rev A" - revision of materials used.

---

**22.**  
**Application No:** 14/00548/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr & Mrs Storey  
**Location:** 10 Ruffa Lane Pickering North Yorkshire YO18 7HN  
**Proposal:** Erection of attached garage and front entrance porch.

---

**23.**  
**Application No:** 14/00556/FUL **Decision: Approval**  
**Parish:** Warthill Parish Council  
**Applicant:** Mr A F Wilson & Son  
**Location:** Black Sheds Farm Warthill York YO19 5XP  
**Proposal:** Erection of an agricultural building for the housing of livestock

---

**24.**  
**Application No:** 14/00557/HOUSE **Decision: Approval**  
**Parish:** Scagglethorpe Parish Council  
**Applicant:** Mr & Mrs L Walker  
**Location:** The Smithy Scagglethorpe Malton YO17 8DY  
**Proposal:** Erection of replacement roof with increase in eaves height and overall height of dwelling to allow formation of first floor, and replacement of existing side extension with part two storey/part single storey and rear extensions to incorporate integral garages, together with erection of detached domestic storage building and 2.1m high boundary wall.

---

**25.**  
**Application No:** 14/00565/LBC **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Yorcare Ltd (C Fox)  
**Location:** 22 Market Place Pickering North Yorkshire YO18 7AE  
**Proposal:** Formation of rear access door

---

**26.**  
**Application No:** 14/00566/HOUSE **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Mrs S Mintoft  
**Location:** Glenfield Gillamoor Road Kirkbymoorside York YO62 6EL  
**Proposal:** Erection of part two storey/part single storey side and rear extensions to incorporate integral garage

---

**27.**  
**Application No:** 14/00567/HOUSE **Decision: Approval**  
**Parish:** Edstone Parish Meeting  
**Applicant:** Mr Christopher Hall  
**Location:** 2 Ryedale View Great Edstone Kirkbymoorside YO62 6NZ  
**Proposal:** Erection of two storey side extension to incorporate attached garage.

---

**28.**  
**Application No:** 14/00569/FUL **Decision: Refusal**  
**Parish:** Henderskelfe Parish Meeting  
**Applicant:** Coastline Leisure Ltd (Mr John Northgraves)  
**Location:** Castle Howard Estate Castle Howard York North Yorkshire YO60 7BY  
**Proposal:** Temporary siting of timber clad show lodge adjacent to main car park area for display between April 1st and October 31st

---

**29.**  
**Application No:** 14/00573/HOUSE **Decision: Approval**  
**Parish:** Burythorpe Parish Council  
**Applicant:** Miss Helen Poulson  
**Location:** Hanging Hill Farm Scotkind Kenyhorpe Malton North Yorkshire YO17 9LA  
**Proposal:** Erection of detached outbuilding to contain log store, workshop and garage for domestic use following demolition of existing stable block

---

**30.**  
**Application No:** 14/00578/HOUSE **Decision: Approval**  
**Parish:** Huttons Ambo Parish Council  
**Applicant:** Mr Simon Lealman  
**Location:** 2 Club Cottages The Green Low Hutton York YO60 7HF  
**Proposal:** Erection of single storey flat roofed infill rear extension

---

**31.**  
**Application No:** 14/00581/FUL **Decision: Approval**  
**Parish:** Rillington Parish Council  
**Applicant:** Ellis Patents Ltd (Mr Richard Shaw)  
**Location:** Ellis Patents High Street Rillington Malton YO17 8LA  
**Proposal:** Replacement of asbestos wall cladding and roof with profiled metal cladding, installation of roof ridge ventilation, 2 no. vents each to south west and north east roof slopes and 3 no. louvres to south west elevation.

