

PLANNING COMMITTEE

Tuesday 21 October 2014 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Minutes of meeting held on 23 September 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 **Schedule of items to be determined by Committee** (Pages 8 - 9)
- 6 **14/00900/MFUL - Mill House, Scarborough Road, East Knapton, Malton** (Pages 10 - 29)
- 7 **14/00914/MFUL - Fosters Wold Farm, Weaverthorpe, Malton** (Pages 30 - 49)
- 8 **14/00613/OUT - Land Off Kirk Balk Lane, Claxton** (Pages 50 - 66)

- 9 **14/00856/FUL - Norton Bowls Club, Bowling Lane, Norton** (Pages 67 - 78)
- 10 **14/00882/HOUSE - Lilac Cottage, Main Street, Wombleton** (Pages 79 - 89)
- 11 **14/00883/HOUSE - Nesslyn, West End, Sheriff Hutton** (Pages 90 - 98)
- 12 **14/00889/HOUSE - Green View, Page Lane, Wombleton** (Pages 99 - 111)
- 13 **14/00909/HOUSE - Newlands, 4 St Peters Crescent, Norton** (Pages 112 - 119)
- 14 **14/01039/FUL - Ryedale Swimming Pool, Mill Lane, Pickering** (Pages 120 - 129)
- 15 **Any other business that the Chairman decides is urgent.**
- 16 **List of Applications determined under delegated Powers.** (Pages 130 - 134)
- 17 **Update on Appeal Decisions** (Pages 135 - 141)

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 23 September 2014

Present

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

Substitutes: Councillor D Cussons (for Councillor J Hicks)

In Attendance

Jo Holmes, Chris Osmond, Gary Housden and Matthew Mortonson

Minutes

83 **Apologies for absence**

Apologies were received from Councillor Hicks.

84 **Minutes of meetings held on 21 August & 27 August 2014**

Decision

That the minutes of the meeting of the Planning Committee's held on 21 August and 27 August 2014 be approved and signed by the Chairman as a correct record.

[For 8 Against 0 Abstain]

85 **Urgent Business**

There was no urgent business.

86 **Declarations of Interest**

Councillor	Application
Cussons	6
Hope	6
Windress	6
Maud	6,11
Burr	6,7

Goodrick 6
Frank 6
Sanderson 6

87 **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.

88 **14/00734/MFUL - OS Field No 1811, Cawton Road, Gilling East, Helmsley**

14/00734/MFUL - Establishment of a farmstead to include erection of a four bedroom agricultural workers dwelling with detached double garage/store with room above, erection of cattle shed and machinery/feed store and excavation of an attenuation basin/pond, formation of stoned area for external feed storage and vehicular access and landscaping with use of the existing general purpose agricultural building to include for livestock housing.

Decision		
APPLICATION REFUSED		
[For 5	Against 2	Abstain 1]

In accordance with the Members' Code of Conduct Councillors Hope, Windress, Mrs Burr, Mrs Goodrick, Mrs Frank and Mrs Sanderson declared a personal non pecuniary but not prejudicial interest. Councillor Cussons declared a personal and prejudicial interest and left the room.

89 **14/00522/FUL - Land At Middlecave Lodge, Middlecave Road, Malton**

14/00522/FUL - Erection of a two bedroom dwelling with attached single garage with associated landscaping.

Decision		
PERMISSION GRANTED – Subject to conditions as recommended and the completion of a S106 relating to affordable housing and public open space contributions.		
[For 10	Against 0	Abstain 0]

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

90 **14/00762/73A - Land At, Malton Lane, Allerston, Pickering**

14/00762/73A - Variation of Condition 05 of approval 13/00420/FUL dated 07.06.2013 by submission of revised elevations plan "New copy 1st Aug 2014".

Decision

APPLICATION REFUSED – Enforcement Authority granted to secure compliance with the previously approved scheme.

[For 8 Against 2 Abstain 0]

91 **14/00850/ADV - Land At OS Field 6574, Old Malton, Malton**

14/00850/ADV - Erection of permanent tubular steel frame for display of non-illuminated temporary signs for events within Malton and Norton for a period of five years.

Decision

PERMISSION GRANTED – Subject to conditions as recommended and for a period of 3 years and conditions to secure painting of the steel frame; limitation on advertisement of one event only at any one time and colouration of rear of signs a darker green colour.

[For 6 Against 3 Abstain]

92 **14/00851/ADV - OS Field 3286, High Hutton, Malton**

14/00851/ADV – Erection of permanent tubular steel frame for display of non illuminated temporary signs for events within Malton and Norton, for a period of five years.

Decision

PERMISSION GRANTED – Subject to conditions as recommended and for a period of 3 years and conditions to secure painting of the steel frame; limitation on advertisement of one event only at any one time and colouration of rear of signs a darker green colour.

For 6 Against 3 Abstain 0]

93 **14/00865/HOUSE - Glen Gairn, Barugh Lane, Great Barugh, Malton**

14/00865/HOUSE - Erection of carport to include installation of biomass boiler and chimney (Revised details to approval 13/00151/HOUSE dated 25.04.2013) - part retrospective application.

Decision		
PERMISSION GRANTED – Subject to conditions as recommended.		
[For 8	Against 0	Abstain 1]

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

94 **Enforcement Report - Canadian Fields, Nawton**

Decision		
DEFERRED		
[For 9	Against 0	Abstain 0]

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

The Chairman informed Members that Site Visits would occur 2 weeks after the Committee Date that they were decided on.

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

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

97 **Update on Appeal Decisions**

Members' were advised of the following appeal decisions.

APP/Y2736/A/14/2219259 – Land Adjacent to No. 103 Min Street, Ebberston, Scarborough, YO13 9ND.

APP/Y2736/D/14/2222026 – 4 Maiden Greve, Malton, North Yorkshire, YO17 7BE.

APP/Y2736/D/14/2223337 – Rowan Cottage, Great Habton, Malton, North Yorkshire, YO17 6TU.

Meeting Closed at 8.25pm.

Agenda Item 5

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 21/10/14

6

Application No: 14/00900/MFUL

Application Site: Mill House Scarborough Road East Knapton Malton North Yorkshire YO17 8JA

Proposal: Change of use and alteration of farm buildings to form office and small parts storage, erection of attached office building with three bedroom on-site managers apartment to first floor together with erection of warehouse building and workshop building, formation of parking and upgrading of vehicular access - all works to form a commercial dealership for agricultural equipment.

7

Application No: 14/00914/MFUL

Application Site: Fosters Wold Farm Weaverthorpe Malton North Yorkshire YO17 8TP

Proposal: Erection of 2 no. broiler units to house a maximum of 80,000 poultry together with associated control rooms, boiler house, 6 no. feed bins and area of hardstanding

8

Application No: 14/00613/OUT

Application Site: Land Off Kirk Balk Lane Claxton

Proposal: Erection of an agricultural worker's dwelling (site area 0.1ha) (revised details to refusal 13/00037/OUT dated 31.05.2013).

9

Application No: 14/00856/FUL

Application Site: Norton Bowls Club Bowling Lane Norton Malton North Yorkshire YO17 8EG

Proposal: Change of use and alteration of part of bowls club building from D2 Use (Assembly and Leisure) to D1 Use (Non-residential institutions) for use of a dance school and a pre school playgroup to include parking and dedicated outdoor play space for the pre-school playgroup.

10

Application No: 14/00882/HOUSE

Application Site: Lilac Cottage Main Street Wombledon York YO62 7RX

Proposal: Erection of two storey rear extension following demolition of existing single storey rear extension.

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 21/10/14

11

Application No: 14/00883/HOUSE

Application Site: Nesslyn West End Sheriff Hutton YO60 6SH

Proposal: Erection of part two storey/part single storey extension to the west and north elevations and entrance porch to the south elevation.

12

Application No: 14/00889/HOUSE

Application Site: Green View Page Lane Wombledon Kirkbymoorside YO62 7SE

Proposal: Retention of single storey extension to north elevation, boundary wall to east elevation and external cladding and installation of 15no. solar panels on the west roofslope and flat roof

13

Application No: 14/00909/HOUSE

Application Site: Newlands 4 St Peters Crescent Norton Malton North Yorkshire YO17 9AN

Proposal: Erection of single storey side and rear extensions to include integral garage with storage above

14

Application No: 14/01039/FUL

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

Proposal: Erection of single storey linked extension to north (front) elevation to form fitness centre with use of part of adjacent existing changing rooms as a gym

Agenda Item 6

RYEDALE DISTRICT COUNCIL PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 14/00900/MFUL
Parish: Scampston Parish Council
Appn. Type: Full Application Major
Applicant: Ryetec Ltd (Mr Mark Harrison)
Proposal: Change of use and alteration of farm buildings to form office and small parts storage, erection of attached office building with three bedroom on-site managers apartment to first floor together with erection of warehouse building and workshop building, formation of parking and upgrading of vehicular access - all works to form a commercial dealership for agricultural equipment.
Location: Mill House Scarborough Road East Knapton Malton North Yorkshire YO17 8JA

Registration Date: 15 August 2014
8/13 Wk Expiry Date: 14 November 2014
Overall Expiry Date: 3 November 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Highways Agency (Leeds)	Further views required
Countryside Officer	No views received to date
Land Use Planning	No views received to date
Environmental Health Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No views received to date
Building Conservation Officer	No impact on setting of Registered Park and Garden
Parish Council	No views received to date
Highways North Yorkshire	Recommend Highways Agency to be consulted
Archaeology Section	Advise scheme of archaeological mitigation recording and recommend condition

Neighbour responses: Mr Mark Gregory, Mrs Rosemary Cooper, Antony Holliday, Mrs Rebecca Nutter,

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SITE:

Mill House is situated on the northern side of the A64 at East Knapton. It originally comprised a farmhouse and outbuildings set within a 2.6 hectare site. The farmhouse is set back approximately 90m metres from the main road and is accessed via a track. Its most recent use was as a guest house. Planning permission was granted in November 2010 for alterations and extensions together with the demolition of the farmhouse to form a 12 bedroom hotel and restaurant. Revised details were approved in June 2006 to increase the number of rooms to 20.

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The relevant conditions were discharged, and work commenced on site. This included the partial demolition of the existing farmhouse, and other buildings, together with the concrete base for the new build aspect of the hotel. Work subsequently ceased and the site has since been sold.

The area is predominantly agricultural, however there are three residential buildings to the east of the site, one of which was previously associated with a large scaffolding company. It is noted that an outbuilding associated with a neighbouring dwelling lies on the boundary with the application site. The access track is well screened by existing mature trees. The existing buildings are visible from the A64, but partially screened by a mature hedge.

PROPOSAL:

Permission is sought to re-locate a business which sells specialist machinery for farming, forestry and general amenity use. Permission is sought therefore for:-

- The change of use and extension of the former farmhouse at Mill House to provide exhibition space, parts department and offices on the ground floor, together with a three bedroom managers flat, meeting room, and first floor parts department at first floor level. The extensions will be rendered at ground floor level with timber boarding above, and a slate roof.
- Erection of workshop to the rear of the above mentioned building. It will have a footprint of 15m by 36m with a ridge height of 8.4m. It will be constructed from steel sheeting above a 2metre high plinth and a fibre cement roof
- Erection of warehouse at right angles to the workshop. It will have a footprint 25m by 42m, with a ridge height of 9.7m. It will also be constructed from steel sheeting above a concrete plinth under a fibre cement roof. This building will be adjacent to the eastern boundary of the site where it abuts the former commercial scaffolding business.
- The area between the buildings will be used as secure external storage.
- The plans also show a planting strip to the rear of the neighbouring domestic property, together with parking for 14 vehicle.

The supporting statement also states that space is required where machines can be demonstrated to members of the public.

HISTORY:

1999: Permission granted for demolition of dwelling and change of use of barns to B1, B2 and B8

2003: Permission granted for change of use of agricultural building to bed and breakfast

2010 Permission granted for the change of use and demolition of former farmhouse and barns to form a 12 bedroom hotel, together with managers accommodation and leisure facilities

2011: Revised details approved to increase bedrooms to 20

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Policy Guidance

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Ryedale Plan – Local Plan Strategy

Policy SP1 - General Location of development and Settlement Hierarchy
Policy SP6 - Delivery and Distribution of employment Land and premises
Policy SP9 - The Land Based and Rural Economy
Policy SP10 - Physical Infrastructure
Policy SP14 - Biodiversity
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main issues in the consideration of the application are:-

- principle of the use in this location;
- access;
- appropriateness of design;
- impact of development on existing amenities of neighbouring occupiers;
- landscape considerations;
- ecology; and
- archaeology.

Principle of use

Both local and national policy provides support for businesses that benefit the local economy.

Section 3 Para 28 of the National Planning Policy Framework (NPPF), states:

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 local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*

In relation to the Ryedale Plan –Local Plan Strategy, (Ryedale Plan), Policy SP 6- Delivery and Distribution of Employment/industrial Land and Premises is particularly relevant:

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SP6 Delivery and Distribution of Employment/Industrial Land and Premises Delivery New land and buildings for employment will be supported from the following sources in the following locations: Malton and Norton; Pickering; Kirkbymoorside; Helmsley Employment land allocations; conversion of existing buildings for employment purposes; expansion land/sites for major employers/established businesses Service Villages and other Villages Small-scale sites in and adjacent to Development Limits (coming forward as 'windfall' development); conversion of buildings within and outside of Development Limits for employment uses and rural diversification; expansion land/sites for major employers/ established businesses Wider Open Countryside Expansion land for existing major employers/ established businesses; small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity in line with the provisions of Policy SP9

The following extract from Policy SP 9 is also particularly relevant to this application:

SP9 The Land-Based and Rural Economy

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

- *New buildings that are necessary to support land based activity and a working countryside, including for farming, forestry and equine purposes.*

The applicant's business is related to agriculture, and needs to be located on a site where there is good access to major transport routes. There is also a requirement for enough space to enable large machinery to be demonstrated when required. It is considered that few opportunities exist within or adjacent to existing employment areas due to their restricted site area.

In relation to the domestic element of the development, members will be aware that policy in the Ryedale Plan does not support new residential development unless it has been demonstrated that there is an essential need for an agricultural worker to live on site, or if it is a barn conversion. In this case, the site has, until recently, included a farmhouse, and indeed the hotel development included managers accommodation. As such the development will not result in a new residential unit being created on the premises. Should planning permission be granted however, it is considered that the occupation of the flat should be restricted to the site manager. It is therefore considered that the principle of the proposed use is in accordance with both local and national policy, subject to other material considerations being satisfied.

Access

The existing access to the site is essentially a single track with no passing places. When the application for the hotel was approved, it was accompanied by plans which included improvements to the access. This included the upgrading of the junction with the A64T, and the increase in the width of the track to 5m, together with improvements to drainage. The submitted plans for the current application state that the highway improvements previously approved will be carried out. The Highways Agency has not objected to the development, nor have they recommended conditions. However it is considered that the submitted plans should be revised to include details of the proposed highway improvements.

It is also noted that a letter of objection received from a neighbouring occupier raises concerns that the A64 regularly floods in this area during heavy rain, and has resulted in a number of accidents. Their comments have been forwarded to the Highways Agency, and Members will be updated with their response at the Committee meeting.

Impact of development on existing amenities of neighbouring occupiers

The site lies within a predominantly agricultural area. Nevertheless there are two neighbouring dwellings immediately adjacent to the site, with a further two dwellings to their east. It is noted however that Mill Barn, which lies adjacent to the eastern boundary with the site, was itself approved as subordinate residential accommodation in connection with a business and industrial use on the site which was most recently used as a scaffolding yard. Responses from the occupiers of four neighbouring occupiers have been received in relation to the application. Their full responses are available to view on the public website, however, their main comments are as follows;

- The workshop is too close to residential properties. At a minimum there needs to be a restriction to operation during normal office hours.
- The site will require lighting which will cause light pollution
- The secure yard is still too close to residential properties and the equipment may be noisy
- The workshop could be a dusty environment and there should be restrictions on emissions
- During harvest there may be urgent need for repairs to equipment, and this should be controlled.
- The A64 has very heavy traffic especially in summer. Visibility of the entrance needs to be carefully considered
- Require details of both foul and surface water drainage
- The car park should be re-located to reduce disturbance.

One letter has also stated that the proposal is an over development of a green field site, and that the warehouse will be visible and intrusive to the neighbouring property. Furthermore the power supply will not be inadequate.

The site was previously occupied by a farm house with associated agricultural buildings. This use could have continued, and would itself generate noise associated with the operation of tractors and machinery etc. It is also noted that the location of the site adjacent to the trunk road results in higher background noise levels than occurs in many rural area. In addition to this, the rear part of the neighbouring site was only approved as subordinate residential use in connection with the occupation of associated buildings for B1, B2 and B8 uses (business, warehouse and industrial). Nevertheless the proposed use is likely to be more intensive than an agricultural use, and as such, the appropriateness of the use in this location is a key consideration. The applicants have demonstrated that they require a larger site than could readily be accommodated on an industrial estate. They have also advised that much of their work involves transporting machinery to both potential clients, and to agricultural shows and exhibitions. In view of this, a location close to the A64 is particularly important. It is also noted that permission is not sought for any processing on site. The machinery will only be operated for demonstration purposes to potential customers.

It is considered that the following are the main aspects of the proposed development that have the potential to generate noise;

- Vehicular movements, including the use of lorries and tractors
- Repair and assembly of agricultural/industrial equipment in the workshop
- Demonstration of machinery

The case officer has attended the site with the Council's Environmental Health officer to assess the likely impact of the development on neighbouring residential amenity. The applicant took a tractor to the site together with what is considered to be the noisiest piece of machinery which slices and splits timber. This was operated during the meeting. The Council's Environmental Health Officer is satisfied that subject to an agreement regarding appropriate mitigation the operations on the site would not have a significant impact on the existing amenities of neighbouring occupiers. Such mitigation is likely to include:

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- Operations on the site would be restricted to 7.30am until 6pm Monday to Friday and Saturdays 7.30am until 2pm.
- Demonstrations of machinery restricted to a limited number of hours per week. With the exception of two exhibition days.
- A set location for the demonstration of most equipment to be identified away from neighbouring residences. The exception to this would be grass cutting equipment which will operate within restricted hours to the front of the site.
- All repairs and assembly of machinery to take place in the workshop with doors closed.
- Agreed location for any generator/ extraction unit.
- Any lorries needing to enter or leave the site outside office hours will be parked away from neighbouring residences.

In relation to comments regarding the impact of the warehouse building, this will be situated beyond the domestic curtilage of the neighbours dwelling. Furthermore changes in levels between the properties, and their relationship on site, are such that it is not considered that the development will have a significant adverse impact on their amenities by virtue of overbearing size or loss of light.

Accordingly it is considered that subject to appropriate mitigation, and taking into account the approved uses on the neighbouring site, together with background noise from the A64T, the proposed development will not have a significant adverse impact on the existing amenities of neighbouring occupiers.

Design

The development comprises a large extension to the side of the former farmhouse, together with the erection of two agricultural/industrial style buildings. The site is well screened by a plantation of trees from the north and west of the site, with partial screening from the south and west of the site. There is potential to view the proposed development from public footpaths on raised ground further to the south. However it is considered that from this location its appearance will not be dissimilar to a typical farm holding which incorporates a dwelling and modern agricultural buildings. The proposal will also provide additional planting incorporating native species. There are some concerns regarding the design and materials of the frontage building; however it is considered that these can be satisfactorily addressed. The use of more traditional bricks will also improve the appearance of the building.

The workshop and warehouse buildings are large, and will be visible whilst travelling along the A64. This will essentially be a glimpsed view, and the existing plantation to the west, will help reduce the impact of the buildings. The use of dark cladding would also help minimise their impact. A letter of objection has been received from a neighbouring occupier on the basis that the proposal will result in the overdevelopment of a green field site, and the large warehouse building will be visible and intrusive to the neighbouring property. In relation to the scale of the development on a greenfield site, it is considered that the economic benefits to the local economy outweigh the perceived harm, given the previous use of the site for agricultural purposes, and potential for agricultural buildings to be sited there. The ability of neighbouring occupiers to view the building, is not in itself reason to refuse planning permission. Furthermore the nearest residential property to the proposed warehouse was itself only granted consent in association with a B1, B2 and B8 use of their site. The buildings on the application site will closely grouped together, and therefore will be similar to a typical farmstead in the countryside.

Landscaping

As stated previously, the western and northern boundaries of the site are well screened by mature planting. There is also a mature hedge to the front of the site where it bounds the A64, with further mature trees on part of the boundary with Mill House. The proposals include a belt of new planting alongside that part of the site which forms the boundary with Mill Barn. It is recommended that any approval is conditioned to require a survey of the existing trees on the site, together with a detailed landscaping scheme.

Ecology

The application is accompanied by an extended Phase 1 habitat survey dated May 14th. The report states that, subject to any tree removal being undertaken outside the bird nesting season, further bird surveys are not required. In relation to bats which affects the now partially demolished farmhouse, the submitted ecological report details that only one daytime survey has been undertaken. The comments of the Council's Countryside Officer are awaited, and members will be updated at their meeting.

Archaeology

The proposed site lies within an area of archaeological interest. In the immediate vicinity of the site, the Historic Environment Record contains evidence of a number of prehistoric features including ring ditches, round barrows and enclosures. Therefore there is potential for the proposed development to disturb and/destroy archaeological features. A written scheme of investigation was approved under the previous application, however County Archaeology has advised that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with the current application. Accordingly, it is recommended that appropriate archaeological conditions are imposed on any approval on the site.

Conclusion

It is considered that the principle of the development is acceptable in this location, and indeed business and industrial uses have previously been approved on this site in conjunction with the neighbouring site. Subject to some revisions to the design, and the submission of a detailed landscaping scheme, it is not considered that the development will have a significant adverse impact on the character of the area. Ecological issues are still outstanding, and the final views of the Highways Agency are awaited. In relation to the impact of the development on neighbouring occupiers, it is considered that any noise and/disturbance can be mitigated by detailed conditions which restrict hours of operation, and the location of machinery on site. Accordingly the recommendation is one of approval with delegated Authority to the Head of Planning once the detailed mitigation outlined above is provided, and subject to the resolution of ecological considerations.

RECOMMENDATION: Approval of the application to be delegated to the Head of Planning & Housing subject to the views of outstanding consultees and the satisfactory resolution of noise mitigation conditions

1 Full list of conditions to follow

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Background Papers:

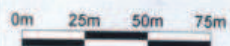
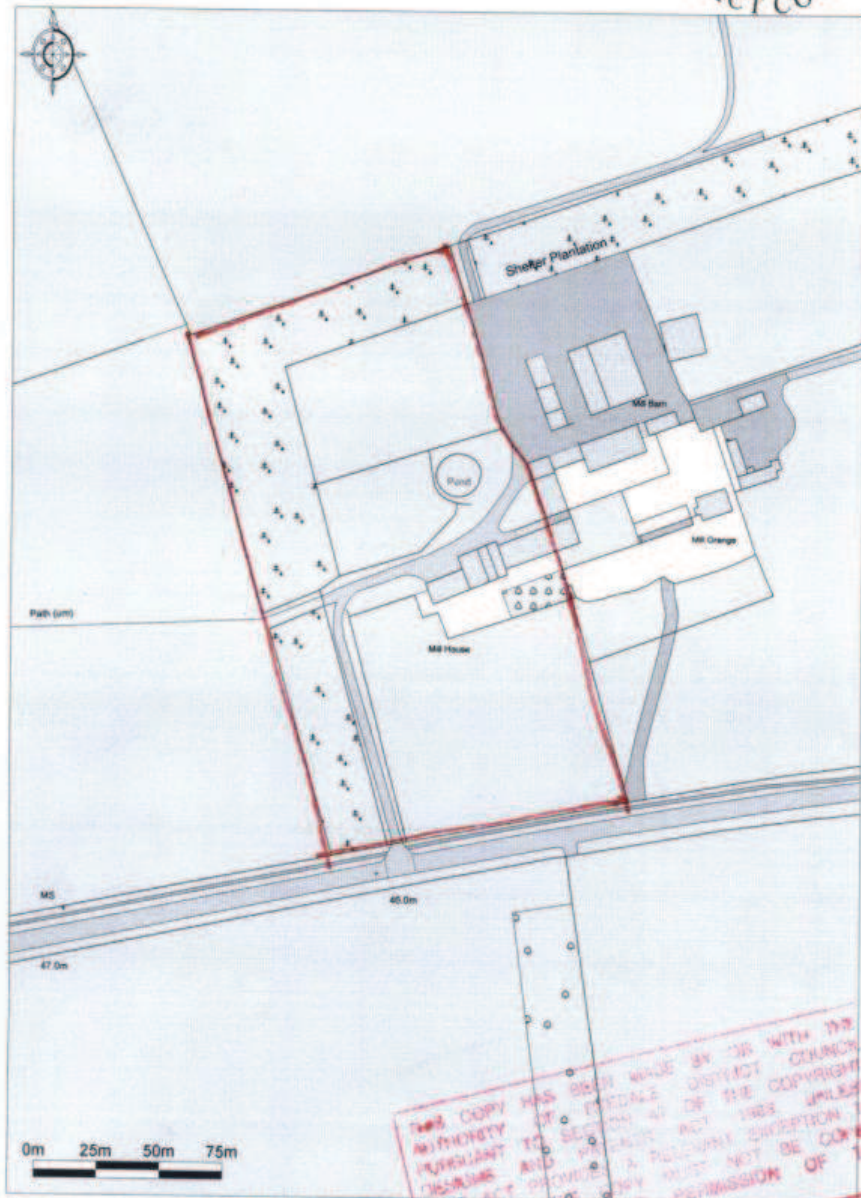
Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties

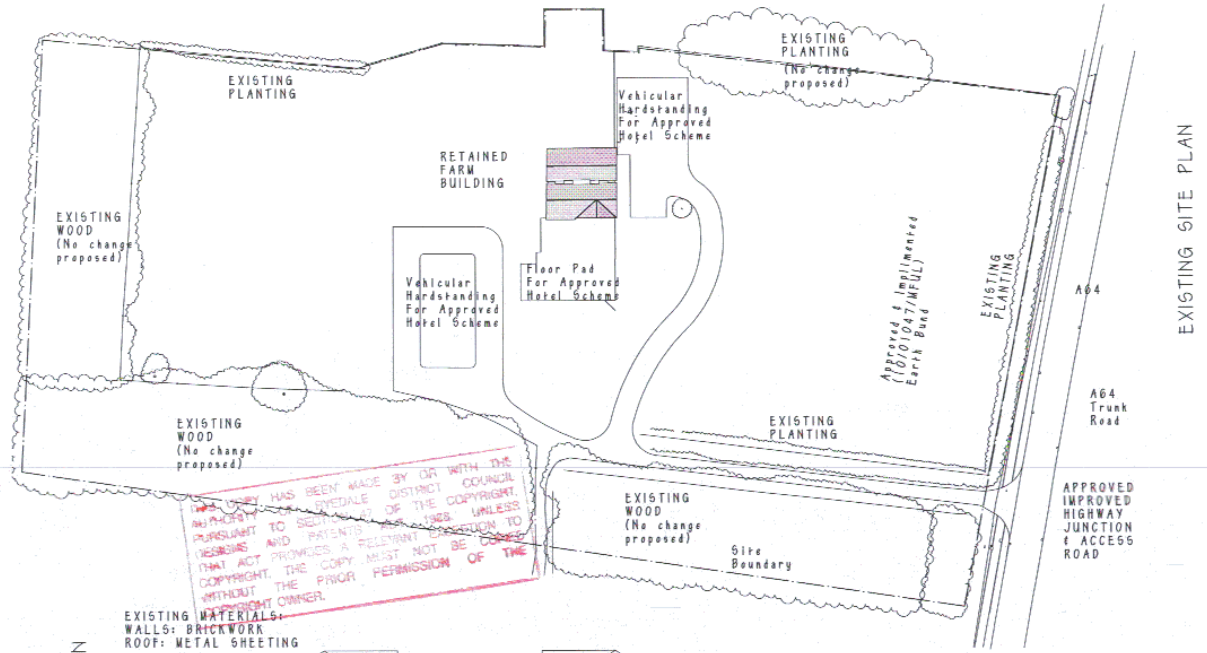
Mill House
East Knpton



Promap

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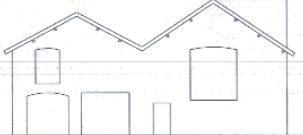


EXISTING SITE PLAN

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EXISTING MATERIALS:
 WALLS: BRICKWORK
 ROOF: METAL SHEETING

NORTH ELEVATION



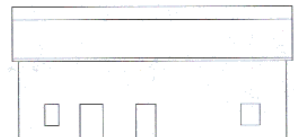
SOUTH ELEVATION



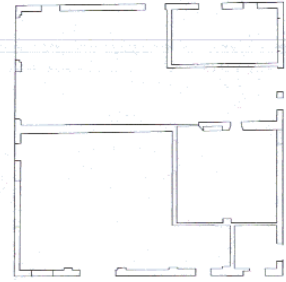
WEST ELEVATION



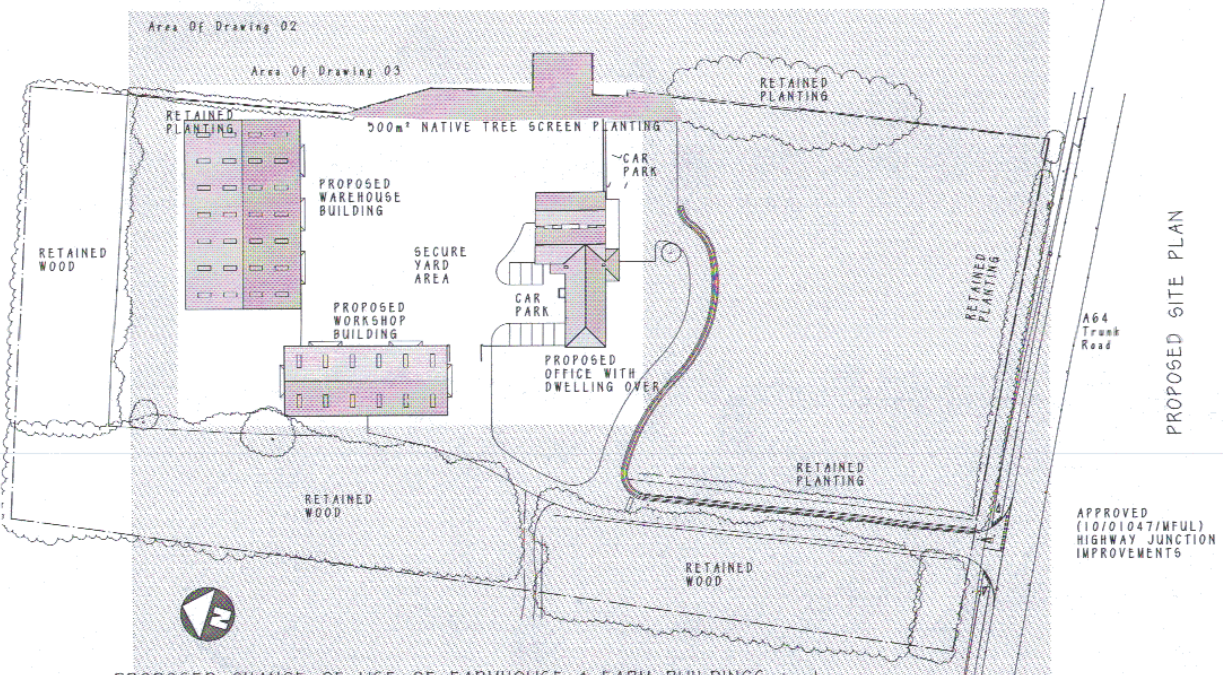
EAST ELEVATION



GROUND FLOOR PLAN



RETAINED FARM BUILDING DETAILS



PROPOSED SITE PLAN

PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become
 COMMERCIAL DEALERSHIP FOR AGRICULTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC
 DRAWING 01 EXISTING & PROPOSED SITE PLANS SCALE 1:1000
 EXISTING BUILDING DETAILS SCALE 1:250

REVISION C September 2014
 David Ward Architectural Ltd 01653 658 229 davidward589@btinternet.com

REVISED

NOTES:

SITE AREA: 24,050 m²

RETAINED FARM BUILDINGS
 GROUND FLOOR: 215 m²
 FIRST FLOOR: 215 m²
 TOTAL AREA: 430 m²

PROPOSED AREAS:

PARTS DEPARTMENT
 GROUND FLOOR: 40 m²
 FIRST FLOOR: 40 m²
 TOTAL AREA: 180 m²
 (all in conversion)

OFFICE
 GROUND FLOOR: 260 m²
 FIRST FLOOR: 110 m²
 TOTAL AREA: 370 m²
 (of which 220 m² is conversion,
 and 150 m² is new build)

DWELLING
 FIRST FLOOR: 150 m²

NEW MAINTENANCE BUILDING
 TOTAL AREA: 540 m²

NEW WAREHOUSE BUILDING
 TOTAL AREA: 1,050 m²

OFFICE CAR PARKING FOR 8 CARS
 DWELLING & OVERSPILL CAR PARK FOR 13 CARS

500m² NATIVE TREE SCREEN PLANTING
 (shown shaded on east boundary)
 Comprising: 20% Blackthorn, 20% Blotchthorn, 10% Hazel,
 10% Dogrose, 5% Wild Crab & 5% Bullace. All planted as
 30/40cm transplants in grow tubes @ 1.5m centres.
 All planted spring 2015, any falling plants to be replaced
 No planting within 2m of buildings.

