



## **PLANNING COMMITTEE**

Tuesday 13 October 2015 at 6.00 pm

Council Chamber, Ryedale House, Malton

### **Agenda**

- 1 **Apologies for absence**
- 2 **Minutes of meetings held on 15 & 29 September 2015** (Pages 3 - 10)
- 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** (Page 11)
- 6 **15/00872/MFUL Coultas Farm, Habton Lane, Great Habton** (Pages 12 - 26)
- 7 **15/00460/FUL - Pickering Showground, Malton Road, Pickering** (Pages 27 - 39)
- 8 **15/00830/FUL - Poplar House Farm, Leppington Lane, Leppington** (Pages 40 - 50)

- 9 **15/01019/HOUSE - 4 Field View, Norton** (Pages 51 - 57)
- 10 **15/01059/HOUSE Rose Cottage, 2 South View, Kirby Misperton Lane, Great Habton** (Pages 58 - 62)
- 11 **Any other business that the Chairman decides is urgent.**
- 12 **List of Applications determined under delegated Powers.** (Pages 63 - 71)
- 13 **Update on Appeal Decisions** (Pages 72 - 73)

## Planning Committee

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held at Council Chamber, Ryedale House, Malton  
Tuesday 15 September 2015

### Present

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Councillors Burr MBE, Cussons (Substitute), Farnell, Frank (Vice-Chairman), Goodrick, Hope, Jainu-Deen, Maud, Thornton and Windress (Chairman)

Substitutes: Councillor D Cussons

### In Attendance

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Fiona Brown, Rachel Smith, Helen Bloomer, Mel Warters and Ellis Mortimer

### Minutes

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58 **Apologies for absence**

Apologies have been received from Councillor Cleary.

59 **Minutes of meeting held on 18 August 2015**

**Decision**

That the minutes of the Planning Committee held on 18 August be approved and signed as a correct record.

[For 8                      Against 0                      Abstain 2]

60 **Urgent Business**

Urgent business will be discussed at any other business.

61 **Declarations of Interest**

<b>Councillor</b>	<b>Application</b>
Cussons	11
Jeanu-Deen	6
Farnell	6,7,11
Frank	6
Goodrick	6
Hope	6,13
Windress	6
Maud	6,10

Thornton 6  
Burr 6,10

62 **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.

63 **15/00348/FUL Boortmalt Group Poplars Lane West Knapton**

**15/00348/FUL** - Raising the roof of part of existing building to allow installation of new roasting plant and associated equipment, installation of external plant and chimneys ranging in height from 12m to 23m and siting of an external steel container.

**Decision**

**DELEGATE APPROVAL TO THE HEAD OF PLANNING & HOUSING** - Subject to the acceptance of an application for a chimney in relation to clear air act.

[For 9 Against 0 Abstain 1]

In accordance with the Members' Code of Conduct Councillors Jeanu-Deen, Farnell, Frank, Goodrick, Hope, Windress, Maud, Thornton and Burr declared a personal non pecuniary but not prejudicial interest.

64 **15/00472/ADV Land At A170 East Of Riccal Drive, Helmsley**

**15/00472/ADV** - Erection of a pole mounted frame for display of non-illuminated temporary signs for events within Helmsley and Duncombe Park

**Decision**

**PERMISSION GRANTED** - As recommended.

[For 6 Against 4 Abstain 0]

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

65 **15/00482/73A Formerly East End Garage Site, Main Street, Ampleforth, Helmsley**

**15/00482/73A** -Variation of Condition 23 to state "No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (reference Plan 015123\_P110 Rev H) - once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times" and Variation of Condition 29 to state "The development hereby permitted shall be carried out in accordance with the following approved plans(s):

Drawing No. H-BSP-246-203-Rev D General Arrangement Layout Plans, Drawing No. H-BSP-246-212-Rev B Barn Conversion Proposed Elevations, Drawing No. 015123\_P110 Rev H Site Plan as Proposed, Drawing No. GO55:01:06 Rev B Plot 1 plans and elevations, Drawing No. 015123\_P120 Rev A Plot 2 Proposed Plans, Drawing No. 015123\_P121 Rev A Plot 2 Proposed Elevations, Drawing No. 015123\_P130 Rev A Plot 3 Proposed Plans, Drawing No. 015123\_P131 Rev A Plot 3 Proposed Elevations, Drawing No. 015123\_P140 Rev A Plot 4 Proposed Plans, Drawing No. 015123\_P141 Rev A Plot 4 Proposed Elevations, Drawing No. GO55:01:09 Rev B Plots 5, 6 and 7 plans and elevations, Drawing No. H-BSP-246-13-205-Rev A Proposed Floor Plans, Sections and Elevations Garages, Drawing No. 015123\_P300 Rev A Site Sections as Proposed, Drawing No. HU-RB-MS-180-101 Proposed highway movements" - substitution of plans of approval 11/00570/FUL dated 04.07.2013 as amended by approval 13/01321/AMEND dated 28.11.2013

**Decision**

**PERMISSION GRANTED** - As recommended - Subject to Deed of Variation in respect of Section 106 Agreement.

For 10                      Against 0                      Abstain 0]

66 **15/00678/HOUSE 14 Garden Way Pickering**

**15/00678/HOUSE** - Erection of single-storey rear extension to form garden room and additional rear entrance

**Decision**

**PERMISSION GRANTED** - As recommended.

[For 10                      Against 0                      Abstain 0]

67 **15/00723/FUL Station House, Low Moor Lane, Rillington, Malton**

**15/00723/FUL** - Change of use of land and buildings (excluding dwelling) to a light steel fabrication business (Use Class B2 ) and erection of workshop/store (part retrospective application)

<b>Decision</b>				
<b>PERMISSION GRANTED</b> - As recommended.				
[For	7	Against	1	Abstain 0]

In accordance with the Members' Code of Conduct Councillors Maud and Burr declared a personal interest and left the room.

68 **15/00787/FUL Land At Mast Site On Keld Head Road, Kirkbymoorside**

**15/00787/FUL** - Erection of 18m high lattice tower with 1no. omni-antenna for Smart Meter electronic communications together with 1no. meter cabinet and 2.2m high chain-link/barbed wire site compound boundary fence.

<b>Decision</b>				
<b>PERMISSION GRANTED</b> - As recommended.				
[For	9	Against	0	Abstain 0]

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

69 **15/00839/FUL The Lodge Acklam Grange Main Street Acklam**

**15/00839/FUL** - Erection of 2no. bedroom replacement dwelling following demolition of existing dwelling, garage and stables

<b>Decision</b>				
<b>PERMISSION GRANTED</b> - As recommended.				
[For	10	Against	0	Abstain 0]

70 **15/00859/FUL Building At Low Street, Thornton Le Clay**

**15/00859/FUL** - Erection of a four bedroom detached dwelling and associated detached garage following demolition of existing agricultural buildings.

<b>Decision</b>				
<b>DEFERRED</b> - For need to discuss agricultural appraisal				
[For	9	Against	1	Abstain 0]

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

71 **15/00866/FUL Land To Rear of Gilross, 67 Middlecave Road, Malton**

**15/00866/FUL** - Erection of 3no. bedroom detached dwelling and detached garage (revised details to approval 12/00438/FUL dated 27.06.2015).

<b>Decision</b>				
<b>PERMISSION GRANTED</b> - As recommended.				
[For	9	Against	0	Abstain 1]

72 **15/00923/HOUSE Viewley Hill 15 West Street Swinton**

**15/00923/HOUSE** - Erection of single storey extension to rear and side elevations

<b>Decision</b>				
<b>PERMISSION GRANTED</b> - As recommended.				
[For	10	Against	0	Abstain 0]

73 **Any other business that the Chairman decides is urgent**

The Chairman advised Members of two additional Planning Committee meetings:

The first meeting was for Application 15/00781/73AM - Gravel Pit Farm, Sand Hutton. This has been arranged for 29 September 2015.

The second meeting was for Application 14/00678/MOUTE - Land North of Castle Howard Road, Malton. This was provisionally arranged for 20 October 2015, however a Site Visit would be beneficial which was agreed to take place on Monday 5 October 2015 at 10.00am.

**Decision**

**RECOMMENDED SITE VISIT FOR APPLICATION 14/00678/MOUTE**

[For 10                      Against 0                      Abstain 0]

**74 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.

**The meeting closed at 8.25pm**



## Planning Committee

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Held at Council Chamber, Ryedale House, Malton  
Tuesday 29 September 2015

### Present

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Councillors Burr MBE, Cleary, Cussons (Substitute), Frank (Vice-Chairman), Goodrick, Hope, Maud, Thornton and Windress (Chairman)

Substitutes: Councillor D Cussons (for Councillor F A Farnell)

### In Attendance

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Jo Holmes, Gary Housden, Alan Hunter and Anthony Winship

### Minutes

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75 **Apologies for absence**

Apologies have been received from Councilor Farnell.

76 **Declarations of Interest**

<b>Councilor</b>	<b>Application</b>
Goodrick	4

77 **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.

78 **15/00781/73AM - Gravel Pit Farm, Sand Hutton, York**

**15/00781/73AM** - Variation of Condition 05 of application 14/00709/MFUL as allowed by appeal APP/Y2736/A/14/2226293 dated 26.05.2015 to allow an increase of 6,500 tonnes of grass silage feed stock per annum to give a total of 20,000 tonnes of grass silage feed stock per annum in addition to the 12,150 tonnes of Cattle FYM and 900 tonnes of chicken manure per annum.

**Decision**

**PERMISSION GRANTED** - Subject to conditions as recommended and the revision to the wording of Condition 12 in respect of the Digestate Management Plan.

[For 6

Against 1

Abstain 2]

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

**Meeting Closed at 7.05pm**

## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 13/10/15

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6

**Application No:** 15/00872/MFUL  
**Application Site:** Coultas Farm Habton Lane Great Habton Malton North Yorkshire YO17 6TY  
**Proposal:** Erection of an agricultural building for the housing of 880no. pigs

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7

**Application No:** 15/00460/FUL  
**Application Site:** Pickering Showground Malton Road Pickering North Yorkshire  
**Proposal:** Use of the land for a drive-in cinema to include a projection/reception building and a steel frame mounted cinema screen

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8

**Application No:** 15/00830/FUL  
**Application Site:** Poplar House Farm Leppington Lane Leppington Malton YO17 9RL  
**Proposal:** Erection of a general purpose agricultural building for the housing of livestock

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9

**Application No:** 15/01019/HOUSE  
**Application Site:** 4 Field View Norton Malton YO17 9AZ  
**Proposal:** Erection of two storey extension to rear elevation

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10

**Application No:** 15/01059/HOUSE  
**Application Site:** Rose Cottage 2 South View Kirby Misperton Lane Great Habton Malton North Yorkshire YO17 6TU  
**Proposal:** Erection of double garage and garden room following demolition of existing garage and stables

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# 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

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**Item Number:** 6  
**Application No:** 15/00872/MFUL  
**Parish:** Habton Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr & Mrs Jonathan Bulmer  
**Proposal:** Erection of an agricultural building for the housing of 880no. pigs  
**Location:** Coultas Farm Habton Lane Great Habton Malton North Yorkshire YO17 6TY

**Registration Date:** 29 July 2015  
**8/13 Wk Expiry Date:** 28 October 2015  
**Overall Expiry Date:** 9 September 2015  
**Case Officer:** Charlotte Cornforth **Ext:** 325

#### CONSULTATIONS:

<b>Environmental Health Officer</b>	No views received to date
<b>Parish Council</b>	No views received to date
<b>Highways North Yorkshire</b>	No objection

**Neighbour responses:** Yvonne Metcalfe & David Walker,

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#### SITE:

The application site is an established livestock and arable farm of approximately 91 hectares. It is situated adjacent to Habton Lane, approximately 600m to the west of the village of Great Habton.

There are currently three livestock buildings and a storage shed within the farmstead which houses sheep and 920 pigs. The proposed siting of the agricultural building is bounded to the south and west by the existing livestock sheds and concrete hard standing, to the north by an established band of native trees and to the east by a mature hawthorn hedge and a drainage ditch that forms the boundary between the farm and the adjacent training gallops.

#### PROPOSAL:

Planning permission is sought for the erection of an agricultural building for the housing of 880no. pigs. The application is 'Major' development because the proposed building has a floor area in excess of 1000 square metres. As such, it is required to be determined by the Planning Committee.

#### ENVIRONMENTAL IMPACT ASSESSMENT:

The development is considered to fall within Section 1(c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Intensive livestock installations).

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It is for the Local Planning Authority to consider whether the development is likely to have significant effects on the environment by virtue of factors such as size, nature and location.

The proposed agricultural building has an approximate floor area of 1337.49 square metres. However, as the development is not within a sensitive area as defined by the Part 1, Section 2 of the 2011 EIA Regulations.

The opinion of the Local Planning Authority is that the development does not compromise EIA development.

## **HISTORY:**

The relevant planning history in connection with the site includes:

- 08/00093/AGNOT - Agricultural notification determined - Erection of agricultural building for the housing of livestock.
- 08/00284/FUL - Planning permission granted - Erection of general-purpose agricultural building.

## **POLICY :**

### The Ryedale Plan - Local Plan Strategy

Policy SP9- The Land Based Rural Economy

Policy SP13 - Landscapes

Policy SP16- Design

Policy SP19- Presumption in Favour of Sustainable Development

Policy SP20- Generic Development Management Issues

### National Planning Policy Framework (2012)

Chapter 3 - Supporting a prosperous rural economy

### National Planning Practice Guidance (2014)

## **APPRAISAL:**

The main considerations to be taken into account when considering the proposal are:

- i. The principle of development
- ii. Impact upon the wider open countryside
- iii. Highway safety
- iv. Drainage
- v. Impact upon neighbouring amenity
- vi. Other matters
- vii. Conclusion

### i. The principle of development

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy is supportive of new buildings that are necessary to support land-based activity and a working countryside, including farming. Furthermore, Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

The applicants operate a relatively large scale agricultural business, comprising of both arable and livestock farming. The proposed building will allow for the agricultural business to expand. It is considered that the principle of a pig rearing building in this location and within the farmstead is considered acceptable.

#### ii. Impact upon the wider open countryside

The proposed siting of the agricultural building is bounded to the south and west by the existing livestock sheds and concrete hard standing, to the north by an established band of native trees and to the east by a mature hawthorn hedge and a drainage ditch that forms the boundary between the farm and the adjacent training gallops. It is therefore considered that when travelling east to west and west to east along Habton Lane, the agricultural building will be read in context of the existing farmstead and therefore will not be detrimental to the character of the wider open countryside. This is also similar when travelling north to south and south to north along Newsham Lane where there will be glimpsed view of the propose agricultural building. In relation to design, the building incorporates a traditional linear form under a pitched roof. The building will be constructed of concrete lower panels, Yorkshire Boarding and fibre cement sheeting. A condition will be attached to the Decision Notice if planning permission is granted to allow the materials and colours of the proposed building to be agreed prior to the commencement of the development.

