



PLANNING COMMITTEE

Tuesday 24 November 2020 at 6.00 pm

Virtual Meeting

Agenda

1 Apologies for absence

2 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.

3 Minutes of the Planning Committee held on 27 October 2020 (Page 3)

4 Minutes of the Urgent Meeting of the Planning Committee held on 10 November 2020 (Page 4)

5 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.

6 Schedule of items to be determined by the Committee (Pages 5 - 6)

7 20/00598/MFUL - Land at OS Fields 6882 and 8386 York Lane Flaxton (Pages 7 - 34)

8 20/00703/MFUL - The Snooty Fox Scarborough Road East Heslerton (Pages 35 - 58)

- 9 **20/00695/FUL and 20/00696/LBC - Sproxton Hall Farm Main Street Sproxton**
(Pages 59 - 108)
- 10 **20/00848/HOUSE - Meadowsweet Cottage Common Lane Warthill** (Pages 109 - 135)
- 11 **20/00910/73A - Sunday School Cottage Main Road Weaverthorpe** (Pages 136 - 145)
- 12 **20/00946/FUL - Land at OS Field 04201 Village Street Keldholme** (Pages 146 - 164)
- 13 **Any other business**
- 14 **List of applications determined under delegated powers** (Pages 165 - 169)

Planning Committee

This meeting was held remotely using MS Teams and was live broadcast. The link to access the live broadcast was made available Tuesday 27 October 2020

Present

Councillors Paul Andrews, Bailey, Cleary, Goodrick (Chairman), MacKenzie, Mason, Potter, Raper, Thackray and Windress (Vice-Chairman)

Substitutes: Councillor Raper

In Attendance

Alan Goforth, Gary Housden, Glen McCusker, Lizzie Phippard, Ellie Thompson and Jill Thompson

Minutes

68 Apologies for absence

Apologies were received from Councillor Hope, Councillor Raper substituted.

69 Declarations of interest

Councillor	Item
Andrews	10, 11
Cleary	9
Goodrick	8, 9, 10, 11
Mackenzie	10, 11
Mason	11
Potter	10, 11
Thackray	10, 11
Windress	10, 11
Raper	9

70 Minutes

Decision

That the minutes of the Planning Committee held on 29th September 2020 be approved and signed as a correct record

Voting Record
9 For
0 Against
1 Abstention

71 **Urgent Business**

There was no urgent business.

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

The Head of Planning submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

73 **20/00353/MFUL - Land Off Town Street Old Malton**

Decision

PERMISSION GRANTED – Subject to conditions as recommended and subject to any further requirements of the Lead local Flood Authority and Internal Drainage Board.

Voting Record
9 For
1 Against
0 Abstentions

74 **20/00626/FUL - Knoll Hill Farm Carr Lane Ampleforth**

Decision

PEMISSION GRANTED – subject to conditions as recommended

Voting Record
7 For
3 Against
0 Abstentions

This determination followed a vote for refusal, the movement was turned down with 7 votes to 3 and a subsequent vote for approval was made.

75 **19/01263/MFULE - Land Adj to River Foss Lilling Low Lane West Lilling**

Decision

DEFERRED FOR SITE INSPECTION

Voting Record
10 For
0 Against
0 Abstentions

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

76 **20/00643/FUL - Partridge Hill Main Street Foston**

Decision

REFUSED – As recommended

The application was moved for approval. Upon the vote the motion was lost 6 votes to 4 and the application was refused

Voting Record
4 For
6 Against
0 Abstention

In accordance with the Members Code of Conduct Councillors Cleary, Goodrick and Raper declared a personal, non-pecuniary but not prejudicial interest.

77 **20/00770/OUT - Land at Sutton Grange Langton Road Norton**

Decision

DEFERRED – for site inspection

Voting Record
10 For
0 Against
0 Abstention

In accordance with the Members Code of Conduct Councillors Andrews, Goodrick, Mackenzie, Potter, Thackray and Windress declared a personal, non-pecuniary but not prejudicial interest.

Decision

PERMISSION GRANTED – Subject to conditions as recommended

Voting Result

9 For

0 Against

0 Abstention

In accordance with the Members Code of Conduct Councillors Andrews, Goodrick, MacKenzie, Potter, Thackray and Windress declared a personal, non-pecuniary but not prejudicial interest. Councillor Mason declared a personal and prejudicial interest.

Given the circumstance Item 11 was discussed at the very end of the meeting after Item 14 so that Councillor Mason could leave the meeting during determination.

79 **Any other business**

The draft timetable of meetings for 2021-2022 was circulated to Members for information prior to it being presented at Full Council.

80 **List of applications determined under delegated powers**

The Head of Planning submitted for information (previously circulated) a list which gave details of the applications determined by the Head of Planning in accordance with the scheme of delegated decision.

Members and Officers expressed their thanks to the IT department for their support both before and during the Planning Committee meeting.

81 **Appeals**

Members were advised of the following appeal decision:

Appeal ref: APP/Y2736/W/20/3253605 High Penhowe Farm House, Burythorpe

Meeting closed 20:47

Urgent Meeting of the Planning Committee

Virtual Meeting
Tuesday 10 November 2020

Present

Councillors Windress (Vice-Chairman), Goodrick (Chairman), Hope, Paul Andrews, Cleary, Potter, MacKenzie, Bailey and Thackray

In Attendance

Alan Goforth, Gary Housden, Glen McCusker and Jill Thompson

Minutes

1 **Apologies for absence**

No apologies were received

2 **Declaration of Interest**

Councillor	Application
Mackenzie	20/00770/OUT
Andrews	20/00770/OUT
Thackray	20/00770/OUT

3 **19/01263/MFULE - Land Adj to River Foss Lilling Low Lane West Lilling and 20/00770/OUT - Land at Sutton Grange Langton Road Norton**

Councillor Goodrick proposed that the decision made by the Planning Committee on 27 October 2020 to undertake site visits on the 11 November and 18 November be revoked. This was seconded by Councillor Cleary. Upon the vote, the committee voted unanimously in favour of the proposal.

Councillor Goodrick proposed that the site visits be re-arranged to the 4 December with an unaccompanied officer video site visit as a fall-back in the event of further COVID restrictions and, that a special meeting of the Planning Committee is held on the 8 December 2020 to consider applications 19/01263/MFUL and 20/00770/OUT. This was seconded by Councillor Cleary. Upon the vote the committee voted unanimously in favour of the proposal.

Agenda Item 6

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 24/11/20

7

Application No: 20/00598/MFUL

Application Site: Land At OS Fields 6882 And 8386 York Lane Flaxton North Yorkshire

Proposal: Change of use of agricultural land to a dog walking field and installation of 2no. information boards.

8

Application No: 20/00703/MFUL

Application Site: The Snooty Fox Scarborough Road East Heslerton Malton YO17 8EN

Proposal: Use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road

9

Application No: 20/00695/FUL

Application Site: Sproxton Hall Farm Main Street Sproxton Helmsley YO62 5EQ

Proposal: Change of use and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc..) with associated facilities, landscaping and parking

9

Application No: 20/00696/LBC

Application Site: Sproxton Hall Farm Main Street Sproxton Helmsley YO62 5EQ

Proposal: Conversion and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc..) with associated facilities, landscaping and parking.

10

Application No: 20/00848/HOUSE

Application Site: Meadowsweet Cottage Common Lane Warthill YO19 5XW

Proposal: Erection of a rear two-storey extension with attached single-storey garden room and front porch (revised details to approval 13/00351/HOUSE dated 13.05.2013) and erection of detached garden room - part-retrospective

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 24/11/20

11

Application No: 20/00910/73A

Application Site: Sunday School Cottage Main Road Weaverthorpe Malton North Yorkshire YO17 8EY

Proposal: Removal of Condition 03 of planning approval 17/00059/FUL dated 14.03.2017 to allow the removal of local needs occupancy condition

12

Application No: 20/00946/FUL

Application Site: Land At OS Field 04201 Village Street Keldholme Kirkbymoorside North Yorkshire

Proposal: Change of use, conversion and alterations to stables to form 1no. four bedroom dwelling with associated parking and landscaping

Agenda Item 7

Item Number: 7
Application No: 20/00598/MFUL
Parish: Flaxton Parish Council
Appn. Type: Full Application Major
Applicant: Mr Mook
Proposal: Change of use of agricultural land to a dog walking field and installation of 2no. information boards.
Location: Land At OS Fields 6882 And 8386 York Lane Flaxton North Yorkshire

Registration Date: 7 October 2020
8/13 Wk Expiry Date: 6 January 2021
Overall Expiry Date: 18 November 2020
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Flaxton Parish Council	Comments and recommendations
Environment Agency	No objection
Foss Internal Drainage Board	Recommend condition
Environmental Health	Recommend condition
Highways North Yorkshire	Recommends conditions
NYCC Natural Services	Comments

Representations: Mr John Nursey, Dr Stephen Axford, Mr AW and BW Mook,

SITE:

The site relates to a 3.99ha agricultural field, positioned at the corner of Cross Lane and York Lane. This land is outside development limits and is therefore categorised as falling within the 'Wider Open Countryside, as designated in the Ryedale Plan, Local Plan Strategy.

This site forms part of an agricultural holding operated by the Applicant's at Sevenacres, to the east of this site.

A small section of the site to the south is located within Flood Zone 3.

PROPOSAL:

This application seeks permission for the change of use of agricultural land to a dog walking field, with the installation of 2no. information boards. The application was subject to a second publicity period, as in addition to the proposal being amended to include the installation of the aforementioned information boards, the revised scheme also included an amended red line and revised ownership certificates being submitted. The red line was just marginally amended to ensure that access to the public highway formed part of the application site. This access to the field from the public highway is over a small section of land, designated as common land, under the ownership of the Public Trustee. Appropriate notice was served on them on the 7th October 2020 as indicated through the submission of Certificate B, with copies of this correspondence supplied.

This proposal would incorporate the creations of two fenced areas internally within the field that would form the 2 dog walking areas. These are slightly irregularly shaped rectangular areas, spanning a maximum of approximately 125 metres x 50 metres. They would be fenced with 1.8 metre high meshed fencing (deer fence) that would be supplemented with a finer meshed rabbit fencing. One information

board will be positioned within each of the 2 dog walking areas, spanning 1.8 metres high x 0.9 metres wide, with a thickness of 0.1 metres. There is no further advertising proposed as a part of this scheme.