Previously Approved Fodl
 Treatment Plant

PROPOSED
 WAREHOUSE
 BUILDING

EXISTING
 PLANTING

EXISTING
 WOOD
 (no change)

PROPOSED
 WORKSHOP
 BUILDING

SECURE
 EXTERNAL
 STORAGE

YARD
 AREA
 (already formed)

CAR
 PARK

CONVERSION
 OF EXISTING 2
 STOREY FARM
 BUILDING TO
 PART OFFICE
 PART PARTS
 STORE

500m² NATIVE
 TREE SCREEN
 PLANTING

2m high steel fence

2m high steel fence

CAR
 PARK
 (already formed)

Drive
 (already formed)

EXISTING
 WOOD
 (no change)

Proposed Improvements
 to Drive already approved

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EXISTING
 PLANTING
 (no change)

EXISTING
 PLANTING

APPROVED & IMPLIMENTED
 (10/01047/MFUL)
 LANDSCAPE SCHEME INCLUDING
 EARTH BUND

REVISED



PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become
 COMMERCIAL DEALERSHIP FOR AGRICLCTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA
 For RYEDEC LIMITED

DRAWING 02 SITE PLAN SCALE 1:500

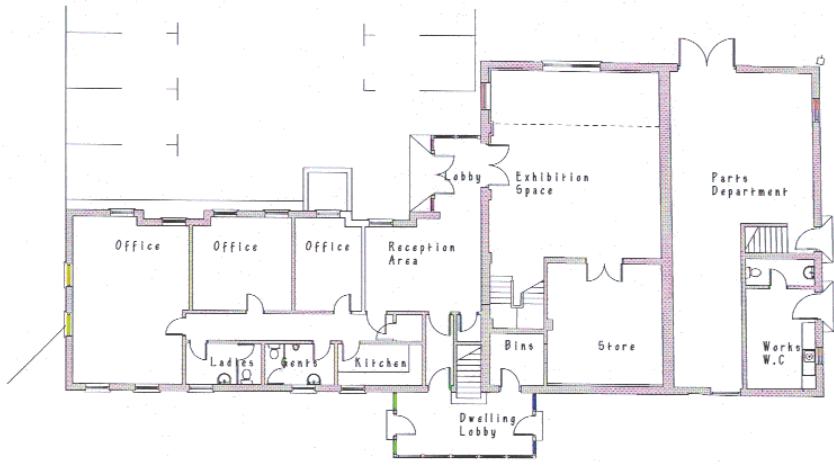
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A64
 Trunk
 Road

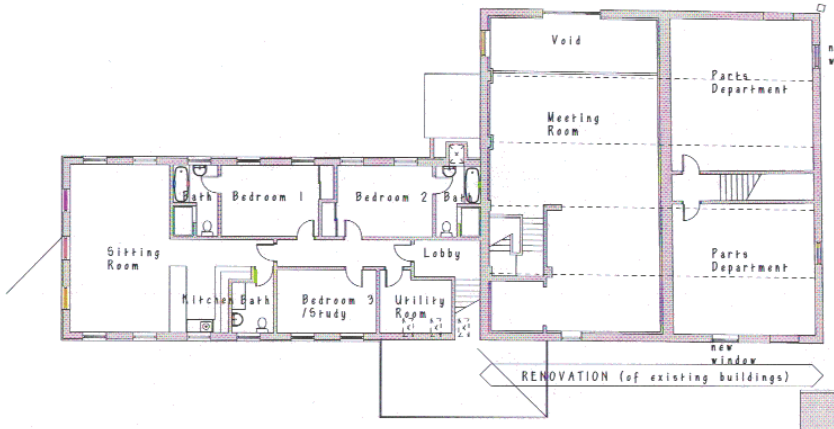
APPROVED
 (10/01047/MFUL)
 HIGHWAY JUNCTION
 IMPROVEMENTS

EXISTING
 PLANTING



GROUND FLOOR PLAN

PROPOSED MATERIALS:
 RENOVATION:
 ROOF: CLAY PANTILES
 WALLS: BRICKWORK
 TIMBER WINDOWS & DOORS
 NEW BUILD:
 ROOF: CLAY PANTILES
 WALLS: CEDAR HORIZONTAL BOARDING
 RENDERED BLOCKWORK
 TIMBER WINDOWS & DOORS

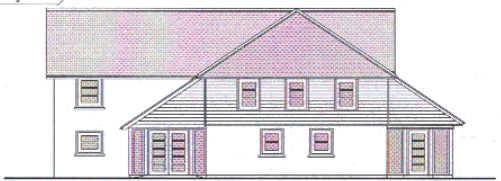


FIRST FLOOR PLAN

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NEW BUILD (on existing foundations)

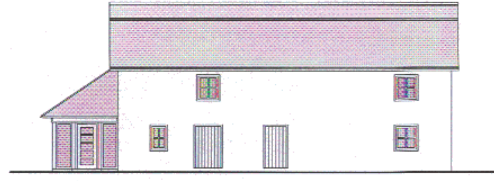
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



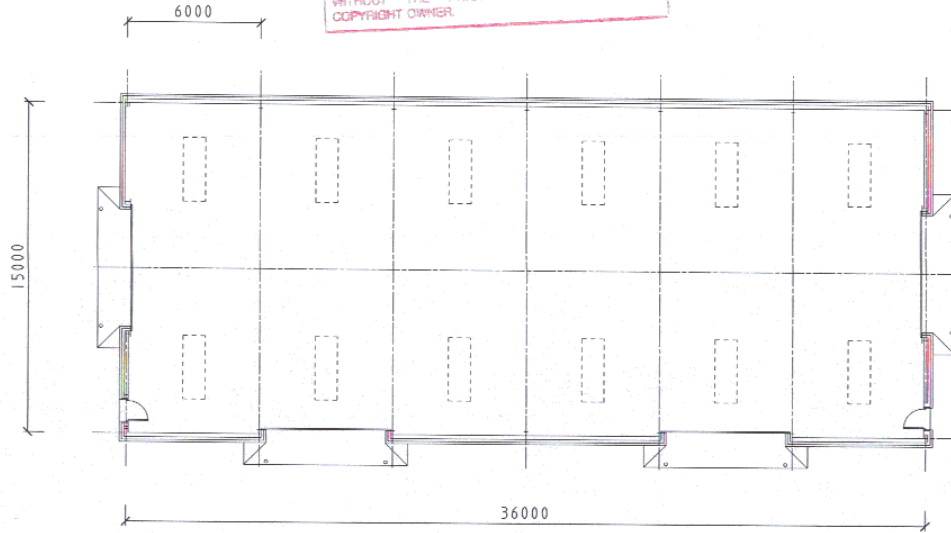
NORTH ELEVATION

PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become
 COMMERCIAL DEALERSHIP FOR AGRICULTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC LIMITED
 DRAWING 05 OFFICE BUILDING & DWELLING DETAILS SCALE 1:200
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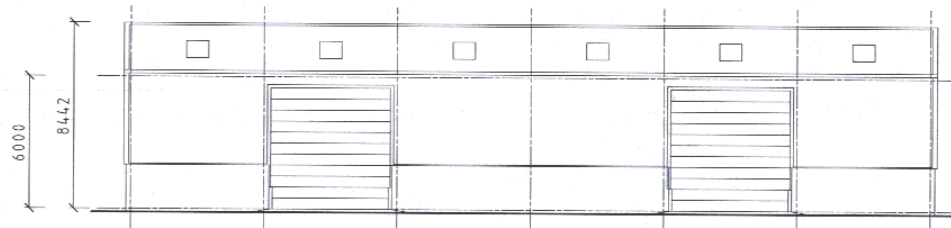
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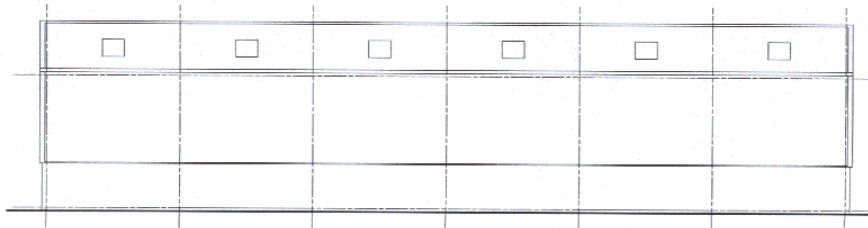
MATERIALS:
 ROOF: FIBRE CEMENT SHEETING
 101 ROOFLIGHTS
 WALLS: CONCRETE DADO WALL (TO 2m)
 STEEL SHEETING
 DOORS: SECTIONAL ROLLER SHUTTER



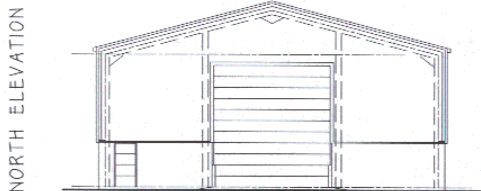
GROUND FLOOR PLAN



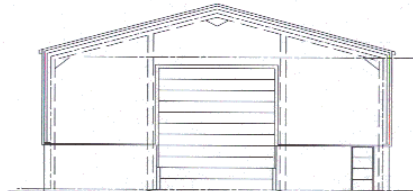
WEST ELEVATION



EAST ELEVATION



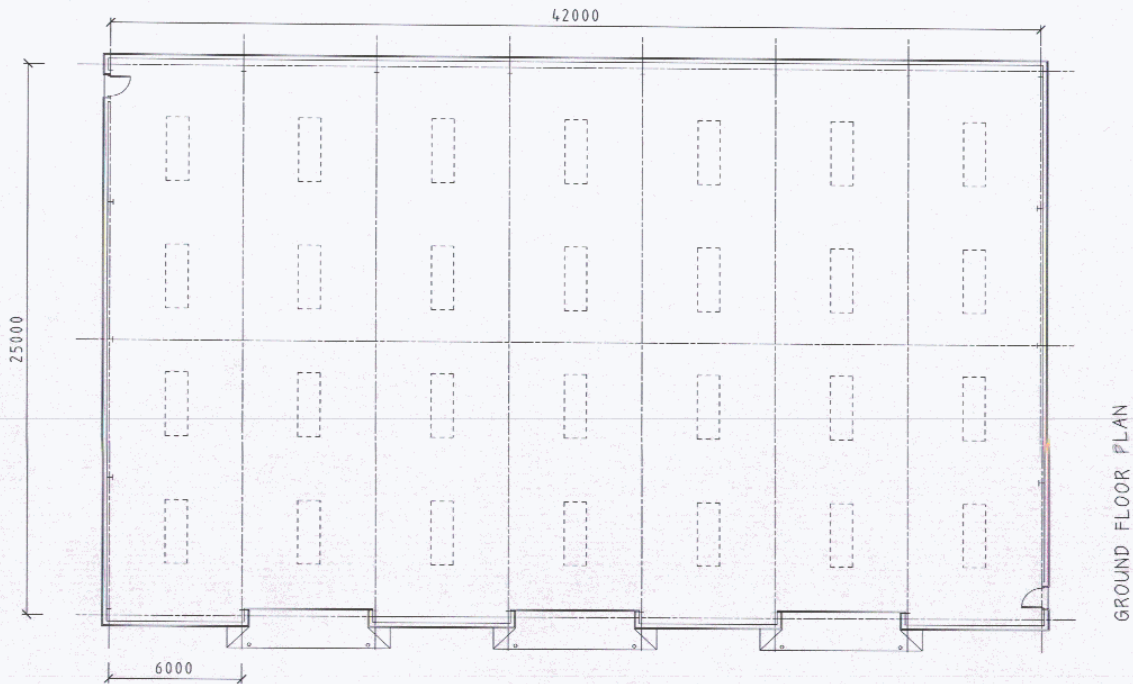
NORTH ELEVATION



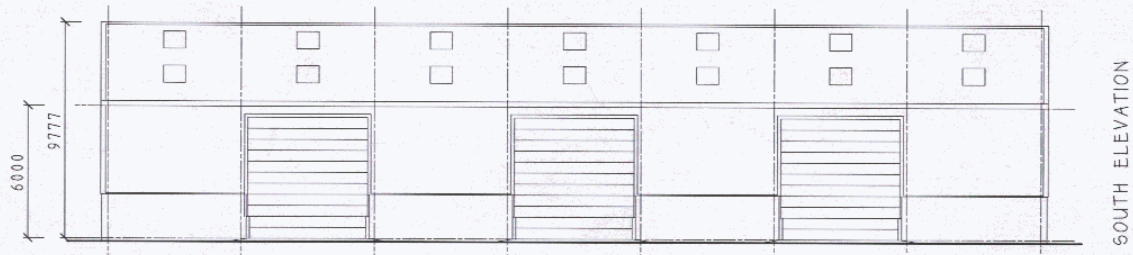
SOUTH ELEVATION

PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become
 COMMERCIAL DEALERSHIP FOR AGRICULTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC LIMITED
 DRAWING 06 MAINTENANCE BUILDING DETAILS SCALE 1:200
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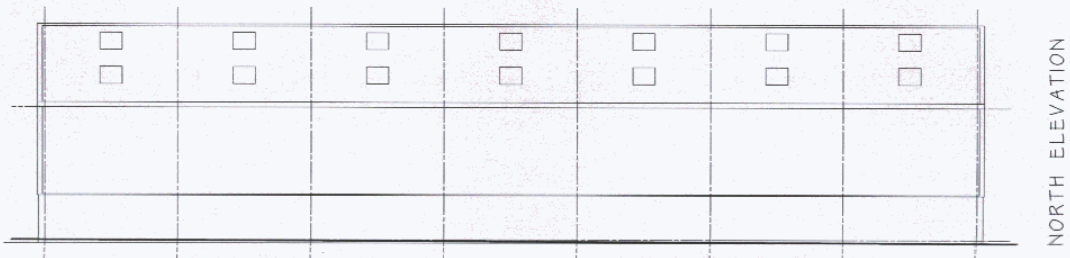




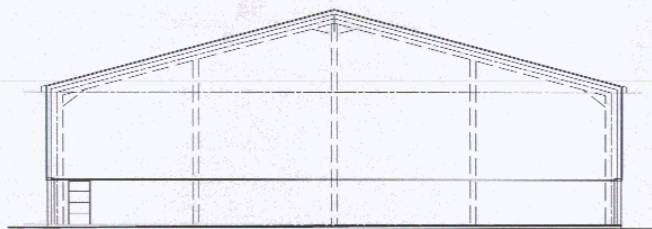
GROUND FLOOR PLAN



SOUTH ELEVATION



NORTH ELEVATION



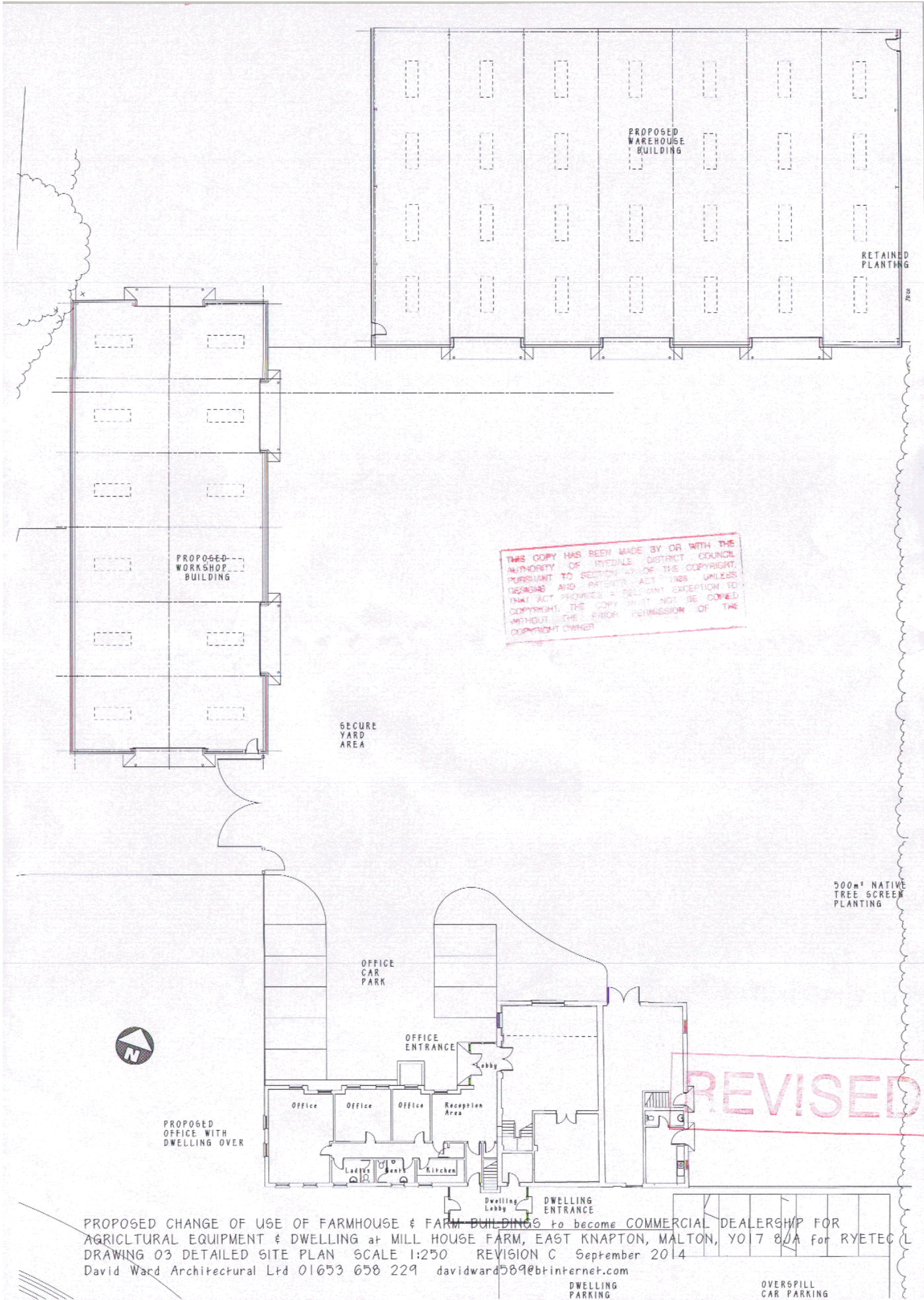
EAST ELEVATION
WEST ELEVATION

MATERIALS:
 ROOF: FIBRE CEMENT SHEETING
 10% ROOFLIGHTS
 WALLS: CONCRETE DADO WALL (TO 2m)
 STEEL SHEETING
 DOORS: SECTIONAL ROLLER SHUTTER

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 COMMERCIAL DEALERSHIP FOR AGRICULTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC LIMITED
 DRAWING 07 WAREHOUSE BUILDING DETAILS SCALE 1:200
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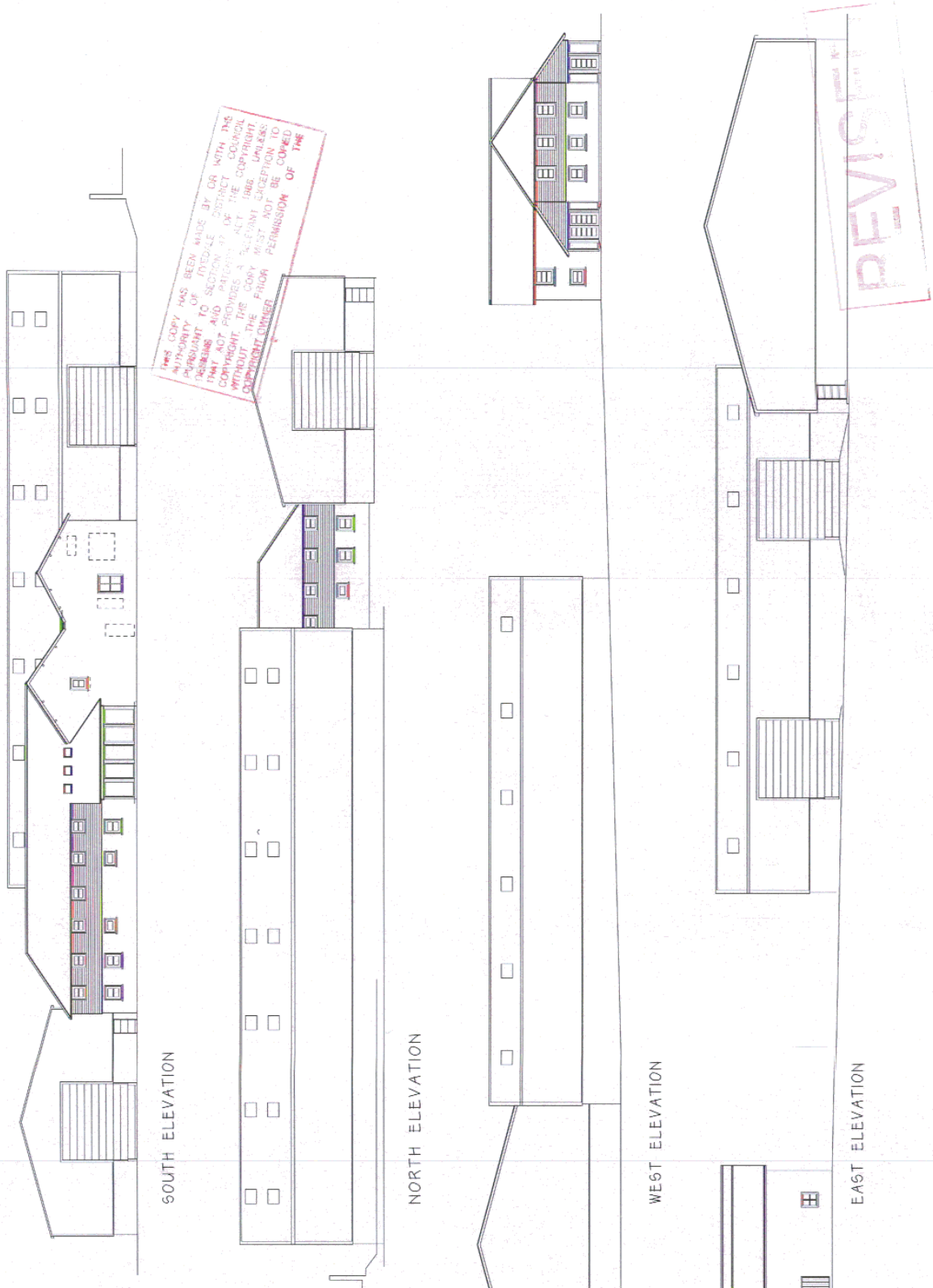




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PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become COMMERCIAL DEALERSHIP FOR AGRICULTURAL EQUIPMENT & DWELLING at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC
 DRAWING 03 DETAILED SITE PLAN SCALE 1:250 REVISION C September 2014
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PROPOSED CHANGE OF USE OF FARMHOUSE & FARM BUILDINGS to become
 COMMERCIAL DEALERSHIP FOR AGRICLTURAL EQUIPMENT & DWELLING
 at MILL HOUSE FARM, EAST KNAPTON, MALTON, YO17 8JA for RYETEC LIMITED
 DRAWING 04 SITE CONTEXT ELEVATIONS SCALE 1:250
 REVISION C September 2014
 David Ward Architectural Ltd 01653 658 222 davidward1589@btinternet.com

DESIGN & ACCESS STATEMENT

page 1 of 4

To accompany

FULL PLANNING APPLICATION:

PROPOSED CHANGE OF USE of FORMER FARMHOUSE & FARM BUILDINGS to become COMMERCIAL DEALERSHIP for AGRICULTURAL EQUIPMENT & DWELLING at MILL HOUSE, EAST KNAPTON, MALTON, YO17 8JA for RYETEC LTD.

BACKGROUND SITUATION. Ryetec Ltd is a local Ryedale firm that was established by Mark Harrison 21 years ago as an offshoot of the established Harrison Hire business which in turn was established 45 years ago. Ryetec sell specialist machinery for farming, forestry and general amenity use and have recently seen very rapid growth especially in specialist agricultural and lumber processing equipment as the use of wood as a primary domestic heating source has dramatically expanded over the last few years. The business is currently located on a shared and congested site (with Harrison Hire) in the middle of Settrington Village. The physical limits and awkward shape of the current site have become a limiting factor on the growth of the business, the success of which also depends on being able to demonstrate the equipment on site to prospective customers. An opportunity to move arose when a large site at Mill House, East Knaption was offered as a distressed sale when the previous owner became insolvent. In 2010 this previous owner had obtained permission to change the use of the farm house and farm buildings to become a hotel, restaurant, leisure complex and managers flat and to improve the junction with the A64 trunk road. An addition planning approval was granted to further intensify this initial approval in 2011. Work had only just started, principally with regard to demolitions, site levelling and foundations, when the receivers were called in and the site was subsequently offered for sale. After marketing the site for more than a year there was zero interest and it was decided to take the property to auction where it failed to reach the reserve at two previous auctions, the third attempt was in April of this year. Mark Harrison took the precaution of speaking in outline terms with Ryedale Planners and Forward Planners to gain a degree of comfort that there was unlikely to be any great difficulties gaining permission to make the site the new home for his expanding business prior to purchasing the site which he subsequently did at auction the week after the enquiry having satisfied himself that RDC would be sympathetic to his proposals.

The Mill House site is in the open countryside and extends to 24,050 square metres. The farm buildings were/are set in the middle of the site some 100 metres back from the trunk road on ground which is gradually sloping down away from the road. The building line (such as it is) for Mill Farm and its two adjoining neighbours to the east is along this line. The vendor has demolished all the buildings on the site with the exception of a 2 storey barn, footprint 215 square metres, which was to be incorporated within the hotel design. In addition the foundations and floor slab for part of the hotel complex had been laid together with a compacted sub-base and kerbs for in site roadways and parking areas. This current application makes use of all this unfinished work and by implication this has informed the proposed overall layout of the site. There is no immediate plan to develop in front of the building line and the landscape plan approved as part of the hotel scheme and as partly implemented on site will be carried forwards with the new use and application. It is the intention of the applicant that the existing approved (but as yet unimplemented) vehicular access to the site will be kept as already designed and approved.

As stated above the Ryetec business is currently located in the middle of Settrington in a set of converted farm buildings and sheds. The nature of the activity of the business, the need to demonstrate equipment on site and store larger items outside (with consequent security and disruption implications) all mitigate against the current location and for the new location. In addition any further expansion on the existing site is not possible due to the physical

Cont... page 2

constraints of the site and this is proving a limiting factor on the expansion of the business and the desire to expand the workforce. The remote location of the application site will allow the business to grow unfettered by space constraints and without causing disruption to neighbours and will consequently improve the amenity for Settrington residents.

PROPOSAL. The application is for the conversion of the remaining building left on the site to become part office and part small parts storage for the commercial enterprise and for the development of a ground floor office building on existing foundations and floor slab attached to this existing two storey building. It is proposed that a second storey of this proposed new build is to become a residential apartment for an on-site manager who will be responsible for security. To the rear two new industrial buildings are proposed around the partially completed external hard standing area. To the west a detached steel framed storage building is positioned parallel to the east boundary. The space behind this building, together with the blank east boundary wall, will form two sides of a proposed secure external storage area. To the north a larger detached steel framed storage building is proposed. The existing approved highway junction and site road improvements are also used in the new scheme as are the allocated and partly made up car parking areas. This together with the existing approved site landscaping scheme (including an earth bund and planting between the highway and the site) are also adopted as part of the current proposals.

PLANNING HISTORY. The previous applications for this site 10/01047/MFUL - 26 Nov 2010 and 11/00194/MFUL – 13 June 2011 were for the part demolitions and change of use of the existing farm house and farm buildings and the formation of a hotel and leisure complex with on-site manager's residential accommodation together with landscaping and highway junction improvements. This venture floundered when only partly implemented. Work had started on site and consequently these approvals are still current. The applicant bought the site at auction following a brief pre-application discussion with Gill Thompson and Rachel Smith (both also involved in the initial hotel applications). For the purposes of this application I have assumed (on advice from RDC) that this application is for change of use from the previous farm and farmhouse use rather than from the approved and partly implemented hotel use.

POLICY BACKGROUND. The recently adopted Local Plan Strategy forms the policy background to the proposed scheme. The following policies are relevant:

Policy SP6: Delivery and Distribution of Employment/Industrial Land and Premises – the site is in the wider open countryside and the policy supports appropriate rural economic activity. The proposed agricultural commercial use is a perfect fit with these aspirations.

Policy SP9: The Land Based & Rural Economy – supports the provision of new buildings to support farming and forestry and promotes the rural skills of woodland management.

Policy SP14: Biodiversity – The site is subject to an extensive landscape plan including the planning of native species and an earth bund forming a visual separation between to development on the site and the trunk road.

Policy SP16: Design - requires that new buildings should respect local distinctiveness and that the materials, details and form of the development should respect the context of the surroundings. The conversion of the existing retained building on site and the extension to this forming the new office and residential accommodation are achieved in a sympathetic manner. The new portal shed buildings appear as modern agricultural buildings in terms of scale, materials and design. The tight grouping of the buildings minimises the overall impact of the development in the countryside.

Policy SP18: Renewable & Low carbon Energy – The office incorporates solar thermal water heating, the large sheds are unheated.

Cont... page 3

Policy SP19: Sustainable Development – The proposals uses the existing foundation and drainage work already implemented on the site as the basis for the new buildings. The business is based on the sale of equipment which promotes a more sustainable future. Policy SP20: Generic Development Management Issues – restates these requirements. All the various relevant parts of these policies have been considered in generating the proposals. NPPF sections 1 & 3 are relevant in that the proposals will boost employment in the area and have a positive effect on the wider rural economy.

USE. The use of the proposed development is to be a commercial dealership for agricultural equipment together with a single dwelling for a site manager.

(This is not a new dwelling - there has always been a permeant dwelling on the site, initially the farm house and subsequently through approvals 10/01047/MFUL - 26 Nov 2010 and 11/00194/MFUL – 13 June 2011 a manager's flat in association with the hotel business.)

AMOUNT OF DEVELOPMENT. The floor area of the existing retained brick farm building is 450square metres and the footprint of the foundation and floor slab left as a consequence of the failed hotel venture is 260 square metres. It is proposed to develop a two storey building (as originally approved) on the unused floor slab. These two elements combined will form a 150 square metre dwelling in the first floor of the new build element and the ground floor of the new build element and part of the converted building will yield a 370 square metres office and the balance of the conversion is to become a 180 square metre small parts storage area for the business. In addition two single storey new portal framed steel warehouse type buildings are also proposed. The first orientated north south is 540 square metres, the second orientated east west is 1,050 square metres. In addition car parking for 21 vehicles is proposed in two parking areas and together with a vehicular hard standing area and secure external equipment storage area is also proposed. The improvements to the highway junction and on site landscaping are already approved as a consequence of the previous current approvals 10/01047/MFUL 26.11. 2010 & 11/00194/MFUL 13.06. 2011. The total amount of floor area development on site is 15% less than previously approved.

SCALE PERAMETERS. The retained brick agricultural building is almost the tallest building on site taking into account the falling away of the ground level into the site to the north (5 metres over the depth of the site). This two storey brick building is 15.5 x 15 metres, 5 metres to the eaves and 7.8 metres to the apex. The proposed new extension to this building forms the office (at ground floor level) and dwelling (at first floor level). This two storey brick and timber clad building is 18.5 x 8.1 metres, 5 metres to the eaves and 7.8 metres to the apex. The smaller of the two new industrial building is 15 x 35 metres on plan, 5.9 metres to the eaves and 8 metres to the apex. The larger of the two new industrial building is 25 x 42 metres on plan, 5.9 metres to the eaves and 8 metres to the apex.

LAYOUT & DESIGN. As has already been mentioned the existing foundations, floor slab and road and vehicular hard standing areas from the failed hotel scheme form the basis for the site organisation of the proposed scheme together with the integration and re-use of the remaining building on the site. This has resulted in a tight cluster grouping around the central hard standing area. The smaller new industrial shed is carefully position so as to from a barrier (visual, acoustic and security) to the blank high boundary wall of the property to the east. This permits the formation of a secure external storage area with the minimum of 2 meter high security fencing. The second larger industrial building is located behind all the rest at the rear and lower part of the site. The buildings form a tight cluster and is inward looking onto the central hard standing area. The design is kept as simple and unpretentious as possible whilst appearing to be agricultural in nature. Already approved landscaping between the development and the trunk road will obscure the development from the highway.

Cont... page 4

APPEARANCE. The materials used in the proposed new office and dwelling are complimentary to those of the existing host building to which it is attached. The design is simple and horizontal in feel being built of rendered blockwork at ground floor level with horizontal timber cladding at first floor level. (as a nod to the principle activity of the business) The hipped roof is clad in clay pantiles and the roofs sweeps down to first floor level to signify the the office and dwelling entrances which are on opposite sides of the building thus keeping the uses and their external amenity spaces separate.

The industrial shed buildings are of simple pitched design mimicking agricultural sheds with fibre cement roof and corrugated steel sheet sides over block dado walls with roller shutter doors. The access road is tarmacked and the on-site roads and hard standing areas of compacted crushed stone.

EMPLOYMENT LEVELS & ON-SITE ACTIVITIES. The growth of the business is currently inhibited by the constraints of the site it currently occupies in Settrington where currently 8 people are employed on site. This new facility would allow them to immediately increase this number by 2 people to 10 full time employees on site. Mr Harrison anticipates at current growth rates that the business could reasonably anticipate growing by 2 employees per year for the next 5 years. The hours of business conform to reasonable national standards. The business sells specialist machinery for farming and forestry and amenity machinery to clients all over the UK. They require good road links for easy access, yard space for loading and unloading large machinery, workshop space for maintenance, service and repair, storage for plant and spares and most importantly external areas where the machines can be demonstrated to potential clients – yard space where timber processing machines can be run and demonstrated and grass surfaces, from fine turf to field pasture, where specialist grass cutting machinery can be demonstrated. These are all agricultural type processes similar to those that would have prevalent on the land were it to have remained a farm.

An appended Transport Assessment is appended to this statement which shows a great reduction (75%) in the projected traffic level for the application use over the proposed hotel use. There will be a degree of HGV vehicular movements which the hotel would not generate, these are itemized in the Transport Assessment and are certainly less than the initial farm use would generate. The approved Travel Plan for the hotel use is still relevant, it is proposed to adopt in full the consequential highway junction improvements which flowed from this more intensive leisure complex use as part of the current proposals.

ACCESS. The means of access to the site remains unaltered from the previous approved scheme which the applicant will implement in full. Within the site there is ample parking and turning areas separated for the residential and business uses.

CONTEXT & LANDSCAPE. The site slopes down to the north away from the trunk road and there is no proposed development within 100 meters of the highway. The previously approved landscape scheme, which called for an earth bund parallel to the truck road has already been implemented. The wooded area to the west boundary is retained and screen planting along the bund will be implemented as already approved. The impact on the landscape is minimal.

ECOLOGY, ENVIRONMENTAL & FLOODING. There are no ecology issues associated with the proposed development. A recently completed bat survey accompanies the application and the limited mitigation required is included in the proposals. There are no flooding issues relating to the site, the free draining sandy land is perfect for percolation of ground waters. The previously approved hotel scheme included a foul water treatment plant and the proposed new use will generate less than 10% of this approved volume of foul waste. The proposed dwelling and offices will be heated by oil with solar thermal backup hot water generation. The sheds are not heated.

David Ward.

04 AUGUST 2014.

Agenda Item 7

Item Number: 7
Application No: 14/00914/MFUL
Parish: Sherburn Parish Council
Appn. Type: Full Application Major
Applicant: Messrs W D Stephens
Proposal: Erection of 2 no. broiler units to house a maximum of 80,000 poultry together with associated control rooms, boiler house, 6 no. feed bins and area of hardstanding
Location: Fosters Wold Farm Weaverthorpe Malton North Yorkshire YO17 8TP

Registration Date:
8/13 Wk Expiry Date: 19 November 2014
Overall Expiry Date: 8 October 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Archaeology Section	Recommends conditions
Parish Council	No objections or comments
Highways North Yorkshire	No objection
Environmental Health Officer	No views received to date
Land Use Planning	No comments required
Sustainable Places Team (Yorkshire Area)	No objections but information supplied

Neighbour responses: None

.....

SITE:

Fosters Wold Farm is an existing farm holding situated approximately 3km north of Weaverthorpe. As identified in the Ryedale Local Plan Strategy, the site is located within open countryside and the Yorkshire Wolds Area of High Landscape Value.

The site consists of the existing farmhouse and three larger agricultural buildings. The site is very well screened by an existing belt of trees surrounding the site. Members are referred to the appendix of this report which shows a birds eye image of the site and its surroundings.

PROPOSAL:

This proposal seeks planning permission for the erection of a two broiler units (total 80,000 birds) together with associated control rooms, boiler house, 6 no. feed bins and an area of hardstanding.

The proposed broiler units would measure 91.436m x 24.382m reaching 2.6m high at eaves level and 5.35m at ridge height. The units are to be sited parallel to each other with a linked 10m x 6m boiler house. The buildings would be of a dual-pitched design clad with polyester coated steel profile sheeting for the walls (Van Dyke Brown) and for the roof (Goosewing Grey). Each building accommodates a control room and store attached to the southern elevation.

This application includes a detailed Design and Access Statement and report assessing the impact of odour emitted from the development.

Members will note that Officers have considered whether this proposal forms an EIA Development. At 80,000 broilers, the number of birds is below the threshold identified in Schedule 1 of the 2011 Regulations. The development does however meet the relevant thresholds identified within Schedule 2 of the 2011 Regulations.

PLANNING COMMITTEE
21 October 2014

Nevertheless, because the site is not located within a sensitive area and does not result in any significant environmental impacts in terms of highways, noise, odour and landscape, the proposal is not therefore considered to form EIA Development and an Environmental Statement is not required.

HISTORY:

None of relevance.

POLICY:

National Planning Guidance

National Planning Policy Framework
Planning Practise Guidance

Ryedale Local Plan Strategy

Policy SP9 - Land-Based and Rural Economy
Policy SP12 - Heritage
Policy SP13 - Landscapes
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The proposal is an agricultural development situated in the countryside and located in close proximity to the existing farm and farm buildings. The principle of the development is therefore acceptable subject to other considerations.

The design and access statement provides justification for the location of the development by stating *“The site selected is considered to be the most appropriate location within the applicants land holding for the development of the poultry unit, and is accessible through the existing farmstead, and screened from public vantage points by existing agricultural buildings and mature woodland.”*

In terms of the siting and landscape impact of the development, Officers consider this to be acceptable for two main reasons. Firstly, the proposed units would be located immediately adjacent to the existing group of farm buildings. This ensures that the development would relate to the existing farmstead therefore reducing any impact it would have on the open countryside. Secondly, the site is well screened by the existing belt of trees surrounding the site. The buildings will not be easily viewed from within the existing landscape therefore, whilst relatively large in scale, the proposals will not have a material adverse impact on the open countryside or the wider landscape setting of the Yorkshire Wolds Area of High Landscape Value.

The Environment Agency have raised no objection to the proposal. However, it has been advised that due to the livestock numbers involved, the development will require an environmental permit. The Environment Agency have also made reference to the Control of Pollution Regulations. Members will note that an informative would be attached to the decision notice to make the applicant aware of these requirements if permission is granted. Members will be aware that the Environment Agency have advised that the applicant is currently in the process of applying for an environmental permit.

With regards to residential amenity, the nearest residential properties (aside from the onsite farmhouse) are Duggleby Wold Farm Cottages, located approximately 120m to the west of the site. The nearest other dwellings are farmhouses situated a minimum of 750m from the development. An important consideration in respect to the impact of this development on residential amenity relates to the issue of odour.

This issue of odour has been addressed by the model study report submitted in support of the planning application. The report concludes by stating *“The results of the modelling indicate that, should the proposed development of the poultry unit at Foster’s Wold Farm proceed, the 98th percentile hourly mean odour concentration at nearby residences (not associated to the farm) would be below the Environment Agency’s benchmark for moderately offensive odours, a 98th percentile hourly mean of 3.0 oue/m3 over a one year period.”*

Members will note that if an Environmental Permit is granted by the Environment Agency, this will regulate the operations on the site. It would cover any nuisance caused by the development including odours/smells and noise. The comments of the Council’s Environmental Health Officers have raised no objections to the application.

NYCC Historic Environment Team identifies that the development site sites within a landscape of intensive archaeological activity. The development site has a high archaeological potential therefore a scheme of archaeological mitigation is required. A condition has been recommended.

The Highway Authority and Parish Council has raised no objections to the proposal. Furthermore, no letters of objection have been received from nearby residents.

For the above reasons, the application is recommended for approval.

RECOMMENDATION: Approval

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

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

2 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.

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

Site Plan IP/PS/02
Elevations IP/PS/03

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

INFORMATIVES:

1 The applicant is made aware of the comments of the Environment Agency in respect to the need for an environmental permit for the development. The applicant is advised to contact the Environment Agency on 08708 506506.

2 The applicant is made aware that any new or substantially altered agricultural facility must comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010. To ensure compliance with these regulations the applicant is advised to contact the Environment Agency Environment Management Team on 08708 506506.