#### iii. Highway safety

The development will utilise the existing access to the farmstead. On the basis of the submitted HGV movements likely to be generated by the proposals, the Local Highway Authority has raised no objection to the proposal in terms of its impact upon highway safety.

#### iv. Drainage and mature management

The agricultural building will be a deep straw based system of approximately 30cm in depth that is topped off every 4 days. The sheds are cleaned out every 10 weeks by scraper and brush attached to a JCB are used. The manure is initially then led away with a trailer and spread on the farm or the neighbouring farm which is considered to be a good use of the manure and the land.

#### v. Impact upon neighbouring amenity

A letter of objection has been received from the occupiers of the property 'The Ellers' that is located approximately 225m to the south east of the proposed agricultural building, adjacent to Habton Lane. They have concerns regarding the following:

The proposed large pig unit will impact upon the quality of life at our house based upon

- The likelihood of smells which we believe will be generally unpleasant, and on occasions overpowering. The prevailing westerly wind will exacerbate this problem
- The likelihood of excessive noise from the pigs
- The potential to attract vermin

The Environmental Health Officer has advised that in order to protect the amenity the neighbouring property of The Ellers, a Manure Management Plan shall be submitted to the Local Planning Authority prior to the commencement of the development. This will be assessed and then reviewed bi- annually. No complaints have been made to the Local Authority with regard to nuisance noise and smell with regard to the farmstead of Coultas Farm. It is not considered that a reason for refusal on this basis can be sustained unless Environmental Officers conclude that there will be a likely adverse impact upon neighbouring occupiers by virtue of odour, noise or vermin.

The agent and applicant have responded to the letter of objection from the occupiers of the property The Ellers which can be viewed in detail on the Council's website. They carried out a site inspection and made observations with regard to odour, noise and vermin. They concluded that whilst odour, noise and vermin will increase as a result of the proposal, they will not have a significant effect on the occupiers of The Ellers due to the location of the proposed building, the distance it is from the property, the natural buffering and the management of the farmstead. This management will be monitored through a Manure Management Plan.

vi. Other Matters

There has been no response from Habton Parish Council regarding the proposal.

vii. Conclusion

In light of the above considerations, the erection of an agricultural building for the housing of 880no. pigs is considered to satisfy the relevant policy criteria outlined within Policies SP9, SP13, 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            Prior the commencement of the development hereby permitted, a manure management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the building being first brought into use. The plan shall be submitted for review on a bi annual basis commencing on the 1st October 2016 or such longer period as may be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on the existing amenities of neighbouring occupiers to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3            Prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of 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):

Site Location Plan - C15103/002  
Site Plan - C15103/000  
Proposed Elevations and Plan - C15103/001

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

## **INFORMATIVES:**

1. Any new or substantially altered agricultural facility must comply with Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010. To ensure that you comply with these regulations, please call our Environment Management team on 08708 506506. We'll need details of the type of structure and its exact location. Please contact us at least 14 days before the facility is first used.
2. If the total number of pigs kept in the site exceeds 2000 at any one time then an Environmental Permit is required from the Environment Agency.

## **Background Papers:**

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



# maltech

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COULTAS FARM, GREAT  
HABTON, MALTON, YO17 6TY

LOCATION PLAN

Drawn by

HG

Checked by

AM

Approved by

AM

Scale

1:2500@A4

Date

18/06/2015

Status

PLANNING

Drawing Number

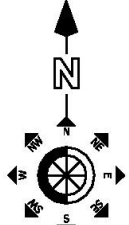
C15103/002

Revision

P-

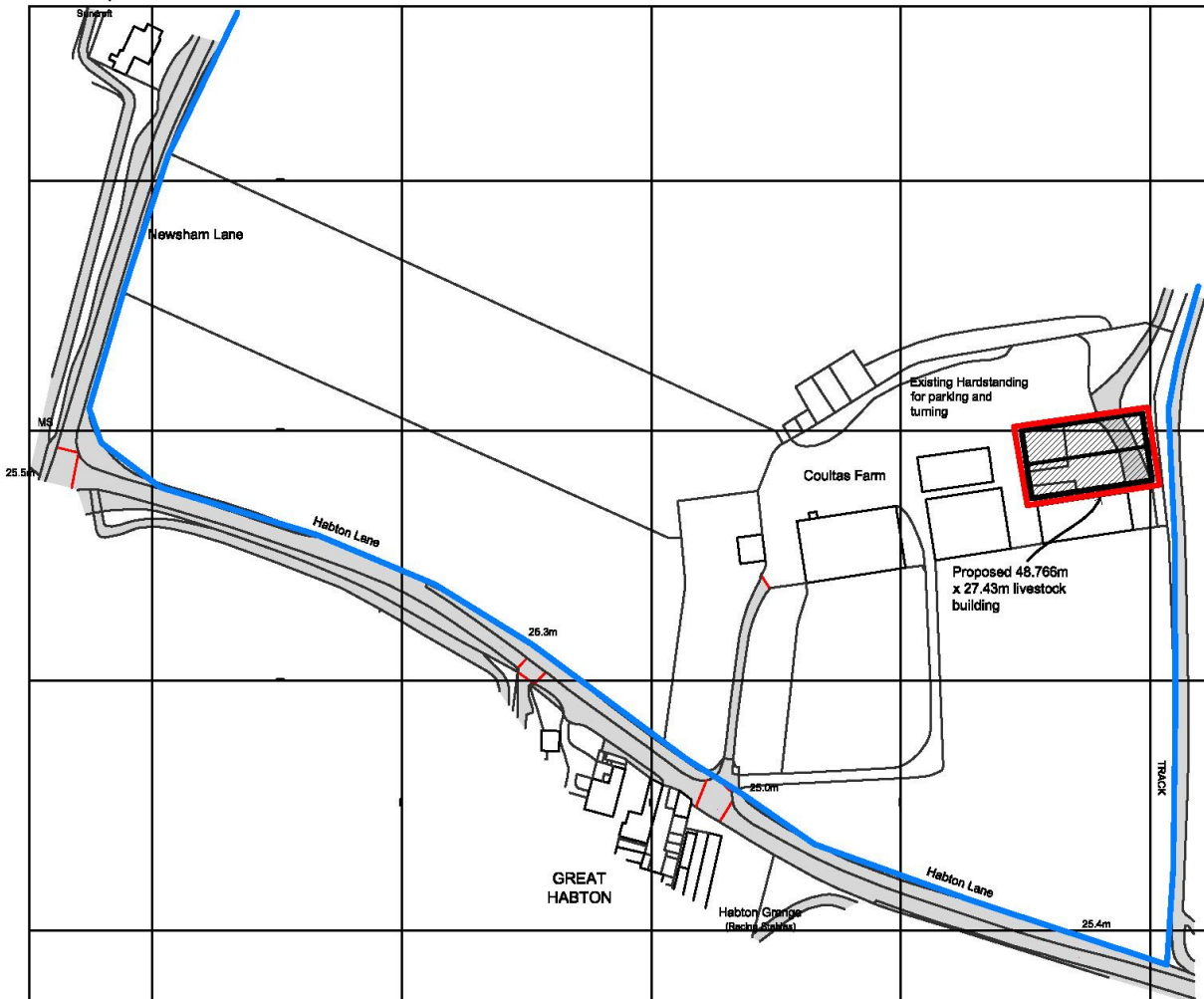
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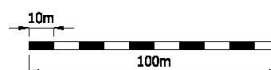


RED LINE: NEW BUILD  
BLUE LINE: LAND OWNED BY APPLICANT

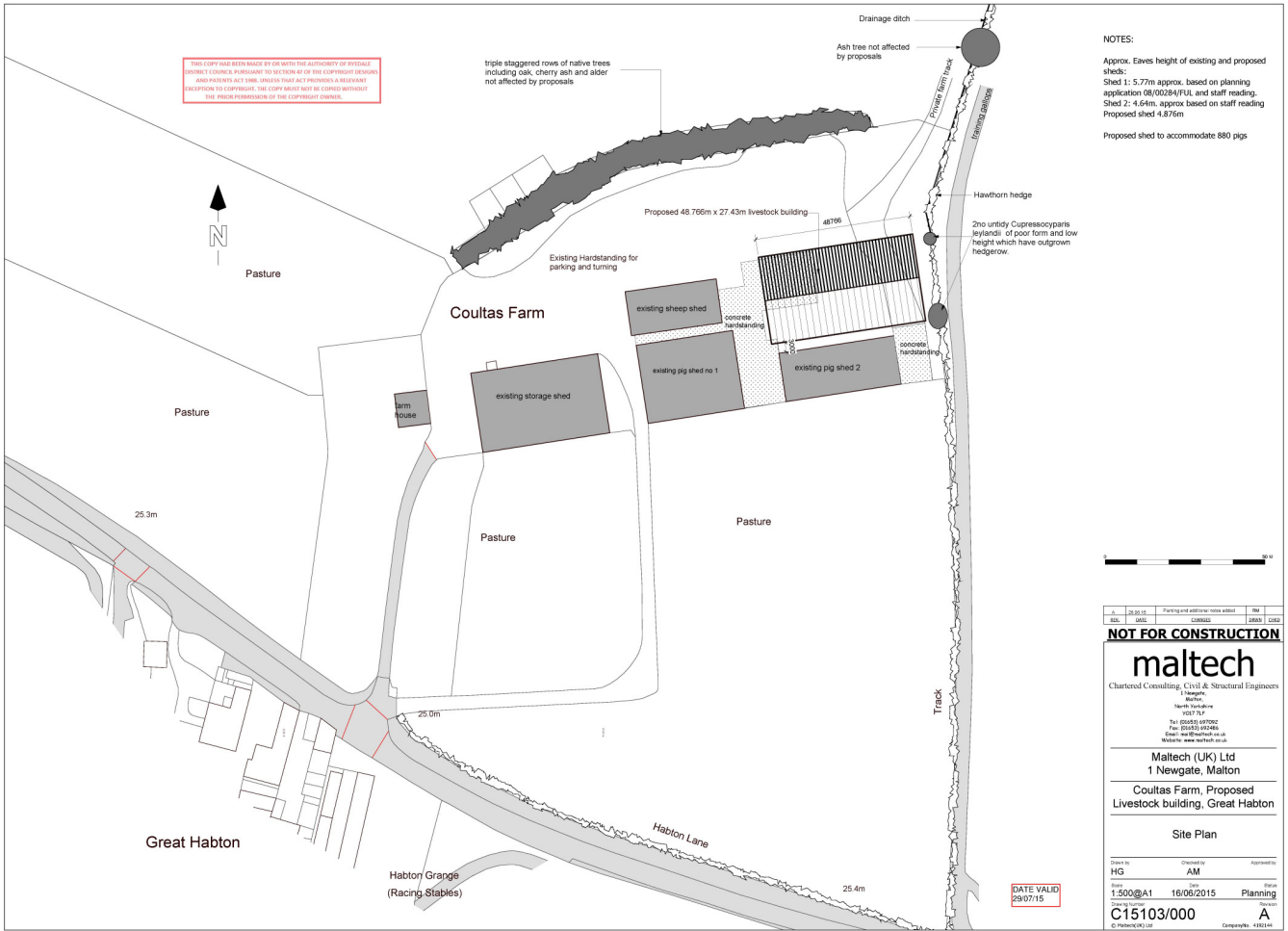
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DATE VALID  
29/07/15



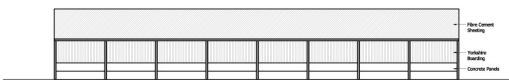
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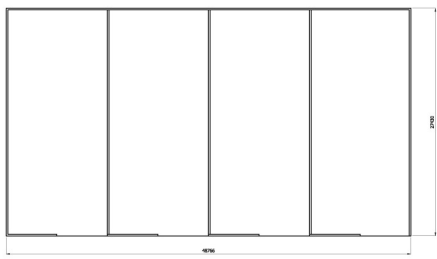
West Elevation (East Identical)



North Elevation



South Elevation



Floor Plan

**NOTES**  
 This Drawing is to be read in conjunction with the schedule of works.  
 Refer to drawings to manufacturers specifications & Building Regulations Approved Document A.  
 Windows, doors, insulation and waterproofing as per architect's details.  
 Construction method to be agreed.  
 Do not scale from this drawing. All dimensions are approximate and to be confirmed on-site by contractor.



REV	DATE	CHANGED	BY	CHKD
<b>NOT FOR CONSTRUCTION</b>				
<b>maltech</b>				
Chartered Consulting, Civil & Structural Engineers				
1 Newgate, Malton				
North Yorkshire YO17 7JL				
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Website: <a href="http://www.maltech.co.uk">www.maltech.co.uk</a>				
<b>Maltech (UK) Ltd</b>				
1 Newgate, Malton				
Coultas Farm, Livestock building, Great Habton, Malton, YO17 6TY				
Proposed Elevations & Plan				
Drawn by	Checked by	Approved by		
HG	AM	-		
Scale	Date	Status		
1:200@A1	16/06/2015	PLANNING		
Drawing No:			Sheet No:	
C15103/001			-	
© Maltech (UK) Ltd			Company No: 4122141	

DATE VALID 29/07/15

# maltech

Consulting Civil and Structural Engineers

## **Design and Access Statement For Coultas Farm, Great Habton**

**Contract No. C15103  
July 2015**

Approved by:.....

**Eur Ing Alan Mitchell BSc CEng MStructE**

**Principal Engineer - maltech (UK) Ltd**

maltech (UK) Ltd  
1 Newgate, Malton,  
North Yorkshire, YO17 7LF  
Tel: (01653) 697092  
Email: [mail@maltech.co.uk](mailto:mail@maltech.co.uk)



**Branch Offices also at:** Woodend Creative Centre, The Crescent, Scarborough, YO17 12PW  
York Science Park, Innovation Centre, Innovation Way, Heslington, YO10 5DG

Company No. 4192144 Vat No.746944980

## Design and Access Statement for Project C15103 New Livestock Building, Coultas Farm, Habton Lane, Great Habton YO17 6TY

### Existing Site Description:

The proposed development site is part of the farm yard of Coultas Farm, Great Habton; an established mixed livestock and arable farm of approximately 91 hectares. There are currently three livestock buildings on site and an existing storage shed, which together house sheep and 920 production pigs. The yard is a mix of concrete hard standing and compacted stone/earth surfacing.

The development site is bounded to the south and west by the existing current livestock sheds and pasture (see photograph 1), to the north by an established band of native tree planting and farmland (see photographs 2&3) and to the east by a mature hawthorn hedge and drainage ditch, (which forms the boundary between the farm and adjacent training gallops). The surrounding area is flat with long distance views across the applicant's farmland and other adjacent fields to the north. Partial views of existing site buildings are visible from Barugh Lane to the west and Habton Lane to the south.