It is shown on the proposed plans that along the northern, eastern and southern field boundaries the existing perimeter fence and hedging will remain, with a new perimeter fence (stock fence) being added along the eastern boundary of the field. The land to the east remains in the Applicant's ownership. The proposed plans indicate that the hedging along the western and southern elevation would remain at a minimum height of 2.5 metres.

The site would be accessed by visitors from Cross Lane, to the west. The first access would be a wooden gate, that would remain open during hours of operation. As indicated on the proposed block plan, the only new surfacing within the field would relate to a limited area of permeable 'Grasscrete' to provide a firm surface on which vehicles can travel to and park on at the northern section of the site. During the determination period, the Grasscrete was extended so that vehicles could park within the fenced dog area following comments received by the Internal Drainage Board.

It was confirmed within the Design and Access Statement that "the basic use of the field will remain as a grass field. The existing grass ley will be improved and re-sown where necessary, and with a mix and species to withstand the proposed use." Loose gravel material has been installed on existing field access between the public highway and the field. As noted, this small section of land is common land, under the ownership of the Public Trustee. This aspect will be addressed further within this report.

The site would use a prebooking system, with online payments and a keycode access. Each user would be allowed to bring a maximum of 5 dogs at any one time for a 1 hour period.

Under the scheme of delegation, due to the size of the application site, this application constitutes a major application and is required to be considered by Member's of Planning Committee.

HISTORY:

There is no directly relevant planning history at this site.

POLICY:

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

Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS:

A number of representations were received in relation to the original publicity. The application was subsequently re-advertised on the 13th October 2020 following submission of the amended plans and ownership certificates. The most recent site notice and neighbour letter publicity periods have expired, however due to the publishing date of the press notice, this formal consultation period will extend to the 18th November 2020. Any further representations received will be reported to Members.

21st July: The Parish Council responded to note:

Flaxton Parish Council would like to seek clarity on the positioning and size of the advertising and notice boards noted in this application. They would also request that any such hoarding is located within the field itself and on Cross Lane as opposed to York Lane as this could cause a distraction to motorists.

Whilst the application does not directly refer to this being a commercial enterprise it would appear that this is perhaps the grounding for the creation of one and therefore the Parish Council would like to ensure that a condition of any approval would specify that no permanent structures are allowed to be erected or built on the site in the future and that the land remains predominantly in its current state which is that of a field.

The Parish Council would also like to ensure that the Green Gait Owners have been consulted on this application as neighbouring owners.

21st July 2020. The occupier of Fir Tree House Flaxton (confirmed as being in a private capacity and not on behalf of or Chair of the Green Gait Association) responded to note their objection:

Whilst accepting the arguments in the Design and Access Statement (DAS) about the need for this facility, several of the statements about the adjoining land are incorrect. The field is not bounded by the highways along York Lane and Cross Lane, but by the common land of Flaxton Green (CL54). The proposed access to the field is therefore across common land from the highway. Although the DAS states correctly that there are no Public Rights of Way that will be affected, there is public access to all the common land. This is also within Environmental Stewardship.

The regulations affecting this development come largely from the Commons Act 2006. The entrance areas off both Cross Lane and York Lane are currently grassed, as is the proposed run off area on Cross Lane. Consequently, works for the resurfacing of this land would be required, which are prohibited without the consent of the Secretary of State. This consent is managed by The Planning Inspectorate. Cars parked on the Green could also impede the public's right of access.

It is an offence under Section 34 of the Road Traffic Act 1988 to drive a motor vehicle on any land without lawful authority, which in the case of Flaxton Green would be the Public Guardian, except where the vehicle is driven on land within 15 yards of the road for the purpose of parking it on that land, or where a prescriptive right to do so has been established. No evidence is given of prescriptive rights established for either of the proposed accesses.

Although dogs are allowed on public access land, they must be kept under close control and must be kept on a short lead from 1 March to 31 July and whenever they are in the vicinity of livestock (including horses).

27th July 2020: The occupier of Forge Cottage, Flaxton responded to note:

“The car parking to be constructed extends for the full length of both fields suggesting an extensive use of the facilities is anticipated. Although it is proposed that the existing boundary hedges are to be retained approval of the application should be conditional on the height of the hedges along York Lane and Cross Lane being retained to a minimum height of two metres in order to screen the car park and site generally from the highway.”

12th August 2020: The occupiers of Rice Hill Farm Flaxton responded to note:

The proposed dog park makes use of a reasonably small area of land to benefit many local dog owners. It allows dogs to run without restraint in a safe area without harm to wildlife and ground nesting birds.

It has been suggested in an objection that cars would be parked on the roadside. This is not the case, as parking is accommodated within the field boundary.

It is also suggested that there is no prescriptive right of access across the Green from the road to the field. On the contrary, both field entrances have been used by local farmers for hundreds of years and have been the only access to the land. This right is established and is the same right that the residents of Flaxton use to park cars on their property, although their right is often more recent and has come with the advent of car ownership.

The field gates are within 15 yards of the road.

The objector also mentions exercising dogs on public land. The development is for the purpose of exercising dogs on private land.

The visual impact of the dog park would be minimal, due to the high hedges and the mature trees within the hedgerows.

This diversification would provide an alternative income for a hardworking, local family who have the machinery and dedication to keep the field clean and tidy and the visual impact negligible.

Following the readvertisement of the proposal the following comments were received.

14th October 2020. The occupier of Fir Tree House Flaxton (in a private capacity and not on behalf of or as Chair of the Green Gait Association) responded to note their objection:

“I am happy to withdraw my response of earlier today and to summarise it as ‘no objection’. Local determination of the application is totally independent of the need to involve the Planning Inspectorate if works on the common land, marked as access, would involve ‘restricted works’ under S.38 of the Commons Act 2006.”

(This referenced withdrawn earlier response was made prior to review of the additional documentation.)

2nd November 2020. Flaxton Parish Council responded to note:

“There are no Flaxton Parish Council objections to this revised planning application, though previous comments on the earlier application stand, namely “the PC would like there to be a condition on any approval that no buildings can be erected on the site in the future and that the field remains in its current state which is grassland.”

APPRAISAL:

The main considerations within the determination of this application are:

- i. The Principle of Development
- ii. Character, Form and Landscaping
- iii. Impact upon Amenity
- iv. Drainage and Flood Risk
- v. Other matters, including consultation responses.

i. The Principle of Development

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

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 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.

Policy SP11 (Community Facilities) notes support for expansion and improvements to existing facilities in or outside of Development Limits.

In their supporting statement, it was noted that *“the Applicants are seeking ways to diversify their agricultural business and to maintain its financial viability.”*

It was noted in the Design and Access Statement that there is a demand for this type of safe controlled

space and that dog ownership has increased in recent years. It is considered that this would provide a safe facility for dog owners to walk and train their dogs off the lead and it is concluded that this type of development does form a community facility.

It is acknowledged that if approved, this would take some land out of agricultural use, however this would be reversible and so is not considered to be a permanent loss. It is also concluded that the provision of an off lead dog walking field would diversify the applicant's existing agricultural business and align with Policies SP1, SP9 and SP11. This proposal is considered to align with local policy and also paragraphs 96-98 of the NPPF in relation to open space and recreational provision. This is however subject to the assessment of the other identified main considerations.

ii. Character, Form and Landscaping

The site is situated within relatively flat land and is very well landscaped from public views as a result of the mature landscaping along the western and southern boundaries. There are no public rights of way in proximity to the site.

It is also noted that the wire mesh perimeter fencing, with a maximum height of 1.8m would benefit from permitted development rights if it were being otherwise used for agricultural purposes.

No other buildings, lighting columns or structures (other than the low key information boards) are proposed in association with the proposed change of use of land.

As noted, it is detailed on the proposed plans that the landscaping to the west and south would be maintained at a minimum height of 2.5m. This will be controlled by a specific by planning condition.

Notwithstanding the information within the Design and Access Statement, where it is noted that there will be no requirement for flood lighting at any time, it is considered important to require through the addition of a planning condition that no new lighting should be installed at this site. It is acknowledged that inappropriate lighting could result in harm to the character of the area and what is presently a dark sky location.

It is therefore considered that subject to the landscaping and lighting conditions, the relatively limited proposed operational development and change of use would result in harm to the character of the locality.

The request from the Parish Council to seek confirmation that *“no permanent structures are allowed to be erected or built on the site in the future and that the land remains predominantly in its current state which is that of a field”* is noted.

It is considered acceptable and reasonable in this instance to include this condition, including confirmation that in addition to no permanent structures, no additional new hardstanding within the presently grassed field should be installed without the submission of an appropriate planning application. Provision is however made for the 'like for like' replacement of fences, gates and permeable Grasscrete in the future. There would be some provision for temporary uses/buildings under Part 4, Schedule 2 of the Town and Country Planning Act (General Permitted Development) (England) Order 2015 but this would be time limited.

It is therefore considered that subject to the recommended conditions, the proposed development is acceptable and subject to the relevant conditions this will not detract from the character of the locality. It is considered that the proposal satisfies the requirements of Policy SP16 (Design) and SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

iii. Impact upon Amenity

This proposed change of use would be located at a significant distance from residential properties in

separate ownership. The nearest residential property to the north, Birchwood Farm is located approximately 106 metres from the nearest part of the field. The other nearest neighbours, Leckby Farm and Woodcroft are located 200 metres and 370 metres away respectively. There have been no letters of objection in relation to this proposed scheme raising amenity concerns.

A consultation response was received from the Council's Environmental Health Team who noted: *"Due to the proximity of the dwellings to the North, including Birkers Farm, I would recommend that the operating hours of the proposed development be appropriately restricted. Otherwise, no comments."*

As a note, the Council's spatial mapping system notes the nearest buildings to the north as Birkers Farm as non-residential. However the system indicates that the nearest property with a postal address is Birchwood Farm, who were consulted by neighbour notification letter. A site notice has also been erected at the junction of Cross Lane and York Lane and press advertisement undertaken.

The proposal seeks permission to operate from 6am to 8pm Monday to Sunday which is considered to be acceptable. It is not considered that the increased journeys or the proposed use would result in any harm to amenity given the position of the access and the distances from the nearest residential properties. The operating hours will be controlled by condition. A further condition will be recommended to ensure that the facility will only be operated with a pre-booked time slot system, that ensures a maximum of 5 dogs in each of the two fields at any one time.