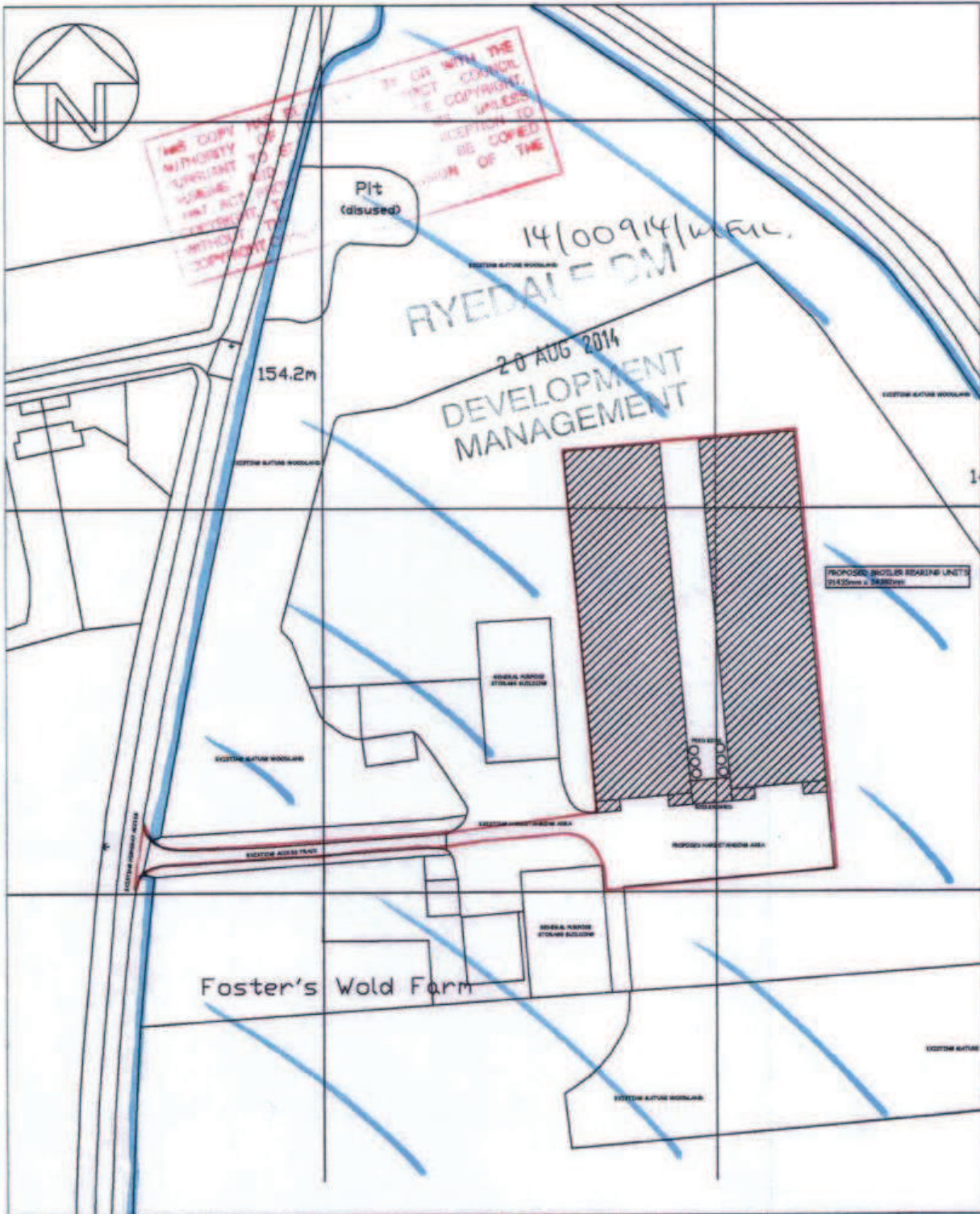
Background Papers:


Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties



 Ian Pick Associates Ltd Specialists Agricultural & Rural Planning Consultants	Llewellyn House Middle Street Kilham Driffield East Yorkshire YO25 4RP Tel/Fax (01262) 421807 Mobile 07702814950	CLIENT W D Stephens Fosters Wold Farm Sherburn Malton YO17 8EP	JOB TITLE Broiler Rearing Unit	SCALE 1=2500	Rev -
	DWG. TITLE Location Plan	DWG. NUMBER IP/PS/01	DATE Aug 14		

This drawing is to be read in conjunction with the schedule of works



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JOB TITLE
Broiler Rearing Unit

DWG. TITLE RYEDALE DM
Site Plan
28 AUG 2014
DEVELOPMENT
MANAGEMENT
14 LOCAL PLANS

SCALE 1=500
DATE ALTERATION REV

DATE	ALTERATION	REV
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DWG. NUMBER IP/PS/02
DATE Aug 14
REV -



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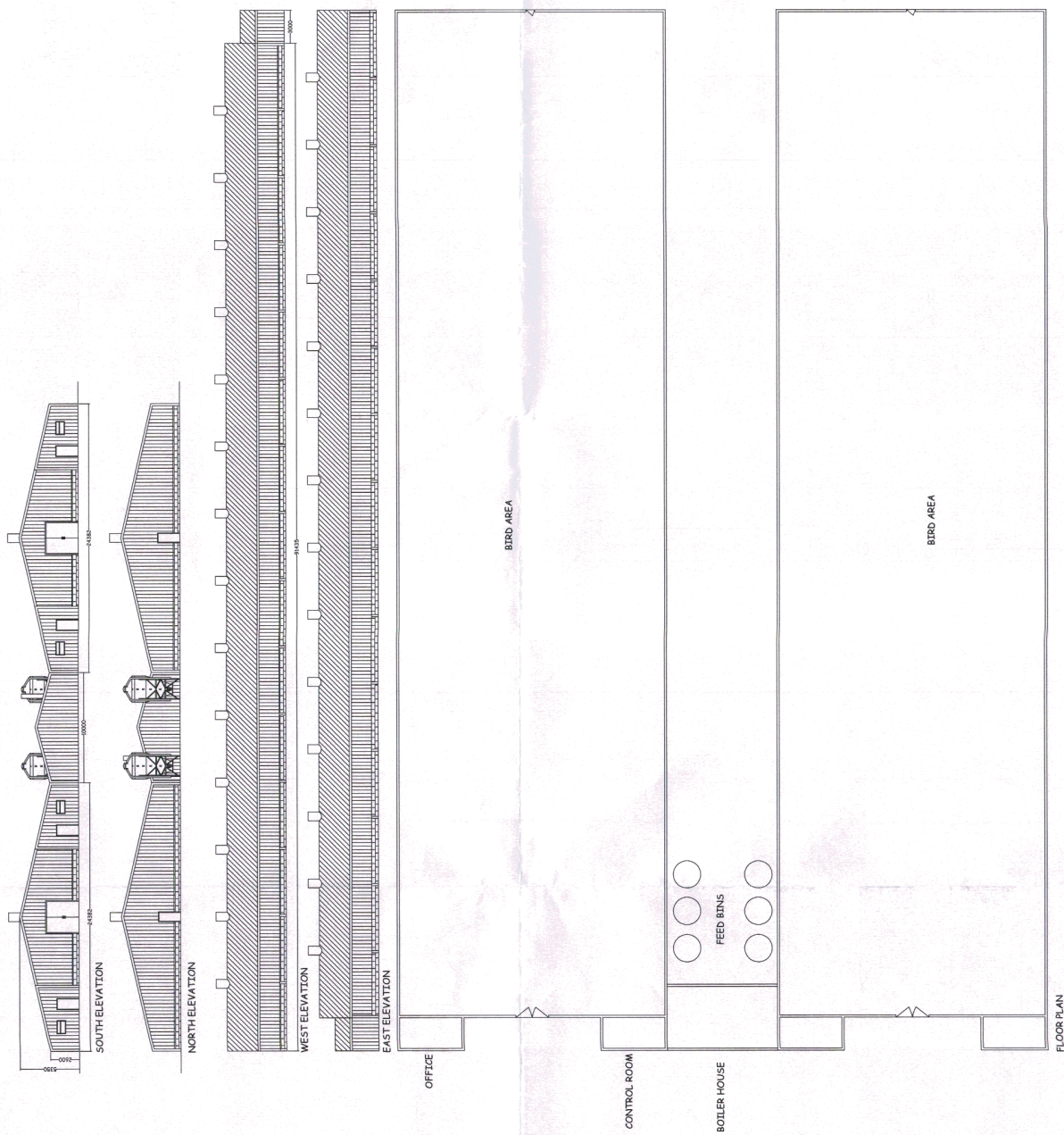
CLIENT
W D Stephens
Fosters Wood Farm
Sherburn
Malton
YO17 8EP

JOB TITLE
Broiler Rearing Unit

DWG. TITLE RYEDALE DM
Elevations
20 AUG 2016
DEVELOPMENT
MANAGEMENT
14/08/2014 WEA

SCALE	DRN	REV
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DATE	ALTERATION	
14/08/2014		

DWG. NUMBER	DATE	REV
IP/PS/03	Aug 14	-





DESIGN AND ACCESS STATEMENT

Ian Pick Associates Ltd

2014



PROPOSED POULTRY UNIT AT FOSTERS WOLD FARM, SHERBURN

RYEDALE DM

20 AUG 2014

DEVELOPMENT
MANAGEMENT

14/00914/MFUL.

Report Prepared By:
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Client : Messrs W D Stephens

Moor Farm
West Heslerton
Malton
YO17 8RU

Introduction

This report has been commissioned by Messrs W D Stephens of Moor Farm, West Heslerton, Malton, YO17 8RU.

Section 42 of the Planning and Compulsory Purchase Act 2004 requires a Design and Access Statement to be submitted with the majority of planning applications. The purpose of this report is to satisfy the requirements of Section 42 of the aforementioned Act.

This report has been prepared to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

This report has been prepared by Ian Pick. Ian Pick is a specialist agricultural and rural planning consultant. He holds a Bachelor of Science with Honours Degree in Rural Enterprise and Land Management and is a Professional Member of Royal Institution of Chartered Surveyors, being qualified in the Rural Practice Division of the Institution.

Ian Pick has 16 years experience, specialising in rural planning whilst employed by MAFF, ADAS, Acorus and most recently Ian Pick Associates Limited.

Background Information

The applicants operate an established agricultural business within the locality which includes arable and poultry farming operations. The applicants business has an operational base at Moor Farm, West Heslerton, with additional holdings at Highdale Farm and Fosters Wold Farm. The applicants holdings at Moor Farm and Highdale Farm include existing operational poultry units.

The applicants propose to expand their existing farming operations with the erection of a new poultry unit at Fosters Wold Farm, Sherburn. The proposal involves the erection of 2 No. purpose built broiler rearing units which will each house 40000 birds, with a total of 80,000 birds proposed for the site.

UK Poultry Industry

It is essential that the UK continue to expand the British Poultry meat industry to meet the rising demand from our consumers. This increased demand for the product follows the horsemeat scandal of 2013 and consumers demand for British product (retailers are increasing their sourcing of UK poultry meat in part as a response to provenance and origin concerns), increasing calls for high welfare standards, reduced food miles and as a response to UK and worldwide population growth.

The production of British poultry (chicken) meat in the UK is rising year on year to meet this demand and reached a record level of 1.4m tonnes in 2013 which was a 5.5% increase year on year compared to 2012.

Poultry meat is the most popular meat consumed in the UK and its market share has risen from just under 24% in 1985 to 41% in 2012. This equates to 31.5kg per capita which is far in excess of other meats. By comparison beef and lamb consumption combined is 22 kgs per capita. Growth in the market is forecast to continue. This expanded facility will enable the applicants to expand the production of fresh poultry meat for the UK market.

The UK is not self-sufficient in chicken. We slaughter approximately 18.0 million birds per week whereas total demand is estimated at 25 million birds which means that we have to import approximately seven million birds per week. Fresh poultry meat is imported into the UK from the Netherlands (45% of all our imports) and other countries worldwide. Prepared chicken imports are also increasing and are predominantly sourced from Brazil and Thailand.

As previously mentioned there is increasing pressure from consumers on retailers to source all of their poultry meat from the UK. However, the UK poultry industry is not in a position to supply that demand at this present time hence the need to expand. Kevin Grace, Tesco's Group Commercial Director, reported at the NFU's Conference at the end of February 2014 that if Tesco switched to sourcing all of their poultry meat that they use in their ready meals and frozen to UK origin the demand would be an additional 4.5 million birds per week which would mean constructing an additional 800 poultry sheds in which to rear the birds. If Tesco were to make this move – and it does depend upon the capacity of the UK poultry industry to deliver – other retailers would be sure to follow suit.

This pressure to source British is coming from consumers in part in response to the horsemeat food scandal. A recent survey of consumers carried out by the NFU in 2013 found that 86% of shoppers are as likely or more likely to want to buy more food that has been produced on British farms. A further 78% agree or strongly agree that supermarkets should sell more food from British farms. In addition, this expansion is good for the UK economy. For every £1 that farming contributes to the UK economy, our food manufacturers and wholesalers contribute a further £5.

World poultry consumption has also seen large increases from 3.2kg per capita in the 1960's to 13.6kg in 2009. This trend is set to continue - according to the OECD-FAO Agricultural Outlook report (2012-2021), world meat consumption is expected to grow at one of the highest rates among major agricultural commodities, driven by rising demand in developing countries. Most of this growth is projected to come from poultry, increasing by 2.4% each year.

The global population is set to grow by 38% by 2050; much of this growth will be in developing countries where increasing wealth is leading to richer diets including a higher percentage of animal protein.

The UK's poultry meat industry requires the support from local planning authorities when considering planning applications for modern and efficient developments. The year on year demand is there, the UK is far from self-sufficient in poultry meat and in the short, medium and long term, reliance on imports of staple food products will simply not be sustainable.

The UK Poultry industry is an essential cog in the gears of the UK's agricultural and food industries and is vital to the public for its output of poultry meat and eggs. The UK poultry meat industry employs around 55,000 people nationally.

The proposed development is necessary for the expansion of the applicants farming business, and assist in the drive to UK self-sufficiency in poultry meat.

Amount of Development

The planning proposals extends to the erection of 2 No. broiler rearing units extending to 91.435m x 24.382m, with an eaves height of 2.6m and a ridge height of 5.35m. The proposed broiler units are to be sited parallel with each other, and are linked by a 10m x 6m boiler house. The development will be served by 6 No. feed bins which are located between the proposed poultry units. Each poultry building includes a control room and store attached to the southern elevation.

The proposed buildings will each house 40,000 broilers, with the two buildings providing accommodation for 80,000 birds in total.

Use

The proposed buildings are purpose built poultry units. The buildings are of steel portal frame construction, with the walls being precast concrete to 600mm with polyester coated profile sheeting above in Van Dyke Brown. The roof cladding is polyester coated profile sheeting in Goosewing Grey.

The buildings will be fitted with high velocity ridge mounted ventilation fans and side inlet vents. Internal equipment includes radiator heating, pan feeders and non-drip nipple drinkers.

The control room includes a specialist computer system which is thermostatically controlled to maintain the desired temperature within the bird housing area, using the heating and ventilation systems. Feeding and lighting is also controlled by the computer system.

The use of the proposed buildings is for the rearing of broilers from day old chicks through to finished table weight.

The broiler rearing cycle operates on an all in all out system, and each cycle takes 49 days. The broilers are reared for approximately 42 days, following which the buildings are cleaned out and prepared for the next batch. The buildings are empty for cleaning and preparation for approx. 7 days at the end of each flock. The proposed unit will operate with 7 flocks per annum.

At the end of each flock cycle, the poultry manure is removed from the buildings. The manure removal process is undertaken with a mechanical loader. All manure will be loaded from the sheds into trailers which will be sheeted and transported away from the site for spreading as a sustainable agricultural fertiliser on the applicants arable cropping land.

Spreading of manure as an agricultural fertiliser is an essential and necessary operation for sustainable arable cropping. The manure will be stored off site in field heaps and the applicants will undertake spreading operations after harvest each year onto stubbles. Manure storage and spreading operations are strictly controlled by legislation outside of the planning system. The relevant regulations are The Nitrate Pollution Prevention Regulations which are regulated by the Environment Agency. The proposed site is located within a Nitrate Vulnerable Zone (NVZ). All storage, removal and spreading will comply with Nitrate Pollution Prevention Regulations (2008), ensuring that the manure management does not have the potential to cause pollution.

Following the removal of the manure, the buildings are washed with high pressure hoses. The inside of the proposed buildings will be drained into a sealed underground dirty water containment tank. All washout water from the site is contained within the dirty water system.

The tank walls and floor will be constructed in concrete to comply with BSEN 1992-3. BSEN 1992-3 is the recognized standard for designing and building concrete structures for retaining liquids. The loadings of the tank will be to the standards of BS5502 part 50 and 22. Wall surfaces will be treated with penetrating sealer to prevent leakage.

At the end of each cleanout period, the tank will be emptied by vacuum tanker for disposal on agricultural land in accordance with the Nitrate Pollution Prevention Regulations 2008.

The dirty water management system is an absolute requirement for the Environmental Permit and ensures that the proposal does not have the potential for contaminated runoff.

Environmental Management

The proposed poultry unit will extend to a total of 80,000 birds. The Industrial Emissions Directive requires that all poultry units exceeding a threshold figure of 40,000 birds require a permit under the Industrial Emissions Directive – Integrated Pollution Prevention and Control (IPPC).

In order to operate, the proposed poultry unit requires an IPPC permit which is administered by the Environment Agency. The permit must take into account the whole environmental performance of the plant, covering e.g. emissions to air, water and land, generation of waste, use of raw materials, energy efficiency, noise, prevention of accidents, and restoration of the site upon closure. The purpose of the Directive is to ensure a high level of protection of the environment taken as a whole.

Paragraph 122 of the National Planning Policy Framework provides clear guidance to local planning authorities where an environmental permit is required for a development.

“Local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively”.

Essentially, paragraph 122 of the NPPF directs local planning authorities that IPPC permitting is an effective tool, and the control of process and emissions which fall within the control of the IPPC permit should be deemed acceptable.

The applicants have undertaken pre application enquiries with the Environment Agency regarding the IPPC permit. (pre applications reference EPR/EP3637VF/A001).

The Environment Agency have screened the proposals in terms of ammonia impacts on sites designated for Nature Conservation importance. This screening assessment has considered any Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites within 10km; any Sites of Special Scientific Interest (SSSI) within 5km and also any National Nature Reserves (NNR), Local Nature Reserves (LNR), ancient woodlands and local wildlife sites (LWS) within 2km of the farm.

The Environment Agencies pre application report has been attached to this application. The proposed development screened out and no further ammonia assessment is required.

In terms of atmospheric emissions from the proposed poultry installation, the proposal is to utilise a high velocity ridge mounted ventilation system. This type of ventilation system is deemed to be best available technology for the dispersal of odour and other atmospheric emissions. An odour impact assessment has been prepared to accompany the IPPC permit application and a copy has been enclosed for information. The odour assessment demonstrates that the proposal complies with the permitting guidelines and shows odour exposure of less than 3 European odour units at the closest dwelling excluding the applicants farmhouse.

In terms of noise emissions from the site, this is generally limited to the operation of the ventilation fans. The ventilation system operated on the poultry unit will be acoustically attenuated to achieve a rating of negligible impact on a BS4142 assessment at the closest sensitive receptor.

Layout

The development has been sited to the east of the existing buildings at Fosters Wold Farm, adjacent to existing mature woodland.

The site selected is considered to be the most appropriate location within the applicants land holding for the development of the poultry unit, and is accessible through the existing farmstead, and screened from public vantage points by the existing agricultural buildings and mature woodland.

The chosen location benefits from substantial existing natural landscape screening in the form of existing tree planting and hedgerows. The existing landscape screening will assimilate the development into the landscape.

The proposed development includes the proposed poultry units which are two buildings measuring 91.435m x 24.382m, with an eaves height of 2.6m and a ridge height of 5.35m. The proposed broiler units are to be sited parallel with each other, and are linked by a 10m x 6m boiler house. The development will be served by 6 No. feed bins which are located between the proposed poultry units. Each poultry building includes a control room and store attached to the southern elevation, together with a hardstanding for the parking and turning of vehicles.

Scale

The scale of the development is two buildings of dimensions 91.435m x 24.382m, with an eaves height of 2.6m and a ridge height of 5.35m, together with attached control rooms and stores, boiler house and 6 No. feed bins.

Landscaping

The proposed broiler rearing unit has been sited to minimise impact on the landscape, utilising existing landscape features. The application site is visual remote from settlements and unconnected dwellings. The site benefits from existing vegetative screening from all aspects in the form of mature woodland.

The proposed development is also of an agricultural nature and therefore appropriate to a rural location. The proposed buildings are of agricultural appearance, with the external cladding being polyester coated profile sheeting in Van Dyke Brown for the walls and Goosewing Grey for the roof. The proposed building measure 5.35m to the ridge and are therefore relatively low.

The combination of the existing landscape screening, low eaves and ridge heights, and judicious use of materials will ensure that the development does not have a material adverse impact on the character and appearance of the surrounding landscape.

Appearance

The building proposed is a purpose built livestock unit, design with its function in mind. The building will be constructed from an internal steel frame, with profile sheet walls in Van Dyke Brown and roof Goosewing Grey. Hardstanding will be concrete construction.

Access

Access to the proposed development will be provided by the existing farm entrance.

In terms of traffic generation, the proposed development will create the following commercial traffic:

Activity	Vehicle	Frequency
Chick Delivery	Articulated HGV	1 per flock cycle
Feed Delivery	Articulated HGV	10 per flock cycle
Bird Collection	Articulated HGV	12 per flock cycle
Fuel Delivery	Rigid HGV	1 per flock cycle
Carcass Collection	Box Van	2 per flock cycle
Total		26 per flock cycle (52 movements)
Total per Annum (7 flocks)		182 per Annum(364 movements)

The total commercial traffic generated by the proposed poultry unit is 182 visits per annum (364 movements). This equates to 3.5 vehicles per week (7 movements on average per week). The proposed highway impact of the development is not deemed to be significant. The local highway network can easily accommodate the modest increase in traffic associated with the proposed development.

Policy Context

National Planning Policy is contained within the National Planning Policy Framework which was introduced on 27th March 2012. The NPPF provides support for economic growth and development of agricultural businesses in paragraph 28.

“ 3. Supporting a prosperous rural economy

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;”

The proposed development represents the sustainable growth and expansion of an agricultural business and is therefore compliant with the thrust of the NPPF.

Local Planning Policy

Relevant local planning policies are shown below, SP9 relates to the Land-Based and Rural Economy and SP20 refers to Generic Development Management Issues.

SP9 The Land-Based and Rural Economy

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

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes

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.

The proposed development at Foster Wold Farm is for the sustainable development of an agricultural business and improvement and continuation of the agricultural enterprise. Therefore, the new building is necessary to support land-based activity and working in the countryside, and as such complies with the requirements of Policy SP9.

In terms of policy SP20, the development will respect the character and context of the immediate landscape as the development has been located adjacent to the existing agricultural buildings and enclosed by mature woodland shelter belts. This ensures that the development will not have an unacceptable detrimental effect on the surrounding landscape.

The proposed materials are typical of an agricultural building in the locality, and have been chosen in order to be appropriate to the rural location.

With reference to the amenity of neighbours, the proposal requires an IPPC permit in order to operate. This permit imposes a high degree of protection to neighbours and stringently controls the emissions from the site in terms of odour, noise, ammonia etc. Paragraph 122 of the National Planning Policy Framework provides local planning authorities with clear guidance that IPPC permits are an effective tool.

The proposed development is generally compliant with the Ryedale Local Plan Strategy.

Ian Pick
August 2014

mmd

17/9 KK

No objections
or comments.

Colin Douthwaite

From: MARGARET WALKER [margaret18a@btinternet.com]
Sent: 16 September 2014 17:36
To: Development Management
Subject: Sherburn PC

Good afternoon

Please may I give you the following information on planning applications put before the Council at their meeting on the 15th September 2014

*14/00914/MFUL Erection of 2 broiler units at Fosters Wold Farm

The Council have no objections or comments to make

14/00132/FUL Re-roofing and installation of Solar Panels @ Kingspan

The Council have no objections or comments to make.

14/00501/FUL Change of use @47-49 St Hildas St.

The Council would like to comment about the current over crowded facility of on street parking at this site and ask is this to be worsened by this proposal for the change of use?

Regards,

Margaret Walker
Clerk Sherburn PC

RYEDALE DM
17 SEP 2014
DEVELOPMENT
MANAGEMENT

Agenda Item 8

Item Number: 8
Application No: 14/00613/OUT
Parish: Claxton Parish Council
Appn. Type: Outline Application
Applicant: CR Fawcett (Mr & Mrs Carl Fawcett)
Proposal: Erection of an agricultural worker's dwelling (site area 0.1ha) (revised details to refusal 13/00037/OUT dated 31.05.2013).
Location: Land Off Kirk Balk Lane Claxton

Registration Date:
8/13 Wk Expiry Date: 1 August 2014
Overall Expiry Date: 8 July 2014
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Sustainable Places Team (Yorkshire Area) No comments - falls outside scope of matters to be consulted on

Land Use Planning In an area not served by public sewerage network. Recommends environment agency be consulted

Highways North Yorkshire No objection - recommend conditions

Property Management No views received to date

Parish Council No objection

Neighbour responses: Mrs E J Whiteley, Bill Selman, Mr C F Brown,

.....

SITE:

The proposed site of the dwelling is located within the wider open countryside, approximately 650m to the east of the village of Claxton and 600m to the north of Kiss Thorn Farm, the current farmstead serving the agricultural unit. The application site consists of undeveloped arable land, but is situated within relatively close proximity to an existing agricultural building which is located closer to Kirk Balk Lane.

PROPOSAL:

Outline permission is sought for the erection of an agricultural worker's dwelling (site area 0.1ha) (revised details to refusal 13/00037/OUT dated 31.05.2013). All matters are reserved for future consideration. The proposed dwelling has a total floor area of 150 square metres.

The application is accompanied by an Agricultural Justification Report and Appraisal from Cundalls. The Executive Summary is appended to this report. The full document can be viewed on the Council's website.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of new housing
Policy SP9 - The Land-Based and Rural Economy
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

HISTORY:

13/00037/OUT – Planning permission refused 28th May 2013 - Erection of an agricultural workers dwelling (site area 0.1ha) at the same site. The earlier outline application proposed a dwelling with a total floor area of 230 square metres. The reasons for refusal stated:

1. The Local Planning Authority considers that the applicant has failed to demonstrate an essential need for a rural worker to live permanently on site. Moreover, there is no evidence that the business has been planned on a sound financial basis. The scale of the dwelling is such that it would require significant capital investment and the lack of information provided within the application provides uncertainty as to whether the costs of the new dwelling will be, or can be, sustained by the farm enterprise. As such the application is considered to be contrary to Section 6 Paragraph 55 of the National Planning Policy Framework.

2. Policy SP2 of the 'emerging' Local Plan Strategy seeks to ensure that new build dwellings located within the wider open countryside will only be permitted when necessary to support the land based economy where an essential need for residential development in that location can be justified.

The Local Planning Authority considers that the essential need for the proposed development has not been justified. As such, the proposal constitutes an unjustified new dwelling located within the open countryside. The proposed dwelling is located in open countryside beyond any development limit and in an unsustainable location. It is considered to be contrary to the requirements of Paragraph 14 of the National Planning Policy Framework and Policy SP2 of the 'emerging' Local Plan Strategy.

APPRAISAL:

Members should note that the previous application (Planning Reference 13/00037/OUT) for an agricultural workers dwelling was accompanied by a 'commentary' report from Carter Jonas explaining the applicants justification for the dwelling. The Local Planning Authority however sought the advice of an independent agricultural assessor in order to ensure an appropriate assessment of the functional requirement for the dwelling had been carried out.

Discussions have taken place with the agent with regard to this revised proposal. The two main differences from the previously refused planning application and this proposal are:

- The refused dwelling was 230 square metres in floor area, whilst this dwelling is proposed to be 150 square metres.
- The farming enterprise has now 140 - 160 'Other cattle', compared to 80 on the previous planning application.

The breakdown of livestock of the farm enterprise is:

- Sheep 750
- Breeding Cattle 50
- Other Cattle 140-160

The main considerations to be taken into account with regard to this proposal are:

- i. The functional and essential requirement for a rural worker to live permanently at the proposed site
- ii. The scale of the proposed dwelling
- iii. Impact upon the Wider Open Countryside landscape
- iv. Highway safety
- v. Water supply
- vi. Third party responses
- vii. Conclusions

i. The functional requirement for a rural worker to live permanently at the proposed site

Policy SP2 (Delivery and Distribution of new housing) of the Ryedale Plan – Local Plan Strategy states the following:

When necessary to support the land based economy where an essential need for residential development in the location can be justified.

Policy SP9 (The Land-Based Rural Economy) of the Ryedale Plan – Local Plan Strategy states the following:

New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes

Paragraph 28 of Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework states *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.* It then suggests that 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 and promote the development and diversification of agricultural and other land based rural business.*

Paragraph 55 of Section 6 (Delivering a wide choice of high quality homes) of the National Planning Policy Framework states that *Local Planning Authorities should avoid new isolated homes unless there are special circumstances.* One such circumstance is *the essential need for a rural worker to live permanently at or near their place of work in the countryside.*

The National Planning Policy Framework does not include any clarification of how such need should be demonstrated. However it is considered that guidance can be taken from the now superseded Planning Policy Statement 7 (Sustainable Development in Rural Areas), Annex A.

The tests from the former Planning Policy Statement 7 (Sustainable Development in Rural Areas) annex A are as follows:

1. *There is a clearly established existing functional need.*
2. *the need relates to a full time worker or one who is primarily involved in agriculture and does not relate to a part-time requirement.*
3. *The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so.*
4. *The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.*
5. *Other normal planning requirements.*

The recent decision of a Planning Inspector when dealing with a proposal for the erection of a detached three bedroom agricultural workers dwelling with an attached single storey ancillary farm office following the part relocation of an existing general purpose agricultural building at Low Lane, Westow (Planning Application reference 12/00331/FUL) (Appeal reference APP/Y2736/A/13/2197766) identifies that:

'7. No definition of 'essential' is given in the Framework, but the main parties agreed that the functional and financial tests set out in the Annex to the now superseded PPG7: Sustainable Development in Rural Areas form a reasonable basis for such an assessment. The functional test establishes whether the enterprise whether the need for a full time worker to live at the site can be justified for the proper functioning of the enterprise and the financial test addresses the viability of the enterprise and whether it can sustain the cost of the dwelling. If this is not the case then the development cannot be said to be sustainable; promoting sustainable development (economic, social and environmental) is 'golden thread' which runs through the Framework.'

The main farming operations are currently managed from two holdings what abut each other. These are known as Kissthorn Farm and Kirk Balk Farm. Kissthorn Farm equates to approximately 70% of the total farmland which is held on a secure Agricultural Holdings Act Tenancy. The business farms over 480 acres of arable and grassland on both holdings to produce a variety of crops and it supports the following livestock for breeding and pedigree sales:

- 250 breeding ewes
- 350 store and prime fattening lambs
- 25 breeding rams
- 50 breeding cattle
- 80 store cattle and bulling heifers
- 60-80 rearing calves and young stock

It is noted that part of the 194.25 hectares (480 acres) is given over to a rural diversification scheme in the form of touring caravan site, granted planning permission in 2005 (Planning Reference 05/00411/MFUL). This amounts to approximately 4.3 hectares (10.6 acres).

In terms of the operational use of the business, the majority of the farming takes place within the Kissthorn Farm holding which is located approximately 600m to the south of the application site. Whilst it is noted that a significant proportion of the lambing is stated to take place at the Kirk Balk site, the short term, seasonal nature of the lambing process means that temporary accommodation could meet the need to satisfy an on-site requirement. Furthermore, in the applicants submitted justification document, it states that on a usual winter programme for breeding cattle, they are first gathered on the land at Kirk Balk Lane and then kept in the building until early February before being transported to Kissthorn Farm for calving.

When the previous application was submitted, the Local Planning Authority sought the advice of an independent agricultural assessor to assess the proposal at that time. The approval stated the following:-

4.2.3 We aware that normal practice is to keep sheep and cattle outside for most of the year, although should conditions dictate they are sometimes housed inside during lambing and calving. As the breeding cattle are transported to Kissthorn Farm and calving.

4.2.4 We acknowledge that modern farming practices and Government legislation requires an onsite presence so that there is always someone readily available immediately before, during and after lambing to deal with any issues or emergencies that may arise and to ensure the health and welfare of newborn and young calves and lambs. However, this is not a year-round justification given the short lambing timescale and this could therefore be facilitated by temporary accommodation on site during the lambing 'season'. This business in its current form therefore has no requirement or need for a permanent residential presence at Kirk Balk Lane.

Whilst it is evident that the enterprise is continuing to develop, Officers consider that there is still not a clear functional need for a full time agricultural worker to reside on site at Kirk Balk Lane given the nature and extent of the livestock there.

Point 3 from Annex A of Planning Policy Statement 7 (Sustainable Development in Rural Areas) states:

The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so.

The building of a new dwelling involves significant capital investment. As part of the planning application, a letter from the farm business manager and business accountant has been submitted. The independent agricultural assessor for the previous application stated:

4.4 As the information provided within the application has no formal accounts we are unsure if this investment has been factored into a business plan (profit and loss calculations). We are concerned that any net profit would be required to service debt. We are therefore uncertain as to whether any business plan is sound or whether the costs will be covered by the farm enterprise.

4.4.6 We would normally expect to see a Business Plan for the next three years to show that this has been taken into account for the long term viability and plans to expand the business.

Therefore, it is still considered that the applicant's financial assessment provides limited information to demonstrate clear planning of the business over proposed stocking and performance levels.

Point 4 from Annex A of Planning Policy Statement 7 (Sustainable Development in Rural Areas) states:

The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

The existing dwelling at Kissthorn Farm is located only 600m to the south of Kirk Balk Lane. From the above information, there is an unproven functional need for a stockman to reside permanently on site as Kissthorn Farm is the main farming base, given that Kirk Balk Lane is mainly used for lambing and arable uses.

To conclude, it is considered that whilst it is evident that the enterprise is continuing to develop, the Local Planning Authority are not satisfied that there is a clear, functional and essential need for a full time agricultural worker to reside permanently at the site given the nature of the livestock that is located at Kirk Balk Lane.

ii. The scale of the proposed dwelling

The previously refused planning application sought outline permission for the erection a dwelling measuring 230 square metres in floor area. This was considered to be excessive by Officers and the Asset Management Surveyor. This application seeks outline permission for a 150 square metre dwelling. The Council's Asset Management Surveyor still considers that this dwelling is too large for an agricultural workers dwelling in this location. Furthermore, with the lack of any formal accounts and without a detailed financial assessment to indicate how the costs of constructing the proposed dwelling has been factored into the future operation of the farm enterprise, there remains a high level of uncertainty as to whether the costs of constructing a dwelling of this scale will (or could) be covered by the farm business.

iii. Impact upon the wider open countryside landscape

In terms of landscape impact, the proposed dwelling would be situated approximately 50m from the nearest point of the existing agricultural building. There are Officers concerns that there are no other agricultural buildings located within close proximity to the site. It is an isolated location and the proposed dwelling would represent an unjustified visual intrusion within an area that is generally wider open countryside. The dwelling would be readily visible from public viewpoints around the site because it is flat, open with relatively little boundary screening. The detailed design of the proposed dwelling is not to be considered at this outline permission stage.

iv. Highway safety

The Local Highway Authority has raised no objection to the proposal in terms of its impact upon highway safety, subject to the suggestion condition regarding the discharge of surface water.

v. Water supply

Yorkshire Water stated that the proposal is in an area not served by the public sewerage network and the application should be referred to the Environment Agency. The Environment Agency stated that the proposal falls outside the scope of matters to be consulted on. Discussions would need to taken place with Local Planning Authority's Environmental Health section at the reserved matters stage with regard to private treatment facilities.

vi. Third party responses

Two letters of support have been received with regard to the proposal. One is from the National Farmers Union North East Region. The full letter of support may be viewed on the Council's website. A summary of the NFU letter of support includes the following main points:

- There is a lack of affordable housing in the local vicinity to the site.
- The NFU considers that the Local Planning Authorities should encourage and enable young people to continue to live and work in the countryside

The village of Claxton is close to the site, within 540 metres at its nearest point. It should also be noted that the recently adopted Ryedale Plan – Local Plan Strategy does make provision for the erection of dwellings in the 'wider open countryside where:

New build dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified.

However, in this instance there remains an unproven functional need for a stockman to reside permanently on site as Kisssthorpe Farm is the main farming base, given that Kirk Balk Lane is mainly used for lambing and arable uses.

The other letter of support is from the occupiers of 'Vicarage Farm' which is the closest residential dwelling to the site of Kirk Balk Lane, approximately 280m to the north west of the site. They have stated that a house would be an excellent starter farm for the eldest son of the applicants.

The occupiers of 'The Lodge, Bossall' which is located approximately 480m to the east of the site have raised no objection to the proposal.

Claxton and Sand Hutton Parish Council have raised no objection to the proposal. They have stated however that it is important to protect land against unnecessary building, so the development should remain a facility for farming.

vii. Conclusions

To conclude, the proposed development is considered to be contrary to the requirements of Paragraph 55 of the National Planning Policy Framework because the applicant has failed to demonstrate the functional and essential need for a rural worker to live permanently at the proposed site and that the business is based on a sound financial basis projecting into the future. As a result, the proposed dwelling is considered to be an unjustified new dwelling outside of any development limit which is detrimental to the visual amenities of the wider open countryside and contrary to the requirements of Paragraph 14 of the National Planning Policy Framework and contrary to Policy SP2 of the Ryedale Plan – Local Plan Strategy.