### Proposed Development:

The application is for a new livestock building to house 880 production pigs.

### Siting and layout:

The building is to be located within a group of existing farm buildings, following their rough east west orientation. Although of a larger footprint than the current sheds, the proposals show that the new shed is lower in height than existing shed 1 (the largest of the current livestock buildings) by approx. 800mm (at eaves) & 435mm (at ridge). (See photograph 7). Shed 1 is also set on an elevated base, whilst the proposed shed will be set down at a lower level, having a similar floor level to shed 2, and utilising the existing concrete hard stand. (See photograph 4).

Having similar style buildings on two sides, together with existing hedge and tree screening, will help minimise the impact of the building on the character and appearance of the adjacent countryside.

It will not impact on sites of nature conservation, archaeological or historic importance.

### Views from adjacent roads and neighbouring properties.

Properties on Barugh Lane have visual screening provided by the existing taller shed 1 and native tree belt. (See photograph 5)

The Racing Stables have one window at upper storey with oblique views of the site, the bulk of the proposed shed being screened by the existing buildings.

Property on Habton Lane will have oblique views of the shed projecting above the ridge of existing shed 2. There is also a break in the hedgerow along Habton Lane at the entrance to the gallops from where the new shed will be visible. (See photograph 6)

Appearance:

The building is of a similar design to those surrounding it in terms of materials, colour and architectural detail. The barn will have a concrete base and sides up to 2m. above which will be Yorkshire Boarding in a natural finish.

Access:

The building will be accessed by 4 openings on the north facing, farm yard side. No changes will be required to the farmyard or farm access in order to accommodate the building.

Waste disposal:

As for existing sheds, with all manure spread on farmland.

Drainage:

Roof drainage will be taken from roof gutters into surface water drainage network. There will be no effluent as all pigs are bedded on straw.

Lighting:

Internal lights and addition of 1 new, external, sodium light.

Vehicle movements:

Current: 2 trucks arrive with new pigs (1 full and 1 half load) every 10 weeks.

Proposed: 3 full trucks to arrive with new pigs every 10 weeks

Current: 4 trucks collect the finished pigs for slaughter every 8/10 weeks

Proposed: 8 trucks collect the finished pigs for slaughter every 8/10 weeks

Current: Feed is delivered every 6 days as a half load.

Proposed: Feed is delivered every 6 days as a full load.

Increase in vehicle movements equates to 5 trucks over 8-10 week period.



Photograph 1- View of existing farm buildings along southern boundary of farm yard



Photograph 2- View of native tree screen planting along northern boundary of farm yard.



Photograph 3- View looking north from site



Photograph 4- View of existing sheds . Proposed new livestock building, is located 3m. in front of shed 2.





Photograph 5 - View from road verge, opposite Habton Grange Farm, Barugh Lane



Photograph 6 - View from entrance, adjacent to property, Habton lane



Photograph 7

Photograph to indicate approximate heights of existing livestock building shed 1, based on known dimension of 5.0m ( height of fully extended surveying staff) and using vanishing point perspective.

**Item Number:** 7  
**Application No:** 15/00460/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Moonlight Movies Ltd (Chris Ellis)  
**Proposal:** Use of the land for a drive-in cinema to include a projection/reception building and a steel frame mounted cinema screen  
**Location:** Pickering Showground Malton Road Pickering North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 30 June 2015  
**Overall Expiry Date:** 5 June 2015  
**Case Officer:** Rachel Smith **Ext:** 323

## CONSULTATIONS:

<b>Community Safety</b>	No views received to date
<b>Environmental Health Officer</b>	Concerns raised
<b>Parish Council</b>	No views received to date
<b>Highways North Yorkshire</b>	Further Information Required

**Neighbour responses:** Eden Blyth, Gary Verity, Mr John Allsopp, Mr Mike Potter,

---

## SITE:

The site is situated within Pickering showground, on the western side of the A169 approximately 2 miles south of Pickering. The showground is relatively flat, with boundaries formed by hedges and trees. Whilst the site is surrounded by open countryside, there are some residential properties in the area together with smaller tourist accommodation sites. The current site comprises an area of land to the southern boundary of the site, and to the west of the main entrance.

## PROPOSAL:

Permission is sought for the change of use of the land for a drive in cinema to include a building to house the projection/reception building, together with a steel frame mounted cinema screen.

The building will comprise a timber clad detached building measuring 4.4m by 4.4m with a ridge height of approximately 5.5m. The building will include a reception area on the ground floor with a projection room at first floor level. The reception area will also be used to serve cold drinks (non alcoholic) and snacks. The screen will measure 20m by 10 metres, and will be sited at the western end of the current application site. The applicants have advised that the cinema will utilise the car parking area approved under application 13/00029/MFUL, after the last bus has dropped off. This will result in operating hours of 19.30 to 01:00 hours in summer and 17:00 to 11:30 hours in winter.

## HISTORY:

In 2013 planning permission was granted on the larger showground site for the following development:

The erection of 133 holiday lodges, restaurant building, site shops, biomass boiler, touring caravan park, site for camping and camping pods, use of site as an event field and outward bound facilities, formation of a lake, vehicular accesses and a park and ride facility.

## **POLICY:**

### National Policy Guidance

National Planning Policy Framework, 2012 (NPPF)  
National Planning Policy Guidance 2014 (NPPG)

### Local Planning Strategy; Ryedale Plan – adopted 5 September 2013

Policy SP10 - Physical Infrastructure  
Policy SP11 –Community Facilities and Services  
Policy SP13 -Landscapes  
Policy SP14 - Biodiversity  
Policy SP16 - Design  
Policy SP19 - Presumption in favour of sustainable development  
Policy SP20 - Generic Development Management Issues  
Policy SP22- Planning Obligations

## **APPRAISAL:**

The material issues in the consideration of the application are:

- principle of locating the proposed development in policy terms
- impact of the proposed development on the Highway network
- impact on the character of the area,
- impact on the existing amenities of neighbouring occupiers
- ecological considerations.
- consultation responses

### **Principle of development**

The Ryedale Plan, and national guidance in the NPPF and the NPPG support development in principle that secures economic growth in order to create jobs and prosperity. The benefit that tourism plays in this role has long been acknowledged. The applicant has stated that the development will provide 4 full time equivalent jobs. In addition, it is considered that the development will also encourage visitors to the area, who will spend in the locality.

Cinemas are identified as a town centre use, which would require the application of a sequential test. This would normally require such uses to be located in town centres, then in edge-of-centre location, and only if such locations aren't available should an out-of-centre be considered. Nevertheless, Pickering is the closest town to the site, and does not have a cinema. The proposal is for the siting of an open air cinema which requires an out-of-town location by virtue of the land requirement and neighbour amenity considerations. Furthermore, the location of the development in association with other tourism uses, could provide mutual benefits. There is some concern that the development is based entirely on car usage which conflicts with the requirements in the NPPF to promote sustainable transport, and reduce the need to travel. However this aspect needs to be balanced against the benefits to the economy. An alternative approach would be to utilise a 'pop up' cinema which could operate on a temporary basis for a shorter time period.

### **Highway Implications**

The application approved in 2013 for the wider show ground required an upgrading of the main site access, to include a right turn lane, and provision of street lighting. That work has yet to be carried out. It is also noted that the car park identified for use by the park-and-ride has not been provided on site. Whilst the application does not include any information on likely numbers, the proposed development will result in a significant number of vehicular movements within a short time period.

It is considered that this will be likely to result in an increase in potential impact on both neighbouring amenity and the highway network. Accordingly, the Highway Authority has requested the submission of a Transport Statement setting out the expected number of trips and evidence that the existing access arrangements can accommodate this traffic. This information was requested on August 4th 2015, from the agent but no response has been received. There is also concern that the use of the site for the proposed purpose will restrict use of the park and ride. Some people using the park and ride may choose to return to their vehicles later than the time required to prepare the area to show a film. An example of this would be when the war weekend is held in Pickering. As such it is considered that the use could prejudice the implementation of the Park and Ride.

### **Neighbour Amenity**

The immediate area around the application site is not heavily populated. Nevertheless there is a residential dwelling in relatively close proximity to the south of the application site, with further dwellings to the north east and the west. The potential impact from the development is considered to be from traffic noise, general comings and goings associated with the proposed use, including noise from large groups of people congregating and dispersing. Such disturbance could also include noise from car doors, engines running etc and any noise from the cinema projection itself. In relation to highway noise the number of cars arriving and leaving at the same time will impact on immediate neighbours, and also on residential amenity in the wider vicinity of the site. This is of particular concern, given the proposed opening hours of 19:30 to 01:00 hours in summer and 17:00 to 23:30 in winter.

Further information has been requested from the applicant in relation to providing mitigation for potential neighbour amenity issues, but again no response has been received. The Council's Environmental Health Officer has raised concerns regarding potential impacts of the development on the amenity of cinema goers and neighbouring residents. This is in relation to the effects of noise from generators, car engines, traffic movement, late night activities, light pollution, fumes from car engines and the lack of provision of toilet facilities for staff and the public.

### **Character of Area**

The proposed development comprises a relatively small timber building, together with the erection of the screen. Given the existing screening around the perimeter of the site, the building will not be readily visible from outside the site. Nevertheless the screen will be substantially higher, and no evidence has been provided to demonstrate whether the existing planting on the site will be sufficient to mitigate its impact. Furthermore there is concern when the film is being shown the screen will be lit, which will be likely to cause light pollution. No information has been provided as to other general lighting that will also be required. This was a consideration on the application for the main site. As such it is considered that in the absence of appropriate mitigation, the development will be likely to result in light pollution, to the detriment of the character of this rural area.

### **Ecological Considerations**

This area was conditioned to be retained as a nature reserve on the previous application for the wider show ground. The current plans do not include an ecological survey, and indeed appear to require a level site, to enable cars to be parked in a situation where they can view the screen. The Council's Countryside Officer has advised:

*Further to my site visit I strongly object to this development proposal.*

*The proposal does not take into consideration the presence of great crested newt over a large part of the development area. Previous survey work has indicated a population of newts using a breeding pond 20m to the north of the development site. Indeed a previous planning application set aside the area of rubble currently within the red line as terrestrial habitat for newts to forage and over winter. Should this proposal go ahead there is a danger of an offense being committed under The Wildlife and Countryside Act and the European Habitats Regulation as there could be injury to individual newts and harm to the local population due to the loss of habitat.*

## Consultation Responses

Four consultation responses have been made in relation to the application from interested parties. Welcome to Yorkshire has expressed support for the proposed development and includes the following statement;

*"This is an exciting proposal and one which would give a unique offer to locals and visitors in the Ryedale District and beyond. In the last 10 years there has been a resurgence of the drive-in cinema, led by the Americans and more latterly adopted by developers in the UK. At the moment we are not aware of a permanent drive-in cinema in the region. Some occasional screenings take place at sites in Yorkshire and prove to be very popular.*

*Welcome to Yorkshire leads from the front and is delighted when developers invest in facilities which will demonstrate to our visitors that we have the most up to-date and innovative attractions for them to enjoy. It's all about enhancing the visitor experience in Yorkshire and we feel that the proposal by Moonlight Movies will make a significant contribution to this."*

A further letter of support has been received from a local businessman. He supports the proposal on the basis that money spent in local businesses passes round the local economy several times before leaving the area, and therefore the proposed development will help the local economy. He further states that Scarborough has an as-yet unresolved lack of quality, current cinema provision. This will help.

A letter of objection to the proposed development has also been received in relation to the lack of information. In particular in relation to how the sound system will affect neighbours, lack of detail on the impact of the screen on the character of the area, and lastly of how the nature area shown on the previously approved application has been subsumed into the Park and Ride car park.

Pickering and District Civic Society has also expressed concern regarding the lack of information. This response also makes reference to the fact that the submitted plan does not match that previously approved in relation to the application on the wider show ground. Furthermore no information has been provided in relation to lighting, toilet provision, sound system, or screening of the projection screen. The concerns raised have been addressed elsewhere in the report.

## Conclusion

The application makes reference to the planning permission approved on the wider show ground. It also states that it will utilise the park-and-ride car park during the evenings. There is concern that this development could restrict the hours that the Park and Ride could operate, and it would also necessitate the removal of part of the area required as newt habitat. No alternative habitat or mitigation has been proposed.

Officers have taken account of the benefits to the economy and the tourism industry in Ryedale, by virtue of the proposed development. Indeed, there is potential to review the proposed development in the future, once the upgrade to the existing access has been carried out and the car park associated with the proposed park and ride has been implemented. This will however require the submission of a new application, with information included to address the concerns raised, in particular in relation to ecology, and neighbours amenity. However at this stage, the applicant has failed to provide the necessary information to demonstrate that:

- the existing access is acceptable,
- the development will provide appropriate mitigation in respect of protected species
- the proposed development will not have a significant adverse impact on the existing amenities of neighbouring occupiers.
- the development will not result in light pollution which will harm the character of this rural area.