Dog waste will be disposed of by owners in a designated site bin. It was noted that this would be collected on a weekly basis by a designated waste company. Any users failing to collect waste will be banned. It was noted in the Design and Access Statement that the Applicant takes this matter very seriously particularly due to them keeping livestock. They will also carry out regular checks of the fields at regular intervals to ensure compliance.

Therefore, given the controls on the site including the pre-booking system, numbers of dogs, the hours of operation, limits on lighting and the provision of an off street parking area, together with the waste management procedures, it is not considered that this proposed change of use would result in unacceptable levels of disturbance of nuisance arising from this proposed use, including from either dogs or additional traffic.

iv. Drainage and Flood Risk

A small section of the south west/south of the field falls within Flood Zone 3, the majority of the field including the access and parking is located within Flood Zone 1, at the lowest risk of flooding. To the north of the site is a land drain.

In terms of flood risk, according to the Environment Agency online guidance, this type of application for outdoor sport and recreation would form "water compatible development" which is considered acceptable in principle in Flood Zone 3. The Environment Agency were informally consulted on this proposal and in light of there being no additional hardstanding or structures (excepting fencing) within Flood Zone 3, they confirmed no objection to the development. This was partly based on the proposed fencing being water compatible and as the majority of the site, including the access was outside of the Flood Zone. An informative to recommend that the Applicants sign up to the EA flood warning service will be recommended. This response from the EA gives further weight to the aforementioned condition sought by the Parish Council being considered necessary, ensuring full planning permission would be needed for any additional permanent structures, including non-permeable hardstanding and solid walls.

The Foss Internal Drainage Board were consulted in relation to this proposal and provided an initial and a second response. It was noted in their response that the Board has assets adjacent to the site in the form of Flaxton Dyke, which runs to the north of the site to which they need access at all times.

It was noted that works within 9 metres of a board maintained watercourse would need a separate application to the IDB. The main Grasscrete parking area would be located within 6 metres of the top of the dyke, with the exception of the initial Grasscrete access, which will be closer. A compromise has

been agreed between the applicant and the IDB that this proposed Grasscrete will be acceptable in this location. This was on the basis of an email sent by the Agent on the 7th October 2020 which noted that the Grasscrete would be strong enough for the IDB to drive large vehicles on and damage to the Grasscrete would be at the Applicant's liability. It was also noted within this email that *"with regards to the concerns of cars being parked on the Grasscrete, it is proposed by the Applicants than an extended area of Grasscrete is provided within the indicial fenced dog walking fields, where used will be instructed to park their cars."*

The IDB in their second response noted that subject to the revised block plan and the comments within the email, they are content with the proposal. An appropriate condition was recommended. It was noted that the applicant should apply to the IDB for formal consent for the above arrangement to be formalised outside of the planning process and an informative will be recommended.

The IDB response also noted no issue in relation to surface water from within the site or the dog waste arrangements.

v. Other Matters, including consultation responses

North Yorkshire Highways had provided comments and recommended conditions on this scheme in a consultation response dated 28th July 2020. Within their commentary, it was noted *"The proposal consist of an area of land change of use from agricultural use to a dog walking field, with associated car parking and access over the highway verge. The site is situated at the very far end of Cross Lane at the junction with York Lane - the local highway authority offers no objection in principle to the proposals or the access being taken from Cross Lane as proposed."*

There is adequate visibility from this access point in both directions and subject to the recommended conditions and informatives, the proposals are unlikely to generate significant additional vehicular movements which would ultimately lead to demonstrable harm to the highways network in terms of free flow and capacity."

However within one of these conditions, it was noted that there should be no loose surfacing within 2 metres of the highway. The Case Officer had noted that the Highway's Officer's initial response had also referenced this access as being taken over the highways verge, rather than common land, which is the case. The existing access over the common land has been treated with loose material.

The Agent, within the submitted information has confirmed that whilst an application under Section 38 of the Commons Act was submitted to the Public Trustee for the composition of the existing access, because of the use of loose material over the common land, the formal application was confirmed not to be necessary.

In light of this situation, it was considered pragmatic to check this point with North Yorkshire Highways and ascertain whether the provision of hard material within 2 metres of the highway was fundamentally necessary to prevent them objecting to the development, in order to make this clear to the Agent. If this was considered necessary it may trigger the need for a further updated Section 38 application. It is however acknowledged that any Section 38 application would be determined separately to this planning application. This point was confirmed by Dr Axford of Fir Tree House, Flaxton in his second consultation response (albeit responding to the application in a private capacity rather than as Chair of the Green Gait Association.)

The Highways team checked this point and confirmed verbally that as this was common land, they would not have jurisdiction over surfacing requirements. They reconsidered their original response and confirmed that the installation of new kerbing within the highways (not on the common land) would be sufficient to prevent damage to the carriageway. This would be installed at the cost of the Applicant. The Planning Agent was advised of this compromise on a telephone call on 11th November and confirmed to it in principle.

A formally revised consultation response was received from NYCC Highways on 12th November 2020,

which confirmed "As discussed the Local Highway Authority does not request a solid construction specification on the area of common land over which the access to the dog walking field is taken. However, I should like to see a kerbed channel (without riser kerbs) installed to the edge of the carriageway to prevent deterioration of the carriageway edge due to the movement of vehicles into and off the site." A revised condition was added in relation to the securing of this area of kerbing, which would require a separate application the Highway Authority. This would under the separate requirements be undertaken by an approved contractor and the condition has been slightly amended (with the Highways Officer's approval) to be completed prior to the commercial use of the site commencing. The other originally recommended condition in relation to parking spaces being retained would also be attached. Subject to the imposition of these conditions, it is not considered that this proposal will result in any harm to highway safety or harm to the local highway network.

A response has been received from North Yorkshire Ecology noting no objection to the proposed development.

The submitted consultation responses are noted and based on the revised plans, it is considered that the original concerns have now been satisfactorily resolved.

Subject to the recommended conditions, it is considered that this scheme, subject to the recommended conditions will satisfy the relevant policy criteria outlined within Policies SP1, SP9, SP13, SP16, SP17, SP19 and SP20 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework.

RECOMMENDATION: Approval

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

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

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

Site Location Plan (Revised - Promap - Scale 1:2500) (Scanned by the Local Planning Authority on the 14th October 2020.)

Proposed Block Plan (Revised - Promap - Scale 1:500) (Scanned by the Local Planning Authority on the 14th October 2020.)

Proposed Information Board Elevations (Boulton Cooper - Scale 1:20)

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

3 The hours of use of the dog walking facility shall be limited to only between 06:00 and 20:00 hours.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected.

4 The facility shall only be operated with a pre-booked time slot system that ensures that there is a maximum of five dogs in each field at any one time.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected

5 No additional permanent structures beyond than those hereby approved (including new gates, fences, walls but excluding 'like for like' replacements of existing gates, fences, walls) shall be erected within this application site without the prior submission of an appropriate planning application.

Furthermore, no additional new hardstanding within the currently grassed areas of the field shall be installed without the submission of an appropriate planning application. (This would exclude the 'like for like' replacement of the permeable grasscrete areas hereby approved if

operationally necessary in the future.)

Reason: To maintain the character of the rural landscape and to ensure the free flowing of surface water, given that a portion of the site is located within Flood Zone 3 in accordance with Policies SP17 and SP20 of the Ryedale Plan - Local Plan Strategy

- 6 There shall be no fixed illumination within the site.

Reason: Inappropriate lighting in this location may result in harm to amenity and impact upon the character of the rural landscape in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 Unless otherwise agreed in writing by the Local Planning Authority, the mature landscaping along the western and southern boundaries shall be maintained at a minimum height of 2.5m as per the submitted revised block plan and shall not be removed or maintained at a lower height without the prior written approval of the Local Planning Authority.

If any trees, shrubs or hedging along the west or southern boundaries, within a period of five years from the date of this permission die, or become seriously damaged or diseased, the Local Planning authority shall be made aware and details of their replacements shall be submitted to and agreed in writing by the Local Planning Authority. All approved replacements shall be planted within the next planting season.

Note: after the five year period, the hedgerows will still be afforded statutory protection and any removal may require the submission of an appropriate notice to the Local Planning Authority.

Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy
Reason: To ensure that the site is adequately landscaped and to ensure character of the rural landscape in maintained in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 A strip of land 6 metres wide adjacent to the top of the bank of the adjoining watercourse known as Flaxton Dyke shall be kept clear of all new structures, fencing, planting, and any other obstructions unless agreed otherwise in writing with Foss (2008) Internal Drainage Board.

Ground levels must also not be raised within this area.

This excludes those areas of Grasscrete shown on the Revised Block Plan (Scanned by the Local Planning Authority on the 14 October 2020) which the Board accepts in principle, subject to the applicant ensuring the Grasscrete is strong enough for the Board to still drive large vehicles over it, with any damage caused to the Grasscrete being the applicant's responsibility to repair.