Members will be aware that Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires by law that applications must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this case, there are no material considerations to justify a decision contrary to the requirements of Policy SP2 of the Ryedale Plan – Local Plan Strategy.

RECOMMENDATION: Refusal

- 1 The Local Planning Authority considers that the applicant has failed to demonstrate a functional need for a rural worker to live permanently on site. Moreover, there is no evidence that the business has been planned on a sound financial basis. The scale of the dwelling is such that it would require significant capital investment and the lack of information provided within the application provides uncertainty as to whether the costs of the new dwelling will be, or can be, sustained by the farm enterprise. As such the application is considered to be contrary to Section 6 Paragraph 55 of the National Planning Policy Framework.

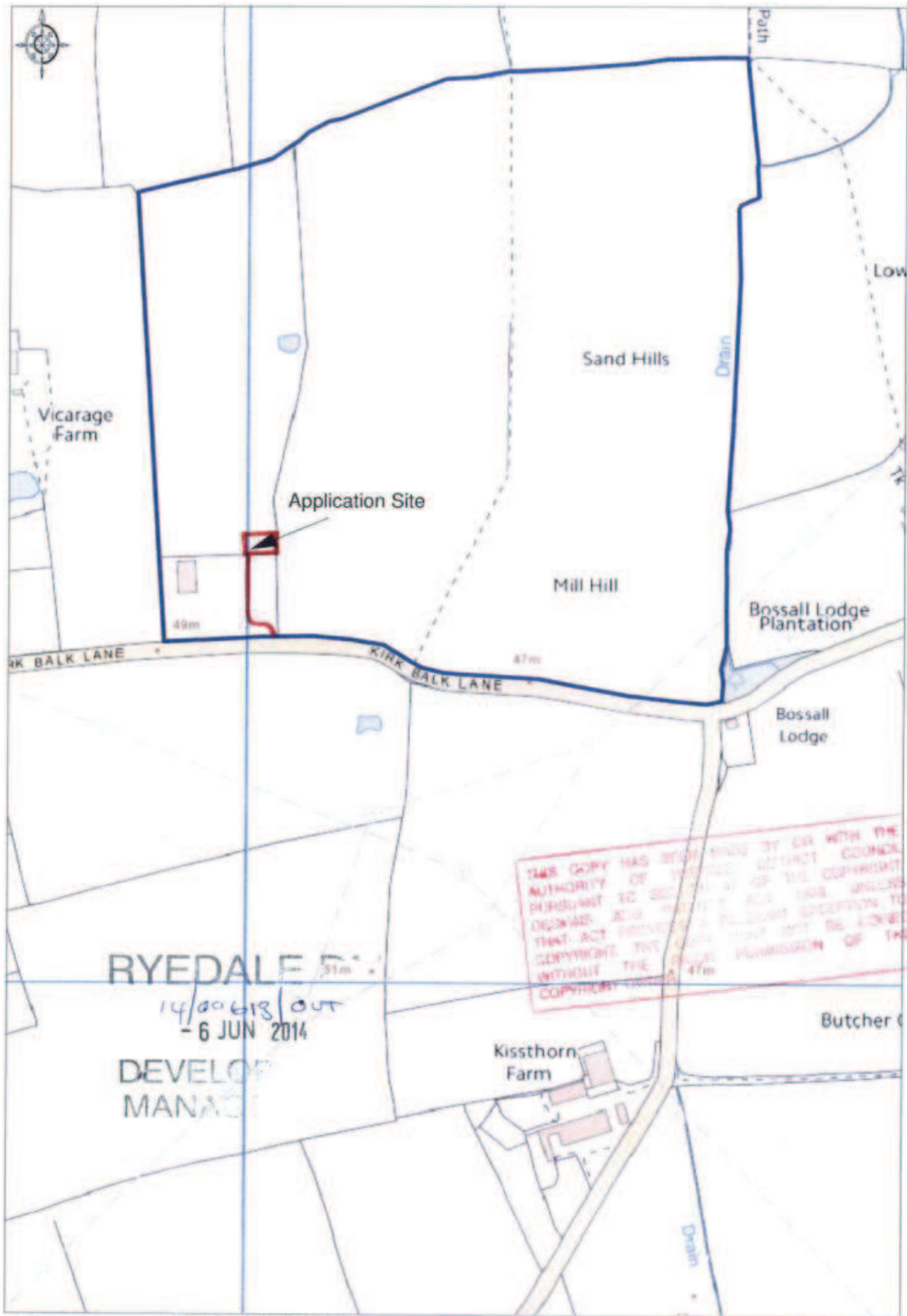
- 2 Policy SP2 of the adopted Ryedale Plan - Local Plan Strategy seeks to ensure that new build dwellings located within the wider open countryside will only be permitted when necessary to support the land based economy where an essential need for residential development in that location can be justified.

The Local Planning Authority considers that the essential need for the proposed development has not been justified. As such, the proposal constitutes an unjustified new dwelling located within the open countryside. The proposed dwelling is located in open countryside beyond any development limit and in an unsustainable location. It is considered to be contrary to the requirements of Paragraph 14 of the National Planning Policy Framework and Policy SP2 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

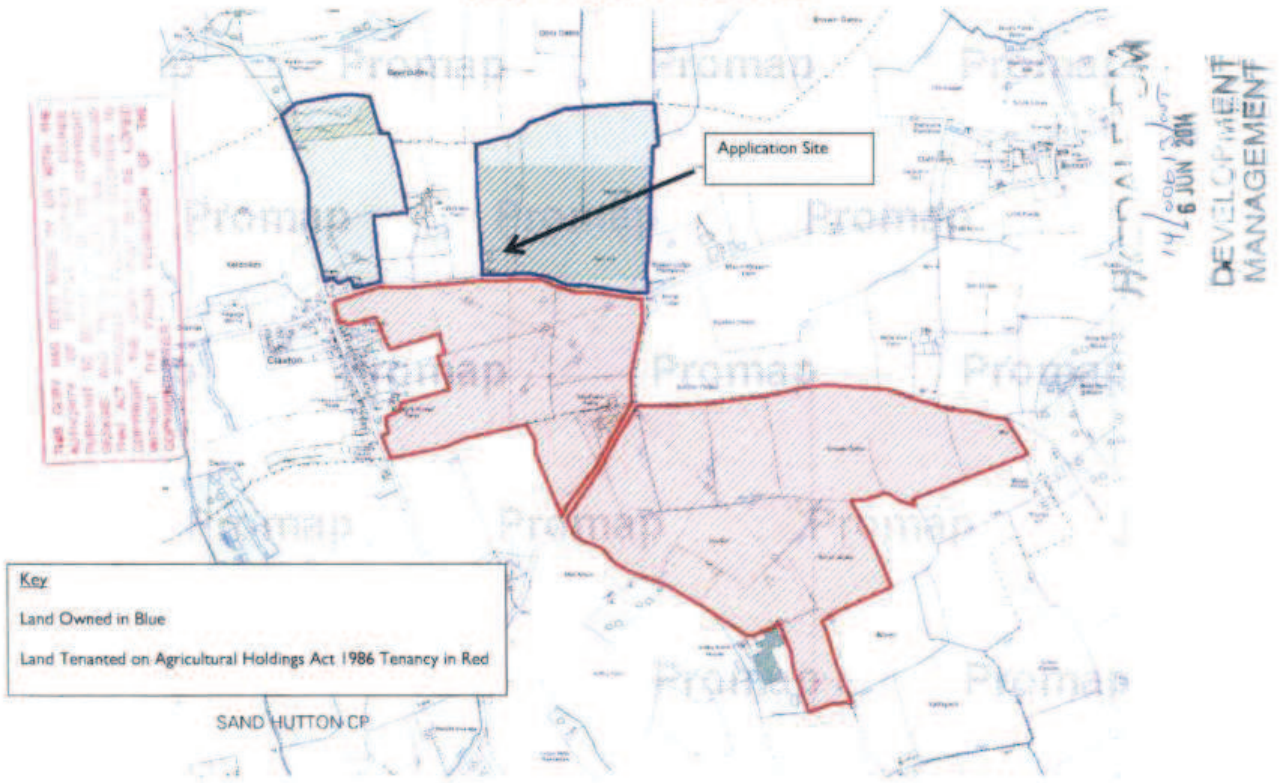
Land at Kirk Balk Lane



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Licence number 100025172. Printed Scale: 1:10000

Applicant: CR Fawcett

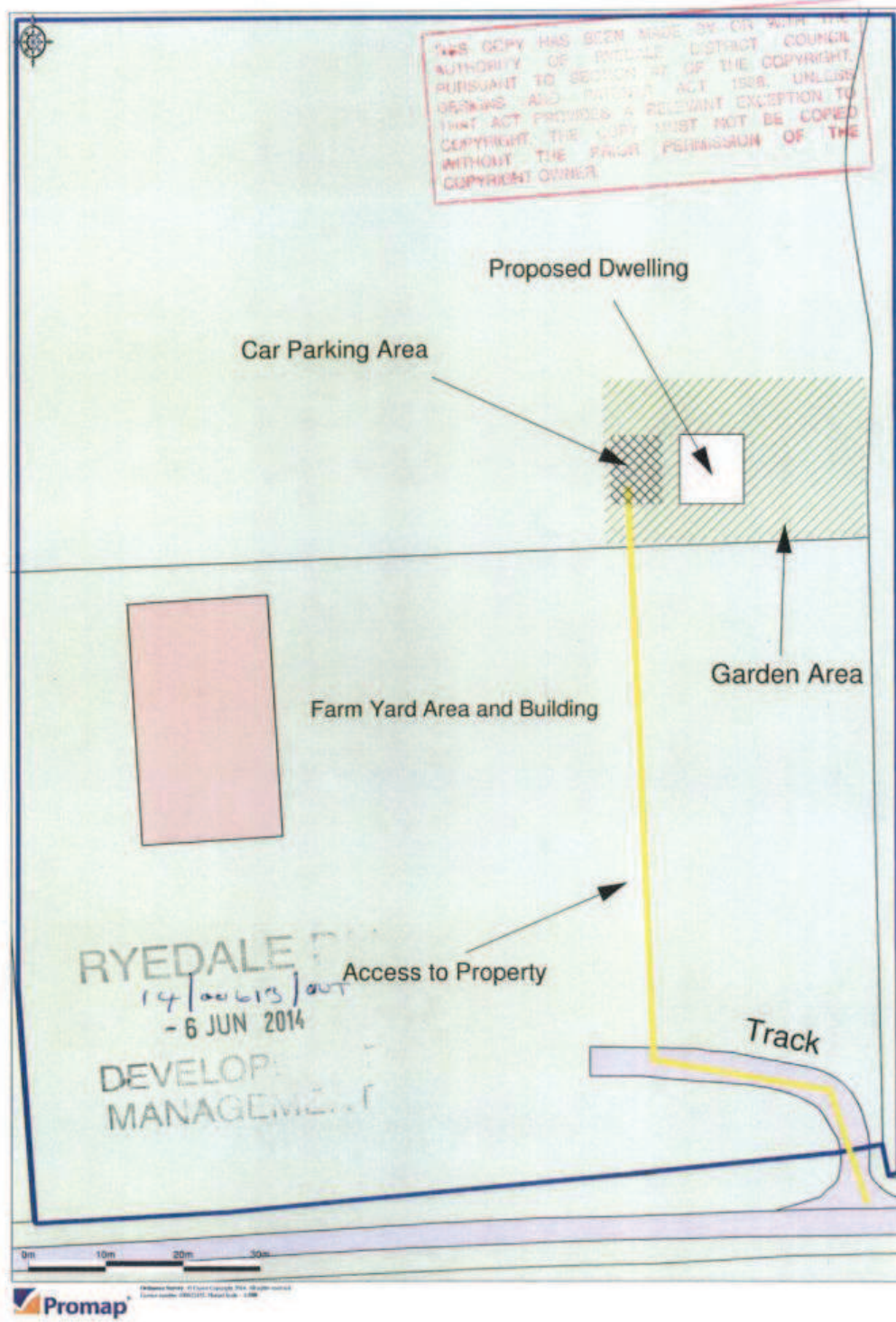
Land Owned and Land Tenanted By CR Fawcett



Location Plan

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EXECUTIVE SUMMARY

The report has been prepared to accompany an outline planning application for a farm workers dwelling on land owned by the Fawcett family at Kirk Balk Lane, Sand Hutton.

The report sets out the justification for the proposed dwelling within the context of national and local planning policy and the needs and aspirations of the business. The reports main aim is to justify the need for a farm workers dwelling on land off Kirk Balk lane with a full description of the business and the clear need.

The proposal at Kirk Balk farm is for a modest 150 square meter farm workers dwelling to accommodate the applicant oldest Son, Edward and his family. The proposed dwelling will be sited close to an existing hedge and within the farm yard adjacent to an existing building and yard.

The business farms 480 acres of arable and grassland and manages a herd of 50 suckler cows with followers, 250 breeding ewes, 350 other sheep and up to 160 other store cattle and rearing calves.

It is well known that Identification of animals in distress either as a result of lambing, calving, illness or injury is essential for efficient management of both breeding cattle and sheep herds and with the applicants high number of breeding stock this is a major consideration of the report.

The report has shown that the applicant has fully justified the labour requirements for a second dwelling with a requirement for over 5 full time workers required to run the business. In addition, the report has also demonstrated there are no other suitable dwellings in the local vicinity to serve this holding to help meet the functional needs, i.e. within sight and sound of the farm buildings.

In summary of the applicants situation it is clearly evident that's there is a significant need for constant supervision to allow the business to maintain a high standard of management and ensure the continued welfare of their high value cattle and sheep.

Therefore, it is hoped that the proposed permanent dwelling that is identified in the application and report will receive Ryedale District Councils support and help the applicants meet the essential supervision, security and functional need that the holding and business require.

Cundalls

15 Market Place, Malton, North Yorkshire, YO17 7LP

t. 01653 697820

malton@cundalls.co.uk

www.cundalls.co.uk

DESIGN AND ACCESS STATEMENT

AGRICULTURAL WORKERS DWELLING TO SUPPORT THE EXISTING FARMING ENTERPRISE

On land at
Kirk Balk Lane, Sand Hutton, York

Prepared for and on behalf of
Mr and Mrs CR Fawcett
Kissthorn Farm
Sand Hutton
York
North Yorkshire
YO41 1LF

At
May 2014

RYEDALE
14/00613/005
- 8 JUN 2014

DEVTL
MAY 2014

APPLICATION DETAILS

Applicant: Mr and Mrs Carl Fawcett and Edward Fawcett

Applicants Address: Kissthorn Farm, Sand Hutton, York, YO41 1LF

Applicants Agent: William Tyson BSc (Hons) MRICS FAAV, Cundalls Chartered Surveyors

Agents Address: Cundalls, 15 Market Place, Malton, North Yorkshire, YO17 7LP

Site Address: Kirk Balk Farm, Kirk Balk Lane, Sand Hutton, York

Application Title: Proposed Erection of one agricultural workers dwelling

Application Type: Outline planning application with all matter reserved

Application Date: May 2014

Location: Sand Hutton near York

Proposed Use: Class C3 - Dwelling House

Reason for Proposal: Increased functional need at Kirk Balk Farm and new agricultural workers accommodation requirements due to arable enterprise and livestock supervision need.

Parking: Vehicle and pedestrian access to the new dwelling will be via the existing private driveway

Foul Water: it is proposed that the new dwelling will have its own soak-away drainage system.

Size: Overall total accommodation living space 150 square metres

INTRODUCTION

This planning application seeks outline planning consent for the erection of one dwelling for a farm worker to the north east corner of Field SE6960 9737 and to the south east corner of Field SE6960 9761 which lie to the east of Claxton and the north of Sand Hutton, York. All matters are reserved for future consideration.

USE

The site would create one dwelling that would enhance the character and viability of the surrounding area and the development would avoid the inefficient use of land whilst respecting local character.

LAYOUT

The application for a dwelling will provide much needed standard residential accommodation and will have no material adverse affect upon existing amenities or adjoining properties.

The proposed dwelling is to be located in close proximity to a large Hawthorn hedge which will provide screening. The proposed dwelling will have no affect whatsoever on the wildlife value or natural environment surrounding the adjacent hedge.

SCALE

The proposed dwelling will be a two storey unit of approximately 150 sq.mtrs of living space. This will provide much needed agricultural accommodation for the applicant and his family. The eaves height will be approximately 4.5 to 5 meters and the ridge height will be approximately 7 meters high.

LANDSCAPING

Landscaping of the site will take place including provision of shrubs and other plantings between the proposed dwelling and the surrounding yard area. The proposed development will have no affect whatsoever on existing hedgerows or shrubs lying adjacent to the proposed site.

In addition to the above, a garden will be established surrounding the proposed dwelling with car parking area to the west of the proposal. The existing hedge and grass verges which bound the surrounding land and yard area at Kirk Balk Lane will not be affected whatsoever.

APPEARANCE

As this application is for Outline Planning Permission, certain specific information will not be included at this stage. However, the proposed dwelling will be constructed of traditional materials customary to the surrounding area and adjoining properties which will sit comfortably within Sand Hutton's mix of traditional buildings and dwellings.

ACCESS

Access will be via the existing vehicular access to the land off Kirk Balk Lane and the proposed dwelling will be accessed via the farm yard. 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. All associated parking will be off street and adjacent to the proposed dwelling.

Glenys Yates

cc -

NO OBJECTION.

From: Fiona Hill [fiona@thebyre.me.uk]
Sent: 08 July 2014 12:24
To: Development Management
Subject: 14/00613/OUT - Land off Kirk Balk Lane, Claxton

Dear Sir/Madam

The Parish Council met last night and discussed this planning application.

There are no objections as the proposal seems logical for the future of the farm.

However it was felt that it is important to protect land against unnecessary building, so the development should remain as a facility for farming.

Yours faithfully

Fiona Hill
Parish Clerk
Claxton & Sand Hutton Parish Clerk

RYEDAILE DM
m 9/7
- 9 JUL 2014
DEVELOPMENT
MANAGEMENT

Agenda Item 9

Item Number: 9
Application No: 14/00856/FUL
Parish: Norton Town Council
Appn. Type: Full Application
Applicant: Norton Bowls Club (RCLC)
Proposal: Change of use and alteration of part of bowls club building from D2 Use (Assembly and Leisure) to D1 Use (Non-residential institutions) for use of a dance school and a pre school playgroup to include parking and dedicated outdoor play space for the pre-school playgroup.
Location: Norton Bowls Club Bowling Lane Norton Malton North Yorkshire YO17 8EG

Registration Date:
8/13 Wk Expiry Date: 23 October 2014
Overall Expiry Date: 15 October 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Parish Council	Recommend approval
Highways North Yorkshire	No objection, recommend conditions
Environmental Health Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No objection but recommends conditions
Property Management	No views received to date

Neighbour responses: None

SITE:

Norton Bowls Centre is located within the development limits of Norton within close proximity to the Malton - Scarborough railway line. The site is situated within Flood Zone 2 with a number of residential properties adjoining the site in George Cartwright Close.

PROPOSAL:

The proposal seeks planning permission for the change of use and alteration of part of the existing bowls club (D2 Assembly and Leisure) to accommodate a dance school and pre-school playgroup (D1 Non-residential institutions), to include car parking and outdoor play space for the pre-school playgroup.

The details of each proposed use can be found within the submitted supporting information of the application which reads as follows:

“The proposal involves the partial subdivision of Norton Bowls Club to incorporate ‘Dance Expression’ and ‘Brooklyn Pre-school Playgroup’, two existing businesses of Malton / Norton. Each use will accommodate separate entrances. Parking and access for Dance Expression will be from the large car park at the western end of the current building and parking / access to Brooklyn will be from the eastern end of the building. There will be a new external play area to the north of the building for the sole use of the playgroup.

Dance expression will provide 3 No interlinked studios with a reception area / office, changing facilities and relevant storage.

Brooklyn Pre-School Playgroup intends to have a maximum of 30 children (aged approx 2-4) in attendance initially between 9:00 - 15:30 during weekdays, however their future business plan may have this extending to 8:25 - 17:00. The play group staff would be in attendance outside of these hours for preparation and tidying away any activities that occur during the day's session. The playgroup primarily operates during term times but there may be a desire to extend this to have occasional sessions during the school holidays in order to give parents a break. There may also be times when the staff are in attendance but the playgroup is not open. E.g. staff meetings, preparation for new term etc."

HISTORY:

There is no relevant planning history.

POLICY:

National Policy Guidance

National Planning Policy Framework
Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP11 - Community Facilities and Services
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

Policy SP11 of the Ryedale Local Plan Strategy provides the policy advice for the protection of community facilities by stating "*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...*" In this case, the proposal seeks to change the use of part of the existing bowls club resulting in the loss of some of the floor area serving the community facility. However, by introducing new uses into the building, which in themselves contribute to the local community, the development will safeguard the continued use of the bowls club into the future. In light of this, there is a clear gain to the local community and the proposal is therefore considered to be in acceptable in principle.

In terms of residential amenity, the main concern relate to the levels of activity and noise created by the playgroup, especially with respect to external play area. It is recognised that such activities can result in levels of noise and disturbance that could be harmful to the amenity of nearby residential properties. In this case, the external play area is located immediately adjacent to or within close proximity to a number of residential properties. No neighbour objections have been received to the proposal.

In assessing the impact of the playgroup it is important to note the operations of the facility. The application proposes a playgroup of up to 30 children. The hours of the playgroup will initially be 9:00 - 15:30, although this may increase to 8:25 - 17:00 in the future. The playgroup will not operate during the weekend or bank holidays. Whilst officers accept that the outdoor play has the potential to impact on nearby residents, taking into account the scale of the operations and the hours of opening, the likely harm is not considered to be sufficient to warrant refusal of the planning application. The application, subject to the recommended conditions, is therefore considered to be in accordance with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

With respect to flood risk, the Environment Agency has confirmed that the application site is in Flood Zone 2. Nevertheless no objections have been raised to the proposed change of use. The EA have however made a number of recommendations to mitigate against any future flooding including raising floor levels wherever possible, and the production of a flood evacuation plan. The applicant has been made aware of these comments through an informative.

NYCC Highway Authority have raised no objections to the proposal, subject to conditions to ensure a travel plan for the pre-school playgroup element of the scheme and to ensure the proposed car parking spaces remain available for use.

To conclude, the proposed development is considered to be one that is beneficial to the local community whilst ensuring no adverse impact in terms of residential amenity, flood risk or highway safety. The application is therefore recommended for approval.

RECOMMENDATION: Approval

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

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

2 The use hereby permitted shall be restricted to a 30 place pre-school playgroup and dance school and for no other use within Use Class D1 of the Town & Country Planning (Use Classes) Order 1987 (or as amended) unless otherwise agreed in writing with the Local Planning Authority.

Reason:- In order to safeguard the amenity of neighbouring residents in accordance with Policy SP20 of the Ryedale Local Plan Strategy.

3 Unless otherwise agreed in writing by the Local Planning Authority, the pre-school playgroup hereby approved shall only operate between 0825 hours and 1700 hours on Mondays to Fridays; and shall not be used at all for the approved use on Saturdays, Sundays or Public Holidays.

Reason:- To ensure that the amenities of nearby residents are not unreasonably affected by the development and to ensure compliance with Policy SP20 of the Ryedale Local Plan Strategy.

4 Before the commencement of development hereby permitted, details of the outdoor play area serving the playgroup, including a schedule of materials and the boundary treatment, shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing with the Local Planning Authority.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

5 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number 1137-01-GA-05 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 Local Plan Strategy and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

6 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.
- (x) measures to ensure on-site parent pick-up and drop-off facilities within the site and a programme for on-going monitoring and continual appraisal of its operation and improvement

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 SP20 of the Ryedale Local Plan Strategy and to establish measures to encourage more sustainable non-car modes of transport.

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

Proposed Site Layout - 1137 01 GA 05
Proposed Plan - 1137 01 GA 01
Proposed Elevations - 1137 01 GA 02

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

INFORMATIVE:

1 The applicant is made aware of the comments received by the Environment Agency dated 12 September 2014.

Background Papers:

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

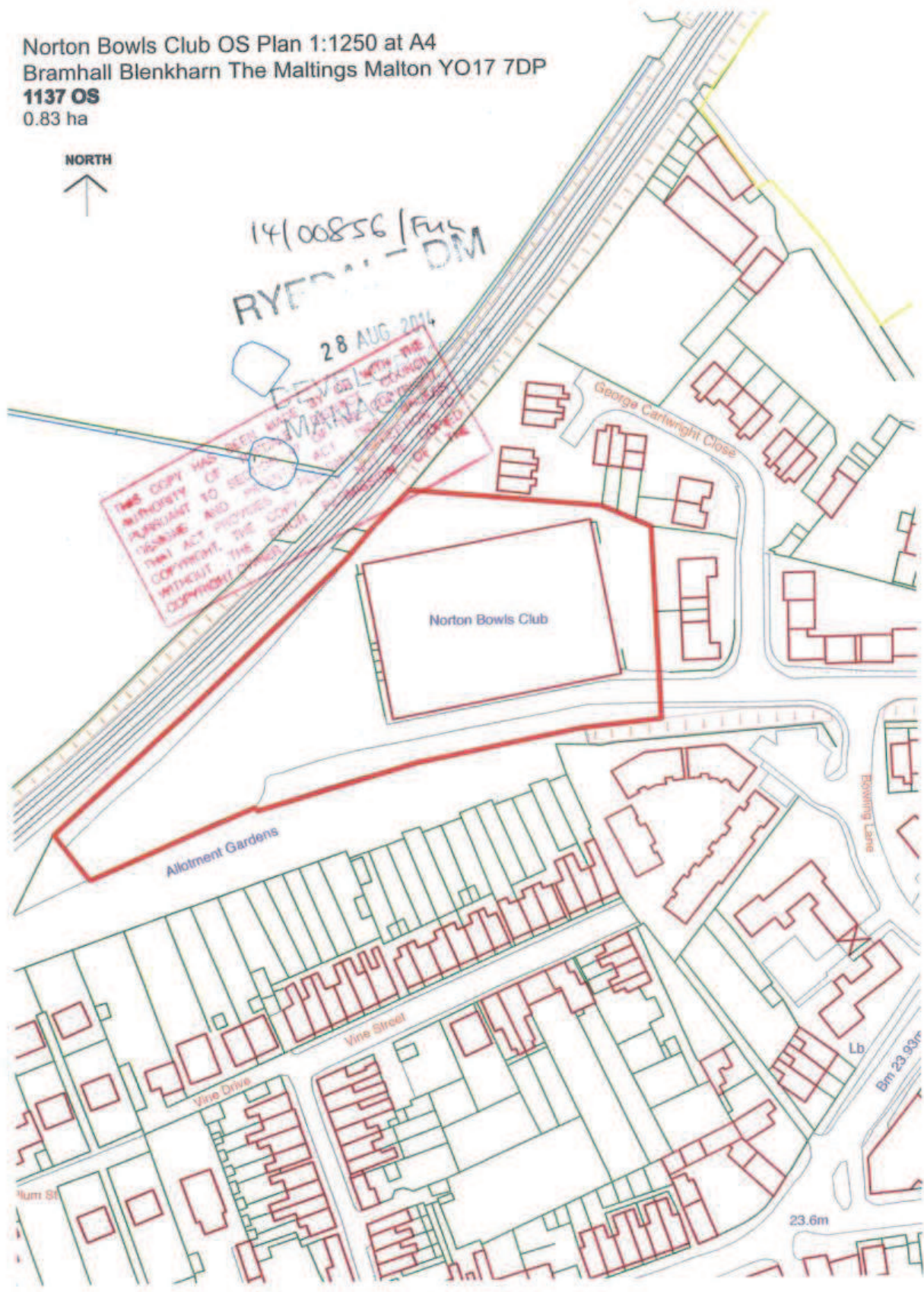
Norton Bowsls Club OS Plan 1:1250 at A4
Bramhall Blenkarn The Maltings Malton YO17 7DP
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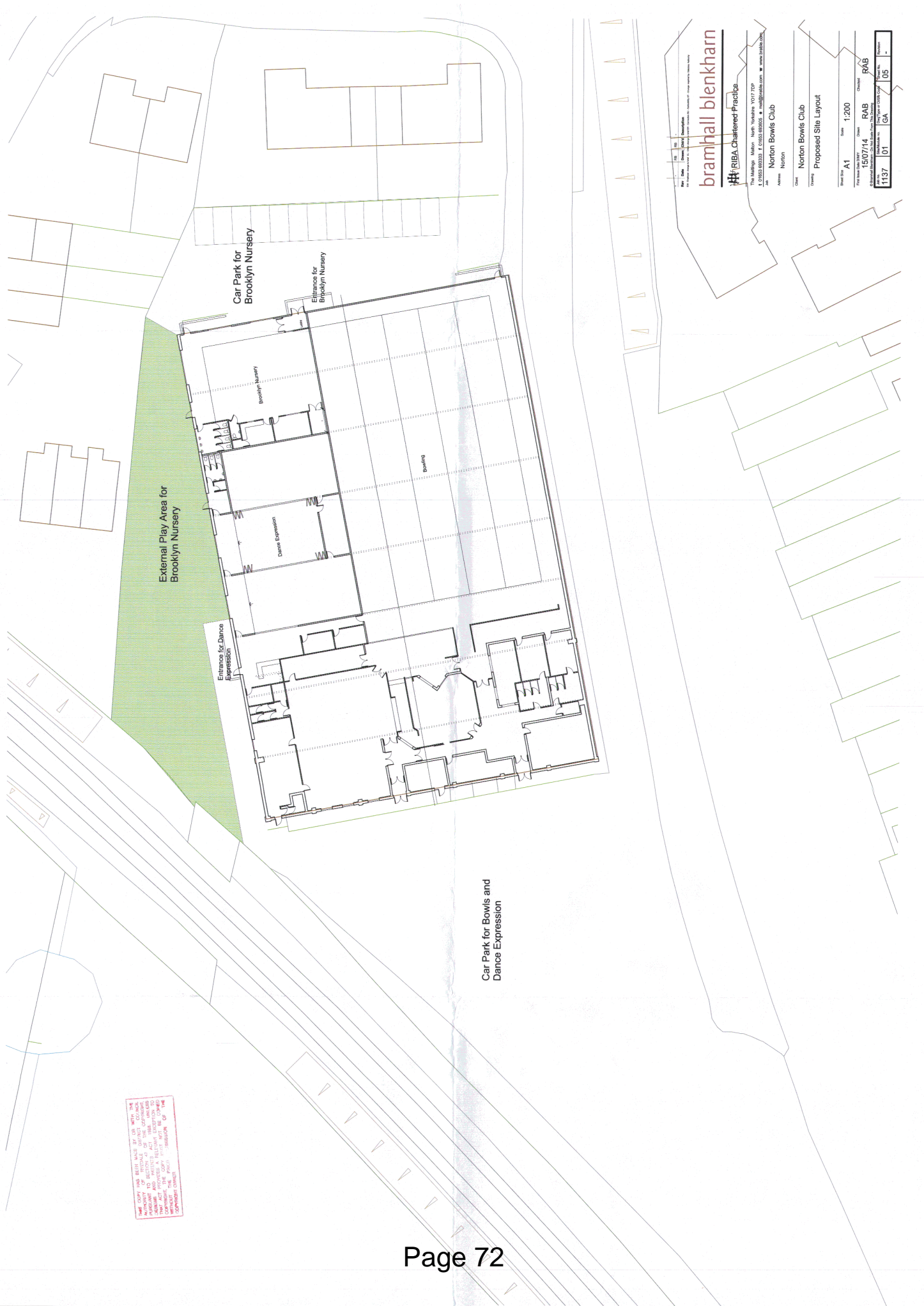


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28 AUG 2014

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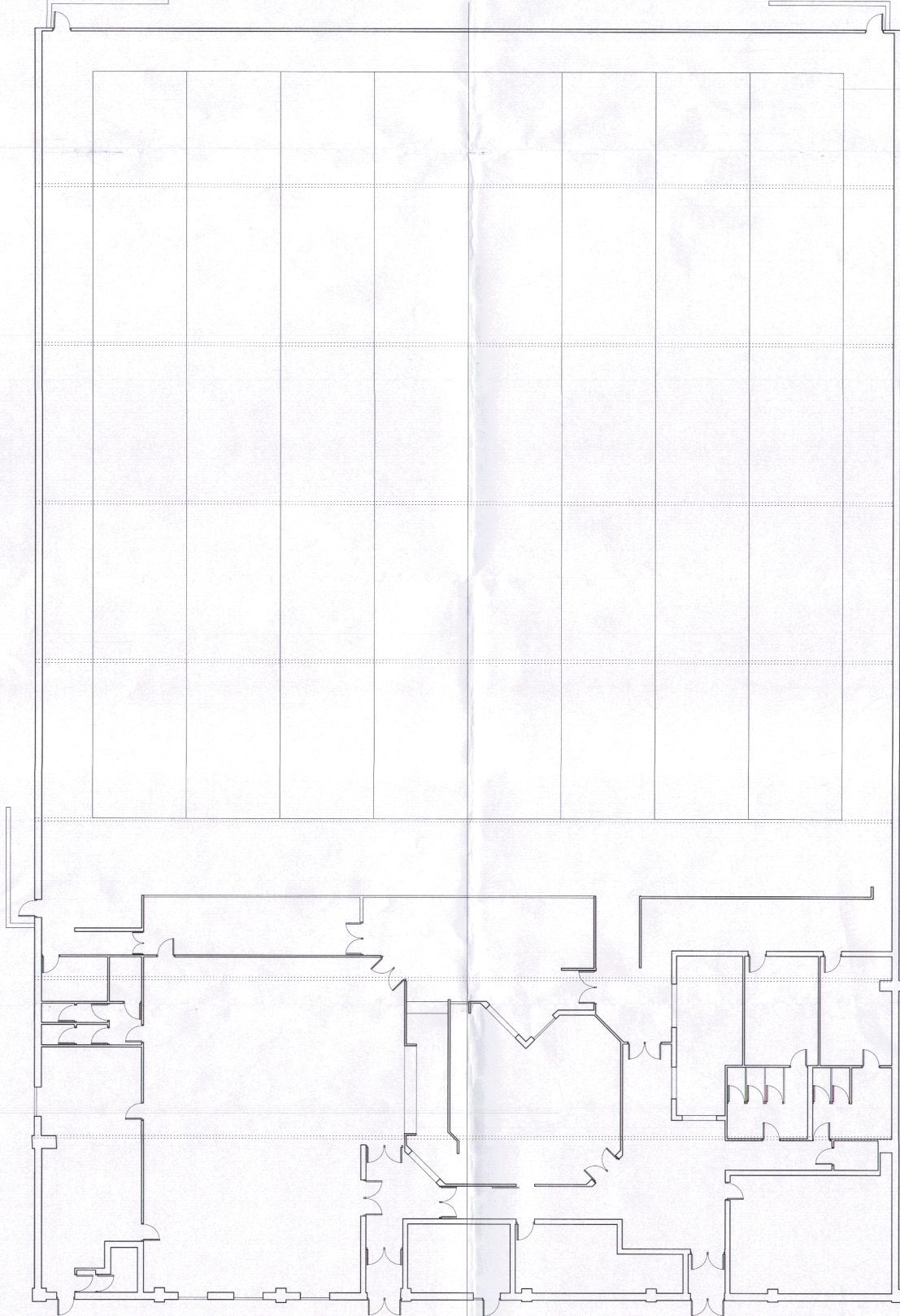




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No. 101
 Date: 15/07/14
 Scale: 1:200
 Client: Norton Bowls Club
 Drawing: Proposed Site Layout
 Sheet No: A1
 Title: 1:200
 Project No: 15/07/14
 Designer: RAB
 Checker: RAB
 1137 01 GA 05

bramhall blenkharn
 RIBA Chartered Practice
 The Millage, Milton North, Northampton NN17 7DP
 T: 01605 895533 F: 01605 898055 E: mail@bramhall.com W: www.bramhall.com
 Address: Norton
 Norton Bowls Club
 Proposed Site Layout