---

**32.**  
**Application No:** 14/00582/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Peter Nelson Fitness (Mr Peter Nelson)  
**Location:** 31B Enterprise Way Thornton Road Industrial Estate Pickering North Yorkshire YO18 7NA  
**Proposal:** Change of use of unit used for office and storage to a personal training fitness studio



- 
- 33.**  
**Application No:** 14/00586/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr & Mrs I Little  
**Location:** 11 Mallard View Norton Malton YO17 9EW  
**Proposal:** Erection of single storey bay window to front elevation.
- 
- 34.**  
**Application No:** 14/00587/HOUSE **Decision: Approval**  
**Parish:** Habton Parish Council  
**Applicant:** Mr & Mrs S Boyes  
**Location:** Ryelean Newsham Lane Little Habton Malton YO17 6UA  
**Proposal:** Erection of single storey extension to east elevation
- 
- 35.**  
**Application No:** 14/00591/FUL **Decision: Approval**  
**Parish:** Whitwell-on-the-Hill Parish Council  
**Applicant:** B.T (Mr Philip Preston)  
**Location:** Telephone Exchange Old York Road Whitwell On The Hill Malton  
**Proposal:** Erection of 12.1m wooden pole supporting 0.3m microwave radio dish to enable broadband delivery to Westow village
- 
- 36.**  
**Application No:** 14/00610/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr Steven Blanchard  
**Location:** 35 Marshall Drive Pickering North Yorkshire YO18 7JT  
**Proposal:** Erection of single storey extension to east elevation following demolition of existing single storey extension
- 
- 37.**  
**Application No:** 14/00620/FUL **Decision: Approval**  
**Parish:** Sinnington Parish Council  
**Applicant:** G R Turnbull And Son Ltd  
**Location:** The Grange Marton Road Sinnington Pickering YO62 6RB  
**Proposal:** Erection of extension to an agricultural building to form storage for straw.
- 
- 38.**  
**Application No:** 14/00637/TPO **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mrs Thackray  
**Location:** Sedums 20 York Road Malton North Yorkshire YO17 6AX  
**Proposal:** Crown lift T1 Silver birch within TPO 247A /1999 to provide a 2 metre clearance from the adjacent roof level. (T2 on application not in TPO)
- 
- 39.**  
**Application No:** 14/00629/HOUSE **Decision: Approval**  
**Parish:** Gate Helmsley Parish Council  
**Applicant:** Mr C & Mrs P Boot  
**Location:** Derwendale York Road Stamford Bridge North Yorkshire YO41 1AH  
**Proposal:** Erection of single storey extension to rear and side and detached garage following demolition of existing flat roofed rear extension and detached garage/store together

with culverting of 6m section of open watercourse (revised details to refusal  
13/01067/HOUSE dated 31.01.2014)

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**40.**

**Application No:**

14/00630/HOUSE

**Decision: Refusal**

**Parish:**

Habton Parish Council

**Applicant:**

Mr Iain Rookes

**Location:**

Rowan Cottage Habton Lane Great Habton Malton North Yorkshire YO17 6TU

**Proposal:**

Erection of two storey side extension.

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## Appeal Decision

Site visits made on 1 & 19 May 2014

**by Louise Crosby MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 June 2014**

---

**Appeal Ref: APP/Y2736/A/13/2196783**

**Willerby Pig Farm, Malton Road, Staxton, Scarborough, North Yorkshire, YO12 4SN**

- 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 Willerby Wold Piggeries Ltd against the decision of Ryedale District Council.
  - The application Ref: 12/01026/FUL, dated 26 October 2012, was refused by notice dated 20 February 2013.
  - The development proposed is erection of a single wind turbine and associated infrastructure for the generation of renewable energy.
- 

### Decision

1. The appeal is dismissed.

### Procedural matters

2. I carried out an accompanied site visit on 1 May 2014, but because of the poor visibility due to the weather conditions on that day I also carried out an unaccompanied site visit on 19 May 2014. On that day I also viewed the site from more distant vantage points.
3. The wind turbine would have a hub height of around 50m and a blade tip height of approximately 78m.

### Main Issues

4. The main issues are the effect of the proposal on:
  - i) the character of the landscape; and
  - ii) the appearance and visual amenity of the area.

### Reasons

#### *The character of the landscape*

5. Willerby Pig Farm is situated adjacent to the busy A64 road which carries traffic to and from, among other places, Scarborough. The wind turbine would be located in a field to the north of the existing large modern pig farm buildings. The site lies within National Character Area (NCA) 26 - Vale of Pickering. The boundary of this character area runs along the A64, to the south of the site. Here it meets NCA 27 - The Yorkshire Wolds.