Reason: To maintain access to the watercourse for maintenance or improvements in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

- 9 Prior to the commencement of the commercial operation hereby approved, a kerb to be installed as channel to edge of carriageway to act as edge protection. Standard detail E6 enclosed (for the purposes of kerb detail only)

o Any gates or barriers must be erected a minimum distance of 3 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway

o Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

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

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

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

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

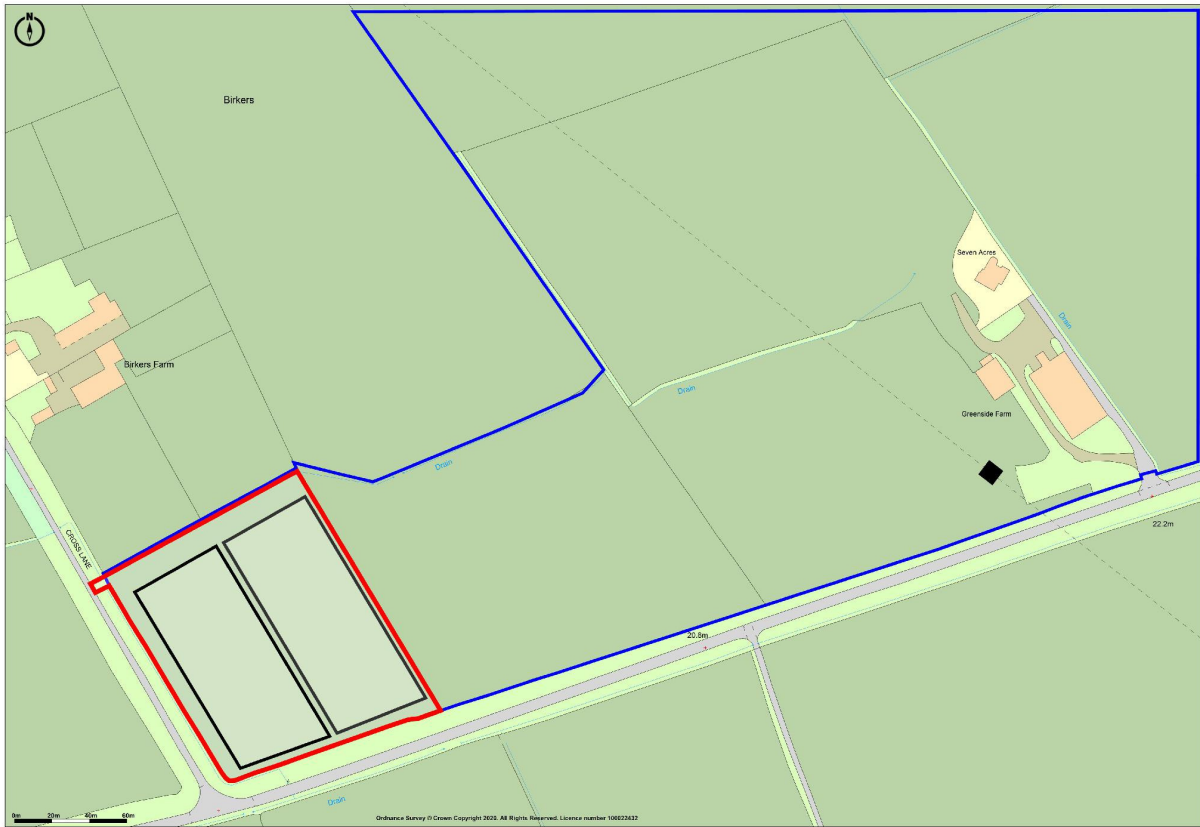
- 10 The site must not be brought into commercial use, as laid out in the above proposals until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority on the site layout plan within the application documents. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

INFORMATIVE(S)

- 1 The Applicant is advised to sign up to the Environment Agency's Flood Warning System prior to the commencement of the development hereby approved.
- 2 Separate consent from the Foss Internal Drainage Board will be required for works within 9 metres of Flaxton Dyke to the north of the site.
- 3 As confirmed in the Agent's email of the 7th October 2020, the Applicant is required to inform all site users that visitor parking must be undertaken on the Grasscrete areas within the fences off dog walking areas, as agreed to prevent blocking of access to Flaxton Dyke for the Internal Drainage Board.

This plan was prepared by a qualified professional or other person who is a member of a professional body which is a member of the Institution of Chartered Surveyors. It is a condition of the use of this plan that it shall not be used for any purpose other than that for which it was prepared.







NOTES

BOARD SIZE:
1.80M HIGH
0.90M WIDE

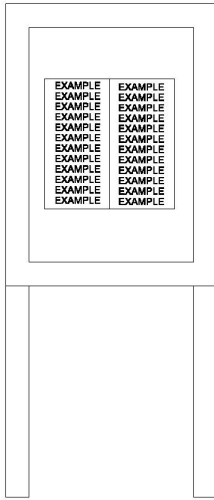
0.10M THICK

CONSTRUCTION:
Timber

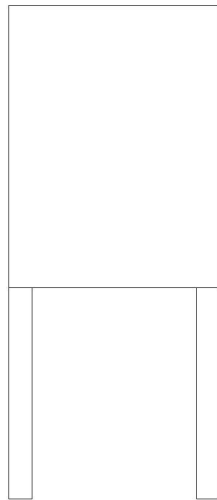
CLIENT:
G Mook & G Bellwood

PROJECT:
Proposed Information Board
as Part of Application
for a Dog Walking Field

SCALE:
1:20 @ A4



FRONT



BACK

BoultonCooper

**PLANNING AND DESIGN AND ACCESS STATEMENT
FOR CHANGE OF USE OF AGRICULTURAL LAND
TO A DOG WALKING FIELD
AT LAND OFF CROSS LANE, FLAXTON**

ON BEHALF OF

Mr G Mook and Miss G Bellwood

**FOR SUBMISSION TO
RYEDALE DISTRICT COUNCIL**

Prepared By:

J A Ayres – Sumner MRICS FAAV
Boulton Cooper
St Michael's House
Malton
North Yorkshire
YO17 7LR



1.0 INTRODUCTION

This Planning, Design and Access Statement has been prepared and submitted on behalf of Mr G Mook and Miss G Bellwood (hereinafter referred to as 'the Applicant'). The document is fully supported and supports the document and drawings submitted as part of the Planning Application which seeks change of use of agricultural land to a dog walking field.

1.1 General information

- a) **Applicant: -** George Mook and Grace Bellwood
Sevenacres
York Lane
Flaxton
York
YO60 7QZ
- b) **Agent:-** Jack Ayres – Sumner MRICS FAAV
Boulton Cooper
St Michael's House
Malton
North Yorkshire
YO17 7LR
- c) **Site Address: -** Land off Cross Lane, Flaxton and to the west of Sevenacres, York Lane, Flaxton
- d) **Accompanying Documents-** Site Plan Scale 1:2500
Block Plan Scale 1:500
Change of Use Application forms
Fee £462

1.2 The Applicant

The Applicants own Sevenacres, which is a Farm which includes the Application land. From Sevenacres the Applicants run a farming enterprise which also includes a fencing and hedge cutting business. The Applicants were born and raised in the area and have close links to the immediate area due to their family farming the neighbouring land for many years. The Applicants are seeking ways to diversify their agricultural business and to maintain its financial viability. Farmers are increasingly being encouraged to seek alternative income streams, due to the ever evolving agricultural market, and increasingly due to pressures being faced from Brexit and more recently the Coronavirus pandemic.



1.3 The Application for Variation of a Condition Following Grant of Planning Permission Submission

In accordance with the Town & Country Planning Act 1990 (as amended) this Planning Submission will comprise the following documentation:

- Application forms, including certificates of ownerships and notices, duly completed.
- Planning, and Design and Access Statement
- Site and Location Plans

Should the LPA require any other documents not submitted as part of this Application please request these from the Agent.

1.4 Structure Of This Planning, Design and Access and Justification Statement

This Statement is provided for planning submission purposes on behalf of Mr Mook and Miss Bellwood which is divided in to 6 sections and following this introduction, (Section 1), this structure follows:

- **Section 2 - Requirement for the Development**
- **Section 3 – The Site and Surrounding Area**
- **Section 4 – The Proposed Development**
- **Section 5 – Planning Policy**
- **Section 6 – Conclusion**

2.0 REQUIREMENT FOR THE DEVELOPMENT:

As already explained the Applicants are seeking to diversify their agricultural business, and to seek income streams from outside of farming to ensure the sustainability and financial viability of their existing business.

The Applicants are proposing to create a designated and purpose fenced dog walking field. There are many reasons for this which are further explained below.

2.1 General

York and the surrounding villages have seen considerable development and expansion of residential properties within the last decade. It is a commonly known fact that dog ownership has also increased exponentially. The Applicants have identified through Market Research, Press Releases in local and regional Newspapers, social media and significant direct enquiries from the public, that



there is demand for a provision of a safe controlled place to walk and train dogs. Usually these dogs cannot be exercised in open and public areas. The Applicants have identified that the proposed development site will be able to provide a safe and controlled place to walk and train dogs which will serve the needs of the local community, without affecting the amenity of the surrounding area or others residing within the immediate and surrounding proximity.

2.2 Access to Countryside

It is now a commonly reoccurring theme that incidences of livestock worrying, which often leads in to the death of the livestock, occur from uncontrollable dogs.

2.3 Contamination and Disease

Livestock worrying from the public walking in agricultural areas with dogs out of control is becoming an increasing problem. Farmland in and around Flaxton, where livestock are predominantly grazed, has seen an increase in unauthorised public access, which has led to cases of livestock being worried.

Disease and contamination which can be passed on from dog faeces into livestock has also increased significantly in recent years. The Applicants expect to be able to educate users of the proposed dog field, from displaying educational material with regard to diseases spread from dog faeces within the wider countryside. Currently the spread of the disease from dog faeces is uncontained and widespread and is a serious cause for concern.

Neosporosis, is a parasite found in dog faeces. Neosporosis causes abortion in cattle. Sarcocystosis is also a parasite found in dog faeces. Sarcocystosis is a parasite which uses dogs as intermediate hosts, and transferred to sheep. The main process for identifying this contamination is once a lamb or sheep has been slaughtered. If a confirmed case is found that the carcass is condemned and the farmer will receive no payment.

2.4 Public Enquiries

The Applicants have been approached by members of the public to ask about independent access to their land due to dogs being unruly and also asked if they can use the land for the purpose of training dogs. These enquiries could be facilitated if a purpose built facility was available, which the Applicants propose to create.

2.5 Wider Market Research

A study by the Pet Food Manufacturers Association (PFMA) suggests that 26% of households now own a dog. Other information available also identifies that there has been a clear rise in dog ownership in recent years and a drive from the public to access more rural areas for the purposes of exercising their pets.



3.0 THE SITE AND SURROUNDING AREA:

3.1 The Site

The field to which this Application relates, comprises 3.99 ha (9.87ac) and currently forms part of an Agricultural Holding currently sown to grass and mainly grazed by livestock.

The site is bounded by mature hedgerows and a network of Council adopted highways being Cross Lane and York Lane.

The Applicant's farmstead and main business premises is situated to the east of the field where the development is proposed. The land between the Applicants farmstead and the Application site is also owned by the Applicant and under their control.

3.2 Location

The land is situated within 1 mile of Flaxton. The south eastern edge of Strensall is approximately 2 miles from the Application site. Haxby and the outer ring road of York are both accessible within 5 miles of the Application site.

3.3 Public Rights of Way

There are no public rights of way affecting either the Application site or on the land which the Applicants business occupies.