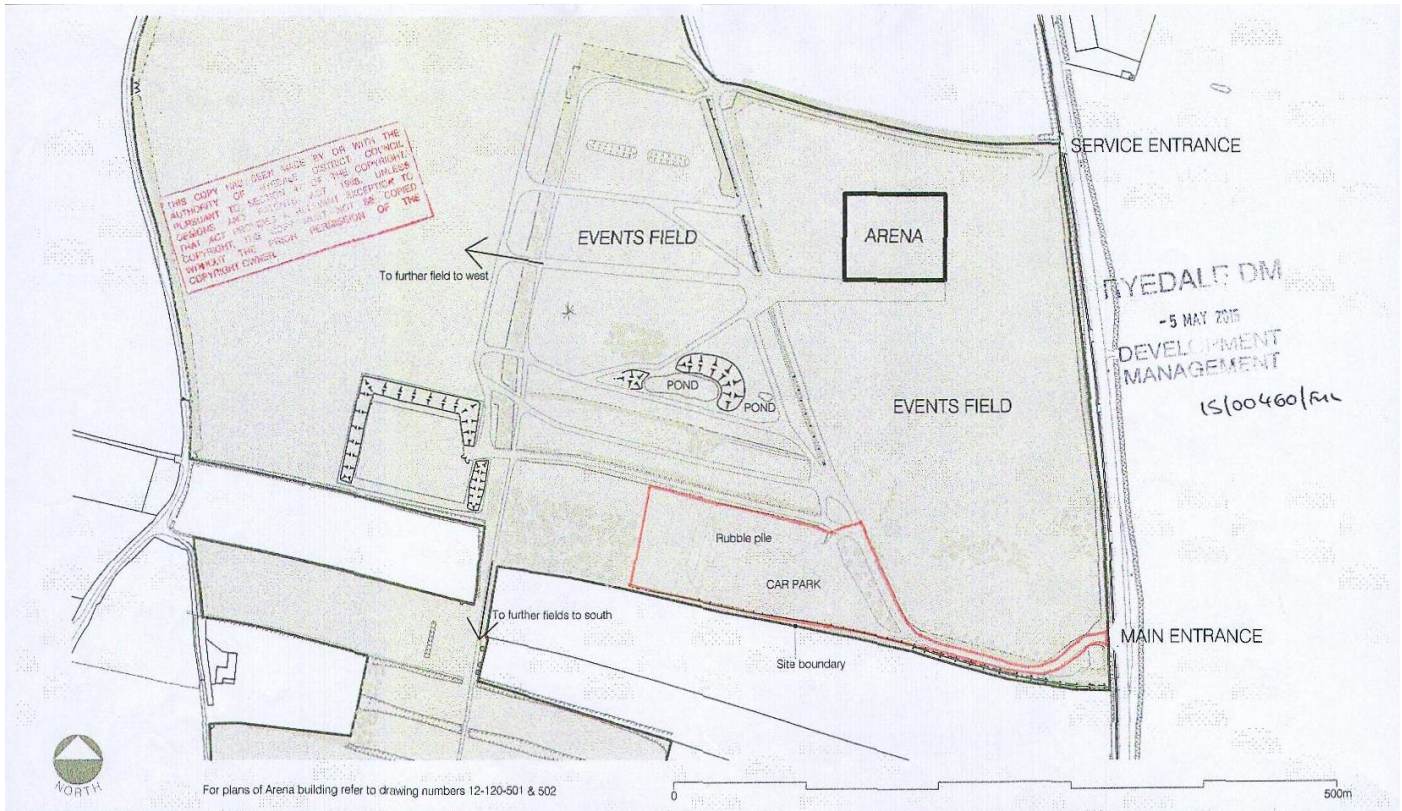
Accordingly, the recommendation is one of refusal for the following reasons:

**RECOMMENDATION: Refusal**

- 1 The proposed development will be likely to generate a significant number of vehicular movements during a condensed time period. The applicant has not submitted a Transport Statement to demonstrate that the existing access can safely accommodate the increase in traffic numbers. As such, the development is contrary to the provisions of Policies SP10 and SP20 of the Ryedale Plan - Development Plan Strategy, and part 4 of the NPPF.
- 2 In the absence of an updated ecological survey, the applicant has failed to demonstrate that the proposed development will not result in the loss of a site identified as a habitat for protected species. As such the development is contrary to Policy SP14 of the Ryedale Plan - Local Plan Strategy, the NPPF and The Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.
- 3 The applicant has failed to demonstrate that the development will not result in a significant adverse impact on the existing amenities of the occupiers of nearby residential properties or the amenities of cinema goers. As such the development is contrary to the provisions of Policy SP20 of the Ryedale Plan - Local Plan Strategy.
- 4 The applicant has failed to demonstrate that the development will not harm the ambience of the area by virtue of the likelihood of additional light pollution caused by the development. As such the proposal is contrary to the criteria contained within Policy SP13 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



Pickering Showground  
for Ryedale Exhibition & Leisure Village

**SITE PLAN - NORTHERN EVENTS AREA**

ALL DIMENSIONS, SETTING OUT LEVELS ETC. TO BE TO SHOWING SITE. DIMENSIONS MUST BE RECHECKED ON SITE WITH OTHER RELEVANT INFORMATION TO BE OBTAINED FROM THE LAND TRANSFER PURPOSES.

Client RYEDALE EXHIBITION & LEISURE VILLAGE

Project PICKERING SHOWGROUND

Title SITE PLAN - NORTHERN EVENTS AREA

Proj No 12-120

Scale 1:2500@A3

Grindell House 35 North Bar Within Beverley HU17 8DB

Drwg No 601

Date 7 NOVEMBER 2012

Tel 01482 867731

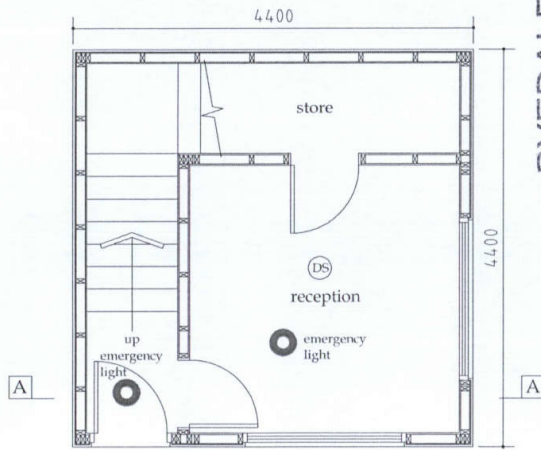
Revision

Drawn GB

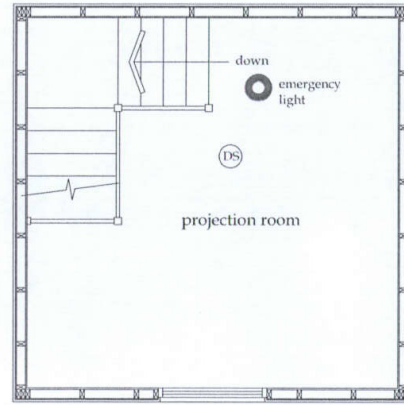
info@grahambinningtonarchitects.co.uk

©





Ground Floor Plan



First Floor Plan

RYEDALE DM

-5 MAY 2015

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Drawing	Proposed drive-in cinema, Pickering Showground Projection building floor plans		
	Drawing Number	Date	Scale @ A4
	MM15/03	Mar 15	1:50

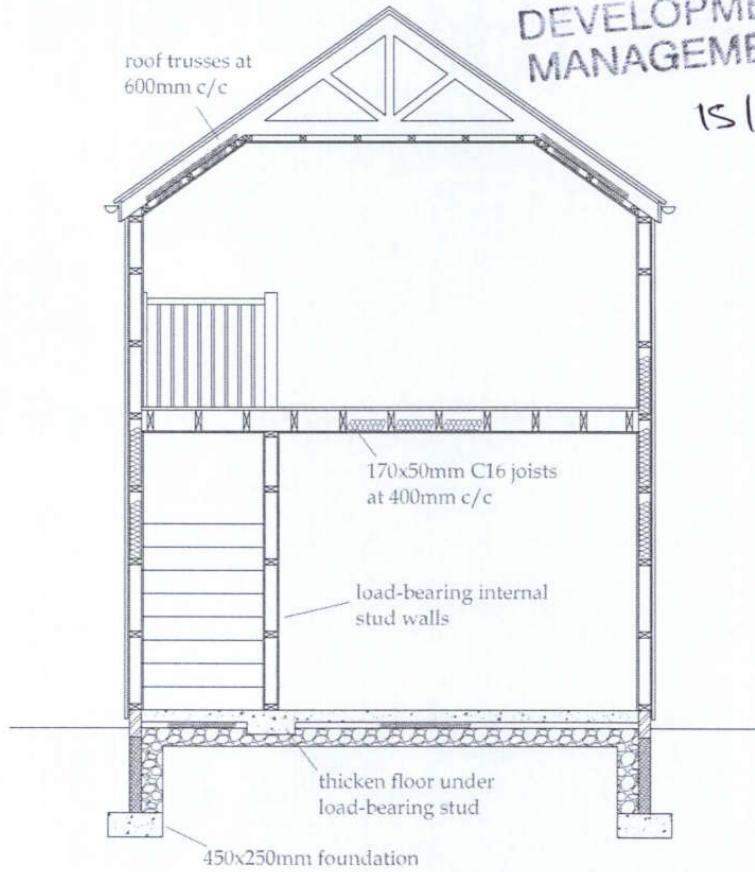
**Martin Elwick**  
Architecture & Design

RYEDALE DM

- 5 MAY 2015

DEVELOPMENT  
MANAGEMENT

15/00460/FUL



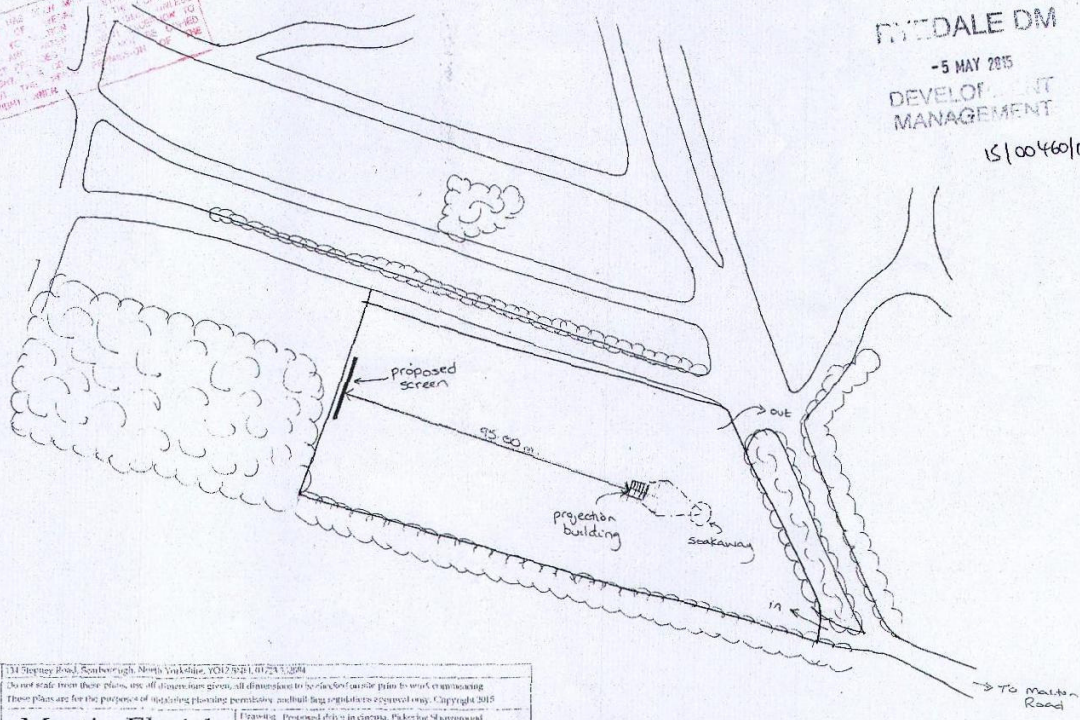
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<b>Martin Elwick</b> Architecture & Design	Drawing Proposed drive-in cinema, Pickering Showground Typical section A-A		
	Drawing Number MMPS/02	Date Mar 15	Scale @ A4 1:50

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- 5 MAY 2015  
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15/00460/ML



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	<p>Martin Elwick Architecture &amp; Design</p>	<p>Drawing Number</p> <p>ADM/15/11</p>	<p>Date</p> <p>May 15</p>

RYEDALE DM

-5 MAY 2015

DEVELOPMENT  
MANAGEMENT

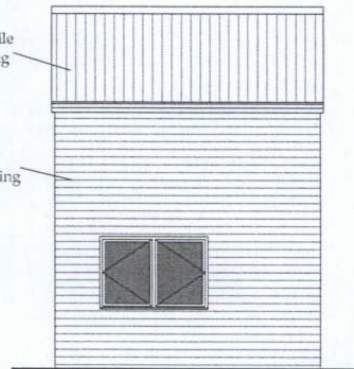
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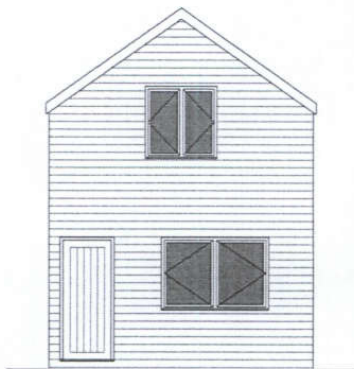
Proposed East Elevation

lightweight profile  
tile effect sheeting

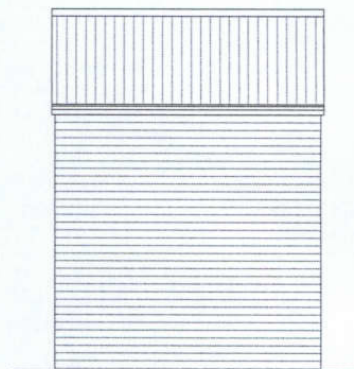
half round  
timber cladding



Proposed South Elevation



Proposed West Elevation



Proposed North Elevation

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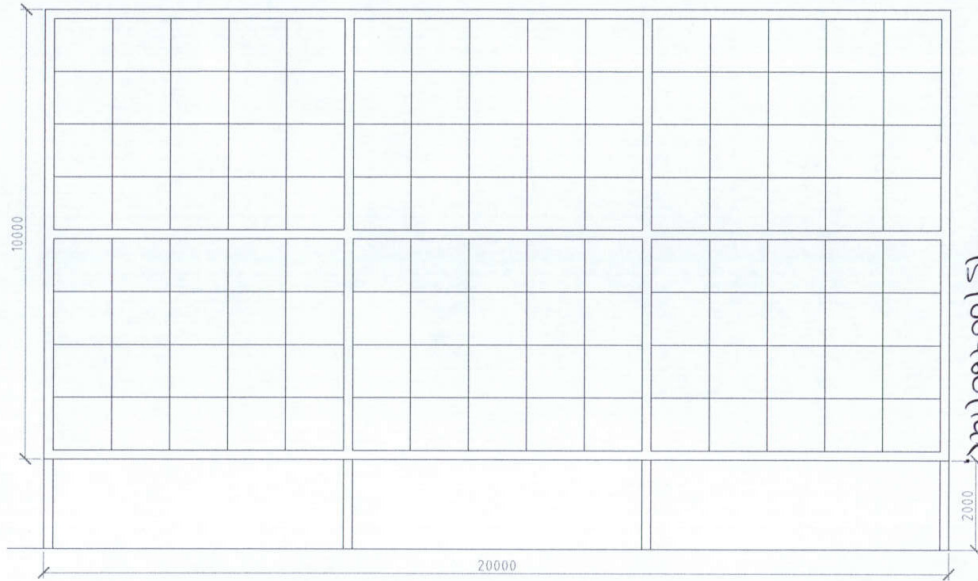
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**Martin Elwick**  
Architecture & Design

Drawing Proposed drive-in cinema, Pickering Showground  
Proposed projection building elevations

Drawing Number	Date	Scale @ A4
MMPS/01	Mar 15	1:100

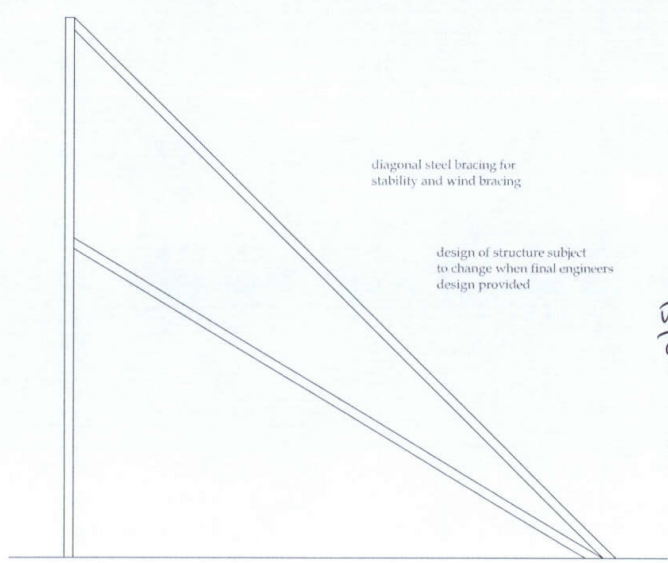
steel frame structure with internal lighter steel framing  
to allow plywood to be fixed to provide flat surface for  
screen to be fitted to



RYEDALE DM  
- 5 MAY 2015  
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IS 100460 (Rev)

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<b>Martin Elwick</b>		Drawing Proposed drive-in cinema, Pickering Showground Screen structure, front elevation	
Architecture & Design	Drawing Number MMIS/04	Date Mar 15	Scale @ A4 1:100



diagonal steel bracing for stability and wind bracing

design of structure subject to change when final engineers design provided

RYEDALE DM  
 - 5 MAY 2015  
 DEVELOPMENT  
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15/00460/rw

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Martin Elwick Architecture & Design	Drawing Proposed drive-in cinema, Pickering Showground Screen structure, typical side elevation		
	Drawing Number	Date	Scale @ A4
	MM15/05	Mar 15	1:100

**Design Access Statement**  
**Proposed Drive-in-Cinema**  
**Pickering Showground, Pickering**

HYDRA-ALERT  
- 5 MAY 2015  
DEVELOPMENT  
MANAGEMENT  
15/00460/FUL

Pickering Showground is located to the south of the market town of Pickering to the west side of Malton Road. The showground hosts many events throughout the year and becomes very busy with both tourists and local residents.