6. One of the key characteristics of NCA 26 is that it is a low lying flat or gently undulating Vale with land rising gently to the foothills of the North York Moors and Cleveland Hills in the north, and to the steep scarp of the Yorkshire Wolds and the Howardian Hills in the south. The area is also described as having relatively sparse tree cover and few woodlands overall with settlements concentrated along main transport routes on higher ground around the fringes, with small nucleated settlements in lower ground in the Vale.
7. Some of the relevant key characteristics of NCA 27 in this case are the prominent escarpment and foothills rising from the Vales of York and Pickering and falling to the plain of Holderness. A large-scale landscape of rounded, rolling hills, with big skies and long views from the escarpment and plateaux, contrasting with the more enclosed, sheltered valleys.
8. In addition, the area to the south (around 0.6km away) is a locally designated Area of High Landscape Value. Within this area Ryedale Local Plan (LP) policy ENV3 seeks to protect the Wolds Area of High Landscape Value from development that would materially detract from the special scenic quality of the landscape. Although the site is outside this area development here could and would in this case have an impact on it and accordingly policy ENV3 is relevant.
9. This accurately defines the landscape where the appeal site is located. Indeed the steep scarp to the south begins not far from the site. To the north the landscape is generally flat for a much greater distance before the land begins to rise.
10. The North Yorkshire and York Landscape Characterisation Project (LCP) covers the whole of the county. This site is located within a landscape unit called 'farmland lowland and valley landscapes' and is within Landscape Character Area 30 - 'Sand and Gravel Fringe'. The key characteristic of this character type relevant here is the striking settlement pattern with villages located along the spring line. It is also noted as having a high landscape sensitivity as a result of the settlement pattern, archaeological sites and designed landscape.
11. In my view, despite the presence of the busy A64 road, the nearby railway and large farms along the corridor where the appeal site is located it is still a highly sensitive landscape. This is particularly so because of the views afforded of it from long distances both to the north and the south. Moreover, despite the acknowledged 'man-made' elements, it is still a predominantly open rural landscape that is largely unspoilt by modern development. In this particular area while there are some large farmsteads with modern farm buildings, such as those here at Willerby Pig Farm, these tend to be located close to the road.
12. The proposed turbine would be located beyond the farm buildings here in an area which is characterised by a flat rural landscape containing no vertical structures comparable in height to that proposed here, just a few slender timber poles carrying wires. While I saw some tall pylons they were far away in the distance and they were limited in number. At present the landscape and topography of the valley where the appeal site is located contrasts dramatically with the steep escarpment to the south and the dramatic rugged moorland hills to the north. Introducing a tall vertical structure into this valley, exacerbated by rotating blades with a diameter of some 54 metres, would have an adverse impact on a key characteristic of this landscape.

13. In summary, this proposal would introduce a strident vertical structure with rotating blades, which would detract from the characteristic low lying nature of this landscape. As such, the proposal would conflict with LP policy RE1 in so far as it permits wind turbines where they would not have any significant adverse effect on the quality of the landscape and policy ENV3.