3.4 Landscape

The site is generally level and currently used as agricultural grassland. The site is enclosed by mature hedgerows, interspersed with mature trees. Given the level and nature of the surrounding landscape, the site does not stand out and is not easily visible.

The proposal will conform with the existing and surrounding boundary features and area as the materials used to construct the enclosure and perimeter fence will use materials commonly associated with the construction of agricultural facilities and infrastructure. The development is bordered by a public highway to the south and west, but cannot be easily seen from one.

3.5 Education

It is proposed by the Applicants to install an educational board, where material for the education of dog owners can be displayed. The focus of the educational material would relate mainly to walking dogs in the countryside and the interaction between dogs and livestock. This would include both behaviour (e.g chasing and worrying of livestock) and dog faeces (e.g. diseases that can be transmitted from dog faeces to livestock). The Applicants feel very strongly about access to the



countryside and open areas and that it could be encouraged, but the public, and dog owners not fully familiarised with proper access and use of the countryside, should first be educated.

It is now very common to hear of incidents where farmers livestock have been worried and chased by out of control and untrained dogs.

In my professional capacity, and my role as a Rural Surveyor and Livestock Auctioneer, I hear on at least a weekly basis of incidents where livestock have either been killed, or are in need of significant veterinary assistance, which comes at significant cost. I can only see that educating the public is the way in which dog owners will understand the difficulties faced by farmers with access to the land from the public. The opportunity that will be given by the Applicants, for dog owners to walk and potentially train their dogs in an enclosed and safe environment, should be supported, the wider benefit is for education through at least the display of relevant material.

3.6 Nature Conservation

There are no known Ecological Designations located either on the site or within the immediate area which could be affected by the proposed development. No existing hedgerows or areas of significant woodland growth will be removed or affected the development. No other areas of particular habitat or ecology importance are considered to be affected by the proposed development.

3.7 Flood Risk and Drainage

According to the Government Flood Risk Mapping, the site is predominantly designated as Flood Zone 1 (low probability of flooding). In any event buildings and land use for agricultural purposes are classed as being less vulnerable development. Although the Application is for a Change of Use of the site from agricultural, there is no physical Change of Use in the composition of the structure of the surface, being grassland, and as such it is therefore considered that no further consultation would be necessary. It is not considered that any risk is posed by flooding on the development as it will be considered significantly low.

It is noted, from a search of the www.gov.uk Flood Map for Planning facility that a small section of the southern end of the field proposed to change use is designated as being within Flood Zone 3. The development is only affected by a very small area of this designation and it is not considered necessary to carry out a Flood Risk Assessment.

The Applicant and their family have lived in the area for in excess of 40 years, and, due to the family's agricultural Holding being accessed from Cross Lane, they have a good experience of flooding on it. They have no knowledge of flooding during their history of occupation of the access, or land in and around this area.

In terms of risk to users of the site, should it ever become flooded, the Applicants will have the ability to restrict access by closing the site until such time as flooding has reduced. Furthermore, should a flood event occur while the land is in use, the



main area of the land is included in Flood Zone 1 which is at risk of very limited flooding, if at all. Practically the access in to the designated dog walking field is to the north of the site, which is not affected by flooding and will be the run back area for the users safety.

It is not considered that a full Flood Risk Assessment is required as part of the Application due to the low probability of flooding and the fact that the use does not constitute a “vulnerable” use.

The development would not alter the existing drainage of the field. The only amendment to the immediate surface area would be the installation of the grasscrete, which would continue to be permeable, and mainly comprise a grass structure and as such would not alter the drainage capabilities of this area. There are no other solid hard standings or permanent structures which would be introduced to the site.

4.0 THE PROPOSED DEVELOPMENT

4.1 Use

The proposal is for the change of use of agricultural land to a dog walking field. The facility aims to provide a safe and secure, dog walking and exercise area for dog owner’s use.

All bookings and payments will be made online and only one booking will be allowed per time slot in each Park. It is expected that each booking will be for 60 minute periods. The dog walking fields are proposed to be open from 6 a.m. until 8 p.m. daily, but as the seasons change the hours of operation will be within daylight hours only. There will be no requirement for any flood lighting at the site.

Each user will be allowed a maximum of 5 dogs on site per time slot.

4.2 Design

4.2.1 Design of Grass Field

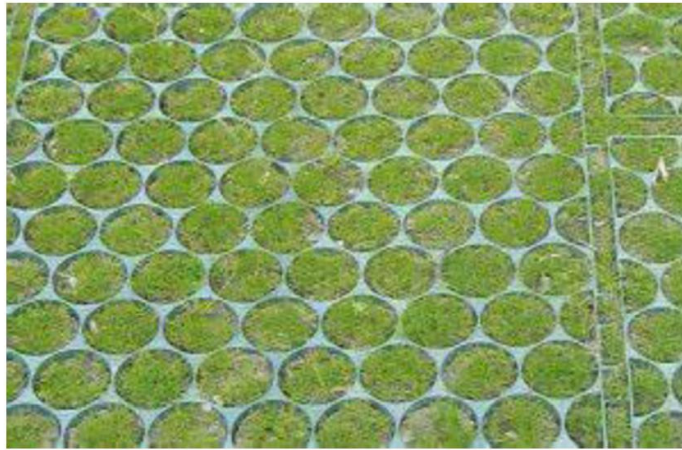
The basic use of the field will remain as a grass field. The existing grass ley will be improved and re-sown where necessary, and with a mix and species to withstand the proposed use.

The site will be used as 2 private dog walking fields. Each area will measure approximately 0.57 ha (1.41 acres) in size.

The immediate approach and access will comprise a wooden gated access. To the immediate north of the defined dog walking areas, there will be an area of permeable grasscrete. The grasscrete is as shown in the following image. Grasscrete is a good alternative to the use of hardcore or a fully concreted area. It creates a firm surface on which vehicles can travel, but allows for easy integration in to the surrounding environment by allowing grass to grow through it. This would



be an environmentally friendly addition, which would have no effect on increasing surface water run-off, but would allow access to the site during any weather event. An example of grasscrete is as shown below:-



The outer perimeter of the field will comprise stock proof fencing. The stock proof fencing will comprise pig netting and wire and be supported with timber posts. The fencing is the same as that used for agricultural purposes but will act as a secure boundary feature.

4.2.2. Dog Walking Areas

The dog walking fields themselves will be fenced with 1.8m high metal post and wire mesh fence. The wire mesh will be galvanised steel wire. The lower part of the fence will be overlaid with a finer wire mesh fencing, similar to that typically used for rabbit fencing, which will be part laid in to the ground to prevent dogs digging underneath.

An example of the fencing is as shown below:-



4.2.3 Waste Disposal

The users of the dog walking fields are expected to be responsible for clearing up after their dogs. A dog waste bin will be provided on site for the proper disposal of dog poop.

All users of the dog walking field will be required to supply their own biodegradable dog poop bags to collect the faeces and will be permitted and encouraged to use the designated site bins provided.

The Applicant has made enquiries with regard to the disposal of dog faeces. The usual process is that the bins are emptied on a weekly basis by a designated and regulated dog waste removal company paid for by the Applicant. The Applicants proposal is that the waste will be collected on a weekly basis, but that it will need regular monitoring to make sure that it is done on a timely basis and to maintain the integrity and appeal of the dog walking field.

The matter regarding dog faeces is taken very seriously by the Applicant, particularly due to them also keeping livestock. As discussed a Section 3.5, the Applicant also intends to use the site for educational purposes. Transfer of disease from dog faeces to livestock is a very common and reoccurring subject matter within agriculture at this moment in time. The Applicant will hope to educate the public on walking within areas which support livestock enterprises, to clear up any dog faeces. Therefore, any users failing to collect faeces will be barred from using the field. The Applicant will also be carrying out regular checks of the fields once their use has finished for the day, and at regular intervals during the day as deemed necessary, to ensure compliance with the dog faeces disposal rule. This will also help reduce the chance of cross contamination between users of the site.

4.3 Appearance

The outer perimeter will comprise materials traditionally accepted for agricultural fencing within grass fields and in particular the area being used for the dog walking fields.

The Applicants have carefully considered the need for improving the area to the north of the designated dog walking fields to ensure access, without compromising development within context of the current landscape. The grasscrete will integrate in to its surrounding environment, allowing grass to be the predominant feature present within the area, but still allowing the successful use of the site throughout any weather event.

The materials being used to define and create the internal dog walking fields, again are accepted in terms of the materials and appearance in rural areas. The fencing which defines the dog walking areas, is typically used for fencing deer enclosures, or around woodlands where deer are excluded for their protection.



The galvanised nature of all of the fencing which will be installed will readily integrate in to the surrounding environment.

The wider appearance of the dog walking site, being a grass field, will again assist the integration of the change of use in to its surrounding environment.

The site is bounded by mature and tall hedgerows to the immediate north, south and west. The eastern boundary will divide the existing field in to the dog walking field, with the remainder being used for continued agricultural purposes. The far eastern boundary, comprises an existing hedgerow and looks back towards the Applicants farmstead.

4.4 Access

4.4.1 Access to the Main Site

The area designated for Change of Use to a dog walking field benefits from two access points. The Applicants are open to advice and consultation with the Local Planning Authority and the Highways Agency to agree which access would be most appropriate. The access to the south is immediately on to York Lane. The access to the west is immediately on to Cross Lane, which gives access to York Lane.

The Applicants propose to use the access on to Cross Lane. This is as identified on the plans which accompany the Application. The Applicant will provide a suitable run off area from Cross Lane and before the secure field gate. This will allow users of the dog walking field to safely pull off of Cross Lane, to be able to leave cars in a stationary position to open the gate for access and egress to the proposed site. This will have a very limited effect to the existing users of Cross Lane as no vehicles will be required to stop or park on it.

The allotted booking times factor in a period of use of the designated dog walking area, plus additional time to allow vehicles to move on and off the site without coming in to contact, or being on site at the same time as the next or previous booking.

There will be no need for the users of the dog walking field to perform any turning maneuvers on the public highway as ample room will be provided within the site.

4.4.2 Access Into the Dog Walking Field

The immediate access off of Cross Lane, as already explained, will comprise a traditional wooden field gate. This access will not be blocked, unless the whole site is closed for any reason.