The proposal of this application is to provide an additional attraction within the showground in the form of a drive-in-cinema.

The area to be used for the proposal is already ear-marked by the showgrounds owners as an area to be used for the 'park and ride'. The 'park and ride' proposal is to be subject to a full planning application by the showgrounds owners which is to include the car-parking area. The proposed drive-in-cinema will utilise the car-parking area from the 'park and ride' after the last shuttle bus has dropped off. This give operating hours of the cinema of 19:30 to 01:00 hours in summer and 17:00 to 11:30 hours in winter.

The proposal is split into two parts, the first is the projection unit building. This comprises a small 4.4x4.4m timber clad detached building. This is two storey as the projection unit has to be set high enough above ground level to allow clear access to the screen. The building comprises a part vaulted roof to enable a window in the gable but reduce the height and impact of the building. As this leaves a space at ground floor, this area will be used as a reception area that will also serve cold drinks (non-alcoholic) and snacks (popcorn etc). This building is to be constructed to be able to be dismantled and moved within the site if required (subject to permission applied for at time) with minimal loss of materials.

The second part of the proposal is to provide the new cinema screen. This has to be located within 100m of the projection housing. This is a steel framed structure that is clad with plywood to give a smooth solid finish to fix the cinema screen against. This is subject to a structural engineers design and full details will be provided when available, draft designs have been provided in the meantime.

Access to the site will be from the main access already in use from Malton Road and all existing roads within the site.

# Agenda Item 8

**Item Number:** 8  
**Application No:** 15/00830/FUL  
**Parish:** Scrayingham Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr S Wood  
**Proposal:** Erection of a general purpose agricultural building for the housing of livestock  
**Location:** Poplar House Farm Leppington Lane Leppington Malton YO17 9RL

**Registration Date:**  
**8/13 Wk Expiry Date:** 16 September 2015  
**Overall Expiry Date:** 26 August 2015  
**Case Officer:** Helen Bloomer **Ext:** 328

## CONSULTATIONS:

<b>Environmental Health Officer</b>	Conditions recommended
<b>Parish Council</b>	No views received to date
<b>Highways North Yorkshire</b>	Await amended documents
<b>Highways North Yorkshire</b>	No objections

**Neighbour responses:** Mr Simon Flounders,

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## SITE:

Popular House Farm is an operational farmstead situation to the northern edge of Leppington. Whilst the farmhouse is located within the development limits of the village, the associated agricultural buildings are located in the open countryside and the Area of High Landscape Value.

## PROPOSAL:

Planning permission is sought for the erection of an agricultural livestock building.

## HISTORY:

13/01326/FUL - Erection of replacement agricultural building for the housing of livestock (retrospective application). Approved

13/01327/FUL - Erection of replacement agricultural building for the housing the livestock (retrospective application). Approved

14/00458/FUL- Erection of an agricultural livestock building for calf housing. Approved

14/00459/FUL - Erection of an agricultural lean to livestock building adjoining existing livestock building. Approved

## POLICY:

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

Policy SP13 - Landscapes

Policy SP16 - Design



National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Practise Guidance (NPPG)

This application is presented before Planning Committee because an objection has been received. This main issues raised include the capacity of the existing soakaway, siting of the building, noise, traffic, and also the existing building, granted under reference 14/00459/FUL, has not yet been completed. The full version is available to see on the public access

In response to the above objection the agent has responded. The full response is viewable on the public access. A summary has however been provided below.

*The additional water runoff into the existing drainage system has been accepted by the highways authority.*

*There are no properties within 20m of the proposed building.*

*There is no issue for large farm vehicles, tankers and large lorries accessing the farm yard as there is plenty of space and manoeuvring area of the public highway.*

*Poplar House Farm is an ongoing development to bring the facility up to date and with this undertaking we have pushed the animals further away from residential properties than the previous occupiers.*

*It is our understanding that the objection received is from someone whom does not live within the village of Leppington. No other objections have been received.*

At the time of writing officers are investigating the above claim and will update Members at Planning Committee.

**APPRAISAL:**

The main considerations in assessing this application are;

- i. Character and Form
- ii. Residential Amenity
- iii. Highway Safety.

Character and Form

With regards to the siting of the building, the proposal has been located immediately adjacent to the existing farm buildings and within the existing farmstead. The previously approved building has not yet been brought into use as is still undergoing construction.

The design of the proposed building is considered to be appropriate to its setting within an existing farmstead. In terms of the wider landscape impact, the building would be seen in the context of the farmstead. This is considered to be the most appropriate siting for the building in landscape terms and would not harm the character of the Yorkshire Wolds Area of High Landscape Value.

Residential Amenity

Officers acknowledged that the coming and goings, noise and smells associated with the operation of a farmstead may impact on the amenity of the residents of the nearby residential dwellings, particularly those east of the holding.

However given the nature of the building, the existing use of the site and the comments of Environment Health Officers, it is considered that it would be unreasonable to require the siting of the building elsewhere.

The Environmental Health Officers were consulted and (based on the previous negations that took place as a result of application 14/00458/FUL), raise no objection subject to the recommended conditions

The design of the building is considered to be appropriate and given its scale would not result in any harmful overshadowing or loss of light to the nearest residential dwellings.

### Highway Safety

North Yorkshire County Council Highways Authority had originally raised concerns with proposed method of drainage of surface water via a soakaway. Following receipt of this consultation response the agent confirmed that this had been an administrative error and that surface water would be dealt with via an existing 10 inch pipe which runs under the farmyard and eventual outfall to a beck. Following receipt of this information the Highways Authority has raised no objection to the proposed development.

At the time of writing no other written representations had been received.

In light of the above, the recommendation to Members 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            Prior to the occupation of the development hereby approved a revised manure management plan shall be submitted to and agreed in writing with the Local Planning Authority. The manure management plan shall include the number and types of animals kept as well as the length of time each year that they are kept in the buildings and the type and method of manure collection, storage and disposal. Thereafter the manure management plan shall be reviewed annually and submitted to the Local Planning Authority prior to any major change occurring.

Reason: To prevent a build up of agricultural wastes leading to problems of odour and flies to neighbouring residents. To protect residential amenity in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy

3            Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with the requirements of Policy SP13 and SP20 of the Ryedale Local Plan Strategy.

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

Drawing Ref. WFT (July 2015) Received by the Local Planning Authority 22 September 2015

Site Location Plan Received by the Local Planning Authority 22 September 2015

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

Poplar House Farm, Leppington

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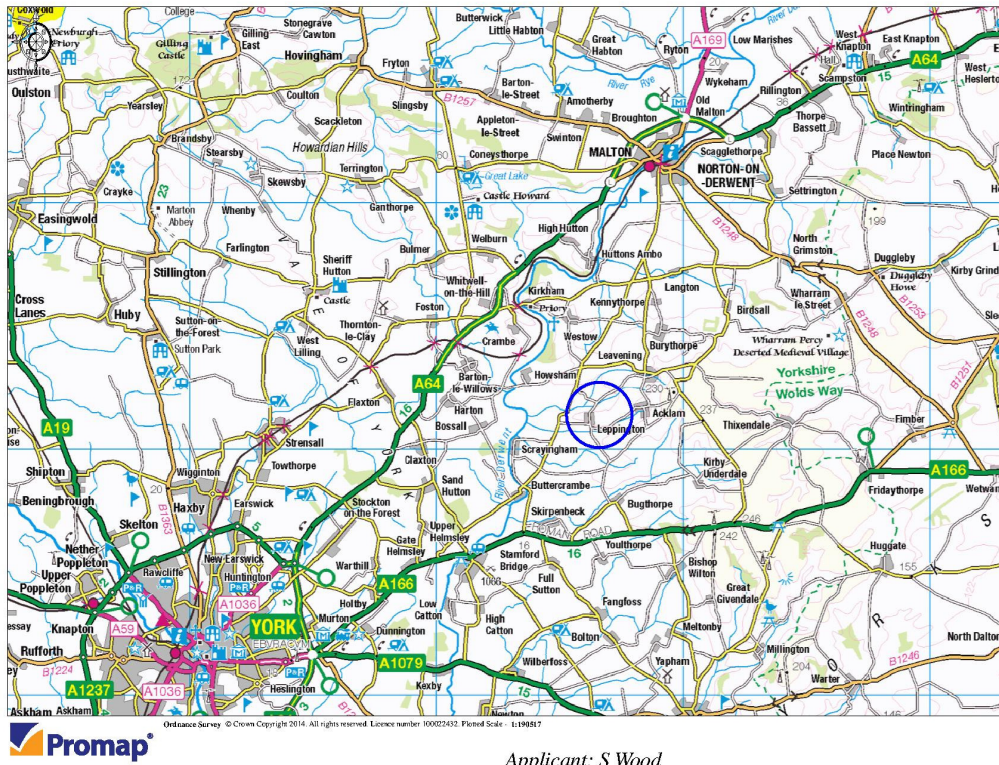
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Applicant: S Wood

DATE VALID  
22/07/15

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Location Plan



Applicant: S Wood

DATE VALID  
22/07/15

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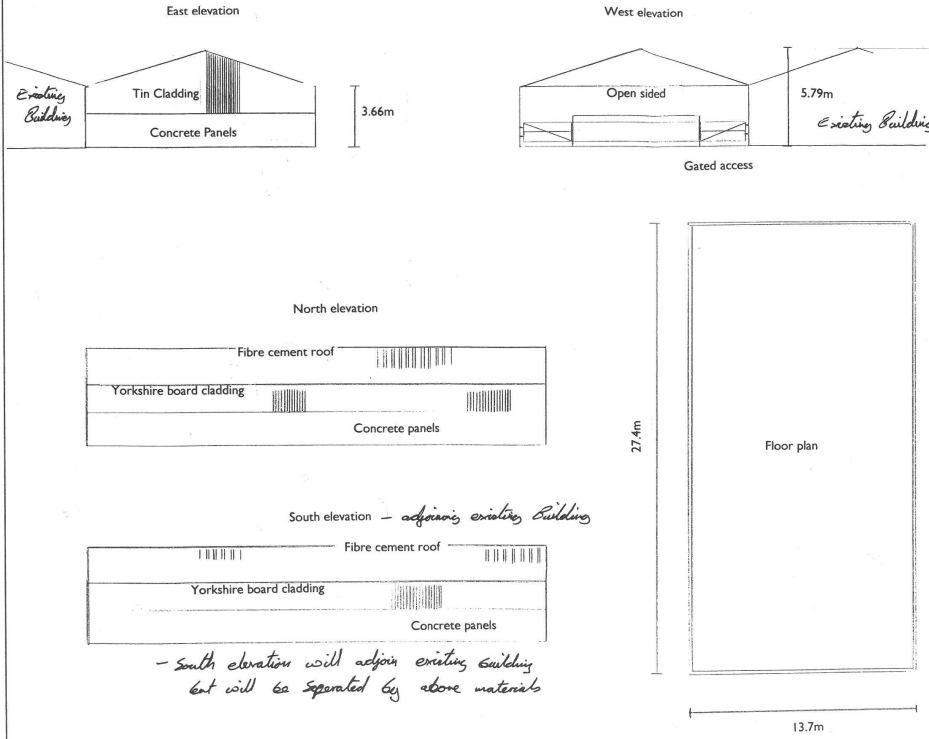
Proposed Livestock Building

Date: July 2015

Ref: WFT

Notes:

Planning Application plan for livestock housing building at Poplar House Farm, Leppington, Malton



Title: Poplar House Farm

Client: S Wood

Scale: 1: 200



DATE VALID  
22/07/15

**Cundalls**

15 Market Place, Malton, North Yorkshire, YO17 7LP  
t. 01653 697820  
malton@cundalls.co.uk  
www.cundalls.co.uk

---

## **DESIGN AND ACCESS STATEMENT**

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**PROPOSED LIVESTOCK BUILDING**

**AT**

Poplar House Farm  
Leppington  
Malton  
North Yorkshire

**APPLICANT: S WOOD**

**July 2015**

## APPLICATION DETAILS

Applicant:	Stuart Wood
Applicants Address:	Poplar House Farm, Leppington, Malton, North Yorkshire, YO17 9RL
Applicants Agent:	William Tyson BSc (Hons) MRICS FAAV, Cundalls Chartered Surveyors
Agents Address:	Cundalls, 15 Market Place, Malton, North Yorkshire, YO17 7LP
Site Address:	Poplar House Farm, Leppington, Malton, North Yorkshire, YO17 9RL
Application Title:	Full planning application for a livestock building
Application Type:	Full Planning Application
Application Date:	July 2015
Location:	Poplar House Farm, Leppington, Malton, North Yorkshire
Proposed Use:	Agriculture
Reason for Proposal:	Essential need for further livestock housing at the main holding
Parking:	Vehicle and pedestrian access to the new building will be via the existing private access.
Foul Water:	The building will have a natural soak-away drainage system.
Size:	Overall area of 375 square meters
Dimensions:	building dimensions: <ul style="list-style-type: none"><li>• North elevation = 27.4m</li><li>• South elevation = 27.4m</li><li>• West elevation = 13.7m</li><li>• East elevation = 13.7m</li></ul>



## **INTRODUCTION**

This planning application seeks planning approval for an agricultural building to provide much need additional undercover housing for breeding and store cattle. The building will be constructed of recycled materials and has been specifically designed to sit comfortably within the farmstead at Poplar House Farm.