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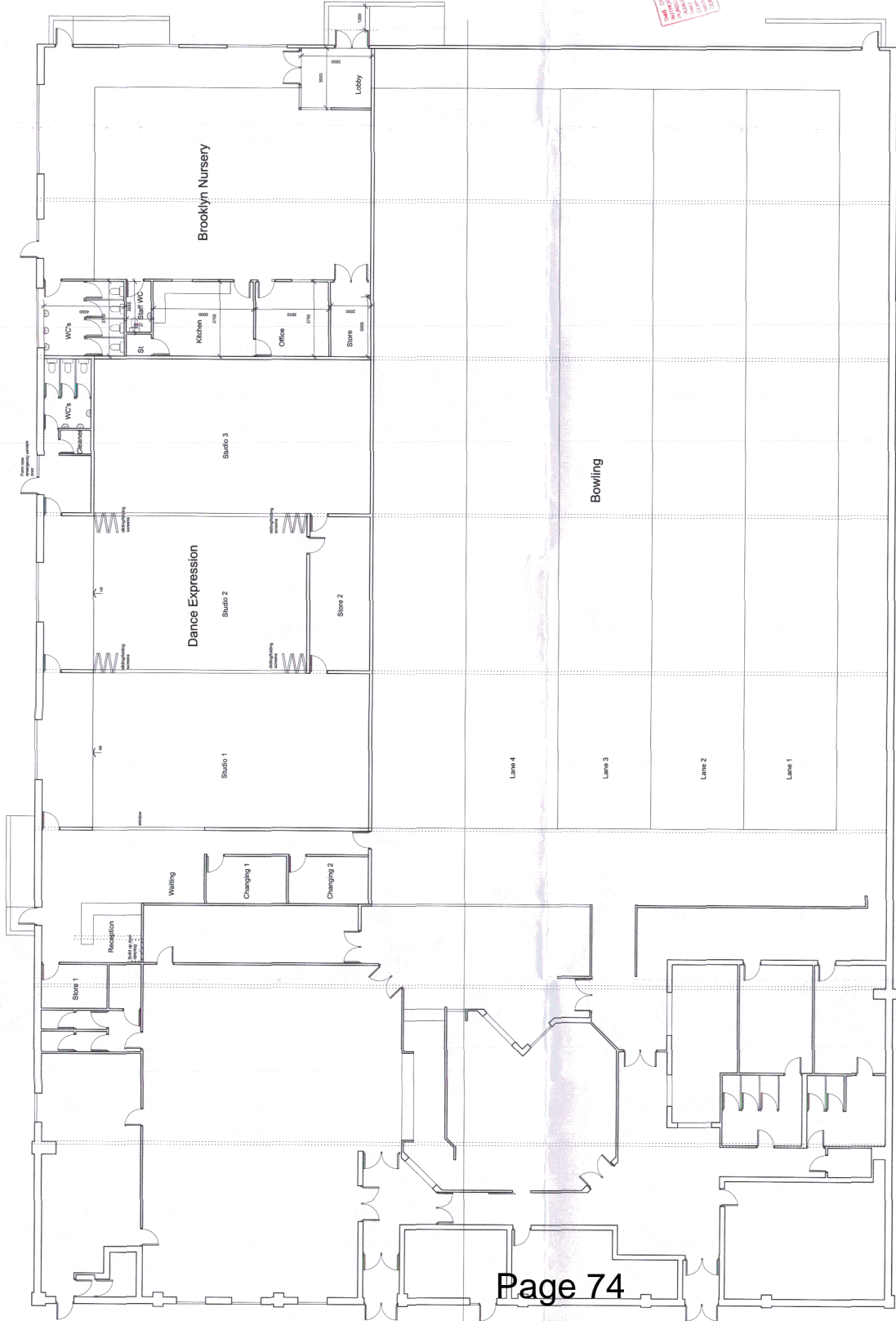
1137 01 GA 03

1137 01 GA 03

1137 01 GA 03

BUILDING REGULATION NOTES

External Walls - Walling in existing club walls, include for all running as necessary
Internal Walls - External walls to be constructed with masonry blocks. Club, Office, Reception and
 Reception to be constructed with masonry blocks. Club, Office, Reception and Reception to be
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Partitions - Partitions in existing club walls, include for all running as necessary
Roofs - The roof structure shall be constructed with masonry blocks. Club, Office, Reception and
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Windows & Doors - Windows and doors to be constructed with masonry blocks. Club, Office, Reception
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Chimneys - Chimneys to be constructed with masonry blocks. Club, Office, Reception and
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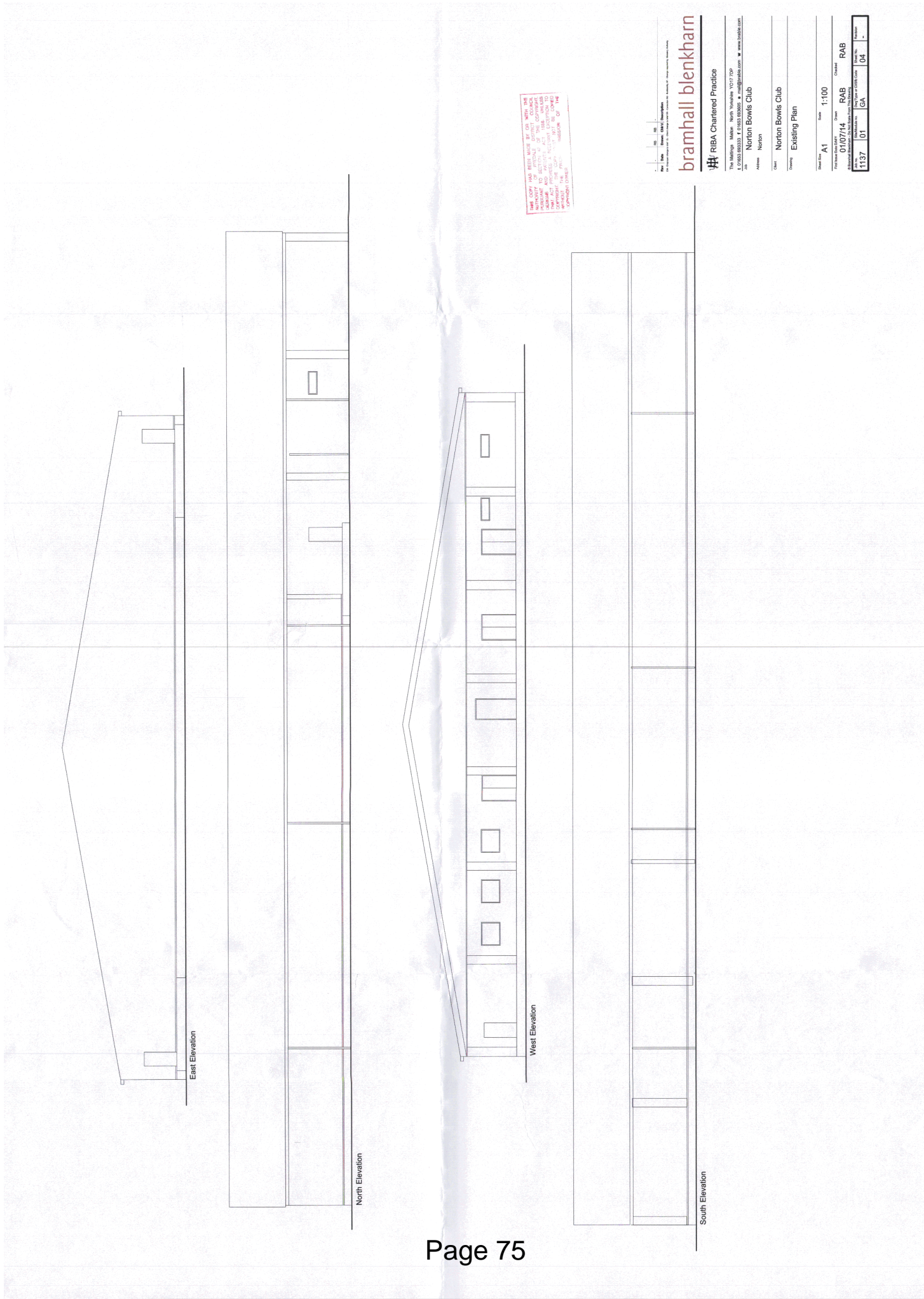


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 DATE: 15/07/14
 PROJECT: [Name]
 DRAWING NO: [Number]
 SHEET NO: 01

bramhall blenkharn

RIBA Chartered Practice

The Architect: Address: North Woodside 1017 ZIP
 LE19 1LW
 Tel: 0115 8333000 Fax: 0115 8333001
 www.bramhallblenkharn.com www.riba.co.uk
 Address: Norton Bowls Club
 Norton
 Client: Norton Bowls Club
 Drawing: Proposed Plan
 Sheet No: A1 Date: 1:100
 Title Block Date: 15/07/14
 Drawn: RAB
 Checked: RAB
 Scale: 1:137
 Project Code: 01
 Sheet No: 01



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Checked: GA

bramhall blenkharn

RIBA Chartered Practice

The Buildings, Malabar, North Yorkshire YO17 7DP
E: 01903 855333 F: 01903 855309 E: mail@bramhall.com W: www.bramhall.com

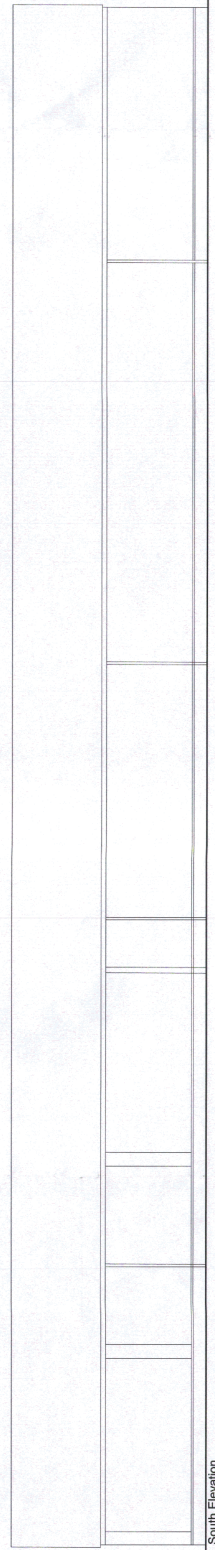
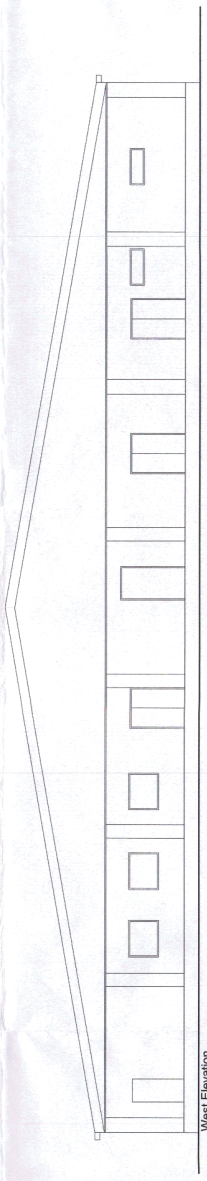
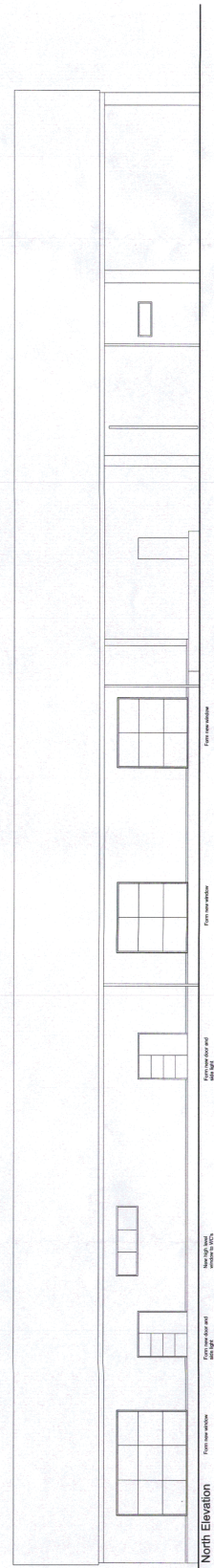
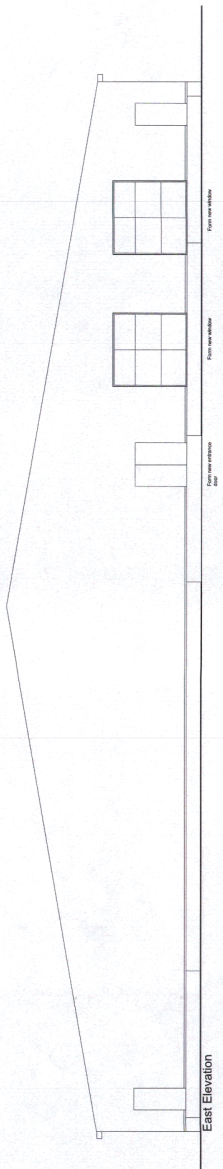
Norton Bowls Club
Address: Norton

Client: Norton Bowls Club
Project: Existing Plan

Sheet No: A1
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Title: Existing Plan

Drawn: RAB
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Mr. Chris O'Connell
 Director
 Bramhall Architects
 1137 Peachtree Street, NE
 Atlanta, GA 30309
 Phone: 404.525.1137
 Fax: 404.525.1138
 Email: info@bramhall.com
 Website: www.bramhall.com

bramhall blenkharn
 RIBA Chartered Practice
 The Maltings, Malton, North Yorkshire YO17 7DP
 T: 01453 883331 F: 01453 89505 E: info@bramhall.com W: www.bramhall.com

Client: Norton Bowles Club
 Address: Norton
 Date: 15/07/14
 Drawn: RAB
 Checked: RAB
 Project: Proposed Elevations
 Scale: 1:100
 Drawing No: 1137 01 GA 02

Norton Bowls Club
Planning Application

21 July 2014

Supporting Information

28 AUG 2014

DEVELOPMENT
MANAGEMENT

14/00856/FUL

The proposals involve partial sub-division of Norton Bowls Club, to incorporate Dance Expression and Brooklyn Pre-School Playgroup. Both users will have separate entrances to the building. Parking and access for Dance Expression will be from the large car park at the western end of the current building and parking/access to Brooklyn will be from the eastern end of the building. There will be a new external play area to the north of the building for the sole use of the playgroup.

Dance Expression will provide 3 No interlinked studios with a reception area/office, changing facilities and relevant storage.

Brooklyn Pre-school Playgroup intends to have a maximum of 30 children (aged approx 2-4) in attendance initially between 9:00 - 15:30 during weekdays, however their future business plan may have this extending to 8:15 - 17:00. The Playgroup staff would be in attendance outside of these hours for preparation and tidying away any activities that occur during the day's session. The Playgroup primarily operates during term times but there may be a desire to extend this to have occasional sessions during the school holidays in order to give parents a break. There may also be times when the staff are in attendance but the Playgroup is not open e.g. staff meetings, preparation for new term etc.

It is envisaged that both these facilities will enhance use of this important recreational building in Norton.

Bramhall Blenkarn Architects The Maltings Malton YO177DP

MMO
19/9/14
Recommend approval

NORTON-ON-DERWENT TOWN COUNCIL

Town Clerk: Mrs R.Tierney

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



18th September 2014

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

RYEDALE DISTRICT COUNCIL
19 SEP 2014
DEVELOPMENT

Dear Sir,

PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Tuesday, 16 September 2014 the Town Council made the following recommendations in respect of the applications listed below:-

- 14/00890/HOUSE Erection of part two storey/part first floor extension to side and rear elevations (revised details to refusal) 14/00615/HOUSE dated 24.07.2014.
20 Field View, Norton, Malton, YO17 9AZ
For: Mr & Mrs R M Jaques
RESOLVED Recommend Approval
- 14/00909/HOUSE Erection of single storey side and rear extensions to include integral garage with storage above
4 St Peters Crescent, Norton, Malton, YO17 9AN
For: Mr Adam Wiles
RESOLVED Recommend Approval
- 14/00856/FUL Change of use and alteration of part bowls club building from D2 Use (Assembly & Leisure) to D1 Use (Non-residential institutions) for use of a dance school and a pre-school playgroup to include parking and dedicated outdoor play space for the pre-school playgroup.
Norton Bowls Club, Bowling Lane, Norton, Malton, YO17 8EG
For: Norton Bowls Club (RCLC)
RESOLVED Recommend Approval
- 14/00921/HOUSE Erection of single storey rear extension and 2.4m high timber fence, re-rendering of the existing dwelling and widening of existing vehicular access to the rear following demolition of existing detached garage.
4 St Nicholas Street, Norton, Malton, North Yorkshire, YO17 9AQ
For: Mr John Todd
RESOLVED Recommend Approval, however Council do query the necessity of a 2.4m fence where 1.8m would in most circumstances be acceptable.

E. Mail: norton.tc@btconnect.com

Agenda Item 10

Item Number: 10
Application No: 14/00882/HOUSE
Parish: Wombledon Parish Council
Appn. Type: Householder Application
Applicant: Mr J.R. & Mrs M.L. Slater
Proposal: Erection of two storey rear extension following demolition of existing single storey rear extension.
Location: Lilac Cottage Main Street Wombledon York YO62 7RX

Registration Date:
8/13 Wk Expiry Date: 6 October 2014
Overall Expiry Date: 24 September 2014
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Parish Council No decision made - no objections received
Building Conservation Officer No objection

Neighbour responses: Mr And Mrs D Walker,

SITE:

Lilac Cottage is located within the Wombledon Conservation Area that was designated in 2005. The property is stone built with a pantile roof.

PROPOSAL:

The proposal seeks to erect a two storey rear extension following the demolition of the existing single storey rear extension. The proposed two storey cross wing rear extension will measure approximately 3.8m in depth and 7m in width. It is an asymmetric design that will allow for an additional bedroom at first floor level to the south of the property. The eave height at first floor level will measure 4.2m and 3m at the lower level. The proposed height to the ridge will be approximately 6m.

HISTORY:

14/00400/HOUSE: Application withdrawn in June 2014 - Erection of a two storey rear extension following the demolition of the existing single storey rear extension.

The withdrawn scheme also sought to erect a two storey cross wing rear extension, with a flat roof following the demolition of the existing single storey rear extension. It measured approximately 3.8m in depth and 7.6m in width, with a ridge height of 6m and measuring 5m to the flat roof section. This plan can be viewed on the Council's website. The proposal was considered to be unacceptable for a number of reasons and was subsequently withdrawn.

POLICY:

[National Planning Guidance](#)

National Planning Policy Framework
National Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990

APPRAISAL:

Planning permission is sought for the erection of a two storey rear extension following the demolition of an existing single storey rear extension. The main considerations to be taken into account when considering the proposal are:

- i. Character and form
- ii. Impact upon the character of the Wombleton Conservation Area and the street scene
- iii. Impact upon neighbouring amenities
- iv. Other matters

i. Character and form

The proposed two storey cross wing rear extension will measure approximately 3.8m in depth and 7m in width. It is an asymmetric design that will allow for additional bedroom at first floor level to the south of the property. The eave height at first floor level will measure 4.2m and 3m at the lower level. The proposed height to the ridge will be approximately 6m. The proposed extension will be constructed of stone and pantiles. The proposed windows on the eastern gable will be constructed of timber. It is considered that the extension is appropriate and sympathetic to the character and appearance of the host building in terms of the scale, form and use of materials, complying with Policy SP16 (Design) and SP20 (Generic Development Management Issues) Ryedale Plan – Local Plan Strategy.

ii. Impact upon the character of the Wombleton Conservation Area

Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990 states:

Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Furthermore, SP12 (Heritage) of the Ryedale Plan – Local Plan Strategy states:

Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced.

The Building Conservation Officer was consulted as part of the planning application and has stated the following:

There are now no objections to the proposed two storey extension. In assessing the area there are other examples of two storey rear off shots that contribute to the character of the village. Following discussions with the agent the design has been modified to reflect the comments made on the previous (withdrawn) application.

The proposed extension has been designed so that it now respects the host property and the neighbouring property. The southern wall of the new extension now follows the line of the existing single storey extension which allows the existing gable to remain dominant. The floor plan has been modified to remove the need for the uncomfortable flat roofed element which allows for a more traditional pitched-roof design.

Following receipt of these comments from the Building Conservation Officer, it is considered that the proposed two storey extension preserves the character of the Wombleton Conservation Area. Although the extension is visible from the street scene, it is considered acceptable in terms of its design and appearance and in terms of its impact on the character of the street scene.

iii. Impact upon neighbouring amenities

The proposed two storey rear extension at ground floor level will project 0.5m further to the east than the existing extension. The asymmetric design of the property ensures that the highest eave is not on the boundary with the property 'Manor Cottage'. The roof slope extends towards Manor Cottage with an eaves height on the boundary of 3m. The nearest window on the neighbouring property to the proposed extension serves the kitchen at ground floor level of Manor Cottage. It is considered that the proposed two storey extension will not result in a material adverse impact upon the amenities of neighbouring occupiers of Manor Cottage, in terms of the proposal causing a loss of privacy and loss of light, complying with Policy SP20 (Generic Development Management Issues) Ryedale Plan – Local Plan Strategy.

The proposed window at first floor level on the rear gable will not directly face into any habitable room of 'Blue Bell Cottage'. Blue Bell Cottage is located to the approximately 7.5m further to the east of the proposed extension. It is also therefore considered that the proposed two storey extension will not result in a material adverse impact upon the neighbouring occupiers of Blue Bell Cottage.

iv. Other matters

It is considered that the proposed two storey will not adversely affect on the existing boundary fence or vehicular access.

Members should note that this application has been the subject of an objection from the neighbouring property to the north of the site 'Manor Cottage'. The full letter of objection may be viewed on the Council's website. A summary of the objection includes the following main points:

- The simple, traditional vernacular form of the host property remains relatively unspoilt and is a valuable example of small early eighteenth century cottage found within Ryedale's villages.
- The proposed two storey extension to the rear would severely harm the essential historic scale and form of the building, acting as an incongruous and bulky feature that fails to respect the architectural and historic significance of the principal property by virtue of its height, width and depth.
- The host property is highlighted within the 2005 adopted Wombleton Conservation Area Appraisal as a building that makes a positive contribution to the character of the locality. As required by the statutory legislation within Section 72 of the Planning (Listed Buildings and Conservation Areas) special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- The proposed two storey extension would be visible from the street scene of the village and detract from the character of the Wombleton Conservation Area.
- The proposed two storey extension would severely compromise levels of private amenity, particularly with regard Manor Cottage, and would regard the direct overlooking of the majority of the rear garden that would result from the advanced position of the proposed bedroom and staircase windows to be wholly acceptable.

- The application provides no evidence to substantiate the claim that the proposed extension would not compromise vehicular access and use of off street parking bays enjoyed as of right by neighbouring properties.

The above points have been considered as part of the appraisal.

Members are requested to note that the clerk to Wombleton Parish Council is one of the applicants. All of the Parish Councillors declared a personal and prejudicial interest with the application and as a result, no decision was made by Wombleton Parish Council.

v. Conclusions

In light of the above considerations, the proposed two storey rear extension is considered to satisfy the relevant policy criteria outlined within Policies SP12, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the following conditions.

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.

(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 Policies SP16 and 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drawing No: P14 dated June 2014.

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

Background Papers:

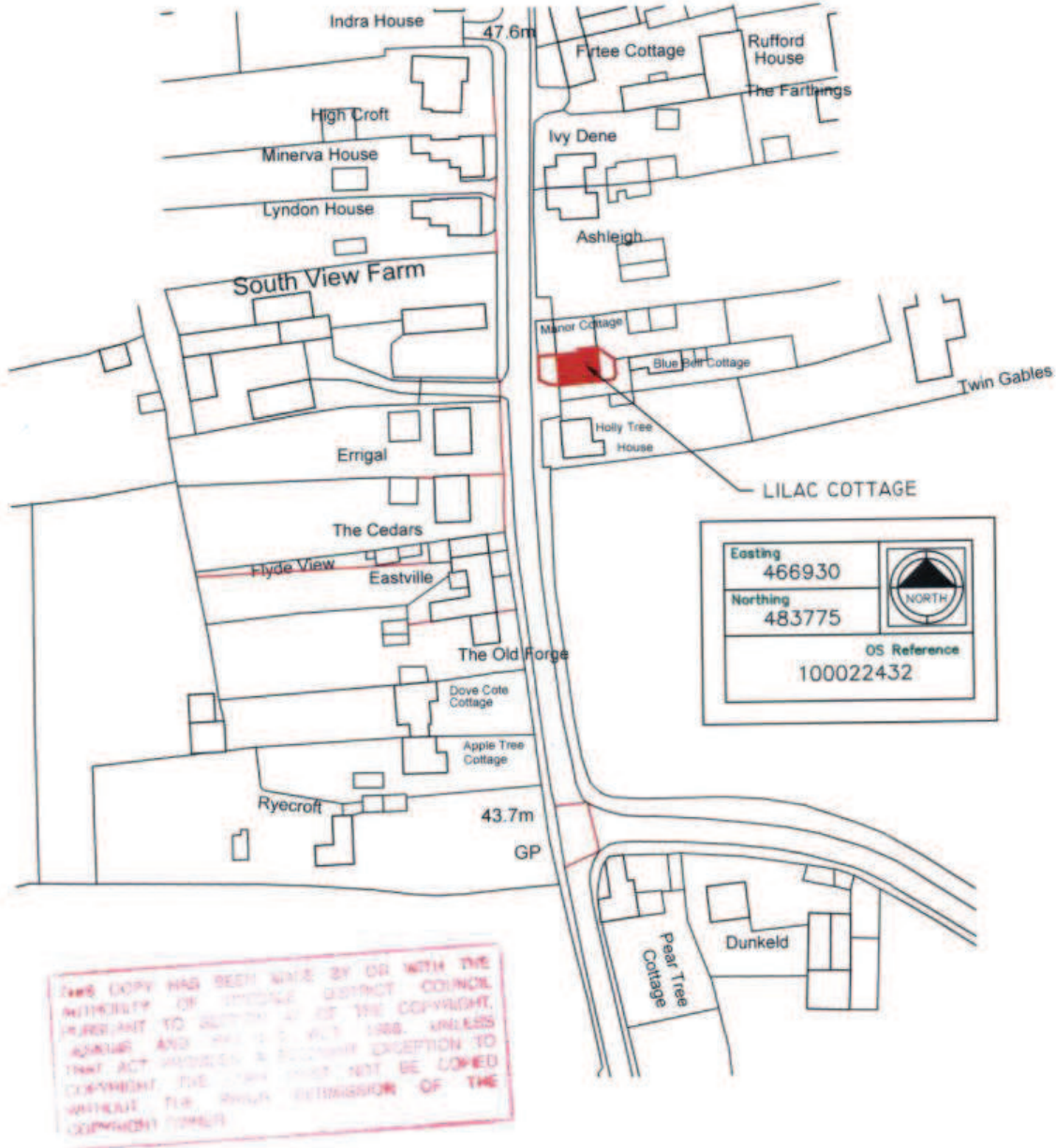
Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties


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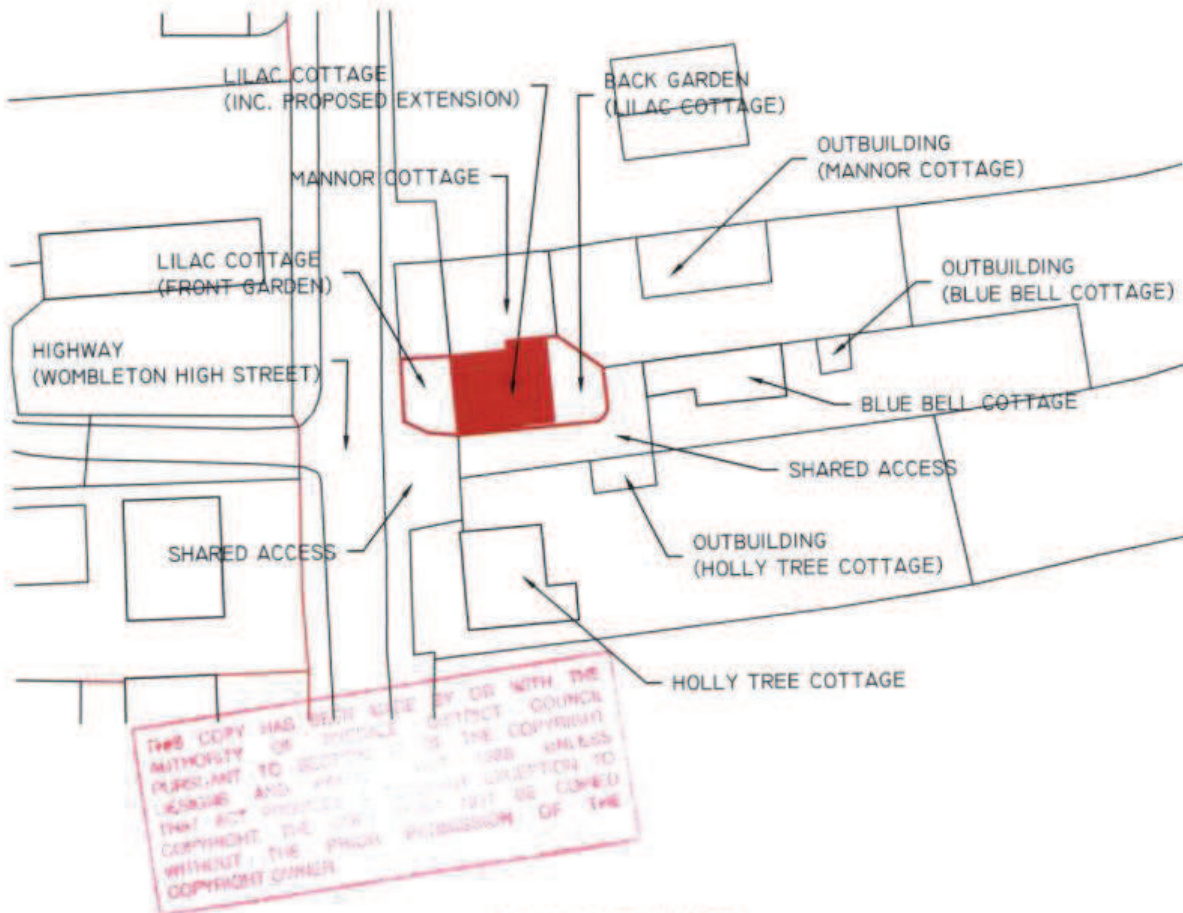


LILAC COTTAGE LOCATION PLAN1:1250 © A4

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OS Reference		100022432



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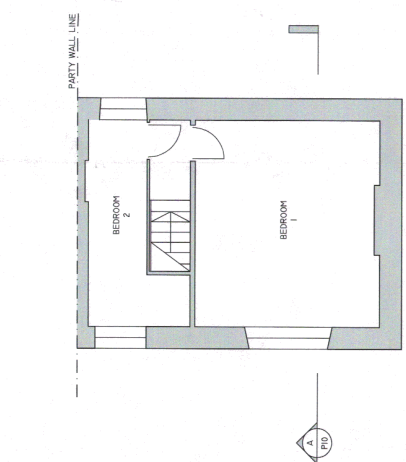
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LILAC COTTAGE BLOCK PLAN – 1:500 @ A4

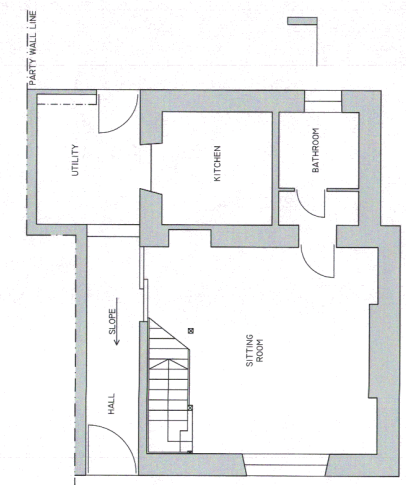
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26.03.14 PRE PLANNING ISSUE
27.01.14 CLIENT APPROVAL

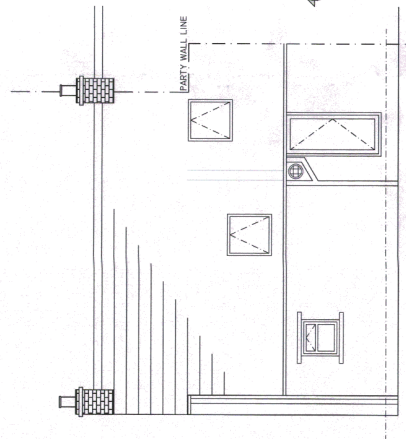
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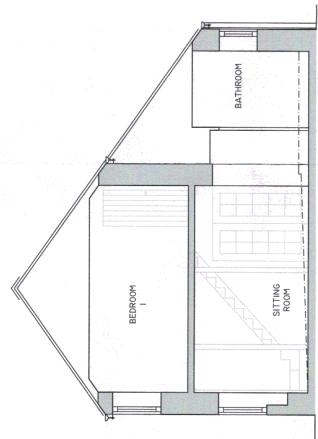
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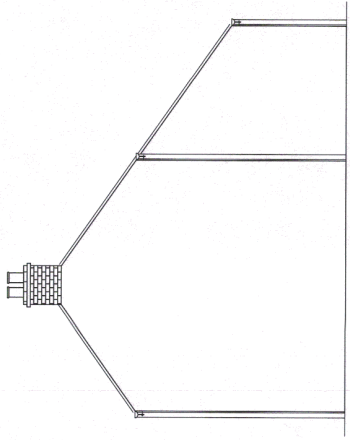
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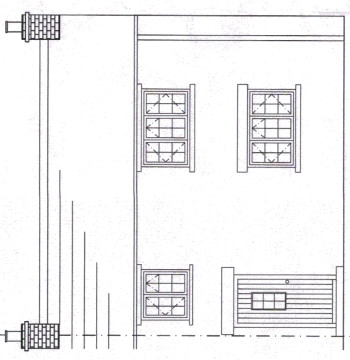
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AA SECTION LITTOBURNAL 1:50



S ELEVATION SOUTH 1:50



W ELEVATION WEST 1:50



APPROVAL

THE OLD CHAPEL
HOLKIR GREEN LIMITED
E. ENGLISH AVENUE
W. WWW.HOLKIRGREEN.CO.UK
HOLKIR GREEN, WILTSHIRE
SN10 2AR

MR & MRS SLATER

LILAC COTTAGE
WOMBLETON

EXISTING PLANS
ELEVATIONS & SECTION

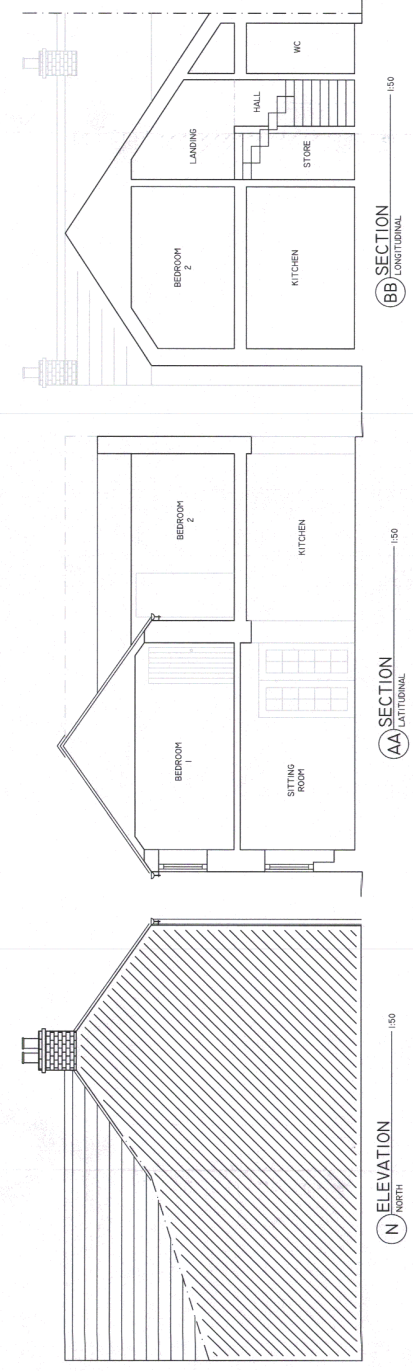
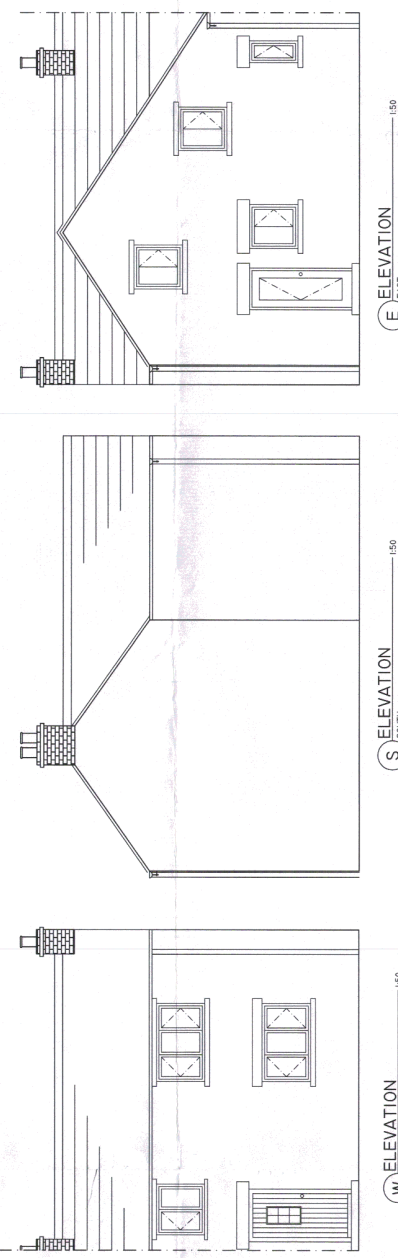
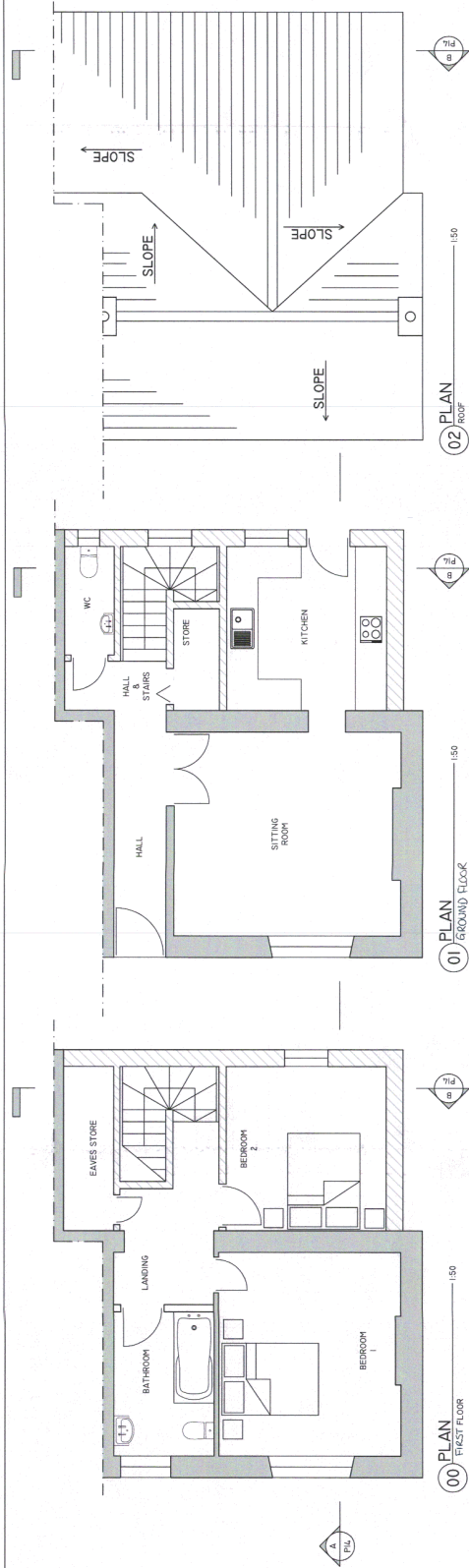
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C 11.08.14	REGISTRATION CHANGES
B 03.07.14	DIMENSIONS
A 15.05.14	PRELIMINARY ISSUE

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 YORK - YO62 6AR
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 www.moliorgreen.co.uk

TYPE	APPROVAL	
CLIENT	MR & MRS SLATER RYECROFT WOMBLETON	
SITE	LILAC COTTAGE WOMBLETON	
PROJECT	PLANNING RE-SUBMISSION	
PROPOSED PLANS ELEVATIONS & SECTIONS		
DATE	SCALE	BY
JUN 14	1:50	AI
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Design & Access Statement

Lilac Cottage – Wombleton

Lilac Cottage is a stone under pantile terraced cottage in the village of Wombleton. The property is currently a residential dwelling and will remain so after development of the proposed scheme. The dwelling is now and will remain one unit. The cottage currently occupies a building footprint of 53 square metres. Under the proposed scheme this footprint would increase to 59 square metres. This represents an increase in footprint of 6 square metres. The existing single storey rear extension will be replaced with a two storey extension providing much needed bathroom & bedroom accommodation at first floor level.