The two individual fenced dog walking areas will have access restricted by a code lock on the entrance gate. The code lock combination is only released upon booking. The code combination is changed on a regular basis to ensure no unauthorised takes place.



5.0 PLANNING POLICY

5.1 Introduction

This Section sets out the prevailing Planning Policy context within which this Application proposal is to be determined, having established following the consideration of the location of the site combined with the nature and design of the proposed development. In doing so, it sets out the basis of the Planning Policy rationale for the proposed development and has provided the context for guiding both the site selection and the design of the development. Relevant Policy considered in this Section includes:-

- National Planning Policy Framework
- Ryedale Local Plan – Local Plan Strategy (2013)

5.2 NPPF

The National Planning Policy Framework (NPPF) provides the National Policy context against which Planning decisions should be considered.

Paragraph 11 of the NPPF provides for a presumption in favour of sustainable development. Proposals that accord with the Development Plan should be approved without delay and where there are no relevant Development Plan Policies, or the Policies that are most important for determining the Application are out of date, permission should be granted unless for specific reasons listed within the NPPF document.

In terms of sustainable development, Paragraph 8 identifies 3 overarching objectives being:-

- An economic objective
- A social objective
- An environmental objective

This Application exceeds all of these objectives which are discussed throughout the Report but more specifically:

- a) Economic – part of the evolution of the Application is to provide a further income stream and diversification to an existing agricultural enterprise. Planning Policy supports agricultural diversifications and the development of land based rural businesses.
- b) Social – socially, the Application is encouraging interaction with communities both urban and rural and their education. The Applicant has a willingness to educate communities with regard to exercising their dogs in the countryside and publicly accessible areas where livestock are present.



The development will positively achieve this and the wider benefits are discussed throughout the Report.

- c) Environmental – the Application will cause very limited if any detriment to its existing setting and the immediate landscape. There will be no physical change of use of the land, and the change of use is more the activity carried out on it. The immediate effects to the environment will be limited, but the wider effects to the environment will be extremely positive. Again the Applicant seeks to educate the users of the dog walking field, with regard to the impact, both positive and negative, of exercising dogs in the countryside. The benefits of this should see better interaction between dog owners and the countryside itself.

Paragraph 83 makes reference to “supporting a prosperous rural economy” and that Planning Policies and decisions should enable “*the development and diversification of agricultural and other land based rural businesses*”. The approach that the Applicant has taken is to diversify an existing agricultural activity and business, which in turn allows access to the countryside from those to which it is predominantly restricted.

Paragraph 127 makes reference to “achieving well-designed places” and provides a platform for which Planning Policies and decisions should be made when designing and creating development. This proposal will be sympathetic to the local character, will function well within its existing setting and area and provides a well-designed and acceptable development.

Full consideration of the National Planning Policy Framework has been given in proposing this Application. It is considered that the development is compliant with the targets of it.

5.3 Local Planning Policy

The development plan for the determination of this particular Application comprises The Ryedale Plan – Local Plan Strategy 2013

The particular Policies considered are:-

- Planning Policy SP9 – The Land Based and Rural Economy
- Planning Policy SP11 – Community Facilities and Services
- Planning Policy SP16 – Design
- Planning Policy SP20 – Generic Development Management Issues

Policy SP9 seeks to ensure that Ryedale’s land based economy will be sustained and diversified with support for appropriate farm and rural diversification activity, including innovative approaches. The Applicants have identified an appropriate farm and rural diversification activity which in turn provides significant benefits to local residents and to those which cannot safely exercise their dogs in a wider rural and countryside setting. The Applicants are providing a safe and educational place to exercise dogs, without causing significant harm to the existing and surrounding landscape.



Planning Policy SP11 seeks to support new community facilities in service villages and other villages where they provide new or enhanced provisions of open space. It is considered that the Application will have no detrimental effect to the environment or heritage, which cannot be outweighed by the benefits it will bring.

Planning Policy SP16 seeks to ensure appropriate design of development. The Applicants have carefully considered how the dog walking facility can be provided without causing significant harm to the surrounding landscape. Materials commonly associated for use in the countryside will be used to create the development, which will cause little impact on the landscape.

Planning Policy SP20 sets out objectives under the heading Character, Design, Amenity and Safety and Access, Parking and Servicing. These points have all been considered as part of the Application process and the design of the development and it is considered that the Application would comply.

6.0 CONCLUSION

Having assessed the proposed development in relation to the National Planning Policy Framework and using the established principles of the Ryedale Local Plan, the proposed development is considered to be sustainable and one that supports a rural land based business and it is asked that the Local Planning Authority support this Application.

**J Ayres - Sumner BSc (Hons) MRICS FAAV
Boulton Cooper
1 St Michael's House
Malton
YO17 7LR**

Date: 22nd June 2020



Parish comments

Sent: 02 November 2020 13:26

To: Development Management

Subject: Consultee Comments for Planning Application 20/00598/MFUL

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 1:26 PM on 02 Nov 2020 from Mrs Hannah Revis on behalf of Flaxton Parish Council.

Application Summary

Reference: 20/00598/MFUL

Address: Land At OS Fields 6882 And 8386 York Lane Flaxton North
Yorkshire

Proposal: Change of use of agricultural land to a dog walking field and
installation of 2no. information boards.

Case Officer: Niamh Bonner

[Click for further information](#)

Comments Details

Comments: There are no Flaxton Parish Council objections to this revised planning application, though previous comments on the earlier application stand, namely, "the PC would like there to be a condition on any approval that no buildings can be erected on the site in the future and that the field remains in its current state which is grassland".

Subject: Consultee Comments for Planning Application 20/00598/MFUL

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 8:15 AM on 21 Jul 2020 from Mrs Fiona Hill on behalf of Flaxton Parish Council.

Application Summary

Reference: 20/00598/MFUL

Address: Land At OS Fields 6882 And 8386 York Lane Flaxton
North Yorkshire

Proposal: Change of use of agricultural land to a dog walking field

Case Officer: Niamh Bonner

[Click for further information](#)

Comments Details

Flaxton Parish Council would like to seek clarity on the positioning and size of the advertising and notice boards noted in this application. They would also request that any such hoarding is located within the field itself and on Cross Lane as opposed to York Lane as this could cause a distraction to motorists.

Comments: Whilst the application does not directly refer to this being a commercial enterprise it would appear that this is perhaps the grounding for the creation of one and therefore the Parish Council would like to ensure that a condition of any approval would specify that no permanent structures are allowed to be erected or built on the site in the future and that the land remains predominantly in its current state which is that of a field.

The Parish Council would also like to ensure that the Green Gait Owners have been consulted on this application as neighbouring owners.

Agenda Item 8

Item Number: 8
Application No: 20/00703/MFUL
Parish: Heslerton Parish Council
Appn. Type: Full Application Major
Applicant: Mr Ward
Proposal: Use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road
Location: The Snooty Fox Scarborough Road East Heslerton Malton YO17 8EN

Registration Date: 1 September 2020
8/13 Wk Expiry Date: 1 December 2020
Overall Expiry Date: 12 November 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Heslerton Parish Council	No objection
Highways North Yorkshire	No objection
Highways England	Recommend condition
Archaeology Section	Recommend condition
Yorkshire Water Land Use Planning	No response received
Flood Risk	No response received
Tree & Landscape Officer	Comments- request for further information

Re-consultation (reduction in number of units from 65 to 47 and surfacing)

Heslerton Parish Council	Reduction to 47 units is acceptable
Highways North Yorkshire	No response received
Highways England	No response received
Yorkshire Water Land Use Planning	No response received
Flood Risk	No response received
Tree & Landscape Officer	Supports additional landscaping

Representations:

BACKGROUND:

The application is to be determined by Planning Committee as a major development because the application site exceeds 1 hectare in size.

SITE:

The application site comprises land to the rear of The Snooty Fox and amounts to approximately 1.65 hectares. The site has raised bunding around its western, northern and eastern perimeter with hedge planting on these banded areas. The site is located within the Wolds Area of High Landscape Value, with its rising escarpment to the south of the application site. The Wolds Way National Trail (Public Footpath no. 25.47/22/1) runs along the escarpment. Access to the site is from the A64 (T) to the south, via a large purpose made access. At the front of the site (south) stands The Snooty Fox Public House which is currently closed. The bungalow associated with the site is also at the front of the site to the east of the public house. The commercial buildings at Five Acres stand immediately to the south east of the site. The site is within an archaeologically sensitive area.

HISTORY:

17/01231/MFUL- Use of land to allow permanent siting of 55no. touring caravans (retrospective application). APPROVED 21.12.2017.

03/00659/73- Variation of Condition 2 on approval 00/00966/FUL dated 25.05.01 requiring site to be only occupied by touring caravans for a period not exceeding 28 days and shall not return to the site within a period of 28 days from departure. APPROVED 11.12.2003.

00/00966/FUL- Change of use of land for the siting of 15 touring caravans and erection of shower/toilet block. APPROVED 30.05.2001.

PROPOSAL:

Planning permission is sought for the use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road.

The application was initially for 65 holiday units but following concerns raised by the Case Officer in relation to density, landscape and visual amenity the proposal was amended and the number of units reduced and the separation distances increased.

Each holiday unit would measure 3.7 metres in width by 12.2metres in length standing 2.5 metres to the eaves and 3.3 metres to the ridge. Externally the units would be aluminium cladding ('Environmental Green') to the walls and aluminium sheeting(mock profile grey tile) to the pitched roof.

The initial proposal was for the units to be spaced 5 metres apart. In the amended proposal the reduction in the overall number of units has allowed spacing to be increased to 8 metres. As a result there would be space adjacent to each unit to allow the parking of two cars side by side and areas of soft landscaping between units.

The holiday unit bases would comprise 0.6m wide concrete strips under the chassis bearing points (each long side) with the ground in between the strips finished with gravel. It was initially proposed that the internal access loop road would be entirely tarmac to a width of 6 metres. The amended details now show there would be contrasting charcoal permeable block paving to the perimeter of the access road (1.3m either side) with the tarmac access reduced to 3.4 metres in width. The amended details also confirm that the parking areas would be brindle permeable block paving.