## **AMOUNT**

The amount of the development is the erection of an agricultural building. The proposed building extends to:

- North elevation = 27.4m
- South elevation = 27.4m
- West elevation = 13.7m
- East elevation = 13.7m
- 5.79m ridge height and 3.66m eaves height

## **USE**

The building will be used for livestock housing.

## **LAYOUT**

The building will provide much needed standard livestock housing and has no material adverse effect upon existing amenities or surrounding properties.

The building will have no adverse effect on the wildlife value or natural environment surrounding.

## **SCALE**

The building will be a single story unit of 375 square meters. The building has been specifically designed to mirror other steel portal framed buildings within the area.

## **LANDSCAPING**

The development will have no effect whatsoever on existing hedgerows or shrubs lying adjacent to the proposed site.

## **APPEARANCE**

The external appearance of the building is steel portal framed with brown Yorkshire board cladding, grey concrete panels and a dark grey fiber cement roof.

## **VEHICLE ACCESS**

The proposed vehicle access will be via the existing access. This will not have a detrimental impact on the safety of pedestrians and/or other road users or the free flow of traffic upon the highway network as it is a private roadway.

**Item Number:** 9  
**Application No:** 15/01019/HOUSE  
**Parish:** Norton Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr & Mrs N. Drew  
**Proposal:** Erection of two storey extension to rear elevation  
**Location:** 4 Field View Norton Malton YO17 9AZ

**Registration Date:**  
**8/13 Wk Expiry Date:** 22 October 2015  
**Overall Expiry Date:** 2 October 2015  
**Case Officer:** Tim Goodall **Ext:** 332

## CONSULTATIONS:

**Parish Council** Recommend approval subject to no objections from neighbours

**Neighbour responses:** E A McElroy,

-----

## SITE:

The site contains a detached two storey dwelling located on the south side of Field View, Norton. Field View is a residential cul de sac, with further residential properties to the south on Langley Drive and to the south east on Langton Road. The property is constructed of LBC Claydon Red brick up to sill level of the first floor windows with LBC Nene Valley Stone Brick above. The roof is of Sandtoft Grey Calderdale interlocking slates.

The property has a front garden and also a rear garden that extends approximately 20 metres from the existing rear elevation of the house. There is a timber shed at the southern end of the rear garden.

## PROPOSAL:

Planning permission is sought for the erection of a two storey extension to the rear of the property. The extension will have a dual pitched roof with a south facing gable end. The extension will project 3.3 metres from the original rear elevation and be 6.15 metres wide. The ridge height of the extension will be 7.0 metres, reduced 5.2 metres at the eaves. The extension will be set in 0.95 metres from the boundary to the east and a minimum of 0.65 metres from the boundary to the west.

There will be rear facing patio doors and one rear facing window at ground level. There will be two rear facing windows at first floor level. The proposed extension will use materials that match those of the existing dwelling.

## CONSULTATION RESPONSES:

Norton Town Council have recommended approval, subject to no objection from the neighbouring owners.

The occupiers of 1 Langley Drive have objected to the planning application due to overlooking and a loss of privacy to their rear garden.

These are material considerations in the determination of a planning application and as such application is to be determined by Members at Planning Committee.

## **HISTORY:**

3/96/572/R5 - Development at Norton School, Langton Road for the purposes of residential development - Approved 09.12.1991

3/96/572A/RM - Erection of 28 dwellings together with associated parking facilities and landscaping (Decision 3/96/572/R5 dated 09.12.91 refers) - Approved 11.05.1995

## **APPRAISAL:**

- i. Design
- ii. Impact on Neighbouring Amenity
- iii. Conclusion

### i. Design

Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states that new development should respect the context of its surroundings including the plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. The type, texture and colour of materials should also be respected. Proposed extensions, considered acceptable in principle should be of an architectural style which compliments the character of the main building. Furthermore, policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy advises that extensions 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 two storey rear extension will match the design of the existing house, in terms of architectural style and use of materials. The apex of the extension will be set down 0.8 metres from the main roof and the extension will be set in 0.45 metres from the west facing side elevation of the existing house. As such it is considered that the extension will respect the existing style of the house and remain subservient to it, in accordance with Council policy.

### ii. Impact on Neighbouring Amenity

Policy SP20 (Generic Development Management Issues) states that new development will not have a material adverse impact on the amenity of present or future occupants, the users of neighbouring land and buildings by virtue of its design, use and location and proximity to neighbouring land uses.

The roof of the extension will be set down from the main roof height and there will be no windows to the side elevations. The rear elevation of 2 Field View, which adjoins the application sits approximately 0.8 metres further down the rear garden thereby reducing the impact of the two storey element of the proposal. The side elevation of the proposed extension will also be a minimum of 1.8 metres from the side elevation of 2 Field View.

6 Field View, to the east of the site is set in approximately 2.5 metres from the boundary. The rear elevation of no. 6 projects approximately 0.5 metres further down the rear garden than the existing rear elevation of the applicant's house. Given the design and location of the proposed extension it is not considered there will be an unacceptable loss of amenity to the occupiers of 2 and 6 Field View.

The extension will be approximately 35 metres to the north of the rear elevation of 1 Langley Drive and approximately 25 metres from 147 Langton Road to the south west. Due to the design of the proposal and the distances involved there is not considered to be an unacceptable loss of amenity to the occupiers of these properties.

iii. Conclusion

In light of the above, the proposed two storey rear extension to 4 Field View is considered to comply with policies SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy and is 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 colour, type and texture of the rendered finish to the external walls and roof of the development hereby permitted shall match that of the existing dwelling, unless otherwise approved in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance.

3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 Site Location Plan  
15-1104-1 Survey of Existing Dwelling  
15-1104-2 Proposed Two Storey Extension

received by the Local Planning Authority on 27 August 2015

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

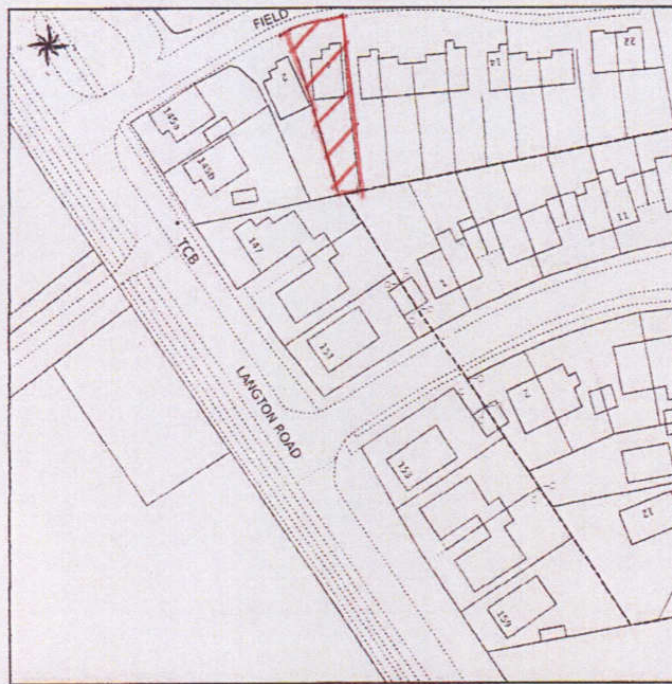
# 4 Field View, Norton, Malton.

## RYEDALE DM

27 AUG 2015

DEVELOPMENT  
MANAGEMENT

*15/01/019/HOUSE*



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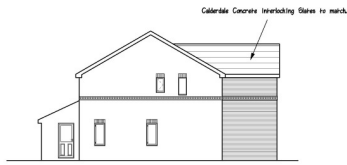
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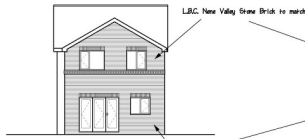
plans ahead emapsite

Prepared by: Mike Punchard, 14-05-20

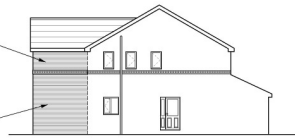
Check All Dimensions on Site.



Proposed West Elevation.

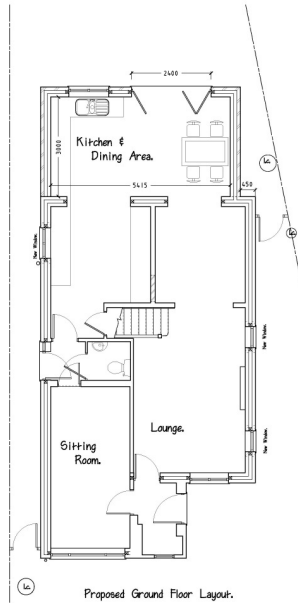


Proposed South Elevation.

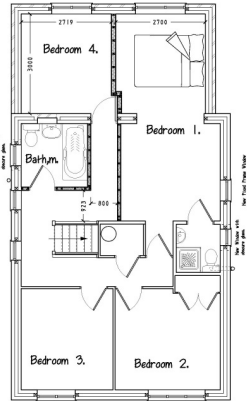


Proposed East Elevation.

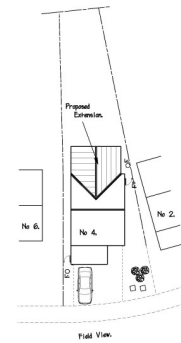
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Proposed Ground Floor Layout.



Proposed 1st Floor Layout.



Proposed Block Plan. 1:200.

DATE VALID:  
27.08.2015

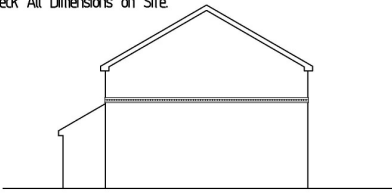
TITLE :- Proposed Two Storey Extension.  
SCALES :- 1:100, 1:50.

AT :- 4 Field View, Norton, Malton.  
DATE :- July 2015.

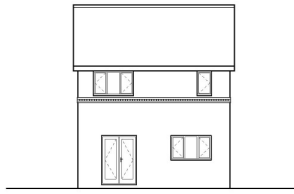
FOR :- Mr & Mrs N. Drew.  
DRAWING No. :- 15-1104-2.

**MIKE PUNCHED  
PLAN DRAWING SERVICE**  
9 THE AVENUE, NORTON, MALTON,  
N. YORKS. YO17 9EF  
TEL:- 01653 694276

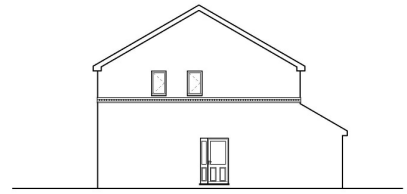
Check All Dimensions on Site



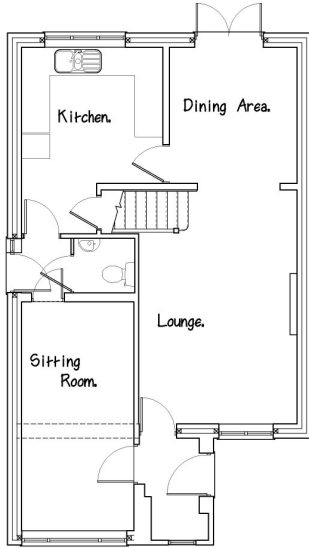
West Elevation.



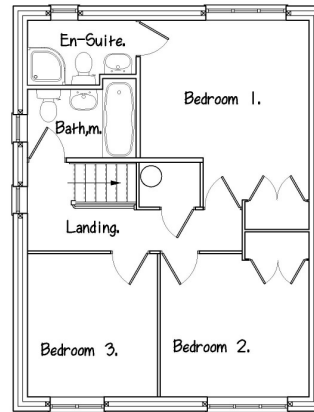
South Elevation.



East Elevation.



Ground Floor Layout.



1st Floor Layout.

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DATE VALID:  
27.08.2015

**MIKE PUNCHARD**  
**PLAN DRAWING SERVICE**  
9 THE AVENUE, NORTON, MALTON.  
N. YORKS. YO17 9EF  
TEL:- 01653 694276

**TITLE :-** Survey of Existing Dwelling.  
**SCALES :-** 1:100, 1:50.

**AT :-** 4 Field View, Norton, Malton.  
**DATE :-** July 2015.

**DRAWING No. :-** 15-1104-1.



TG.

# 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



recommend  
approval subject to  
no objections  
from neighbour

22<sup>nd</sup> September 2015

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

RYEDALE DISTRICT COUNCIL

22 SEP 2015

DEVELOPMENT  
MANAGEMENT  
20/9/15 - cm.

Dear Sir,

## PLANNING APPLICATIONS NORTON-ON-DERWENT

I have to inform you that at its meeting on Monday, 21<sup>st</sup> September 2015 the Town Council made the following recommendations in respect of the applications listed below:-

15/01019/HOUSE

Erection of two storey extension to rear elevation.  
4 Field View, Norton, Malton, YO17 9AZ  
For: Mr & Mrs N Drew  
RESOLVED: Recommend approval, subject to no objection from  
neighbouring owners.

15/01004/FUL

Erection of a three bedroomed dwelling to include formation of  
vehicular access, parking and amenity area.  
Land east of 72 Parliament Street, Norton, Malton.  
For: Mrs J Spaven  
RESOLVED: Recommend approval

15/01061/HOUSE

Erection of a one-and-a-half storey extension to rear elevation.  
11 The Chase Norton.  
For Mrs J Routledge  
RESOLVED: Recommend approval, subject to no objection from  
neighbouring owners.

Yours sincerely,

Ros Tierney  
Town Clerk

E. Mail: [norton.tc@btconnect.com](mailto:norton.tc@btconnect.com)

# Agenda Item 10

**Item Number:** 10  
**Application No:** 15/01059/HOUSE  
**Parish:** Habton Parish Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr Robert Gardiner  
**Proposal:** Erection of double garage and garden room following demolition of existing garage and stables  
**Location:** Rose Cottage 2 South View Kirby Misperton Lane Great Habton Malton North Yorkshire YO17 6TU

**Registration Date:**  
**8/13 Wk Expiry Date:** 2 November 2015  
**Overall Expiry Date:** 15 October 2015  
**Case Officer:** Charlotte Cornforth **Ext:** 325

## CONSULTATIONS:

**Parish Council**  
**Highways North Yorkshire** No objection

**Neighbour responses:** Mr Keith Plumb,

---

## SITE:

Rose Cottage is located to the south east of the village of Great Habton. The dwelling is accessed off Kirby Misperton Road via a driveway that runs west - east. The site has an existing garage and stable block to the immediate north east of the dwelling that are proposed to be demolished as part of this proposal. To the north of the existing garage is a wall that forms an outbuilding which abuts onto the site. Members should note that this is not within the applicants ownership.