Lilac Cottage falls within the Wombleton conservation area but has no listing status and is south of the North York Moors National Park. Every attempt has been made to keep development at the rear of the property and to maintain the existing street scene.

The proposed scheme remains a two bedroom property relocating the bathroom to the first floor and expanding the existing kitchen area. The applicant was keen not to over develop the cottage and attempt to include a third bedroom. However, as the property stands the second bedroom, kitchen and bathroom are unfit for purpose.

Care has been taken to use existing materials in the construction of the new extension. Traditional stone walls with a pantile roof are the applicant's preferred materials of choices.

Access to the property will remain unchanged with personnel doors present at the front and rear. The new staircase complies with current building regulations and replaces the existing stair which the applicant believes to be a hazard with very high rises, shallow goings and restricted head height.

It is worthy of note that the new tenant is visually impaired and will benefit from a full size modern stair, ground floor WC and a bathroom within close proximity of the bedrooms.

For the avoidance of doubt, the existing parking arrangements will be unaffected by the proposed scheme.

CC
S.9.14

No decision made
- no objections received

WOMBLETON

RYEDALE DM

-5 SEP 2014

DEVELOPMENT
MANAGEMENT

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

Tel 01751 432272.

Email louise@wombledon.wanadoo.co.uk

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

4th September 2014.

Dear Sirs,

Re Application 14/00882/HOUSE Mr and Mrs Slater 2 storey rear extension following demolition of existing single storey rear extension at Lilac Cottage, Main Street Wombledon.

I refer to the above application which was on the Agenda to be considered by my Council at the Parish Council Meeting on Tuesday 2nd September. I am one of the applicants in this application and all Councillors declared a personal and prejudicial interest in the application. As a result no decision could be made on the application.

My Council has received no objections to this application either written or verbal.

Yours faithfully,

Louise Slater.

Clerk to Wombledon Parish Council.

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

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

Agenda Item 11

Item Number: 11
Application No: 14/00883/HOUSE
Parish: Sheriff Hutton Parish Council
Appn. Type: Householder Application
Applicant: Mr & Mrs Smith
Proposal: Erection of part two storey/part single storey extension to the west and north elevations and entrance porch to the south elevation.
Location: Nesslyn West End Sheriff Hutton YO60 6SH

Registration Date:
8/13 Wk Expiry Date: 7 October 2014
Overall Expiry Date: 22 September 2014
Case Officer: Rachel May **Ext:** 329

CONSULTATIONS:

Parish Council No views received to date
Highways North Yorkshire No objection - recommend conditions

Neighbour responses: Elaine Nelson, Mrs Deborah Kidds, Mrs Shelley Fairclough, Mr Michael Charlton-Weedy, Dr Don Pomfret, Mr David Whisker, Mrs Carol Brough, Mrs Sally Bellwood,

SITE:

The application site is comprised of a detached, two storey residential dwelling and associated curtilage. The site lies within the Development Limits of Sheriff Hutton. The plot is relatively long and narrow, with the dwelling sitting towards the western boundary. The dwelling has a modest front garden with considerably more amenity space to the rear. Nesslyn has brick built walls, with a clay pan tile roof. It is the only house on the street which is gable fronted.

PROPOSAL:

Planning permission is sought for the erection of a part two storey/part single storey extension to the west and north elevations and entrance porch to the south elevation.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

HISTORY:

14/00481/HOUSE - Application withdrawn in June 2014 for the erection of part two storey/part single storey extension to the west and north elevations and entrance porch to the south elevation. The loss of one parking space was considered to be detrimental to the application.

APPRAISAL:

The main considerations when assessing the application are;

- i. Character and Form
- ii. Impact upon the Neighbouring Amenity
- iii. Impact upon the Street Scene
- iv. Conclusion

i. Character and Form

Following the demolition of the existing car port, a two storey extension is proposed to the side and a single storey extension to the rear. The two storey element will project off the west elevation and will measure 3.7 metres in width, and 7.3 metres in length. The eaves and ridge height will continue in line with the existing dwelling.

The lean - to, single storey rear element will measure 4 metres in depth, and 9.5 metres in width. The height to the eaves is 2.5 metres, and the ridge height is 3.5 metres.

Whilst the extension is large it is proposed to be set back approximately 0.5 metres from the front wall of the existing dwelling. As a result it will appear slightly subservient when viewed within the wider street scene. It is therefore considered the size and scale of the proposal, on balance, is appropriate and in compliance with SP16 Design and SP20 Generic Development Management Issues of the Ryedale Plan - Local Plan Strategy.

ii. Impact upon the Neighbouring Amenity

An objection was received from the occupiers of 'Bertram House' stating that the development would detrimentally impact on the amount of light entering their property. A sunlight analysis has been submitted for Officers consideration. Whilst the extension will project closer to the boundary shared with the immediate neighbour, the sunlight analysis only demonstrates an effect on this property during the early mornings, between January and March. The east elevation of the neighbouring property, which is considered to be affected, only has one small window in this elevation which does not serve a primary room. On balance, the impact demonstrated is not considered to be sufficient to warrant a refusal.

Also, there is approximately 5 metres between the extension extending along the boundary and 'Bertram House'. Therefore the presence of the extension at this distance is not considered to be intrusive or overbearing.

The occupiers of the property known as 'Highway House' (located opposite the site) have stated that the roof light on the south elevation will look directly into their front bedroom and living room. The distance between the two properties is approximately 38 metres. All the properties along this road having windows facing on to the road, including "Nesslyn's" existing south elevation which currently has 3 windows. In this set of circumstances officers consider that the roof light will not have a material adverse impact on the amenity of present or future occupants of neighbouring dwellings.

Objections have also been received raising parking provision as a concern. The current plan seeks to increase the parking provision from 1 off - road parking space to 2 off - road parking spaces. There have been no objections to this proposal from the Highway Authority, and the proposal is therefore considered acceptable.

Members should note that this application has been subject to several objections, and a petition of 25 signatures. The full letter can be viewed on the Council's website. A summary of the objection includes the following points:

- The parking facilities are inadequate and the extension will result an increase of on - street parking, subsequently restricting access to the properties on West End
- Obstruction of sunlight: the development would have an adverse impact on the property west of the application site, known as 'Bertram House'
- The roof lights proposed on the south elevation will overlook into the front bedroom and living room of the property known as 'Highway House'

The relevant points above have been considered as part of the appraisal above and the proposal is considered to be in compliance with SP20 Generic Development Management Issues as outlined in the Ryedale Plan - Local Plan Strategy.

iii. Impact upon the Street Scene

In terms of street scene, there is a mix of brick construction, with a few rendered properties in the surrounding vicinity. The proposal seeks to render the dwelling which is a significant change the external appearance of dwelling.

Whilst the rendered side extension will be seen from public viewpoints there are a variety of external facing materials used on properties in the village. On balance the proposed materials are considered acceptable.

Officers had raised some concerns with the design of the roof proposed on the porch.

A simpler design omitting the 'step' in the roof line was suggested but the applicant has confirmed that they wish the application to be determined as originally proposed. This element is a relatively minor feature and, on balance, the application is recommended for approval.

The rear element of the extension will not easily be seen from any public viewpoints and therefore is not considered to be detrimental to the visual amenity of the surrounding area.

iv. Conclusion

There have been 2 letters of support received from 'Holly Lodge' and '2 Stonelands Close'.

There have been no objections received from Sheriff Hutton Parish Council or the Highway Authority, but several conditions have been recommended regarding verge crossing construction requirements; parking for the dwelling remaining clear at all times; and details of the on-site parking, on-site storage and construction traffic during the development to be submitted to the Local Planning Authority prior to the commencement of works.

In light of the above assessment, it is considered that the proposed development is on balance acceptable and would comply with both Local and National Policies. Therefore the recommendation is one of approval.

RECOMMENDATION: Approval

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

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

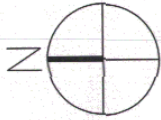
- 3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Plans and Elevations (drawing no: 103, rev F)

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

Background Papers:

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

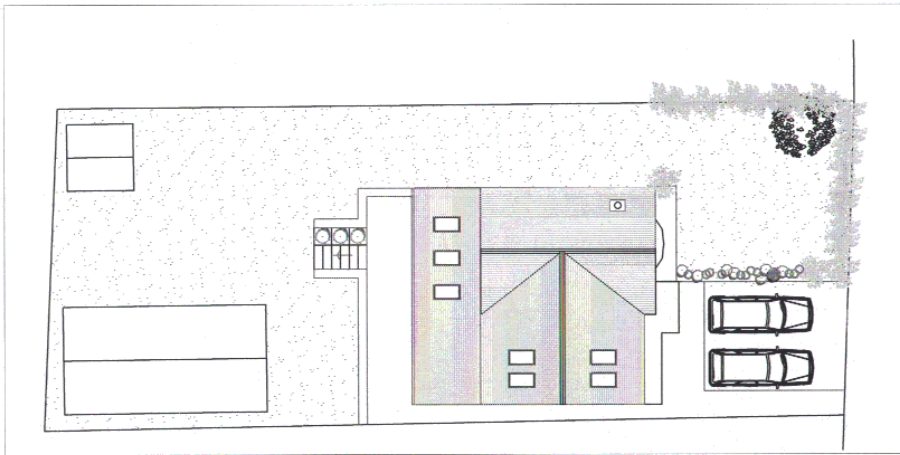


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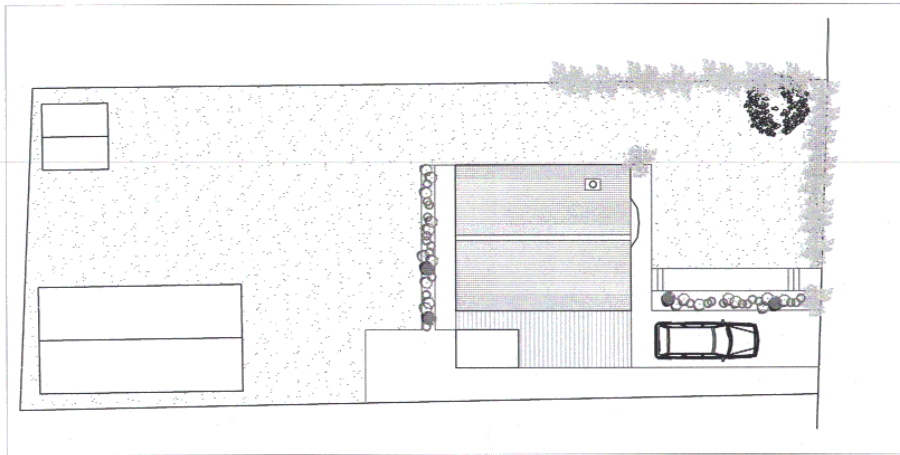
initial by	description	date	if by date by
	MAC Architects	24.12.13	RMC
Second Floor The Victoria Arcade 101 Victoria Square Edinburgh, Scotland			
sheet	Mr. & Mrs. Smith		
project	Extension and Alterations to Existing House Nesslyn, Sherrif Hutton.		
drawing	Location Plan		
contract file	plot date		
MAC/03/04/02/13	24.12.13		
sheet number	scale		
2013.038	1:1250		
drawing number	rev	issue sheet	
100	/	PLANNING	

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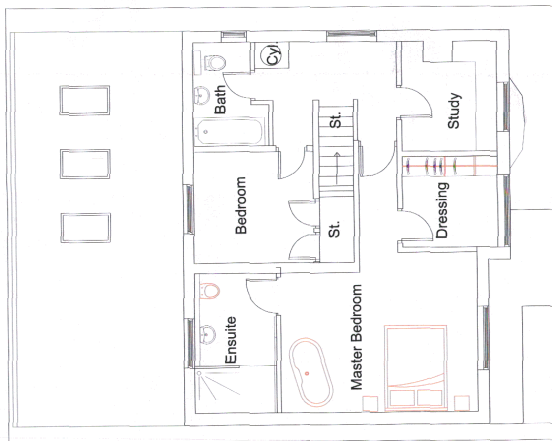


Block Plan as Proposed
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Block Plan as Existing
1:200

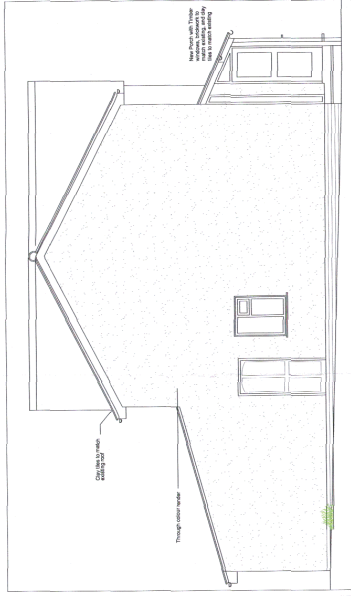
A	Parking provision amended	31.07.14	KMC
Project No.	24.02.13	Date	24.02.13
Project Name	MAC Architects	Client Name	Mr. & Mrs. Smith
Project Description	Extension and Alterations to Existing House Neeslyn, Sherrif Hutton.	Project Address	1000 West 10th Avenue Denver, Colorado 80202
Project Manager	Mr. & Mrs. Smith	Project Status	PLANNING
Project Reference	2013.038	Project Reference	101
Project Reference	101	Project Reference	101
Project Reference	101	Project Reference	101



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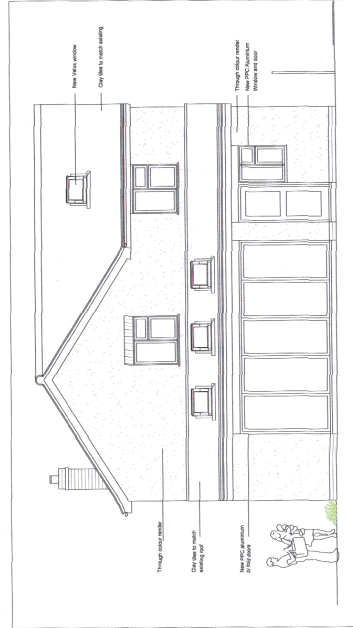
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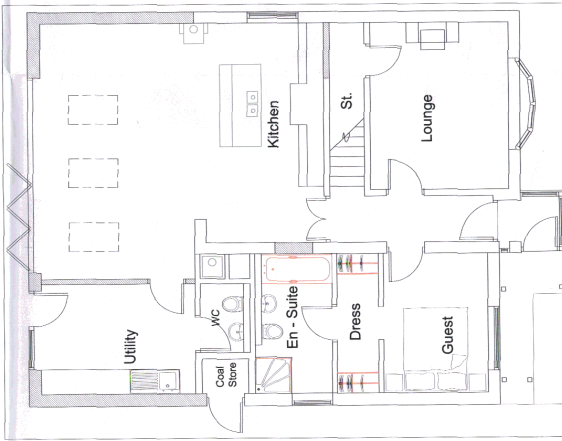
WEST ELEVATION AS PROPOSED



EAST ELEVATION AS PROPOSED



NORTH ELEVATION AS PROPOSED



GROUND FLOOR PLAN AS PROPOSED

REVISED

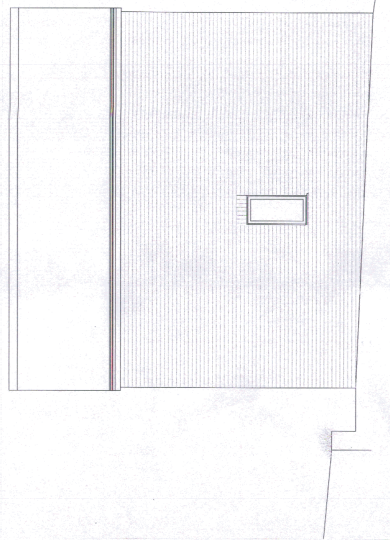
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12.03.14	002	Revised design
18.03.14	003	Revised design
21.03.14	004	Revised design
28.03.14	005	Revised design
02.04.14	006	Revised design
08.04.14	007	Revised design
15.04.14	008	Revised design
22.04.14	009	Revised design
29.04.14	010	Revised design
06.05.14	011	Revised design
13.05.14	012	Revised design
20.05.14	013	Revised design
27.05.14	014	Revised design
03.06.14	015	Revised design
10.06.14	016	Revised design
17.06.14	017	Revised design
24.06.14	018	Revised design
01.07.14	019	Revised design
08.07.14	020	Revised design
15.07.14	021	Revised design
22.07.14	022	Revised design
29.07.14	023	Revised design
05.08.14	024	Revised design
12.08.14	025	Revised design
19.08.14	026	Revised design
26.08.14	027	Revised design
02.09.14	028	Revised design
09.09.14	029	Revised design
16.09.14	030	Revised design
23.09.14	031	Revised design
30.09.14	032	Revised design
07.10.14	033	Revised design
14.10.14	034	Revised design
21.10.14	035	Revised design
28.10.14	036	Revised design
04.11.14	037	Revised design
11.11.14	038	Revised design
18.11.14	039	Revised design
25.11.14	040	Revised design
02.12.14	041	Revised design
09.12.14	042	Revised design
16.12.14	043	Revised design
23.12.14	044	Revised design
30.12.14	045	Revised design

Mr. & Mrs. Smith
Extension and Alterations to Existing House
Newspaper, Street, London

Proposed Plans and Elevations

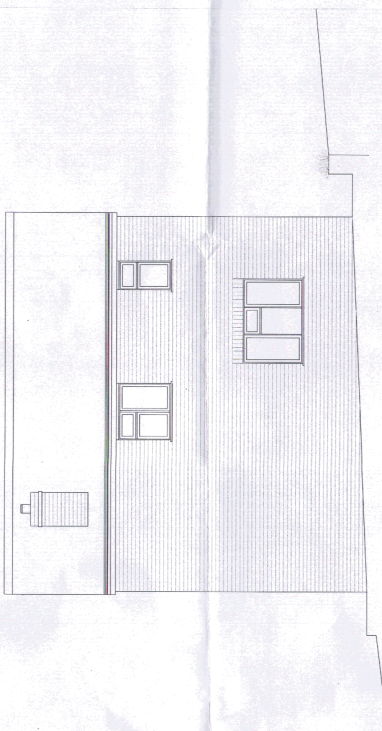
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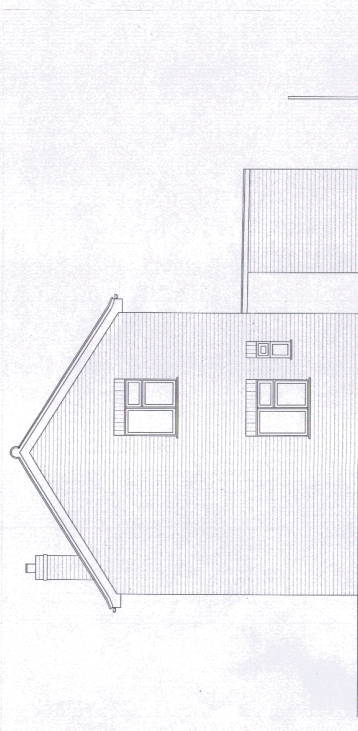
WEST ELEVATION AS EXISTING



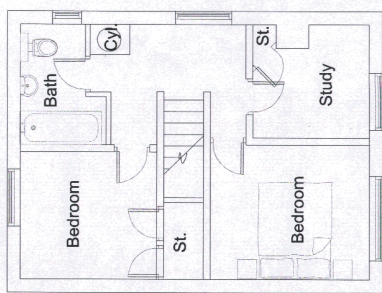
SOUTH ELEVATION AS EXISTING



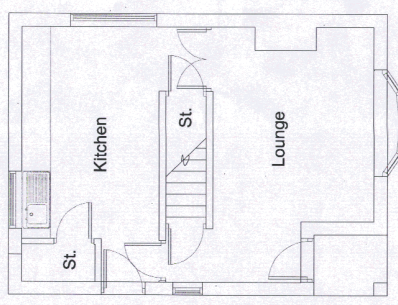
EAST ELEVATION AS EXISTING



NORTH ELEVATION AS EXISTING



FIRST FLOOR PLAN AS EXISTING



GROUND FLOOR PLAN AS EXISTING

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A	Revised Elevation Plans	02.25.14	(KNC)/MJC
Client:	KMC	Date:	02.25.14
Project Name:	MJC	Rev. No.:	02.25.14
Project Ref:	MJC	Scale:	1:100
Architect:	MAC Architects	Project Ref:	MJC
Client:	Mr. & Mrs. Smith	Project Ref:	MJC
Project Name:	Existing and Alterations to Existing House	Project Ref:	MJC
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Rivlay
22/9 14

NO OBJECTION

Glenys Yates

From: Nigel Knapton [nigel.knapton@townandparish.co.uk]
Sent: 20 September 2014 14:54
To: Development Management
Subject: Sheriff Hutton Parish Council

Hi

Please find below the comment from this morning's meeting.

- a. 14/00833/HOUSE – Erection of part two storey/part single storey extension to the west and north elevations and entrance porch to the south elevation at Neslyn, West End, Sheriff Hutton for Mr & Mrs Smith. **No objections.**

Kind regards

Nigel Knapton

Clerk to Sheriff Hutton Parish Council

4 Central Buildings, Easingwold, York YO61 3AB
T: 07779 994712
E: nigel.knapton@townandparish.co.uk

RYEDALE DM
22 SEP 2014
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Item Number: 12
Application No: 14/00889/HOUSE
Parish: Wombledon Parish Council
Appn. Type: Householder Application
Applicant: Mr Steve Gridley
Proposal: Retention of single storey extension to north elevation, boundary wall to east elevation and external cladding and installation of 15no. solar panels on the west roofslope and flat roof
Location: Green View Page Lane Wombledon Kirkbymoorside YO62 7SE

Registration Date:
8/13 Wk Expiry Date: 9 October 2014
Overall Expiry Date: 24 September 2014
Case Officer: Helen Bloomer **Ext:** 328

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	No objection
Highways North Yorkshire	Formal response to follow
Building Conservation Officer	No objection

Neighbour responses: None

SITE:

The application site is comprised of a semi detached dwellinghouse with a modest curtilage. It is located on the corner of Page Lane and is within the Wombledon Conservation Area.

PROPOSAL:

The application is seeking the retention of a single storey extension to the north elevation, dwarf boundary wall to the east elevation and the fixing of the external thermal cladding. The agent has requested that the proposed 15 solar panels on the west elevation also be included within this application. The solar panels would be attached to both the flat and pitched roof and although they have been included within the description of the application this is for information purposes as, on their own, they constitute 'permitted development' under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 Part 40 Class A.

POLICY:

National Policy Guidance

National Planning Policy Framework

Ryedale Plan - Local Plan Strategy

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

HISTORY:

The retrospective application has come about as a result of an ongoing enforcement investigation. There is no other relevant Planning history for the site.

APPRAISAL:

- i) Impact on the Wombleton Conservation Area
- ii) Impact on Residential Amenity
- iii) Impact on Highway Safety
- iv) Impact on the Wombleton Conservation Area

i) Impact on the Wombleton Conservation Area

Greenview lies within the Wombleton Conservation Area, which was designated in 2005. The area has a varied streetscape with mixed property types including cottages, bungalows and larger detached properties. These also demonstrate a mixed palette of materials including; brick, stone render and painted masonry. Wombleton Parish Council has objected to the application as they consider the property; as a result of the works both retrospective and proposed, would be out of character with the Wombleton Conservation Area. It is the Building Conservation Officers opinion, however, that the scale of the single storey side extension is appropriate to the scale of the host dwelling reflecting a typical small scale domestic extension, typical of the Conservation Area. From Page Lane the extension appears subservient because it is also set back from the front elevation.

Prior to the installation of the thermal cladding Greenview had a white painted brick exterior. It is therefore considered that it's current appearance which has a white rendered appearance is appropriate in its context and that it reflects the character of the Wombleton Conservation Area. Due to the proposed siting of the solar panels, they would comply with the conditions as set out within Part 40 Class A of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008.

ii) Impact on Residential Amenity

This application is seeking to retain works already carried out. Therefore any impact on residential amenity is already apparent. It is not considered that the works have a material adverse impact on the residential amenity of any of the neighbouring properties. Wombleton Parish Council has raised concern that the cladding appears to encroach onto Keswick House to the south. This was not apparent from the officer's site visit, and no correspondence has been received from the occupants of Keswick House to this effect. However even if it transpires that there had been encroachment, then this would be a civil issue and should bear no weight in the assessment of the application on its planning merits..

iii) Impact on Highway Safety

The Highway Authority has raised no objection to the application, nor have they recommended any conditions to be attached if Members are minded to grant planning permission. Wombleton Parish Council has raised concern that the coping placed on the top of the boundary wall encroaches on to the highway. Whilst the boundary wall is within the applicant's curtilage, the coping overlaps the boundary wall by approximately 1 inch. It is not considered in light of the Highway Authority consultation response that this minor overlap impacts on the safe functioning of the highway. At the time of writing no other written representations had been received.

However Wombleton Parish Council has also raised objection that this application is retrospective and also wanted their opinion that Wombleton should not be designated as a Conservation Area to be known. As Members will be aware these matters are not material planning considerations and shall bear no weight in assessing the application presented.

In light of the above considerations, the development is considered to satisfy the relevant policy criteria outlined within the National Planning Policy Framework and Policies SP12, SP16, SP19 and SP20 of the Local Plan Strategy. The proposal is therefore recommended for approval.

RECOMMENDATION: **Approval**

Background Papers:

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



GREENVIEW - LOCATION PLAN.



— BOUNDARY

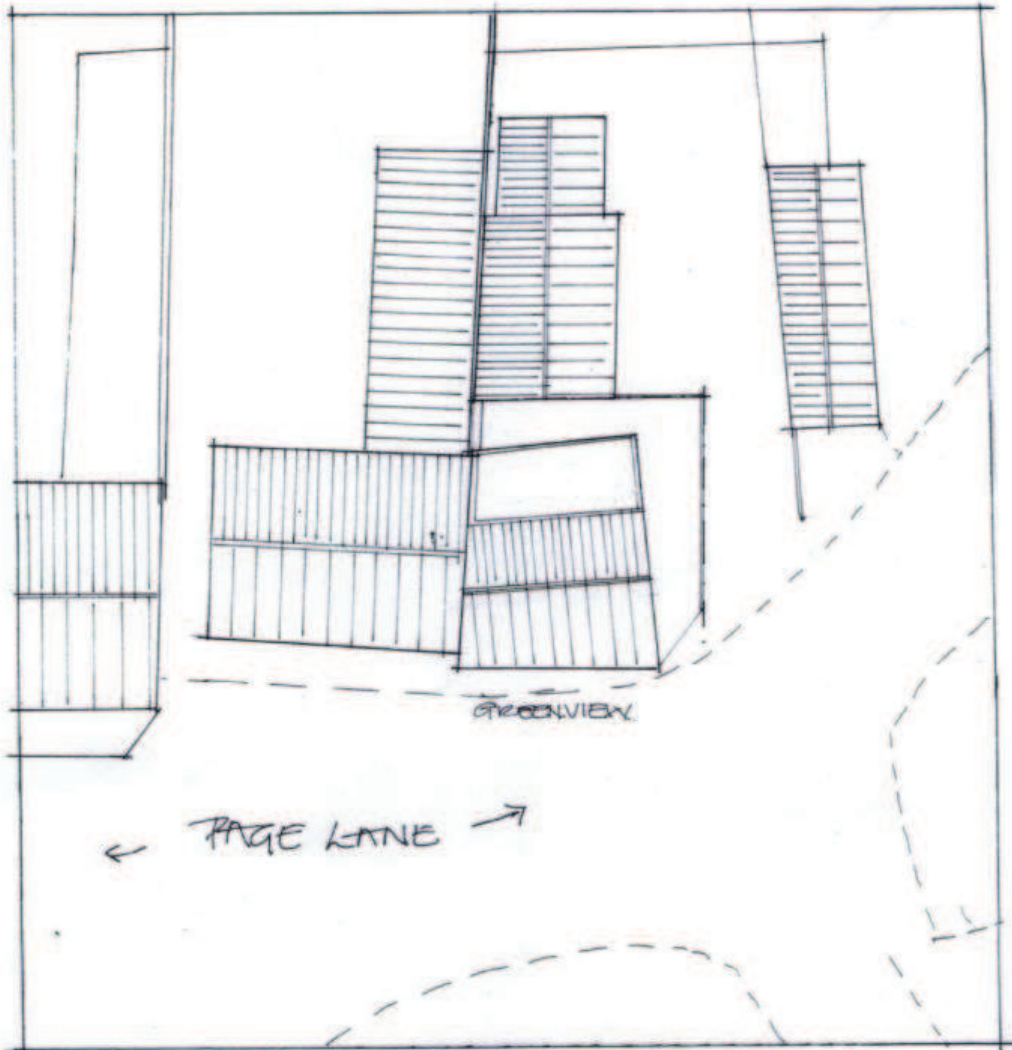
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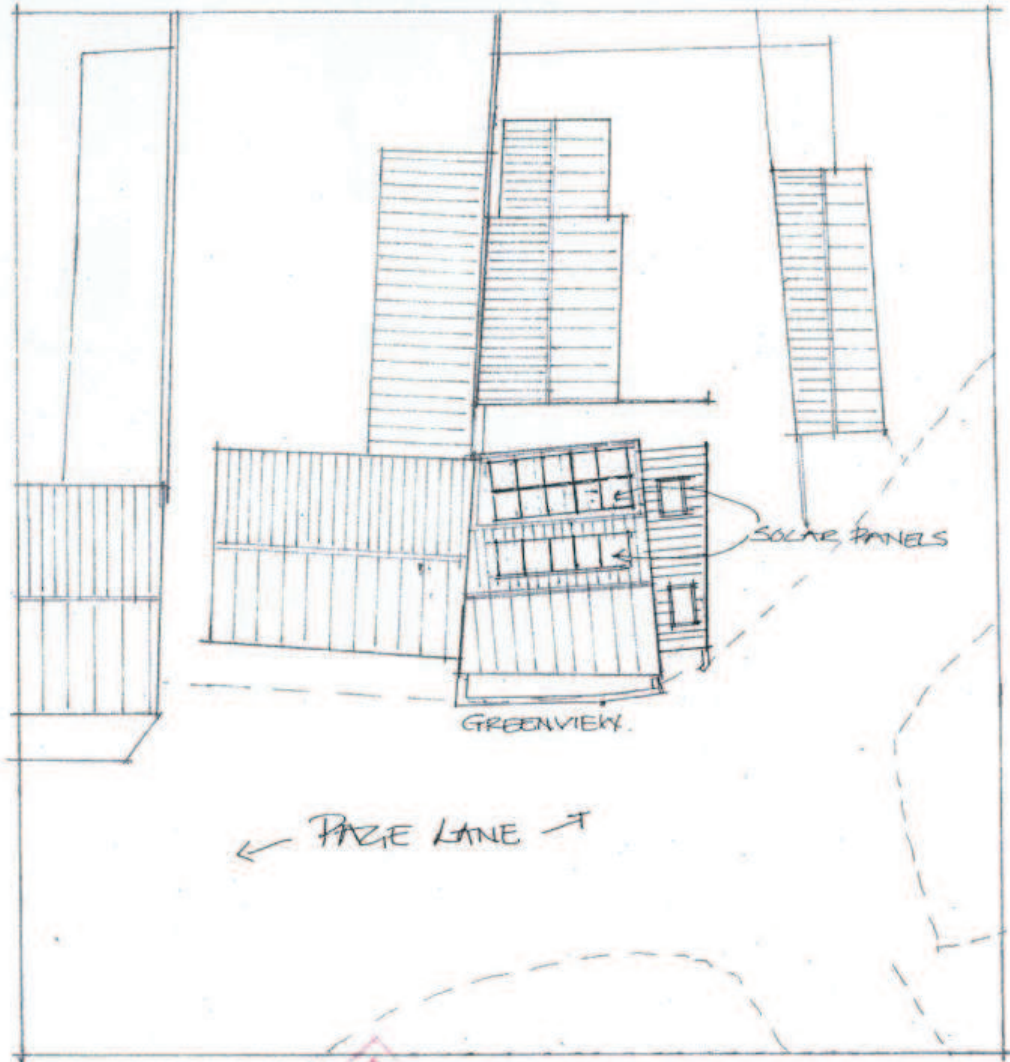
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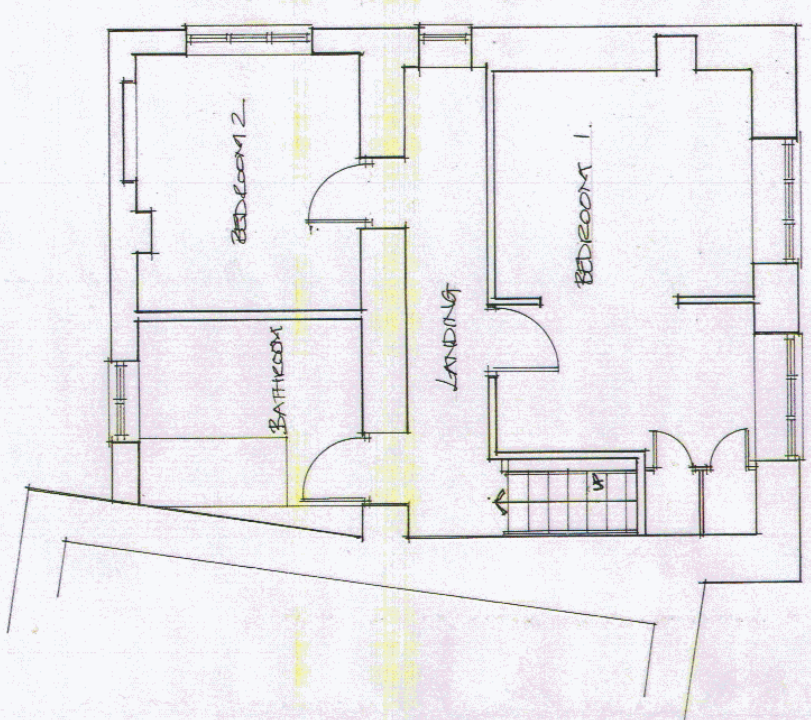
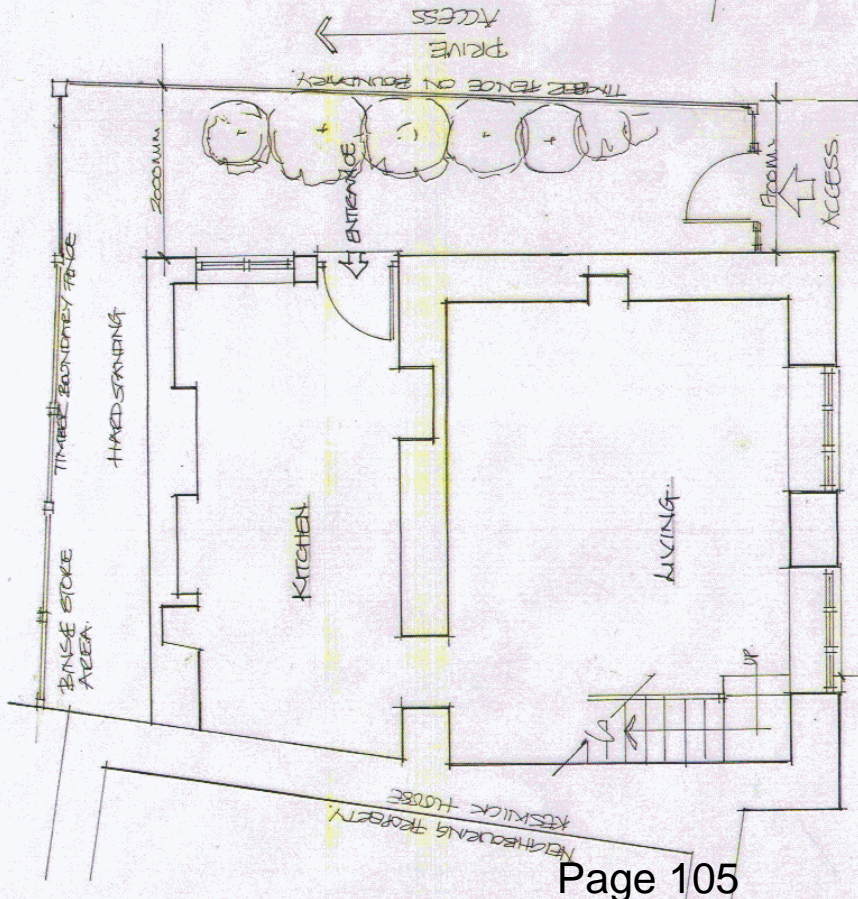
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Drawing number: PL/149/01	
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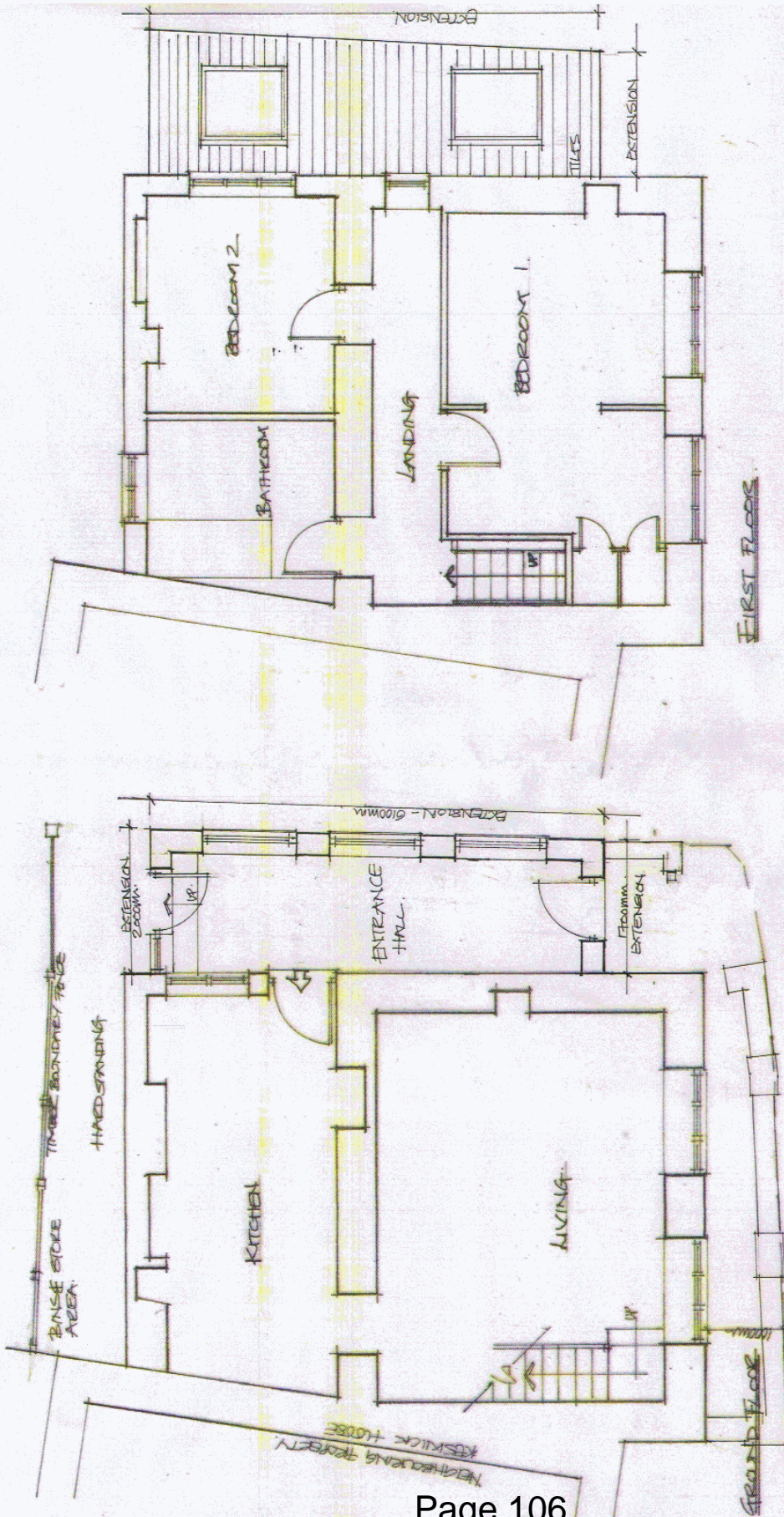