The proposed units would connect to the existing foul and surface water infrastructure. Foul drainage would be disposed of via a package treatment plant and surface water to soakaway.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

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

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

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

Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (PPG)

APPRAISAL:

Principle of development

Policy SP1 states that development in the open countryside will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities. Tourist-orientated schemes are a form of development which could be considered to be necessary to support the above policy objective. At the national level paragraph 83 of the NPPF supports a prosperous rural economy and states that planning decisions should, inter alia, enable “*sustainable rural tourism and leisure developments which respect the character of the countryside*”.

Tourism makes a significant contribution to the local economy and local planning policy (Policy SP8) seeks to develop tourism in a sustainable way which does not undermine some of the very special qualities that visitors come to enjoy and experience. Policy SP8 supports tourist accommodation in the wider open countryside that, inter alia, involves “*New touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality*”.

The principle of the use of the site for holiday accommodation has been previously established. The extant permission currently permits the siting of 55 touring caravans for seasonal occupancy and allows them to be retained on site for out of season storage purposes.

Local policy provides support in principle for sustainable tourist accommodation where the scale, nature of activity and visual intrusion can be accommodated, for example, in terms of the character and sensitivities of the locality, wider landscape and the road network. The proposed development relates to an existing and established site and is considered acceptable in principle subject to consideration of the occupancy/operating season, landscape and visual impact, local amenity, highways safety and archaeological impact.

Occupancy restrictions

The applicant seeks permission to extend the operating season to all year round. Policy SP8 states that one way in which sustainable tourism can be achieved is by encouraging all year round tourism subject to occupancy conditions set out in Policy SP21. The proposal would comply with the aims of this policy and would further enhance the viability of an existing business.

Furthermore, the Government’s Written Ministerial Statement dated 14 July 2020, recognises that, in response to Covid-19, the tourism industry will need to be able to adapt to secure its financial future. It states that Local Planning Authorities should prioritise decision making for applications to vary relevant planning conditions (to extend opening seasons) and take account of the economic benefits resulting from extending opening. This 12 month operational period is considered acceptable and will further enhance potential visitor numbers within the locality, particularly during the off peak season.

Local Policy SP21(e) relates to time-limited occupation and states “*New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions: • The accommodation is occupied for holiday purposes only; and not as a person’s sole, or main place of residence; and • It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and • The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on*

request”.

To comply with Policy SP21 it is considered appropriate to impose a condition restricting occupancy at the site to holiday purposes only.

Landscape and visual impacts

The site is located within the open countryside and an Area of High Landscape Value. Policy SP13 requires the protection of distinctive elements of landscape character in areas valued locally for their natural beauty and scenic qualities. Policy SP20 also requires new development to respect the character and context of immediate locality and the wider landscape character and to ensure the proposed uses are compatible with the ambience of the surrounding locality. In addition, Policy SP8 requires that new or extended caravan sites do not give rise to unacceptable visual intrusion or adverse impacts upon the character of the locality.

The land use in the locality is predominately agricultural with commercial premises immediately to the south east. There are no public rights of way immediate to the site or residential receptors with direct, uninterrupted views of the site although the site is visible from elevated positions on the Wolds Way near to Manor Wold Farm to the south over a distance of approximately 1.4km. There are fleeting views of the site from the A64.

At present 55 touring caravans are allowed to be sited all year round. Therefore, the main landscape and visual change would be the presence of static units which are larger than touring caravans in terms of footprint but fewer in number with the addition of hardstanding for the internal access road.

The site layout has been amended to make the arrangement of the units less regimented and the buildings would be arranged around the internal access road. The density and spacing, as amended, is considered typical for such static unit developments. The proposed surfacing has also been amended to reduce the amount of tarmac to limit urbanising features in the open countryside. In addition the increased separation distance has allowed for more green space between the units where the plans show that soft landscaping can be established.

The site has a perimeter bund to three sides topped with planting of mixed condition. The Tree and Landscape Officer has visited the site and has observed that the planting associated with permission ref. 17/01231/MFUL has an extremely high failure rate and there has been no replanting of the dead saplings and trees. The Tree and Landscape Officer requested further details on the landscape planting (species, sizes etc) and acknowledged that if the outer bund is replanted and the inner landscaping is successfully implemented there is every chance that this proposal could be well screened and may even achieve a net ecological gain.

In response the applicant has submitted a detailed landscaping plan and planting schedule which shows native whip and light standard planting to augment and ‘gap up’ the existing planting on the perimeter bund. The existing and proposed boundary planting would provide a sense of enclosure and the separation distances from receptors and soft landscape within the site should ensure that the use of the site is not detrimental to visual amenity or local landscape character. The Tree and Landscape Officer is satisfied with the level of detail provided which shall be secured by condition.

Taking account of the existing land use, perimeter bunding and existing and proposed planting the site will not be overly prominent within the local landscape. The proposed use of the land would not interrupt skyline views or the scenic qualities of the area to an unacceptable degree and it is considered an appropriate and compatible land use in landscape and visual terms. The proposed development would not result in any landscape harm or visual intrusion and would not conflict with the aims of Policies SP8, SP13, SP16 and SP20.

Impact on local amenity

As required by Policy SP20 (Generic Development Management Issues) development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.

The site is isolated in relation to residential receptors and the bungalow on site is under the applicant's ownership and control. The adjacent buildings at Five Acres to the south east are in commercial use. In terms of any potential noise disturbance from guests staying at the park it is considered that the impact of the all year round operating season and siting of static units would be negligible particularly given the separation distance and intervening bunding and planting. To address any potential for light pollution any additional external lighting associated with the site shall require approval from the LPA prior to installation.

It is considered that there would be no impact outside of the site in terms of pollution, disturbance, overlooking, loss of privacy or visual intrusion. It is considered that the proposed development would not conflict with the aims of Policy SP20 in relation to the protection of amenity.

Highways impact

Policy SP20 seeks to ensure that new development does not have a detrimental impact on road safety.

The proposed development would use the existing access point with the A64 which is a large forecourt in good condition with acceptable visibility in both directions. The all year round use would extend the period of vehicle activity but the reduced number of holiday units would not result in an intensification of use. Furthermore there would be no vehicles towing caravans accessing the site. The internal access road would allow for safe movement of vehicles within the site and all holiday units would be provided with two dedicated 'off access road' parking spaces.

There are no objections from the Local Highway Authority or Highways England. Highways England have requested the inclusion of a condition for the prior approval of a scheme for abnormal load movements for the delivery/construction phase.

It is considered that, taking account of anticipated traffic movements associated with the proposed development and existing access and visibility, the proposed development would not give rise to a materially significant adverse impact on highway safety either individually or cumulatively and there would be no conflict with Policy SP20.

Archaeological impact

The application site is within an area of high archaeological sensitivity. The County Archaeologist has highlighted that previous geophysical survey work has indicated a circular anomaly in the centre of the site, most likely a burial mound. In addition, cutting across the northern part of the site, is a linear trackway or dyke. These linear features tend to be the focus of both prehistoric settlement and ritual activity.

The excavation of a new sub-base for car parking areas and access may have an impact on archaeology depending on both the depth of the archaeology and the depth of the required excavations.

The County Archaeologist advises that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal and this shall be secured by conditions in accordance with Policy SP12.

Conclusion

The principle of the use of the land for holiday accommodation has been established and the proposal is in line with national and local planning policy relating to the sustainable development of tourism and the rural economy. The proposal represents an appropriate development of an established caravan park that would improve the viability of the business, retain employment at the site and attract visitors to the District. Taking account of the location of the development in terms of proximity to sensitive receptors,

public highways and the effectiveness of screen planting it is considered that the static units and the extended operating season can be accommodated without giving rise to unacceptable visual intrusion or an adverse impact on the character of the locally valued landscape.

The proposed development would not have an unacceptable impact on local amenity or highway safety and any temporary adverse impacts during construction can be mitigated by appropriate planning conditions. In light of the above assessment, it is considered that the proposal is acceptable and that it complies with Policies SP1, SP8, SP12, SP13, SP16, SP17, SP19, SP20 and SP21 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The recommendation to Members is one of conditional approval.

RECOMMENDATION: Approval

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

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

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

- Location Plan ref.L020020-001, dated July 2020
- Proposed Site Layout Plan ref.L020005-003 Rev A, dated 16.10.20
- Proposed Unit Plan and Elevations ref.L020005-005, dated July 2020
- Proposed Landscape Scheme ref. L020005-006, dated July 2020

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

3 Unless otherwise approved in writing with the Local Planning Authority, the materials and colour finishes to be used on the exterior of the buildings the subject of this permission shall be in accordance with the details contained with the planning application and as shown on the approved elevation drawing.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP13, SP16 and SP20.

4 No development shall commence until a scheme for abnormal load movements has been submitted to and approved by the Local Planning Authority in consultation with Highways England. No development shall take place other than in accordance with the approved scheme.

Reason: In the interests of highway safety in compliance with Policy SP20.

5 Prior to the installation of any external lighting associated with the development hereby approved details of the location, height, angle of lighting, level of illuminance output and hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore be installed on site only in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity to ensure that the proposal satisfies Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

6 No development shall commence until a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 7 No development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: The site is of archaeological significance and to satisfy the NPPF and Policy SP12.

- 8 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site is of archaeological significance and to satisfy the NPPF and Policy SP12.

- 9 The landscape planting scheme as shown on the approved Proposed Landscape Scheme drawing ref. L020005-006, dated July 2020 and associated Planting Schedule and Specification shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy.

- 10 The permission hereby granted shall only authorise the use of this site for the stationing of 47 static holiday units, in the positions shown on the approved Proposed Site Layout Plan ref.L020005-003 Rev A, dated 16.10.20. The permission hereby granted shall not authorise the use of the land for touring caravans or camping.

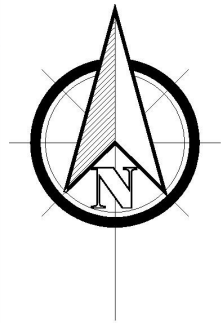
Reason:- Additional units would result in a cramped and unsatisfactory site layout and the control is in the interest of landscape and visual amenity in compliance with Policies SP13, SP16 and SP20.

- 11 The static units shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence; and
 The static units shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 consecutive days; and
 The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: In order to ensure it is available for holiday use only and to comply with Policy SP21 of the Local Plan Strategy.

INFORMATIVE

The applicant is required to contact the Council's Housing department for a variation to the caravan site licence.