## PROPOSAL:

Planning permission is sought for the erection of a double garage and garden room following the demolition of the existing garage and stables.

Members are advised that this application has been referred to Planning Committee as the applicant is an elected member of Ryedale District Council.

## POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

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

National Planning Policy Framework (2012)

Chapter 7 - Requiring good design

## HISTORY:

There is no relevant planning history with regard to this proposal.

## APPRAISAL:

The main considerations to be taken into account with regard to the proposal include:

- i. Character and form
- ii. Impact upon the street scene
- iii. Impact upon neighbouring amenity
- iv. Highway safety
- v. Other matters
- vi. Conclusion

### i. Character and form

The existing garage and stables have a footprint of approximately 57 square metres. The proposed double garage and stables will have a footprint of 61.6 square metres. It will measure 11m in depth, 5.6m in width, 2.5m to the eaves and to 4.26m to the ridge. On the northern boundary, it will be approximately 750mm from the boundary of the garden of Pear Tree Cottage. The proposed garage and garden room will be constructed of stone under a clay pantile roof, with door roller shutters on the west elevation, bi-fold doors on the southern elevation, a window on the southern elevation and 2 roof lights on the northern elevation.

Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states the following:

*To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings.*

*Extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials*

It is considered that the proposal is appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials, reinforces local distinctiveness and will be an improvement to the existing garage and stables.

### ii. Impact upon the street scene

The proposed garage and garden room will be positioned approximately 40m from Kirkby Misperton Lane, with only the western elevation being visible from the street scene. It is considered that the installation of roller shutter door and it being set back from the street scene by 40m, the proposal will not be readily visible and therefore not detrimental to the street scene.

### iii. Impact upon neighbouring amenity

The dwelling of Rose Cottage is adjoined to 'South View'. To the north west of Rose Cottage are September Cottage and Lavender Cottage. The driveway that serves Rose Cottage is located adjacent to these dwellings. The garden and associated outbuildings of Pear Tree Cottage are located to the north of the proposed garage and garden room.

A letter has been received from the occupiers of Pear Tree Cottage. They have no objection to the original proposal, but if the loft space was converted into a habitable room at a later date, they would object to the proposed roof lights on the northern roof slope. The occupier of Pear Tree Cottage has been reassured that this proposal is for a single storey garden room with no habitable space at first floor level. It is considered that due to the positioning of the roof lights on the northern slope, there will be no direct overlooking into the garden of Pear Tree House.

It is considered that the proposal, by virtue of its height and positioning of the proposed windows will not have a material adverse impact upon neighbouring occupiers. This is in terms of being overbearing in presence, causing loss of natural light or loss of privacy, complying with Policy SP20 of the Ryedale Plan - Local Plan Strategy. It should be noted that with there being an existing driveway and garage used by Rose Cottage, there will not be a material increase in vehicles affecting the properties of September Cottage and Lavender Cottage.

iv. Highway safety

The Local Highway Authority has raised no objection to the proposal in terms of its impact upon highway safety. The proposal continues to provide on site parking for the property.

v. Other matters

There has been no response from the Parish Council or any other third parties with regard to the proposal.

vi. Conclusion

In light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within 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            Prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of 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):

Site Location Plan - Title Number NYK 218289 date stamped 07.09.2015.  
Proposed Double Garage and Garden Room date stamped 07.09.2015.

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

H.M. LAND REGISTRY		TITLE NUMBER
		<b>NYK 218289</b>
ORDNANCE SURVEY PLAN REFERENCE	SE 7576 SE 7676	Scale 1/1250
COUNTY	NORTH YORKSHIRE	DISTRICT
		RYEDALE
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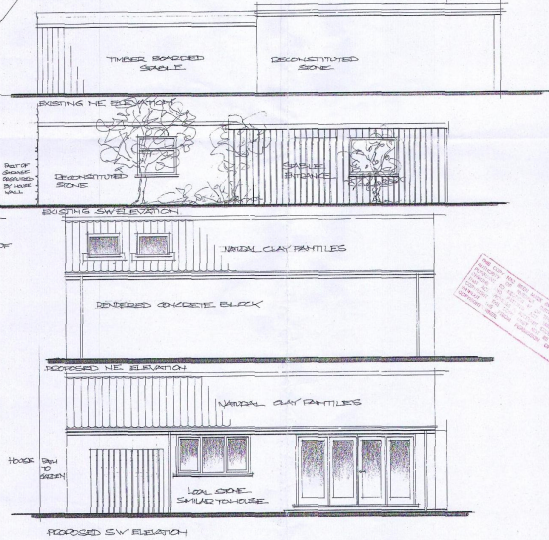
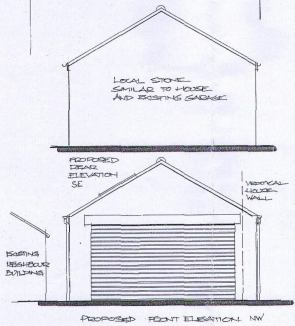
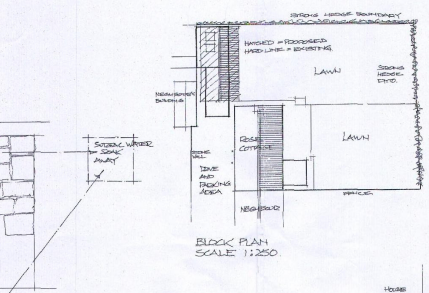
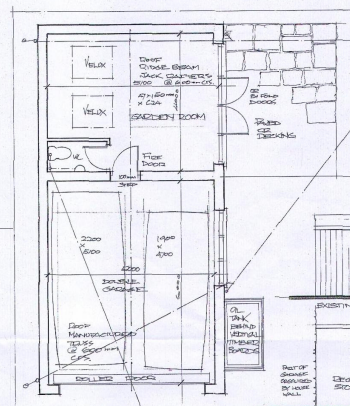
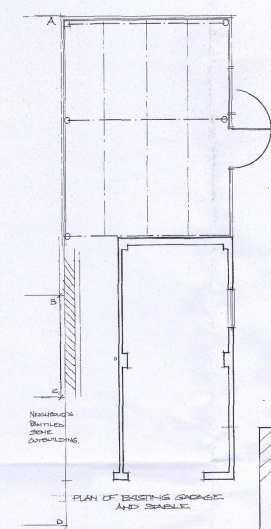
THIS COPY HAS BEEN MADE BY OR WITH THE AUTHORITY OF RYEDALE DISTRICT COUNCIL PURSUANT TO SECTION 37 OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988. UNLESS THAT ACT PROVIDES A PRESENT EXCEPTION TO COPYRIGHT, THE COPY MUST NOT BE COPIED WITHOUT THE EXPRESS PERMISSION OF THE COPYRIGHT OWNER.

- 7 SEP 2015



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**As Existing Garage & Stable Block with Proposed Double Garage & Garden Room**
  
 for
   
 Mr & Mrs R. Gardner
   
 Ross Cottage,
   
 2, South View,
   
 Great Haddon,
   
 YO17 6TU
   
 Scale 1:50
   
 Block Plan 1:250
   
 04/09/15



A red rectangular stamp or seal, likely an official approval or registration mark, located on the right side of the drawing.

## RYEDALE DISTRICT COUNCIL

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

PERIOD 07.09.2015 TO 02.10.2015

---

1.

**Application No:** 15/00035/REM **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Grantside Homes LLP (Mr Peter Callaghan)  
**Location:** Land Off Heron Way Norton Malton North Yorkshire  
**Proposal:** Erection of 4no.three bedroom dwellings with integral garages and 4 no. two bedroom dwellings with detached single garages (outline approval 11/01001/OUT dated 09.09.2013 refers)

---

2.

**Application No:** 15/00561/HOUSE **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Mr R J A Elmhirst  
**Location:** Oswaldkirk Hall Main Street Oswaldkirk Helmsley YO62 5XT  
**Proposal:** External works to include erection of a two storey extension to the north elevation following demolition of existing extension

---

3.

**Application No:** 15/00562/LBC **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Mr R J A Elmhirst  
**Location:** Oswaldkirk Hall Main Street Oswaldkirk Helmsley YO62 5XT  
**Proposal:** External and internal alterations to include erection of a two storey extension to the north elevation following demolition of existing extension, re-roofing of all roof slopes and further works as listed in Outline Schedule of works May 2015 ref: G3907/WRD

---

4.

**Application No:** 15/00641/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Flower Of May Holiday Parks Ltd  
**Location:** Upper Carr Caravan Park Upper Carr Lane Pickering North Yorkshire YO18 7JP  
**Proposal:** Siting of 29no. static holiday caravans on area of existing site used for touring caravans and camping

---

5.

**Application No:** 15/00644/FUL **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Mr Philip Woodward  
**Location:** Band Room Kirkbymoorside Town Brass Band Manor Vale Lane Kirkbymoorside YO62 6EG  
**Proposal:** Erection of extension to band room to form a concert and scout hall, following demolition of existing scout hut.

---

6.

**Application No:** 15/00675/HOUSE **Decision: Approval**  
**Parish:** Hovingham Parish Council  
**Applicant:** Sir William Worsley  
**Location:** Hovingham Hall Church Street Hovingham North Yorkshire YO62 4LU  
**Proposal:** Erection of building incorporating parts of existing stone wall to house wood pellet biomass boiler and pellet fuel store to serve Hovingham Hall

---

7.

**Application No:** 15/00676/LBC **Decision: Approval**  
**Parish:** Hovingham Parish Council  
**Applicant:** Sir William Worsley  
**Location:** Hovingham Hall Church Street Hovingham North Yorkshire YO62 4LU  
**Proposal:** Erection of building incorporating parts of existing stone wall to house wood pellet biomass boiler and pellet fuel store to serve Hovingham Hall

---

8.

**Application No:** 15/00700/FUL **Decision: Approval**  
**Parish:** Sinnington Parish Council  
**Applicant:** Mr David Johnson  
**Location:** Barn At Elmsall House Main Street Sinnington Pickering  
**Proposal:** Change of use and alteration of barn to form a five bedroom dwelling with detached open fronted triple garage, repositioning of barn "B" and formation of parking and amenity areas (revised details to approval 10/01404/FUL dated 05.08.2011)

---

9.

**Application No:** 15/00701/LBC **Decision: Approval**  
**Parish:** Sinnington Parish Council  
**Applicant:** Mr David Johnson  
**Location:** Barn At Elmsall House Main Street Sinnington Pickering  
**Proposal:** Conversion and alteration of barn to form a five bedroom dwelling to include removal of surrounding portal frame building, pitched roof extension and external steps, reroofing, installation of conservation rooflights and internal alterations (revised details to approval 10/01415/LBC dated 04.08.2011)

---

10.

**Application No:** 15/00745/FUL **Decision: Approval**  
**Parish:** Thixendale Parish Council  
**Applicant:** A B Megginson (Mr Adam Palmer)  
**Location:** South Breckenholme Main Street Thixendale Malton YO17 9LS  
**Proposal:** Erection of general purpose agricultural building to include the housing of livestock

---

11.

**Application No:** 15/00755/CLEUD **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Fir Trading Ltd  
**Location:** Riverside Farmhouse Kirby Mills Road Kirby Mills Kirkbymoorside YO62 6NL  
**Proposal:** Certificate of Lawfulness in respect of the occupation of the property known as Riverside Farmhouse as a full time single residential dwelling for more than 10 years before the date of this application in breach of Condition 02 of approval 3/72/335A/PA dated 07.09.1989 that stated the accommodation cannot be used at all during the months of November and February each year.

---



12.

**Application No:** 15/00756/CLEUD **Decision: Approval**  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Fir Trading Ltd  
**Location:** Riverside Cottage Kirby Mills Road Kirby Mills Kirkbymoorside North Yorkshire YO62 6NR  
**Proposal:** Certificate of Lawfulness in respect of the occupation of the property known as Riverside Cottage as a full time single residential dwelling for more than 10 years before the date of this application in breach of Condition 02 of approval 3/72/335A/PA dated 07.09.1989 that stated the accommodation cannot be used at all during the months of November and February each year.

---

13.

**Application No:** 15/00804/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr Chris Downes  
**Location:** 24 Pasture Lane Malton North Yorkshire YO17 7BS  
**Proposal:** Erection of two storey side extension consisting of ground floor storage area with bedroom above

---

14.

**Application No:** 15/00815/FUL **Decision: Approval**  
**Parish:** Gilling East Parish Council  
**Applicant:** Miss Louise Legard  
**Location:** Building At The Cottage Cawton Road Gilling East Helmsley  
**Proposal:** Erection of building comprising 2no. timber stables, field shelter, implement store and open fronted hay store following demolition of existing chicken shed and change of use of adjacent land to a mixed agricultural/equestrian use

---

15.

**Application No:** 15/00821/FUL **Decision: Approval**  
**Parish:** Barton-le-Street Parish Meeting  
**Applicant:** Rory Kemp Ltd  
**Location:** Land East Of Glebe Farm Butterwick Road Barton Le Street Malton North Yorkshire  
**Proposal:** Erection of agricultural building for the housing of livestock

---

16.

**Application No:** 15/00822/HOUSE **Decision: Refusal**  
**Parish:** Thorpe Bassett Parish Meeting  
**Applicant:** Mr R Legard  
**Location:** Wold View House Thorpe Bassett Lane Thorpe Bassett Malton North Yorkshire YO17 8LU  
**Proposal:** Erection of detached single storey building to form stables and store/garage

---

17.

**Application No:** 15/00825/FUL **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Fletchers Butchers  
**Location:** 7 Wold Street Norton Malton North Yorkshire YO17 9AA  
**Proposal:** Replacement of window to the Wold Street frontage with a pair of panelled entrance doors and formation of pitched roof over part of existing single storey flat roofed food preparation area.

---

18.

**Application No:** 15/00831/73A **Decision: Approval**  
**Parish:** Sherburn Parish Council  
**Applicant:** Mrs Kerry Weatherill  
**Location:** 47 - 49 St Hildas Street Sherburn Malton North Yorkshire YO17 8PH  
**Proposal:** Variation of Condition 03 of approval 14/00501/FUL dated 05.03.2015 - Removal of Drawing nos LHSTH BP14B 005 - Proposed Floor Plan and LHSTH BP14B 006 - Proposed Elevations and replacement by Drawing nos KW20157-1- Existing and Proposed Elevations and Revised Floor Layout and KW20157-2 Proposed Elevations - all to allow revision of windows and doors and interior layout

---

19.

**Application No:** 15/00832/HOUSE **Decision: Approval**  
**Parish:** Aislaby, Middleton & Wrelton Parish  
**Applicant:** Mr Dennis Leng  
**Location:** March Cottage Main Street Middleton Pickering North Yorkshire YO18 8PA  
**Proposal:** Erection of a detached garage

---

20.