FIRST FLOOR

	
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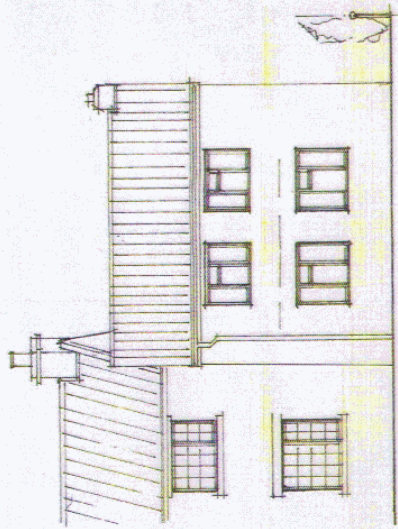
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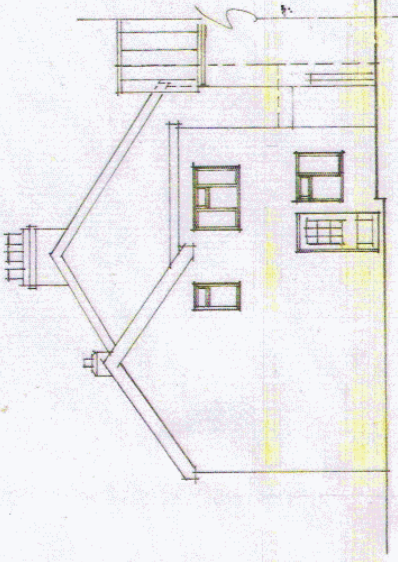


Project: Greenview, Page Lane, Wombledon	
Title: Plans	
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Drawing number: PL149/05	
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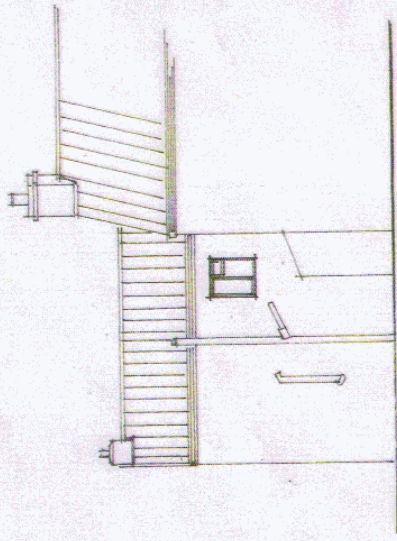
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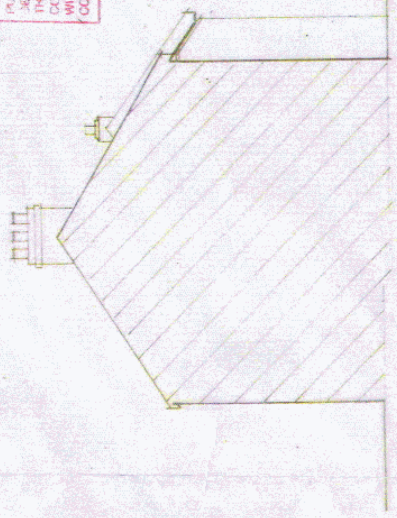
EAST ELEVATION



NORTH ELEVATION




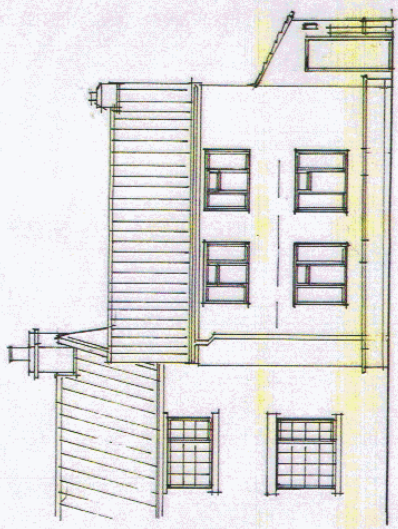
WEST ELEVATION



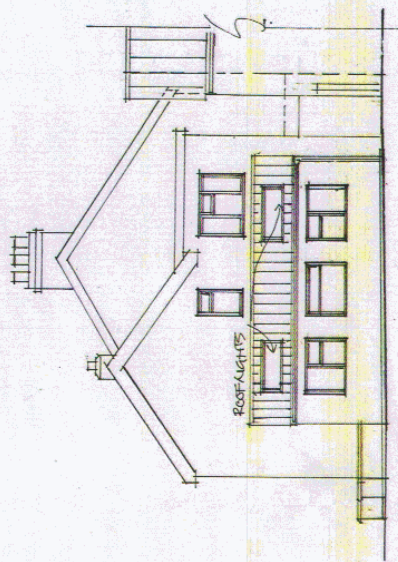
SOUTH ELEVATION

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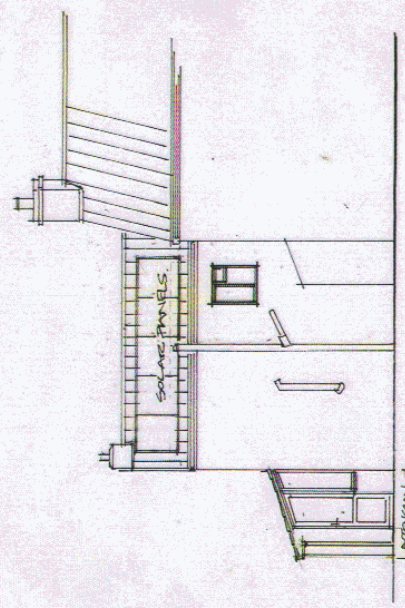
	
Project: Greenview, Page Lane, Wombledon	
Title: Existing Elevations	
Date: August 2014	Scale: 1:100 @ A3
Drawing number: PL1/19/03 Do not scale - check all dimensions on site. Copyright remains with the DC Architectural Design. DC Architectural Design Lund Court House Nawton York YO62 7TZ T 01751 430932 M 07768 960329 E info@dcarchitecturalsdesign.co.uk www.dcarchitecturalsdesign.co.uk	



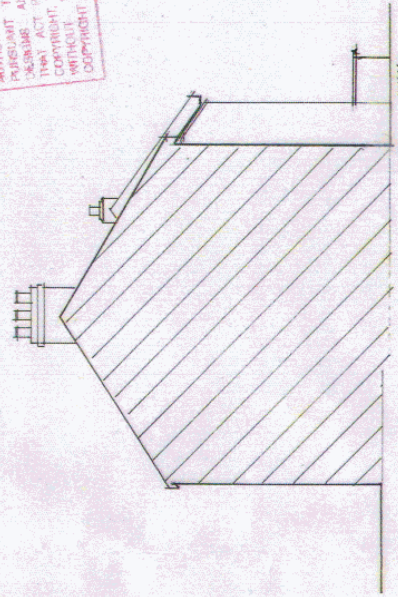
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

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Project: Greenview , Page Lane, Wombleston	
Title: Elevations	
Date: August 2014	Scale: 1:100 @ A3
Drawing number: PL/149/06	
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Design and Access Statement: Greenview, Page Lane, Wombledon YO62 7SE

Works: Single storey extension North Elevation and boundary wall to the East elevation & solar panels on the roof.
Date : 11/08/2014

The works have already been undertaken. The application is for retrospective planning permission except the solar panels

Site , Location & Description before works: Greenview is located at the corner of Page Lane, to the North is a driveway accessing Rosebud Cottage. The East elevation is the principle elevation facing Page Lane. A strip of outdoor space ran between the drive of Rosebud Cottage and Greenview, this was defined by a low a timber boundary fence. A narrow gap separates Greenview from Rosebud Cottage to the West, which is used for bins and outdoor storage. The South elevation is joined to Keswick House. There is a pantile roof to the front and a flat roof to the rear. The walls are rendered white with a black upstand at the base. The windows and doors are Upvc – white windows and a black front door.

Proposed Works: The works have already been undertaken. The applicant was under the impression the works came under permitted development.

The property was finished in a white render, this has been renewed.

The works comprise of a single storey entrance extension to the North elevation. The extension remains within the boundary of the property replacing some of the outdoor space. It sits back from the front elevation so doesn't detract from the principle elevation or compromise visibility onto the highway. The materials match the existing property, white rendered walls, Upvc white windows and doors. Front door is in black.

A dwarf wall has been constructed to the front (East) elevation along the boundary. It is a render finish matching the property walls, with a black coping top and skirting. The wall was constructed to prevent traffic driving passed the cottage too closely. The road Page Lane turns a corner at this point and is narrow; when traffic builds up it passes very closely to the front elevation, causing potential damage to the property and vehicles. The dwarf wall defines the boundary and creates a clear visual line for users of the highway.

Solar Panels: are proposed on the West elevation; 5 panels in a row on the pitch and 2 rows of 5 laid flat on the flat roof. The data sheet for the panels has been included in this application.

Access: The scheme does not change the parking, the applicant has off road parking remotely, and these arrangements remain in place.

Surface water is taken to the existing surface water drain

Prepared by: Danielle Arkwright



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HBL
10/9/14
KK
OBJECT

WOMBLETON

Mrs M L Slater, Parish Clerk.
Ryecroft,
Main Street,
Wombledon,
North Yorkshire.
YO62 7RX.
Tel 01751 432272.
Email louise@wombledon.wanadoo.co.uk

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

RYEDALE DM
10 SEP 2014
RYEDALE DISTRICT COUNCIL
MALTON

9th September 2014.

Dear Sirs,

Re Application 14/00889/HOUSE Mr S Gridley, single storey extension to north elevation and boundary wall to east elevation (retrospective) and installation of 15 no solar panels on the west roof slope and flat roof at Green View, Page Lane, Wombledon.

I refer to the above application which was considered by my Council at the Parish Council Meeting on Tuesday 2nd September. My Council recommended rejection of this application. The property is out of character with other properties and is situated within the Conservation Area. There is no reference to the cladding in the application – you informed us that this required permission in a Conservation Area. Furthermore Councillors are concerned that the cladding encroaches on the property at the left hand side (Keswick House, Page Lane) it is unclear whether permission for this encroachment has been sought from the owner of the property. The wall to the front of the property is not in keeping with the surrounding area and the coping placed on the top of the wall appears to encroach onto the public highway which is also a concern. The number of solar panels appears to be very high, Councillors think they would be intrusive and therefore out of character.

I have been asked to pass on my Council's deep concern about yet another retrospective application. It is apparent to Councillors that residents who do follow the correct procedures and apply for permission are being dealt with on occasion in a punitive and unfair manner including incurring extra costs. Others who flout the rules and fail to apply for the required permission seem to be allowed to do virtually as they please. Councillors and residents feel that everyone should be dealt with in the same manner and currently this is not happening.

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

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

WOMBLETON

My Council is on the front line and constantly having to listen to residents' complaints that planning applications and unauthorised development are being dealt with in what appears to be at best a haphazard and at worst an unfair basis.

You are well aware that neither my Council nor the majority of residents have any desire for this village to be designated a Conservation Area but you have stated that it will remain one. Surely it is therefore up to you to enforce it properly. This does not seem to be happening at the moment.

To summarise my Council recommends rejection.

Yours faithfully,

Louise Slater.

Clerk to Wombleton Parish Council.

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

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

Agenda Item 13

Item Number: 13
Application No: 14/00909/HOUSE
Parish: Norton Town Council
Appn. Type: Householder Application
Applicant: Mr Adam Wiles
Proposal: Erection of single storey side and rear extensions to include integral garage with storage above
Location: Newlands 4 St Peters Crescent Norton Malton North Yorkshire YO17 9AN

Registration Date:
8/13 Wk Expiry Date: 14 October 2014
Overall Expiry Date: 16 October 2014
Case Officer: Rachel May **Ext:** 329

CONSULTATIONS:

Parish Council Recommend approval
Highways North Yorkshire No objection

Neighbour responses: Fiona Delphine And Geof Dudding,

SITE:

Newlands is a detached dwelling situated on St Peters Crescent, which is a predominantly residential area. The site lies within the Development Limits of Norton, as defined within the Ryedale Local Plan; and is within an archaeological sensitive area.

PROPOSAL:

Planning permission is sought for the erection of single storey side and rear extensions to include integral garage with storage above. The extension incorporates a garage with storage above to the side, and a garden room to the rear. At its highest point the garage roof is 5 metres above ground level, and the parapet wall of the garden room is 3.1 metres above ground level.

Amended plans were negotiated by Officers in order to reduce the impact of the scheme and these are subject of re-consultation locally which expires on 16th October 2014.

HISTORY:

There is no planning history relevant to this application.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

PLANNING COMMITTEE
21 October 2014

APPRAISAL:

The main considerations when assessing this application are;

- i. Character and Form
- ii. Impact upon the Street Scene
- iii. Impact upon Residential Amenity
- iv. Conclusion

- i. Character and Form

Original Scheme

An original scheme was submitted for a larger extension. This was the subject of a neighbour objection from the occupiers of '6 St Peters Crescent' raising material planning considerations including scale and proximity to their boundary.

A revised scheme, dropping the eaves and ridge height, was submitted to the Local Planning Authority in order to address these concerns. The occupiers of '6 St Peters Crescent' have however stated their objections remain in light of the revised scheme. Both letters can be viewed on the Councils' website.

Concerns were also raised regarding the size and location of the garage, compromising the off street parking facility. Following consultation with the Highway Authority, it is considered the garage would be able to accommodate a car inside and no objections are raised from NYCC Highways on highways grounds.

The Proposal

The proposed development is in the form of a single storey, side and rear extension. Following the demolition of the existing detached timber asbestos garage on the west elevation, an attached garage is proposed on almost exactly the same footprint, with additional storage space above. The garage will project approximately 2.8 metres off the existing side elevation, and will be approximately 6 metres in length. Originally the eaves height was 3.5 metres, and a ridge height of approximately 6 metres. However the revised plans propose the eaves height at approximately 3 metres, and 5 metres to the ridge. The extension is set back from the existing dwelling by 0.3 metres.

The rear extension will extend 3.8 metres along the boundary, and will be 6.5 metres in length. The height of the flat roof was originally set at 3.3 metres, but is now proposed at approximately 3.1 metres.

Overall, the scale and height of the development has been designed to ensure the extension will appear subservient when viewed within the wider street scene. It is also considered that it would not dominate the front elevation of the dwelling. It is considered the size and scale of the proposal is, on balance, appropriate and in compliance with Policies SP16 Design and SP20 Generic Development Management Issues of the Ryedale Plan – Local Plan Strategy.

The proposed construction materials are brick and concrete pan tiles. These materials will match the hosting dwelling, and are therefore considered acceptable. Timber painting bi-folding doors are proposed on the north elevation and a steel painted door is proposed for the garage on the south elevation.

- ii. Impact upon Street Scene

The application site and the surrounding plots are long and narrow, but there is no distinct housing pattern or spacing around the dwellings. In terms of the street scene, there is a mixture of types and sizes of detached and semi-detached dwellings in the crescent. '2 St Peters Crescent' has developed on the boundary shared with '4 St Peters Crescent'. '6 and 8 St Peters Crescent' sit centrally in the plot, and is a pair of symmetrical semi-detached houses.

In terms of impact on the street scene, the side extension compromising the garage would be seen from public viewpoints and is considered to be in keeping with the surrounding area. It is therefore considered the extension will not be detrimental to the visual amenity of the surrounding area. The rear element of the extension would not significantly impact on the street scene as it will not be easily seen from any public viewpoints.

iii. Impact upon Residential Amenity

An objection was received from the occupiers of property of '6 St Peters Crescent' to the original scheme stating the development would detrimentally impact on the amount of natural light entering their property, and that the design being inappropriate for the character of the neighbourhood.

Following a re-consultation with regard to the revised plans the occupiers of, '6 St Peters Crescent' stated there objection remains. There has been no response from Norton Town Council. However, the revised plans are considered to take into account the previous objection with regard to scale and siting.

Whilst the development will slightly increase the amount of the massing of building along the boundary shared with the immediate neighbour, the reduce pitch of the garage roof and existing fence will help mitigate any adverse impacts.

In addition, the west elevation extending along the boundary will not feature any fenestration. The side of 6 St Peters Square does have 3 small windows, however none are considered to serve primary rooms and therefore the presence of the extension within approximately 2.5 metres (as amended) is not considered to be intrusive.

On balance, it is considered there will not be a substantial material adverse impact on the amenity of the neighbours and therefore this application complies with SP20 Generic Development Management Issues of the Ryedale Plan – Local Plan Strategy.

iv. Conclusion

At the time of writing, there has been one objection received from '6 St Peters Crescent' to the original and revised proposals. The full letters can be viewed on the Council's website along with a response from the applicant, Mr Wiles to the issues raised.

The Highway Authority has no objections to the proposal and Norton Town Council recommends approval for this application.

In light of the above considerations, the proposed side and rear extension is considered to satisfy the relevant policy criteria outlined within Policies SP16 Design; SP19 Presumption in Favour of Sustainable Development; SP20 Generic Development Management Issues of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the following conditions.

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):

Existing and Proposed Plans and Elevations: revised. (drawing ref: MG/1562/PL/2014)

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

- 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 Policies SP20 of the Ryedale Plan - Local Plan Strategy.

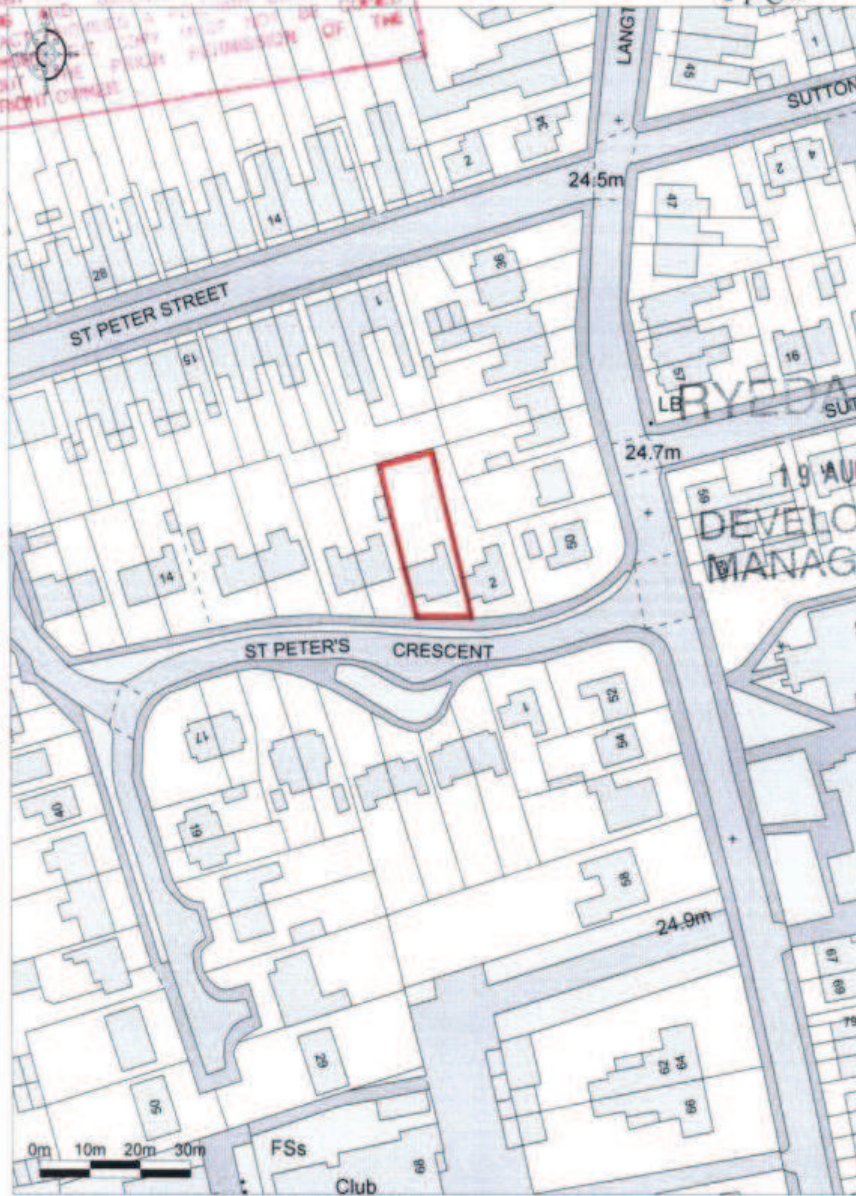
Background Papers:

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

4 St Peters Crescent
Norton



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14/00909/Huse
RYEDALE DM

19 AUG 2014
DEVELOPMENT
MANAGEMENT

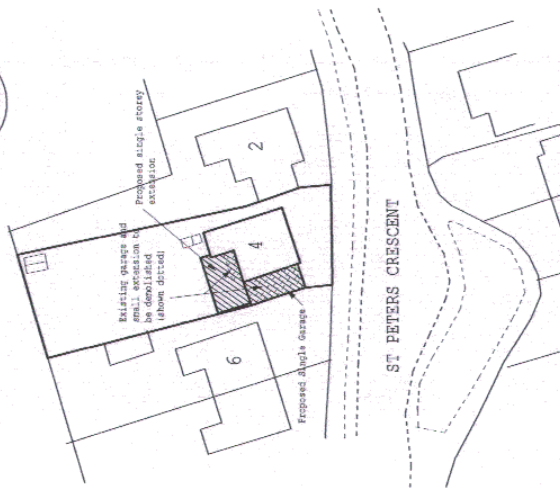
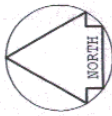
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RYEDALE DM

19 AUG 2014

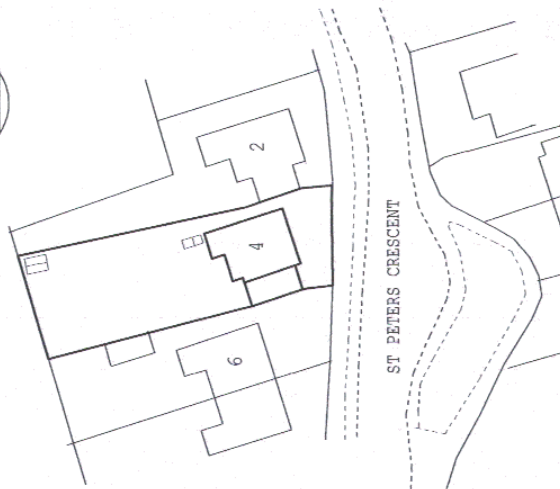
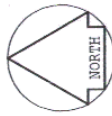
DEVELOPMENT
MANAGEMENT

14/000001/14/50



ST PETERS CRESCENT

PROPOSED SITE PLAN



ST PETERS CRESCENT

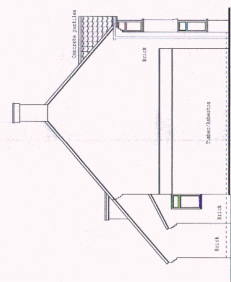
EXISTING SITE PLAN

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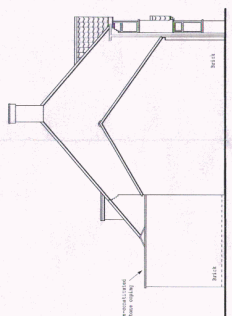
Name	A. Wiles
Address	4 St Peters Crescent Langton Norton
Title	SITE PLAN
Revised	
Scale	1/500
Date	12/08/2014
Drawing No	MG/1561/PL/2014

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Client	Mr. A. Miles
Address	4 St. Peters Crescent Jungion Road Mercon
#4	Proposed single street elevation, Garage and replacement canopy above front door
Title	Existing and proposed plans and elevations
WORTH 5000MILL	Green House Architecture Terrington York YO8 8HU Tel: 01853 608791
Do not scale from this drawing. All measurements to be confirmed on site.	
Date	22/09/2014
Scale	1:100
Drawn No.	SG/5562/P1/2014



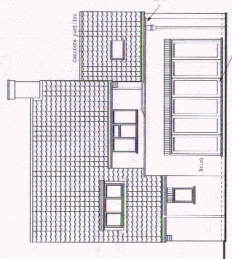
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WEST ELEVATION

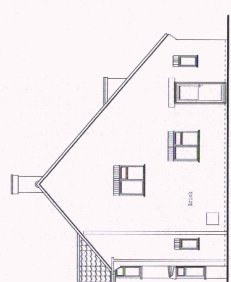


NORTH ELEVATION



NORTH ELEVATION

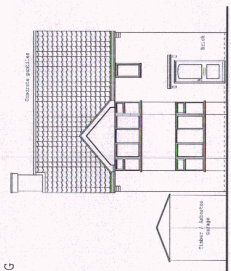
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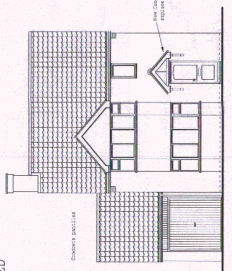
EAST ELEVATION



EAST ELEVATION



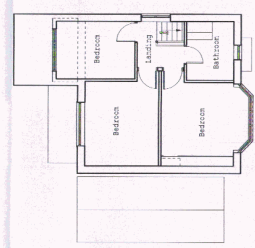
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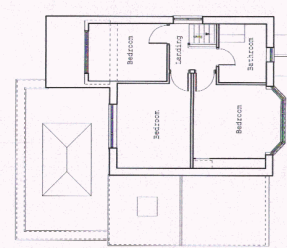
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EXISTING

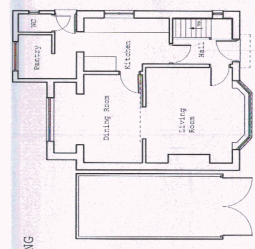
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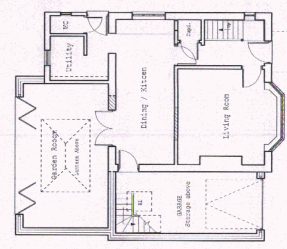
FIRST FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN



GROUND FLOOR PLAN

EXISTING

PROPOSED

R May
19/9 KK

Recommend approval

NORTON-ON-DERWENT TOWN COUNCIL

Town Clerk: Mrs R.Tierney

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



18th September 2014

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

19 SEP 2014
DEVELOPMENT
MANAGEMENT

Dear Sir,

PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Tuesday, 16 September 2014 the Town Council made the following recommendations in respect of the applications listed below:-

- 14/00890/HOUSE Erection of part two storey/part first floor extension to side and rear elevations (revised details to refusal) 14/00615/HOUSE dated 24.07.2014.
20 Field View, Norton, Malton, YO17 9AZ
For: Mr & Mrs R M Jaques
RESOLVED Recommend Approval
- 14/00909/HOUSE Erection of single storey side and rear extensions to include integral garage with storage above
4 St Peters Crescent, Norton, Malton, YO17 9AN
For: Mr Adam Wiles
RESOLVED Recommend Approval
- 14/00856/FUL Change of use and alteration of part bowls club building from D2 Use (Assembly & Leisure) to D1 Use (Non-residential institutions) for use of a dance school and a pre-school playgroup to include parking and dedicated outdoor play space for the pre-school playgroup.
Norton Bowls Club, Bowling Lane, Norton, Malton, YO17 8EG
For: Norton Bowls Club (RCLC)
RESOLVED Recommend Approval
- 14/00921/HOUSE Erection of single storey rear extension and 2.4m high timber fence, re-rendering of the existing dwelling and widening of existing vehicular access to the rear following demolition of existing detached garage.
4 St Nicholas Street, Norton, Malton, North Yorkshire, YO17 9AQ
For: Mr John Todd
RESOLVED Recommend Approval, however Council do query the necessity of a 2.4m fence where 1.8m would in most circumstances be acceptable.

E. Mail: norton.tc@btconnect.com

Agenda Item 14

Item Number: 14
Application No: 14/01039/FUL
Parish: Pickering Town Council
Appn. Type: Full Application
Applicant: SLM Ltd (Mr Martin Miles)
Proposal: Erection of single storey linked extension to north (front) elevation to form fitness centre with use of part of adjacent existing changing rooms as a gym
Location: Ryedale Swimming Pool Mill Lane Pickering North Yorkshire YO18 8DJ

Registration Date:
8/13 Wk Expiry Date: 17 November 2014
Overall Expiry Date: 22 October 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Parish Council No views received to date
Highways North Yorkshire No views received to date

Neighbour responses: None

.....

SITE:

Ryedale Swimming Pool is situated on Mill Lane, Pickering. As defined within the Ryedale Local Plan the site lies within the Development Limits of the town, accommodating an area of public open space located to the rear.

PROPOSAL:

Planning permission is sought for the erection of a pre-fabricated building extension to north (front) elevation of Pickering Swimming Pool. The proposal seeks to form a fitness centre incorporating part of existing changing rooms as a section of the gym.

HISTORY:

There is no planning history relevant to this application.

POLICY:

National Policy Guidance

National Planning Policy Framework
Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

PLANNING COMMITTEE
21 October 2014

APPRAISAL:

The main considerations when assessing this application are;

- i) Character and Form
- ii) Residential Amenity

Character and Form

The application proposes a single storey extension located to the front of the main swimming pool building. The development will project approximately 9 metres to the front and measure approximately 12 meters in length. The flat roof of the addition will measure 3 metres in height above ground level.

In order for the proposal to conform to SP16 of the Ryedale Local Plan Strategy, the extension must be considered to be appropriate and sympathetic to the character and appearance of the host building.

The view of officers is that the overall scale and height of the proposal is such that it will be subservient to the host property, and will not over dominate the front elevation. The extension will be sympathetic to both the character and appearance of the existing building and the visual amenity of the surrounding area. The proposal is therefore considered to be acceptable in design terms and in compliance with the requirements of SP16 of the Ryedale Local Plan Strategy.

Residential Amenity

With regards to residential amenity, the scale and position of the extension would not result in any material adverse impacts on the amenity of nearby residential properties, or any other surrounding uses. The development is therefore compliant to the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

At the time of writing, there have been no comments received from Pickering Town Council, the Highways Authority or any neighbouring properties.

Conclusion

In light of the above assessment, the proposal is considered to meet the relevant policy criteria outlined in the Ryedale Local Plan Strategy and the National Planning Policy Framework. There are no other material considerations to suggest a determination otherwise. Therefore the recommendation for this application is one of approval.

Members will note that the consultation period for this application does not expire until 22 October 2014. Delegated Authority is therefore requested to approve the application.