*The appearance and visual amenity of the area*

14. To the east of the site are the small villages of Willerby, Staxton and to the south west, Ganton. The area of land to the south of the site climbs steeply away from the A64. Within this escarpment runs a section of the Yorkshire Wolds Way. The section directly opposite the site is almost on top of the ridge and allows long distance views to the north, over the appeal site towards the North York Moors and the Cleveland Hills. The LCP says that in terms of sensitivity and capacity this area has high visual sensitivity as a result of strong inter-visibility with the Enclosed Vale Farmland LCT and open views along the Sand and Gravel Vale Fringe.
15. The appellants' planning statement says that the proposal would result in significant visual impacts on the small number of residents, roads and recreational routes and visitors near the site. I visited Greystoke House during my first site visit. This is one of the closest dwellings to the appeal site. It sits close to the A64 and is around 0.5km south of the appeal site. During my accompanied site visit I saw that it has numerous windows in its rear elevation which overlook the appeal site. Also, its rear garden faces towards the appeal site. As acknowledged by the appellants, views of the wind turbine would be largely unscreened from this dwelling and others nearby.
16. The impact for these dwellings is assessed by the appellants as being moderate-substantial adverse, which is significant and I concur. While these views include the large modern farm buildings at this farm and some views would also include other large farm buildings such as those at Binnington Farm, the turbine would be located beyond most of these buildings in an open field. Moreover, it would be significantly taller than the farm buildings given the blade tip height of 78m. So, even when viewed with the buildings in front of it the upper section would be seen above them and that section would contain the rotating blades which would have a large swept area.
17. The impact would be similar from Binnington Carr Lane to the west and from Staxton playing fields to the east from where direct uninterrupted views of the appeal site are available. From Ganton golf course which is beyond Binnington Carr Lane, to the west, the impact would be less because of the distance, the presence of mature landscaping and the topography of the intervening land.
18. Traffic travelling along the A64 would have uninterrupted views of the whole of the turbine when close by although these would be glimpsed views because of the speed of traffic travelling along this road. More sustained views of the upper sections would be available from longer distances although the level of intrusion would diminish over distance.
19. The Wolds Way National Trail traverses the escarpment to the south of the site. While some of the views from this route would be shielded by trees, there are very exposed sections which provide direct views across the valley towards the North York Moors and Cleveland Hills beyond. The appellants assess this impact as significant. Although the impact would be significant for only a short

distance it would nonetheless interrupt and, in my opinion, spoil the stunning views afforded by this footpath across what is at present an area containing just sporadic development and slender timber poles carrying wires that are low in height compared to the proposed turbine. While electricity pylons are visible in these views they are a significant distance from the appeal site and this distance reduces their scale and impact.

20. I also viewed the site from some vantage points much farther away, including Oliver's Mount in Scarborough to the north east of the site and Ayton Castle, West Ayton to the north of the site. From these places the wind turbine would be visible on a clear day, but given the distance it would be viewed over I am not convinced that it would appear visually harmful.
21. Overall, I find that the proposal would have a significant adverse effect on the appearance and visual amenity of the area from a number of nearby paths, roads, dwellings and recreational areas.

#### *Other matters*

22. Planning Practice Guidance advises that the report 'The Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) should be used by local planning authorities when assessing and rating noise from wind energy developments. The report states that for single wind turbines a simplified noise condition may be suitable whereby if the noise is limited to an  $L_{A90,10min}$  of 35db(A) up to wind speeds of 10m/s at 10m height, then this condition alone would offer sufficient protection to living conditions from noise. The appellants have submitted technical information which shows that the wind turbine would comply with the simplified procedure in ETSU-R-97. National Policy Statement for Renewable Energy Infrastructure (EN-3) provides that where the correct methodology has been followed and a turbine would comply with ETSU-R-97 recommended noise limits the decision maker may conclude that it will give little or no weight to adverse noise impacts from the operation of the wind turbine.
23. In respect of shadow flicker planning guidance advises that only properties within 130 degrees either side of north, relative to the turbine can be affected in the UK by shadow flicker. It also says that problems caused by shadow flicker are rare. The appellants have provided an analysis which quantifies the impact and this shows that would be the case here and consequently I am satisfied that the proposal would not be unduly harmful in this regard.
24. The proposed turbine could generate approximately 1,633,000 kWh of electricity per annum, corresponding to an estimated maximum annual reduction of 890 tonnes in carbon dioxide emissions. This would supply the energy demands of Willerby Pig Farm and also have the capacity to meet increased demands in the future. The proposal would contribute to Government renewable energy targets, reduce the emission of greenhouse gases and address climate change. These matters attract significant weight.
25. The appellants have demonstrated that there would be no adverse impact on local wildlife. The Council's Countryside Officer agrees and I concur.

#### **Conclusion**

26. While the proposal would provide important local and national environmental benefits in terms of the provision of renewable energy, which carry significant weight, these matters are far outweighed by the significant detrimental effect

the proposal would have on the character of the landscape and the appearance and visual amenity of the area. As such, the proposal would conflict with paragraph 98 of the Framework since although it encourages the use of renewable technology such as this, only where its impacts are (or can be made) acceptable.

27. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Louise Crosby*

INSPECTOR