**Application No:** 15/00836/FUL **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Fitzwilliam (Malton) Estate (Mr Keith Davies)  
**Location:** Unit 10 To Rear Of 37 Yorkersgate Malton North Yorkshire  
**Proposal:** Erection of timber bin store to south elevation.

---

21.

**Application No:** 15/00837/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Fitzwilliam (Malton) Estate (Mr Keith Davies)  
**Location:** Unit 10 To Rear Of 37 Yorkersgate Malton North Yorkshire  
**Proposal:** Erection of timber bin store to south elevation.

---

22.

**Application No:** 15/00848/FUL **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** C & A Brack (Mr C Brack)  
**Location:** 5 Church Street Norton Malton North Yorkshire YO17 9HP  
**Proposal:** Retention of site for use as a hand car wash with retention of associated equipment to include two containers, car port, two static signs and entrance/exit gates (retrospective application)

---

23.

**Application No:** 15/00851/73A **Decision: Approval**  
**Parish:** Staxton/Willerby Parish Council  
**Applicant:** Shell UK Retail  
**Location:** Staxton Filling Station Staxton Scarborough North Yorkshire YO12 4NW  
**Proposal:** Variation of Condition 07 of approval 13/01177/FUL dated 27.01.2014 to replace Drawing Nos. 10019344 PSL 13 and 10019344 PROP-ELE 13A with Drawing Nos. 10019344 PSL 13 rev A and 10019344 PROP-ELE 13 rev B in addition to new Drawing No. 10019344 PROP-ELE 15 to allow installation of ground water treatment plant and timber boarded fence

---

**24.**  
**Application No:** 15/00853/FUL **Decision: Refusal**  
**Parish:** Sherburn Parish Council  
**Applicant:** Mr David Vitty  
**Location:** Land East Of Sewage Works Station Road Sherburn Malton North Yorkshire  
**Proposal:** Erection of an agricultural building for use as a lambing shelter and the storage of hay and machinery

---

**25.**  
**Application No:** 15/00854/FUL **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** The Firestation Pre School (Mrs Jo Ogram)  
**Location:** The Firestation Pre School Sheepfoot Hill Malton North Yorkshire YO17 7EA  
**Proposal:** Replacement of existing timber single glazed windows and doors by PVCU double glazed windows and doors

---

**26.**  
**Application No:** 15/00857/FUL **Decision: Refusal**  
**Parish:** Harome Parish Council  
**Applicant:** Thomas Crown Associates Ltd  
**Location:** Land West Of River Riccal Helmsley  
**Proposal:** Formation of vehicular access with hardcore turning area

---

**27.**  
**Application No:** 15/00861/FUL **Decision: Approval**  
**Parish:** Burythorpe Parish Council  
**Applicant:** Mr & Mrs Scarff  
**Location:** Mill Farm Ruffin Lane Eddlethorpe North Yorkshire YO17 9QU  
**Proposal:** Erection of a 4no. bedroom dwelling and change of use and alteration of existing barn to form a 3no. bedroom holiday cottage to include installation of roof-mounted PV solar panels following demolition of existing dwelling, shed and pole barn together with installation of biomass boiler and fuel store within retained detached outbuilding

---

**28.**  
**Application No:** 15/00863/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr Robert Thompson  
**Location:** 81 Welham Road Norton Malton YO17 9DS  
**Proposal:** Erection of single storey side extension and conservatory to replace conservatory to rear elevation

---

**29.**  
**Application No:** 15/00864/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr & Mrs J Richardson  
**Location:** Castle Lodge 34 Rosamund Avenue Pickering North Yorkshire YO18 7HF  
**Proposal:** Erection of single storey extension to front elevation to include replacement porch

---

30.

**Application No:** 15/00869/HOUSE **Decision: Approval**  
**Parish:** Amotherby Parish Council  
**Applicant:** Mr & Mrs Joseph Mackinder  
**Location:** 1 Seven Wells Amotherby Malton North Yorkshire YO17 6TT  
**Proposal:** Installation of roof light to rear single storey roof slope and replacement of existing double doors to front elevation with a window

---

31.

**Application No:** 15/00871/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr Ronald Wilson  
**Location:** 14 Leat Close Norton Malton YO17 9EQ  
**Proposal:** Erection of single storey extension to rear elevation, installation of first floor dormer to rear facing roofslope and installation of rooflights to front facing roofslope following demolition of existing conservatory.

---

32.

**Application No:** 15/00876/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** The Co-operative Group  
**Location:** Cooperative Store Champleys Mews Pickering North Yorkshire YO18 7AE  
**Proposal:** External alterations to include erection of covered trolley store adjacent to the main entrance, installation of 4 no. cycle hoops and installation of black soham security doors in the existing external fire exits

---

33.

**Application No:** 15/00877/FUL **Decision: Refusal**  
**Parish:** Norton Town Council  
**Applicant:** Mr & Mrs D Whattam  
**Location:** Land to Rear of 72 Welham Road Welham Road Norton Malton YO17 9DS  
**Proposal:** Erection of a three bedroom dwelling with attached double garage with bedroom above

---

34.

**Application No:** 15/00886/HOUSE **Decision: Approval**  
**Parish:** Sproxton Parish Meeting  
**Applicant:** Mr Stephen Burgess  
**Location:** Whitestone Lodge Main Street Sproxton Helmsley YO62 5EF  
**Proposal:** Erection of a log cabin for use as a summer house

---

35.

**Application No:** 15/00890/CLEUD **Decision: Refusal**  
**Parish:** Lillings Ambo Parish Council  
**Applicant:** Mr P Woodhouse  
**Location:** Land Adj Ambleside House Goose Track Lane West Lilling North Yorkshire YO60 6RP  
**Proposal:** Certificate of Lawfulness in respect of the use of the land outlined in red on Site Location Plan LP1 as domestic amenity and garden land ancillary to and in connection with the residential occupation of Ambleside House for a period in excess of 10 years before the date of this application

---

**36.**  
**Application No:** 15/00892/FUL **Decision: Approval**  
**Parish:** Henderskelfe Parish Meeting  
**Applicant:** Yorkshire Arboretum (Mr Mathew Harrison)  
**Location:** Castle Howard Arboretum Trust Visitor Centre Castle Howard Malton YO60 7BY  
**Proposal:** Continued siting of portable office building for a further three years

---

**37.**  
**Application No:** 15/00895/HOUSE **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr And Mrs Hawkes  
**Location:** 131 Westgate Pickering North Yorkshire YO18 8BB  
**Proposal:** Erection of single storey extension to rear elevation

---

**38.**  
**Application No:** 15/00899/HOUSE **Decision: Approval**  
**Parish:** Barton-le-Willows Parish  
**Applicant:** Mr John Wilson  
**Location:** 1 Rose Farm Cottages Steelmoor Lane Barton Le Willows YO60 7PD  
**Proposal:** Installation of 5no. replacement UPVC windows to front and side elevations

---

**39.**  
**Application No:** 15/00900/LBC **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Miss Jane Priest  
**Location:** Rye Cottage 7 Ryegate Helmsley YO62 5AA  
**Proposal:** Conversion and alterations to existing outbuilding to form additional bedroom (resubmission of approval 11/01004/LBC dated 11.11.11)

---

**40.**  
**Application No:** 15/00901/REM **Decision: Approval**  
**Parish:** Weaverthorpe Parish Council  
**Applicant:** Mr B Mitton  
**Location:** Waddale End Main Road Weaverthorpe Malton North Yorkshire  
**Proposal:** Erection of a 2no. bedroom detached dwelling and formation of vehicular access (outline approval dated 22.10.2012 refers)

---

**41.**  
**Application No:** 15/00904/HOUSE **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Sir Paul Edwards  
**Location:** 2 The Barns Station Road Gilling East Helmsley YO62 4JW  
**Proposal:** Erection of single storey extension to west elevation.

---

**42.**  
**Application No:** 15/00907/FUL **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr & Mrs Philip And Louise Wright  
**Location:** Land At OS Field No 0064 Black Bull Caravan Park Malton Road Pickering North Yorkshire  
**Proposal:** Change of use of part of touring caravan site to allow the replacement of 12 no. touring caravan pitches by 12 no. static caravans for holiday use (revised details to approval 14/01244/FUL dated 13.01.2015)

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- 43.**  
**Application No:** 15/00910/FUL **Decision: Approval**  
**Parish:** Huttons Ambo Parish Council  
**Applicant:** Mrs Gerry Button  
**Location:** Low Farm Cottage Low Hutton Malton YO60 7JB  
**Proposal:** Formation of a 60m x 20m all weather outdoor equestrian arena with a post and rail perimeter fence for private equestrian use
- 
- 44.**  
**Application No:** 15/00912/LBC **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr Gregg Chappell  
**Location:** 35 Eastgate Pickering North Yorkshire YO18 7DU  
**Proposal:** External and internal alterations to include replacement of existing first floor window to front elevation with double-glazed timber sliding sash window, repointing of brickwork to front elevation following removal of existing concrete render and installation of replacement cast iron fireplace
- 
- 45.**  
**Application No:** 15/00915/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr & Mrs S Dale  
**Location:** 13 Parliament Avenue Norton Malton YO17 9HF  
**Proposal:** Erection of two storey side extension to form additional bedroom following removal of existing lean to extension
- 
- 46.**  
**Application No:** 15/00916/HOUSE **Decision: Refusal**  
**Parish:** Norton Town Council  
**Applicant:** Miss L A Scholefield  
**Location:** 104 Parliament Street Norton Malton YO17 9HE  
**Proposal:** Erection of two storey extension to west elevation (revised details to refusal 15/00251/HOUSE)
- 
- 47.**  
**Application No:** 15/00918/LBC **Decision: Approval**  
**Parish:** Pockley Parish Council  
**Applicant:** Trustees Of The Nawton Tower Estate  
**Location:** Daleside Main Street Pockley Helmsley YO62 7TE  
**Proposal:** External alterations include replacement of existing windows and doors
- 
- 48.**  
**Application No:** 15/00921/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr & Mrs M Plumley  
**Location:** 10 The Gallops Norton Malton YO17 9JU  
**Proposal:** Erection of single storey extension to east elevation following removal of existing conservatory
-

**49.**

**Application No:** 15/00931/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Derwent Riverside Project (charity) (Dinah Keal)  
**Location:** The Castle Garden Site Old Maltongate Malton North Yorkshire  
**Proposal:** Installation of a painted mural depicting wildlife on a plywood sheet on Castle Garden wall near entrance gates to Orchard Fields

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**50.**

**Application No:** 15/00939/LBC **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Ryedale Entertainments Limited  
**Location:** Palace Cinema Chancery Lane Malton North Yorkshire YO17 7HW  
**Proposal:** Installation of timber framed sound insulation lobbies and fire doors to screen 1 and screen 2 of first floor

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**51.**

**Application No:** 15/00975/FUL **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Mr Peter Lucas  
**Location:** Land At OS Field No 0078 Main Street Oswaldkirk Helmsley  
**Proposal:** Formation of a 490m long stone access track from existing field access on public highway to serve existing agricultural building

---

**52.**

**Application No:** 15/00982/HOUSE **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Mr Shildrick  
**Location:** 1 Jubilee Cottages Oswaldkirk Helmsley YO62 5YE  
**Proposal:** Erection of a detached garage

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## Appeal Decision

Site visit made on 8 September 2015

**by Roger Catchpole Dip Hort BSc (Hons) PhD MCIEEM**

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

**Decision date: 18 September 2015**

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**Appeal Ref: APP/Y2736/W/15/3013905**

**Former Council Depot, Manor Vale Lane, Kirbymoorside YO62 6EG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015.
  - The appeal is made by Mrs V Greetham against the decision of Ryedale District Council.
  - The application Ref 14/01262/GPCOU, dated 13 November 2014, was refused by notice dated 8 January 2015.
  - The development proposed is the conversion of office to residence.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The provisions of paragraph J.1 of the Town & Country Planning General Permitted Development Order 1995 (as amended) (GPDO) set out a number of exclusions where development is not permitted. Before the individual merits of a proposal can be evaluated against the three specified matters defined in paragraph J.2, it is necessary to determine whether or not the development is permitted. In situations where this is not the case, the appeal must be dismissed. Under such circumstances no further consideration will be given to the effect of the proposal on the specified matters or its consistency with relevant local or national policies. This is the basis on which this appeal has been determined.

### Main Issue

3. The main issue is whether or not the proposal constitutes permitted development.

### Reasons

4. The Council have argued that the proposed change of use is excluded under paragraph J.1b of the GPDO because the building was not an office falling within Class B1(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO) owing to the fact that it was part of a larger planning unit that had a sui generis use as a Council highways depot. Consequently, the office use was considered to be ancillary to this main use and therefore not within Class B1(a) of the UCO.
5. I observed that the appeal building comprises a single-storey, block work building. It adjoins a number of storage buildings that were associated with



the former use of the site. The depot extends along the eastern side of Manor Vale Lane and also includes an area on its western side, to the north of the appeal building. The depot is characterised by extensive hard standing, storage buildings and a number of other, temporary, buildings. The hard standing immediately in front of the appeal building extends across the frontage of the adjoining buildings. The ownership includes the whole depot.

6. Case law<sup>1</sup> has established that the unit of occupation on sites with a variety of activities constitutes the planning unit unless a smaller unit can be identified from its physical and functional identity. When this is the case, it can only be considered as a separate planning unit if it is occupied for substantially different and unrelated purposes. By the appellant's own admission, the appeal building supported the use of the site as a depot and I therefore consider it to be ancillary. Bearing in mind the layout of the site and in the absence of any substantiated evidence to the contrary, I am not satisfied that the office had a separate physical or functional identity or that its treatment as a separate planning unit is justified, irrespective of any subsequent permission to demolish buildings elsewhere in the depot.
7. In order to benefit from the provisions of Schedule 2, Part 3, Class J of the GPDO the proposed change of use must be from B1(a) of the UCO. In this case the proposal would convert a building that was part of an overall sui generis use and, therefore, is not permitted development. Consequently, it is development for which an application for planning permission is required. An application for planning permission (or a certificate of lawfulness) would be a matter for the local planning authority to consider in the first instance and cannot be addressed under the prior approval provisions set out in the GPDO. Accordingly, the appeal is dismissed.

### **Other Matter**

8. The appellant identified a number of factors in support of the proposal that included the re-use of the building; development of previously used land; meeting housing needs; and the undisputed fact that the site is within the settlement limit. However, as the proposal is not permitted development such matters cannot be considered in this appeal and are more appropriately addressed through an application for planning permission.

*Roger Catchpole*

INSPECTOR

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<sup>1</sup> Burdle v Secretary of State for the Environment [1972] 1 WLR 1207