RECOMMENDATION: Approve subject to expiry of consultation period

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

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

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

Proposed Site Plan 2014-044 A(PL)002
Proposed Ground Floor Plan 2014-044 A(PL)004
Proposed Elevations 2014-044 A(PL)006

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

PLANNING COMMITTEE
21 October 2014

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties



14/01039/FM
 22 SEP 2014
 DEVELOPMENT
 MANAGEMENT

DATE: 2014-04-04 | A(PL)007
 SCALE: 1:1250 @ A4
 DATE: SEPTEMBER 2014
 SCALE: 1:1250 @ A4
 TDM
 SLM
 RYEDALE SWIMMING POOL EXTENSION
 SITE LOCATION PLAN

Hudfield Cawkwell Davidson
 17 Thurgate Rd, Sheffield, S10 2JZ, T 0114 266 8181 F 0114 266 8182 www.hcd.co.uk
 Architecture | Engineering | Technical Design | Maintenance | Urban Design





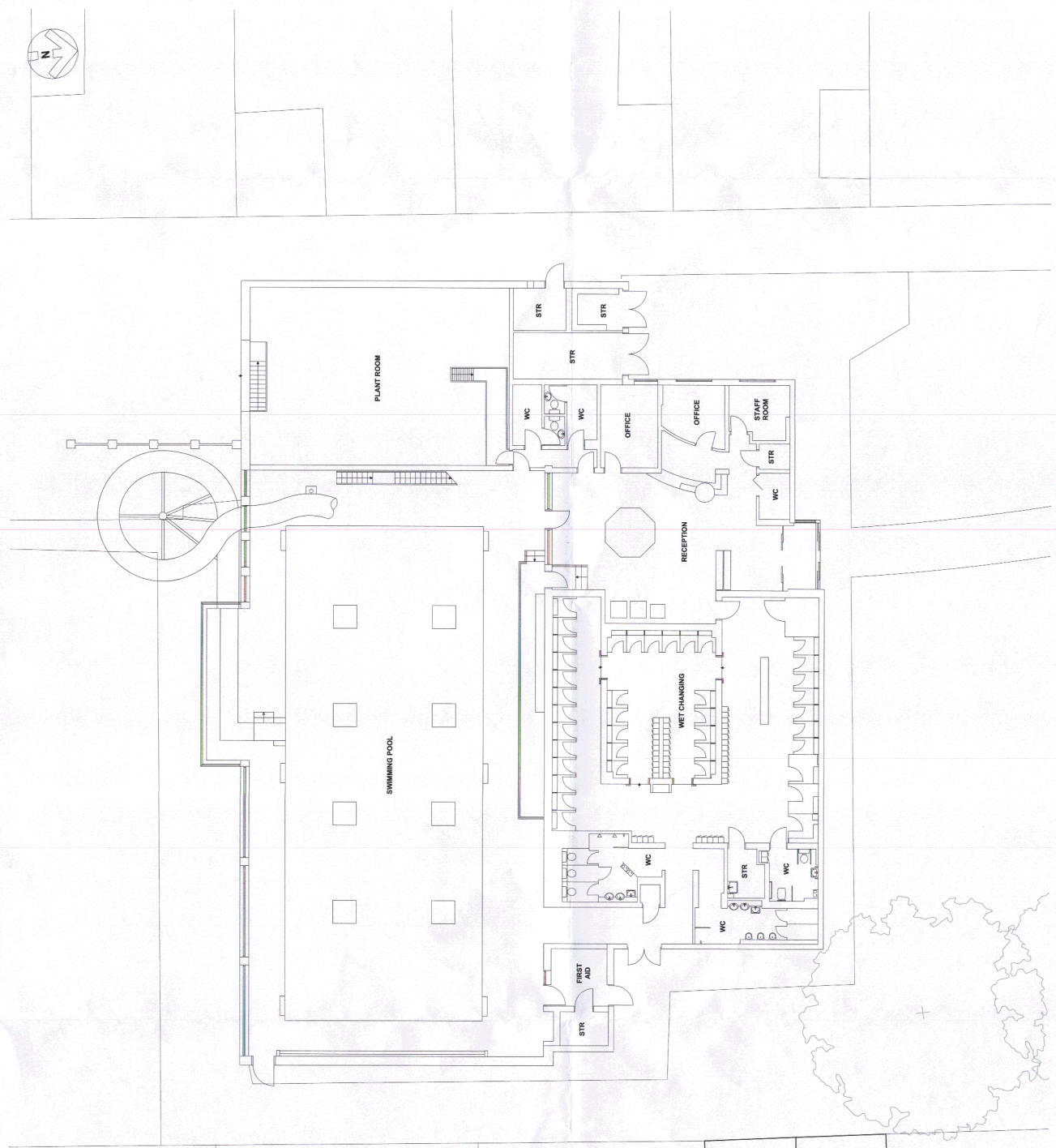
Headfield Cawkwell Davidson
13 Moorway Rd, Souths, QLD 4111 (017 246 638) www.hcd.com.au
Architects | Engineers | Interior Design | Interiors | Interiors | Interiors



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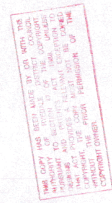
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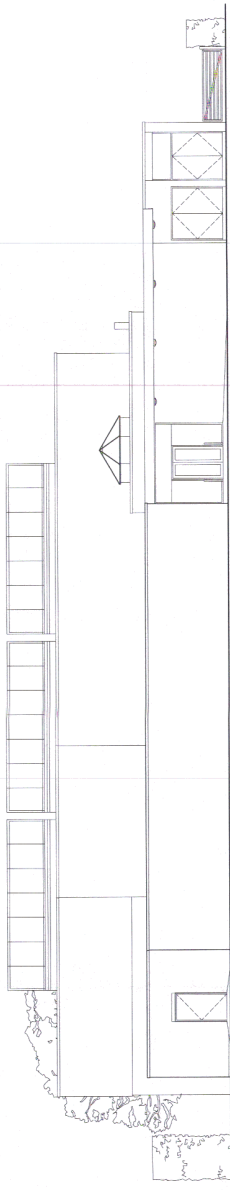
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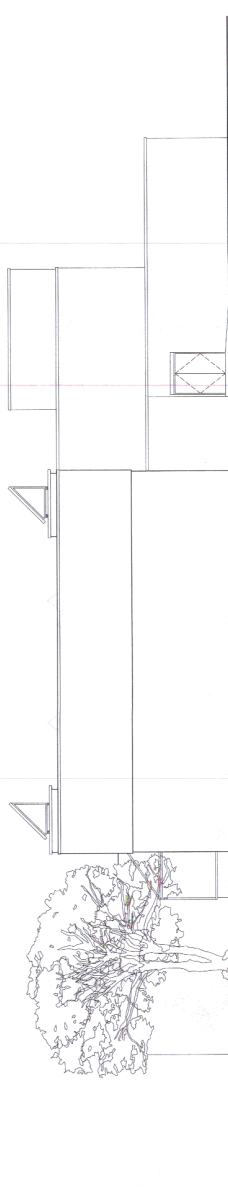
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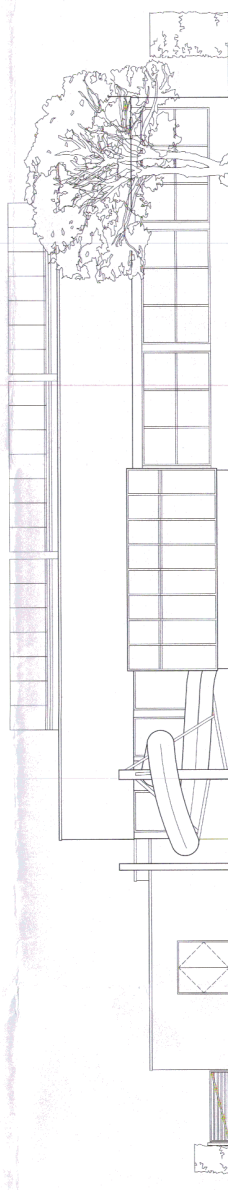




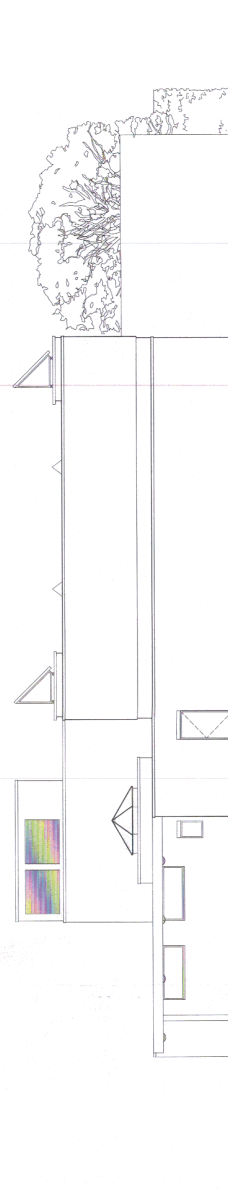
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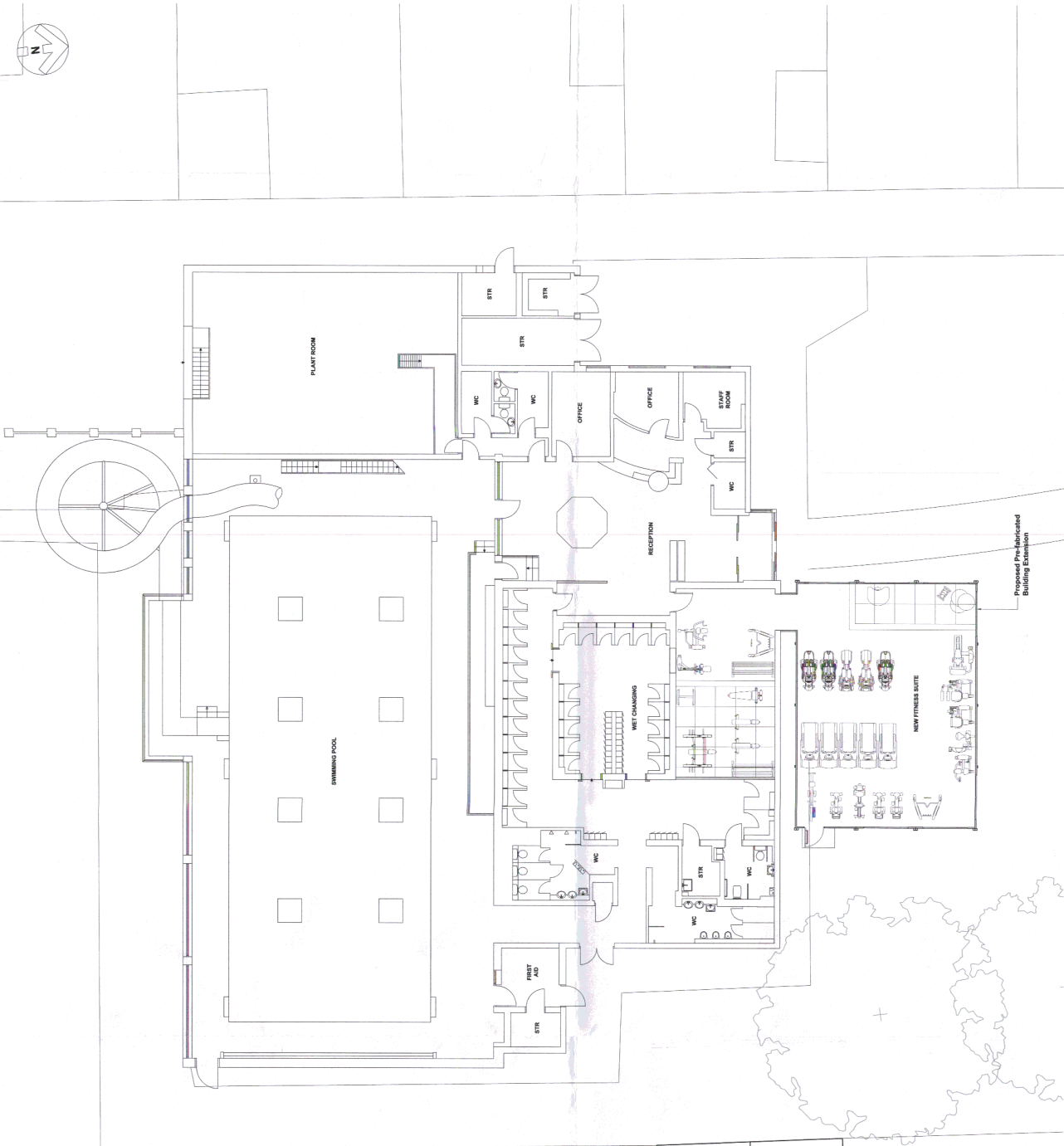
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EXISTING WEST ELEVATION

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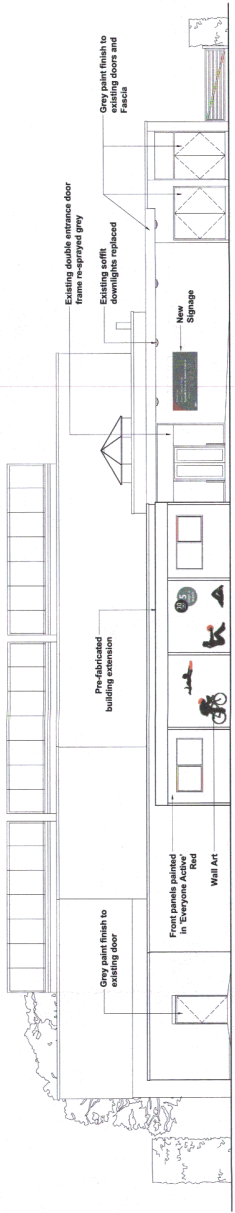
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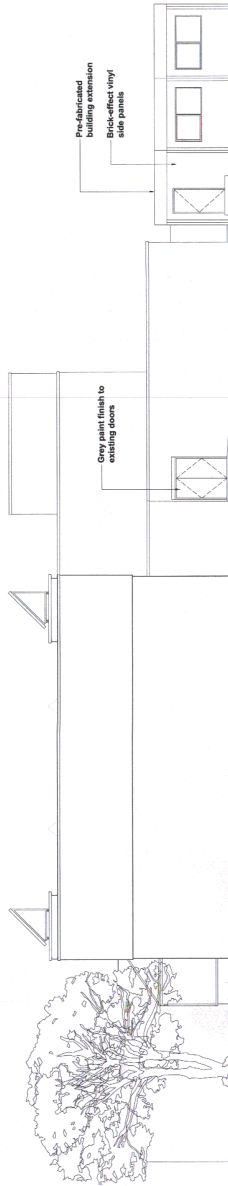
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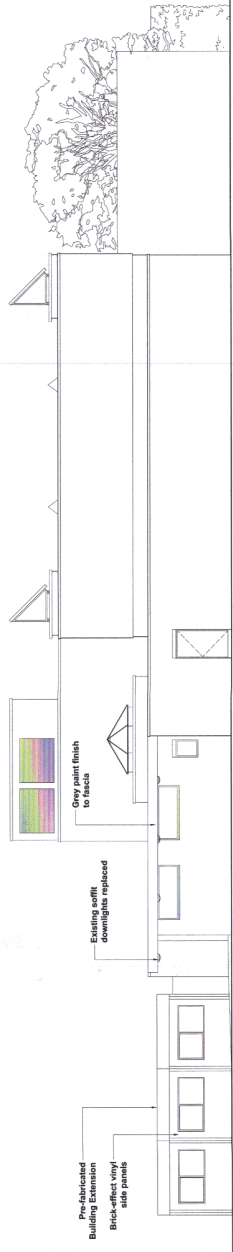
PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION

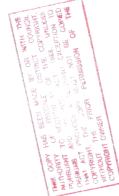


SOUTH ELEVATION



PROPOSED WEST ELEVATION

RYEDALE DM
22 SEP 2014
DEVELOPMENT
MANAGEMENT
14/10/2014/ml



Agenda Item 16

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

1.

Application No: 14/00114/FUL **Decision: Refusal**
Parish: Ampleforth Parish Council
Applicant: Mr John Seeger
Location: Land North Of Sewage Works Mill Lane Ampleforth Helmsley
Proposal: Erection of 6 no. general industrial units with associated parking and alterations to access track to include widening of entrance and formation of passing places

2.

Application No: 14/00362/FUL **Decision: Refusal**
Parish: Luttons Parish Council
Applicant: Mr David Pattison
Location: 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.

3.

Application No: 14/00517/FUL **Decision: Approval**
Parish: Aislaby, Middleton & Wreton Parish
Applicant: Mr David Lumley
Location: Land At OS Field 5827 New Lane Aislaby Pickering North Yorkshire
Proposal: Erection of 1no. 18m high (overall tip height 27m) 80KW wind turbine to generate electricity for on farm use, together with associated electrical substation.

4.

Application No: 14/00623/CLEUD **Decision: Approval**
Parish: Sand Hutton Parish Council
Applicant: Mrs Chrissie Murray
Location: Paddock House 35 Main Street Sand Hutton Malton YO41 1LL
Proposal: Certificate of Lawfulness that confirms works have been undertaken that constitute a "material operation" and consequently work has commenced on site and the planning permission has been implemented in accordance with condition 01 of approval 08/00609/FUL dated 29.08.2008.

5.

Application No: 14/00703/FUL **Decision: Approval**
Parish: Acklam Parish Meeting
Applicant: Mr Leigh Tutill
Location: Land Adj Rose Cottage Main Street Acklam Malton North Yorkshire
Proposal: Erection of a three bedroom dwelling

6.

Application No: 14/00713/FUL **Decision: Approval**
Parish: Foxholes Parish Council
Applicant: Mr David Warters
Location: Boythorpe Cottage Farm Butterwick Weaverthorpe Malton YO17 8HF
Proposal: Erection of detached four bedroom farm house following demolition of existing farm house

7.
Application No: 14/00744/FUL **Decision: Approval**
Parish: Nawton Parish Council
Applicant: Mr Peter DeLacey
Location: Longwood Highfield Lane Nawton Helmsley YO62 7TU
Proposal: Demolition of existing four bedroom dwelling, garaging storage, tack room, American barn and Dutch barn and erection of replacement six bedroom (Inc. guest bedroom) dwelling with attached pool house, triple garage/workshop/store and detached block of 9no. stables with feed store and office and detached relocated tack room (revised details to refusal 13/01404/FUL dated 10.02.2014)

8.
Application No: 14/00750/FUL **Decision: Approval**
Parish: Aislaby, Middleton & Wrelton Parish
Applicant: Mr & Mrs M & S Ward
Location: Land South Of Back Lane South Middleton Pickering North Yorkshire
Proposal: Erection of a three bedroom dwelling with detached double garage and formation of vehicular access

9.
Application No: 14/00781/TPO **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Mr D Houston
Location: 10 Acres Close Helmsley YO62 5DS
Proposal: T9 Lime Tree - Crown lift to (6m). Crown thin by 15%, T10 Lime Tree - As T9 plus end weight reduction of three lowest limbs that are over-extended T11 Lime Tree - As T9 plus removal of limb over garage

10.
Application No: 14/00778/FUL **Decision: Approval**
Parish: Salton Parish Meeting
Applicant: Mr Shaw
Location: Outbuilding To Rear Of Lockwood Cottages Main Street Salton Kirkbymoorside
Proposal: Erection of detached double garage with storage above for ancillary use of the adjacent holiday let to the east.

11.
Application No: 14/00780/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Kirkbymoorside Landrovers (Mr Paul Wade)
Location: Kirkbymoorside Land Rover 50 Kirkby Mills Industrial Estate Kirkbymoorside York YO62 6QR
Proposal: Erection of extension to south elevation of existing workshop building.

12.
Application No: 14/00788/HOUSE **Decision: Refusal**
Parish: Sheriff Hutton Parish Council
Applicant: Mrs Sheila Everist
Location: Church Cottage Church End Sheriff Hutton YO60 6SY
Proposal: Erection of a detached summer house

13.
Application No: 14/00795/HOUSE **Decision: Approval**
Parish: Malton Town Council

Applicant: Mr Peter Fahey
Location: Pooh Corner Cattle Market Malton North Yorkshire YO17 7JN
Proposal: Erection of first floor extension with 2no. dormer windows to front (south) section of dwelling and pitched roof to existing flat roof section of dwelling to include raising of eaves and height of dwelling.

14.

Application No: 14/00807/FUL **Decision: Approval**
Parish: Scackleton Parish Council
Applicant: Ramsey Brothers (Mr John Ramsey)
Location: Scackleton Grange Farm Grange Lane Scackleton YO62 4NB
Proposal: Erection of an agricultural building for the housing of livestock.

15.

Application No: 14/00812/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Brigham Park Golf Course (Mr & Mrs Richard Avison)
Location: Lane View Upper Carr Lane Pickering North Yorkshire YO18 7JP
Proposal: Change of use, alteration and extension of golf club store and reception area to form a two bedroom residential live/work unit including workshop (Use Class B1), revised vehicular access with parking/turning area and garden area.

16.

Application No: 14/00817/FUL **Decision: Approval**
Parish: Sinnington Parish Council
Applicant: Mrs L Newbronner
Location: Land East Of Main Street Sinnington Pickering
Proposal: Change of use of agricultural land to equestrian use to include the retention of the existing mobile field shelter on an area of hardstanding and the erection of a hay store and tack store.

17.

Application No: 14/00826/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Cedarbarn Farm Shop (Mr Karl Avison)
Location: Cedar Barn Farm Shop Thornton Road Pickering North Yorkshire YO18 7HZ
Proposal: Installation of 40KW peak ground mounted solar PV system (160 panels in total) to generate electricity for the Cedar Barn farm shop and Estate.

18.

Application No: 14/00830/HOUSE **Decision: Approval**
Parish: Westow Parish Council
Applicant: Mr & Mrs J Smith
Location: Merry Hill Main Street Westow York YO60 7NE
Proposal: Erection of first floor extension to front elevation

19.

Application No: 14/00834/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Punch Taverns Ltd
Location: Black Bull Inn Malton Road Pickering North Yorkshire YO18 8EA
Proposal: Erection of canopy to north elevation of holiday lets building with privacy screens to form individual private covered seating areas to each of the 4no. apartments.

- 20.**
Application No: 14/00838/HOUSE **Decision: Approval**
Parish: Welburn (Malton) Parish Council
Applicant: Mr Patrick Skelton
Location: 11 Chestnut Avenue Main Street Welburn Malton YO60 7EH
Proposal: Formation of vehicular access.
-
- 21.**
Application No: 14/00863/GPAGB **Decision: Approval**
Parish: Settrington Parish Council
Applicant: Settrington Estate (Mr Kenelm Storey)
Location: Buildings At Crosscliffe Farm Forkers Lane Settrington Malton North Yorkshire YO17 8DR
Proposal: Change of use of agricultural buildings to a three bedroom dwelling house (Use Class C3) with associated operational development.
-
- 22.**
Application No: 14/00870/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Fitzwilliam (Malton) Estates (Mr K Davies)
Location: Old Talbot Yard Yorkersgate Malton North Yorkshire
Proposal: Internal alterations to allow production and retail of food products to include underdrawing of rafters, erection of stud wall partitions, painting of interior walls and tiling of floor together with installation of brick chimney in a central position on the roof to house extract duct from cooking area.
-
- 23.**
Application No: 14/00871/73A **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mrs Lesley Warrington
Location: Beansheaf Farm Bean Sheaf Lane Pickering North Yorkshire YO17 6UE
Proposal: Variation of Condition 17 of approval 11/00905/FUL dated 26.10.2011 to replace drawings 201117/103-B 'Unit 3 Workshop/Store Conversion' and 201117/104-B 'Unit 4 Workshop/Office Conversion' with AR50-01 'Proposed Plans and Elevations' and to replace drawing 201117/102-B 'Unit 1 Barn Conversion' with AR50-02 'Barn Conversion Elevations' and AR50-03 'Barn Conversion Floor Plans'.
-
- 24.**
Application No: 14/00877/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr B Brewer
Location: 6 Castle Howard Drive Malton North Yorkshire YO17 7BA
Proposal: Erection of two storey side extension to incorporate integral garage
-
- 25.**
Application No: 14/00885/HOUSE **Decision: Approval**
Parish: Helmsley Town Council
Applicant: Ms Valerie Cocks
Location: 22 Bondgate Helmsley York YO62 5BR
Proposal: Erection of single storey rear extension following demolition of existing conservatory.
-
- 26.**
Application No: 14/00890/HOUSE **Decision: Approval**
Parish: Norton Town Council

Applicant: Mr & Mrs R M Jacques
Location: 20 Field View Norton Malton North Yorkshire YO17 9AZ
Proposal: Erection of part two storey/part first floor extension to side and rear elevations (revised details to refusal 14/00615/HOUSE dated 24.07.2014).

27.
Application No: 14/00895/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Ryedale District Council (Mr Mike Adams)
Location: 36 Yorkersgate Malton North Yorkshire YO17 7AB
Proposal: Strengthening of the first floor structure to the large southern room

28.
Application No: 14/00897/HOUSE **Decision: Approval**
Parish: Burythorpe Parish Council
Applicant: Mr & Mrs Paul Shanks
Location: Cuba Cottage Burythorpe Malton North Yorkshire YO17 9LB
Proposal: Erection of two storey rear extension with attached conservatory following demolition of existing flat roofed two storey extension.

29.
Application No: 14/00919/FUL **Decision: Approval**
Parish: Huttons Ambo Parish Council
Applicant: R F Racing Ltd (Mr Richard Fahey)
Location: The Mews House Musley Bank Malton North Yorkshire YO17 6TD
Proposal: Re-roofing of existing stable block

30.
Application No: 14/00920/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Malton & Old Malton Cricket Club
Location: Malton And Old Malton Cricket Club Old Malton Road Malton North Yorkshire
Proposal: Siting of storage container (retrospective application)

31.
Application No: 14/00931/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Clerk Of Trustees Pickering And Hull Quaker Area Meeting
Location: Friends Meeting House Castlegate Pickering North Yorkshire
Proposal: Erection of 2.4m high 11.97W lamp post

32.
Application No: 14/00938/HOUSE **Decision: Approval**
Parish: Sproxton Parish Meeting
Applicant: Mr Franklin Farrar
Location: Whin Covert Main Street Sproxton Helmsley YO62 5EF
Proposal: Erection of detached timber garden shed

Appeal Decision

Site visit made on 1 September 2014

by David C Pinner BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 September 2014

Appeal Ref: APP/Y2736/A/14/2211925
High Barn, West Lutton, Malton, YO17 8TL

- 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 Mr D Morgan against the decision of Ryedale District Council.
 - The application Ref: 13/00699/FUL, dated 12 June 2013, was refused by notice dated 27 November 2013.
 - The development proposed is 1 x 30m high (hub) wind turbine and associated development.
-

Decision

1. The appeal is allowed and planning permission is granted for 1 x 30m high (hub) wind turbine and associated development at High Barn, West Lutton, Malton, YO17 8TL in accordance with the terms of the application, Ref: 13/00699/FUL, dated 12 June 2013, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) In the event that the development permanently ceases to be used for the generation of electricity, the wind turbine shall be removed from the land and the land shall be restored to its former appearance within six months of the date when electricity generation permanently ceases;
 - 3) Prior to the commencement of development, the developer shall notify the local planning authority of the dates for commencement and completion of construction works; the maximum height of construction equipment and the precise longitude and latitude of the turbine.

Main issue

2. From the information submitted with the application and the consultation responses, I have no reason to conclude that there are any issues other than the landscape impact (including cumulative impact) of the proposed turbine, as set out in the Council's reason for refusing planning permission.

Reasons

3. All wind turbine development involves the introduction of tall structures into the landscape. By its very nature, it tends to be visible over a wide area, the extent of which depends on the height of the particular turbine. Nevertheless, views of turbines generally come and go as views are obscured by intervening

structures, landform and vegetation. In adverse weather conditions, even large turbines can become difficult to see. In this case, the proposed turbine is of a similar height to a turbine erected at Manor House, a little over 1km from the appeal site. I would describe this as a farm scale turbine with only relatively local visual impact.

4. The National Planning Policy Framework (NPPF) presumes in favour of sustainable development. Paragraph 93 establishes that planning plays a key role in helping to secure radical reductions in greenhouse gas emissions and in supporting the delivery of low carbon energy and associated infrastructure. The paragraph goes on to explain that these, amongst other things, are central to the environmental, social and economic dimensions of sustainable development.
5. The environmental element of sustainable development also includes the protection and enhancement of the natural, built and historic landscapes. Wind turbine development often results in the introduction of a prominent vertical structure that has nothing to do with local crafts and traditions into a valued landscape. It is unlikely that the introduction of such an alien feature could ever be regarded as an enhancement of a rural landscape and it is often argued that wind turbine development is not intrinsically sustainable where it has an adverse landscape impact. I disagree with that analysis because paragraph 93 of the NPPF makes the delivery of low-carbon energy and its associated infrastructure central to the three dimensions of sustainable development. If adverse landscape impact were always to trump the other sustainability criteria, it is difficult to see how the delivery of low carbon energy could be central to the three dimensions of sustainable development. In practice, I think that what this means is that when it comes to the planning balance, landscape harm has to be of sufficient magnitude to outweigh the presumption in favour of the (sustainable) low-carbon energy development rather than the other way round.
6. The Ryedale Local Plan Strategy also aims to protect the landscape, including the landscape of the area in which this development is proposed, which is identified as being valued locally but not having any statutory designation such as National Park or Area of Outstanding Natural Beauty. Policy SP18 of the Local Plan Strategy encourages renewable energy development provided that it can be successfully assimilated into the landscape.
7. In this case, the local landscape is typical of the Yorkshire Wolds, with expansive views over undulating countryside under big skies. The character of the landscape is very heavily influenced by the arable farming practices of the day. Fields are open and often very large to facilitate the use of modern farm machinery such as combine harvesters. Whilst the appearance of the fields will change with the seasons, the use of large machines in their cultivation and cropping is a major influence on their character and appearance, which I would describe as machine-made rather than on a human scale. Fields are often bounded by hedgerows with occasional plantations. These and the undulating landform filter or obscure some views of the existing turbines in the area. Farmsteads are generally quite widely spaced apart, often with extensive ranges of modern portal-framed buildings. In my view, the existence of several turbines already demonstrates that this is a landscape which has capacity to absorb widely-spaced farm sized turbines without unduly affecting the character or quality of the landscape.

8. There are already several farm-scale wind turbines (i.e. relatively small turbines designed to provide electricity for the farm upon which they are located) in the area around the appeal site, but they are quite widely spaced and the relatively small number of farmsteads limits the extent to which similar turbines could proliferate. I accept that there are places from where the proposed turbine would be seen in conjunction with some or all of the other nearest turbines (the nearest would be Manor House, already mentioned). Some fairly localised close views of the proposed turbine would be available from Green Lane, where it would be seen at its full height, unfiltered by any vegetation, intervening structures or landform. Nevertheless, small to medium size wind turbines related to the needs of the farm upon which they are situated are becoming increasingly common in rural areas. They perhaps ought not to be regarded as any more alien to the rural landscape than other features of a modern farm, such as industrial-scale buildings, silos, slurry tanks and so on. Such features rarely improve the appearance of the area, but are an essential part of a thriving agricultural enterprise. The ability to use a natural resource to generate much of the electricity used by the farm would assist in the profitability of the enterprise as well as reducing greenhouse gas emissions. The proposed turbine would therefore have clear environmental and economic benefits.
9. On balance, whilst I acknowledge that the proposed turbine would cause some harm by reason of its individual and cumulative visual impacts, the local landscape has the capacity to absorb the proposed development without causing undue harm to its character. In this respect, the scheme complies with policy SP18 with the Ryedale Local Plan Strategy. I conclude that the adverse effects of the scheme are insufficient to outweigh the presumption in favour of sustainable development and that the appeal should succeed.

Conditions

10. The Council has not suggested any conditions. However, as the proposal is for a development comprising a machine that might eventually become worn out, I shall impose a condition requiring it to be removed if it ceases to be used for generating electricity. The highway authority has suggested conditions relating to the condition of Green Lane and to the agreement to a route for construction traffic. The turbine components do not represent abnormal loads and Green Lane is already in a poor state with "Temporary Road Surface" signs erected. It would be unduly onerous for the appellants to have to undertake full road condition surveys before and after the delivery of the components, given the small number of vehicle movements likely to be generated. As no abnormal loads are necessitated and the access to the land has to be from Green Lane, I do not consider it necessary to agree a route for construction traffic. I shall impose a condition requiring the developer to notify the local planning authority of the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine so that they can pass that information to the Defence Infrastructure Organisation for plotting on maps to ensure that military aircraft avoid the area, as requested in their consultation response.

Other matters

11. I have considered other matters raised in the representations. Paragraph 98 of the NPPF says that local planning authorities should not require applicants to

demonstrate a need for energy development and should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. There is no evidence that the presence of wind turbines has an adverse effect on tourism. Neither these nor any other matters raised are sufficient to alter my conclusion that the proposed development should be permitted.

David C Pinner
Inspector



Appeal Decision

Site visit made on 1 September 2014

by David C Pinner BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 September 2014

Appeal Ref: APP/Y2736/A/14/2214575

Jubilee Farm, Helperthorpe, Malton

- 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 Messrs Ian and Tim Stubbins against the decision of Ryedale District Council.
 - The application Ref: 13/00624/FUL, dated 23 May 2013, was refused by notice dated 28 October 2013.
 - The development proposed is 1 x 36.4m high (hub) wind turbine with a tip height of 46.0m.
-

Decision

1. The appeal is allowed and planning permission is granted for is 1 x 36.4m high (hub) wind turbine with a tip height of 46.0m at Jubilee Farm, Helperthorpe, Malton in accordance with the terms of the application, Ref: 13/00624/FUL, dated 23 May 2013, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) In the event that the development permanently ceases to be used for the generation of electricity, the wind turbine shall be removed from the land and the land shall be restored to its former appearance within six months of the date when electricity generation permanently ceases;
 - 3) Prior to the commencement of development, the developer shall notify the local planning authority of the dates for commencement and completion of construction works; the maximum height of construction equipment and the precise longitude and latitude of the turbine;
 - 4) Development shall not take place until the developer has secured the implementation of a programme of archaeological work in accordance with a scheme of investigation that shall have been first submitted to and approved in writing by the Local Planning Authority.

Main Issue

2. From the information submitted with the application and the consultation responses, I have no reason to conclude that there are any issues other than the landscape impact (including cumulative impact) of the proposed turbine, as set out in the Council's reason for refusing planning permission.

Reasons

3. Section 10 of the National Planning Policy Framework (NPPF) is concerned with meeting the challenge of climate change, flooding and coastal change, with paragraph 93 reaffirming that planning plays a key rôle in securing radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and supporting the delivery of low-carbon energy and associated infrastructure. It goes on to say that this is central to the economic, social and environmental dimensions of sustainable development.
4. Paragraph 98 of the NPPF says that applicants for energy development should not be required to demonstrate the need for renewable or low-carbon energy and that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Applications should be approved if the project's impacts are (or can be made) acceptable.
5. The Ryedale Local Plan Strategy aims to protect the landscape, including the landscape of the area in which this development is proposed, which is identified as being valued locally but not having any statutory designation such as National Park or Area of Outstanding Natural Beauty. Policy SP18 of the Local Plan Strategy encourages renewable energy development provided that it can be successfully assimilated into the landscape. Policy SP19 recognises the presumption in favour of sustainable development contained in the NPPF.
6. Jubilee Farm lies within the built-up part of Helperthorpe and the appeal site lies on rising ground to the south of the village, a little under 500m from the nearest dwelling. The proposed turbine would be likely to be seen from properties in Helperthorpe and also from various other vantage points as illustrated in the photomontages submitted by the appellant. These include photomontages that show the cumulative visual impact of the proposed turbine and the turbines at Manor Farm and Spaniel Farm. Sequential visual impacts would be experienced by people travelling through the landscape. According to the information provided by the Council, there are four other turbines currently installed within 3km of the appeal site with another four, including the appeal scheme, pending. Of these, two are somewhat larger than the appeal scheme whilst that at High Barn, East Luton, is for a similar sized turbine.
7. The local landscape is typical of the Yorkshire Wolds, with expansive views over undulating countryside under big skies. The character of the landscape is very heavily influenced by the arable farming practices of the day. Fields are open and often very large to facilitate the use of modern farm machinery such as combine harvesters. Whilst the appearance of the fields will change with the seasons, the use of large machines in their cultivation and cropping is a major influence on their character and appearance, which I would describe as machine-made rather than on a human scale. Fields are often bounded by long, straight hedgerows with occasional plantations. Farmsteads are generally quite widely spaced apart, often with extensive ranges of modern portal-framed buildings.
8. The proposed turbine, along with the others in the area that have been installed already, is what I would describe as farm-scale (i.e. relatively small turbines designed to provide electricity for the farm upon which they are located). Such turbines are becoming increasingly common in rural areas, although perhaps not in those with a national landscape designation, to the

extent that they might be regarded as no more alien to the rural landscape than other features of a modern farm, such as industrial-scale buildings, silos, slurry tanks and so on. Such features rarely improve the appearance of the area, but are an essential part of a thriving agricultural enterprise. The ability to use a natural resource to generate much of the electricity used by the farm would assist in the profitability of the enterprise as well as reducing greenhouse gas emissions. The proposed turbine would therefore have clear environmental and economic benefits.

9. Generally speaking, farm-scale turbines are usually dwarfed by the landscape and views of them come and go depending on the weather, landform, level of tree cover and intervening buildings and other structures. In my view, the existing turbines demonstrate that this is a landscape which has capacity to absorb such widely-spaced farm sized turbines without unduly affecting its character or quality.
10. On balance, whilst I acknowledge that the proposed turbine would cause some harm by reason of its individual and cumulative visual impacts, the local landscape has the capacity to absorb the proposed development without causing undue harm to its character or appearance. In this respect, the scheme complies with policy SP18 with the Ryedale Local Plan Strategy. I conclude that the adverse effects of the scheme are insufficient to outweigh the presumption in favour of sustainable development and that the appeal should succeed.

Conditions

11. The Council has not suggested any conditions. However, as the proposal is for a development comprising a machine that might eventually become worn out, I shall impose a condition requiring it to be removed if it ceases to be used for generating electricity. I shall impose a condition requiring the developer to notify the local planning authority of the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine so that they can pass that information to the Defence Infrastructure Organisation for plotting on maps to ensure that military aircraft avoid the area, as requested in their consultation response. The County Council's Historic Environment Team note that the proposed turbine lies within an area of archaeological potential and interest and a condition is therefore needed to ensure that nothing of interest is inadvertently destroyed as a result of the development.

Other matters

12. I have considered other matters raised in the representations. There is no evidence that the presence of wind turbines has an adverse effect on tourism. Whilst I appreciate the concerns of local residents with regard to potential noise and shadow flicker, the proposed turbine would be sited far enough away from the nearest dwellings to ensure that any problems would be extremely unlikely. With regard to the proliferation of turbines, the distance between individual farms limits the number of turbines that are likely to be proposed, but each would need to be considered on its own merits.

David C Pinner

Inspector