REV.	DATE	DETAILS

Wardman Brown

113 Starbuck Road South
Dorchester, Dorset, DT11 7JF
Tel: 01322 440227

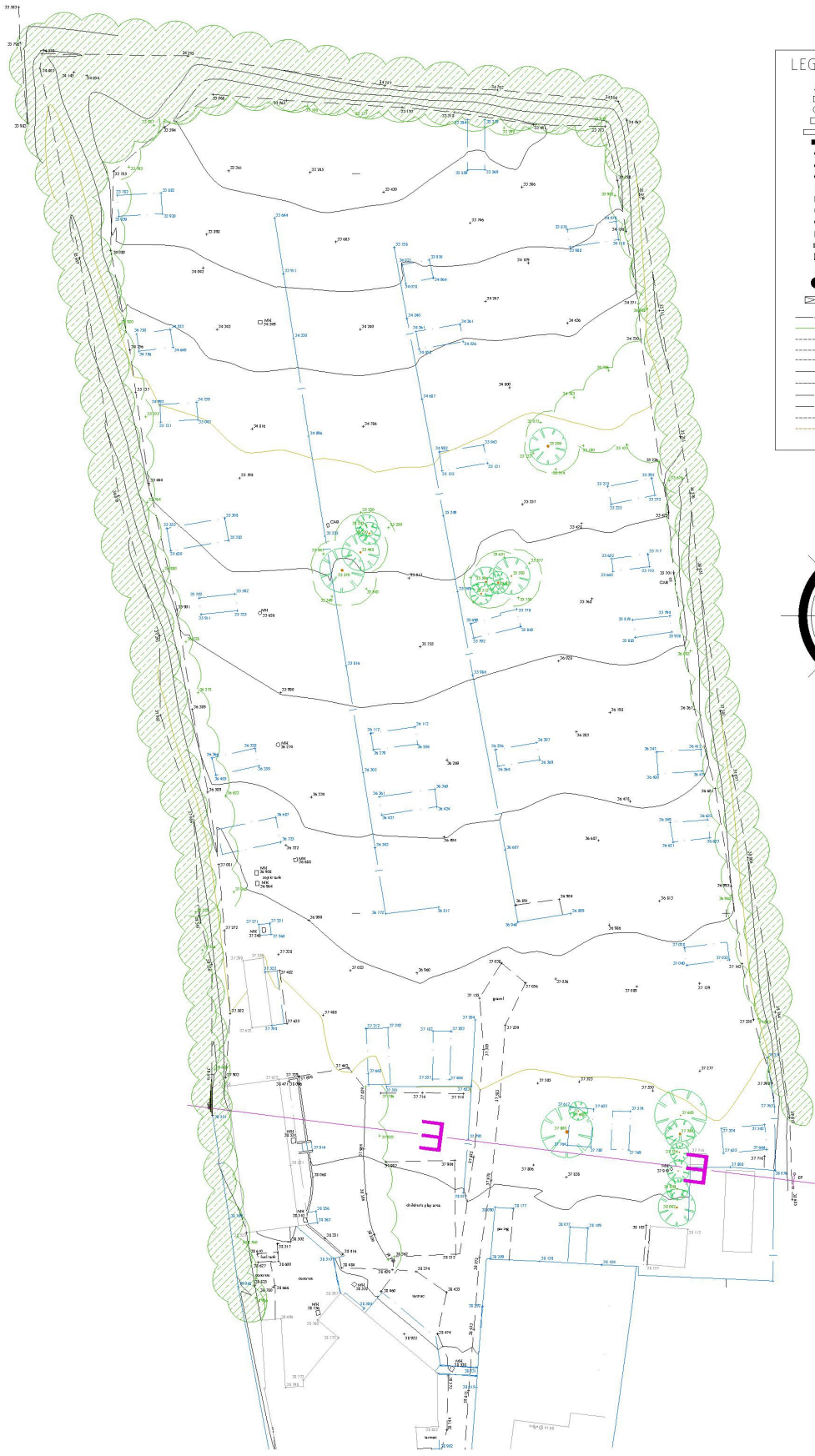
info@wardmanbrown.com
www.wardmanbrown.com

Location Plan 1:1250 at A3

CLIENT: Mk Woods
PROJECT: Steady Fox Holiday Park
DRAWING TITLE: Location Plan
PURPOSE OF ISSUE: PLANNING
SCALE: 1:1250 @ A3
DATE: JULY 20 DRAWN: CS DRG. REVISION:
DRAWING NO: L020020-001

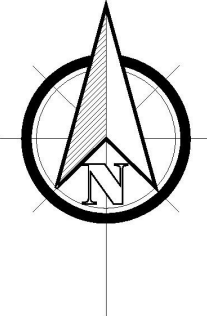
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LEGEND

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- Sq. Manhole / Inspection Cover
- Circular Manhole / Inspection Cover
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- Comms Cabinet
- Boltards
- TP - Tel pole
- EP - Elec pole
- LP - Lamp Column
- Gas valve
- WM - Water Meter
- SV - Water Stop Valve
- RS - Road Sign
- FH - Fire Hydrant
- G - Road Gully
- Ticket machine
- Pedestrian call button post
- PB - Pillar box
- Bench seating
- Overhead electricity
- Planters - PL
- Top embankment
- Bottom embankment
- Tarmac footpath / Surface change
- Services Excavation Scar
- Tactile paving
- Crash barrier fencing
- Post & wire fencing
- Concrete / paving
- Block paving



REV	DATE	DETAILS

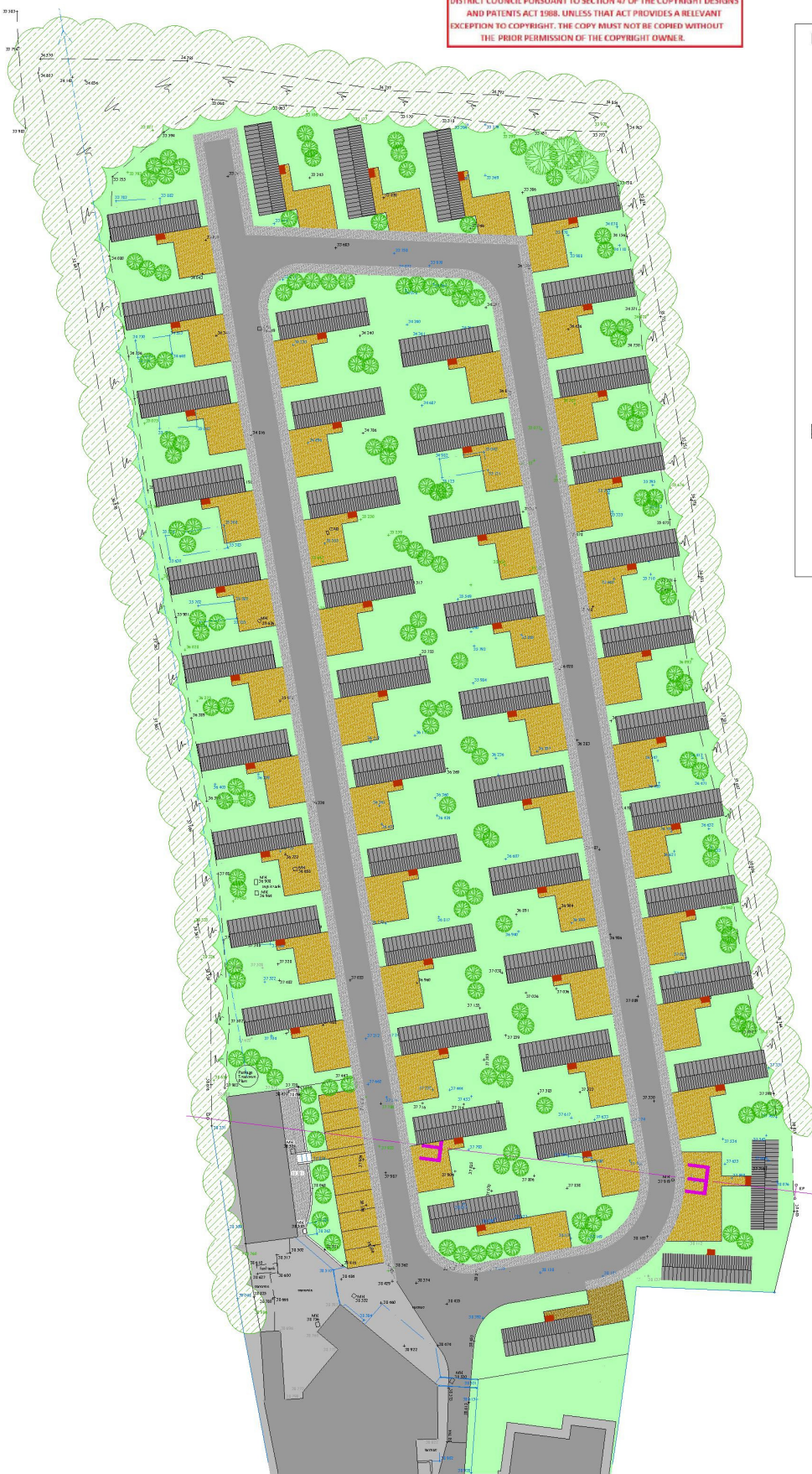
Wardman Brown

113 Sturkove Road South
 Dordrecht, D53 737
 Tel: 01320 440227

info@wardmanbrown.com
 www.wardmanbrown.com

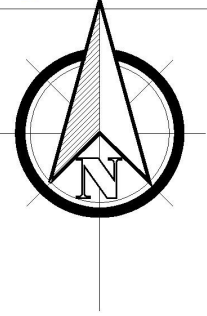
CLIENT: Meyland
PROJECT: Sturdy Fox Holiday Park
DRAWING TITLE: Existing Topographic Site Layout Plan
PURPOSE OF ISSUE: PLANNING
SCALE: 1:800 @ A3
DATE: JULY 20 DRAWN: CS DSG. REVISION:
DRAWING NO: L020020-002

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- Planters - PL
- Top embankment
- Bottom embankment
- Tarmac footpath / Surf face change
- Services Excavation Scar
- Tactile paving
- Crash barrier fencing
- Post & wire fencing
- Concrete / paving
- Block paving
- Proposed Single Holiday Lodge
- Tarmac
- Brindle permeable block paviers
- Charcoal permeable block paviers
- Grassed Areas
- Indicative areas of planting



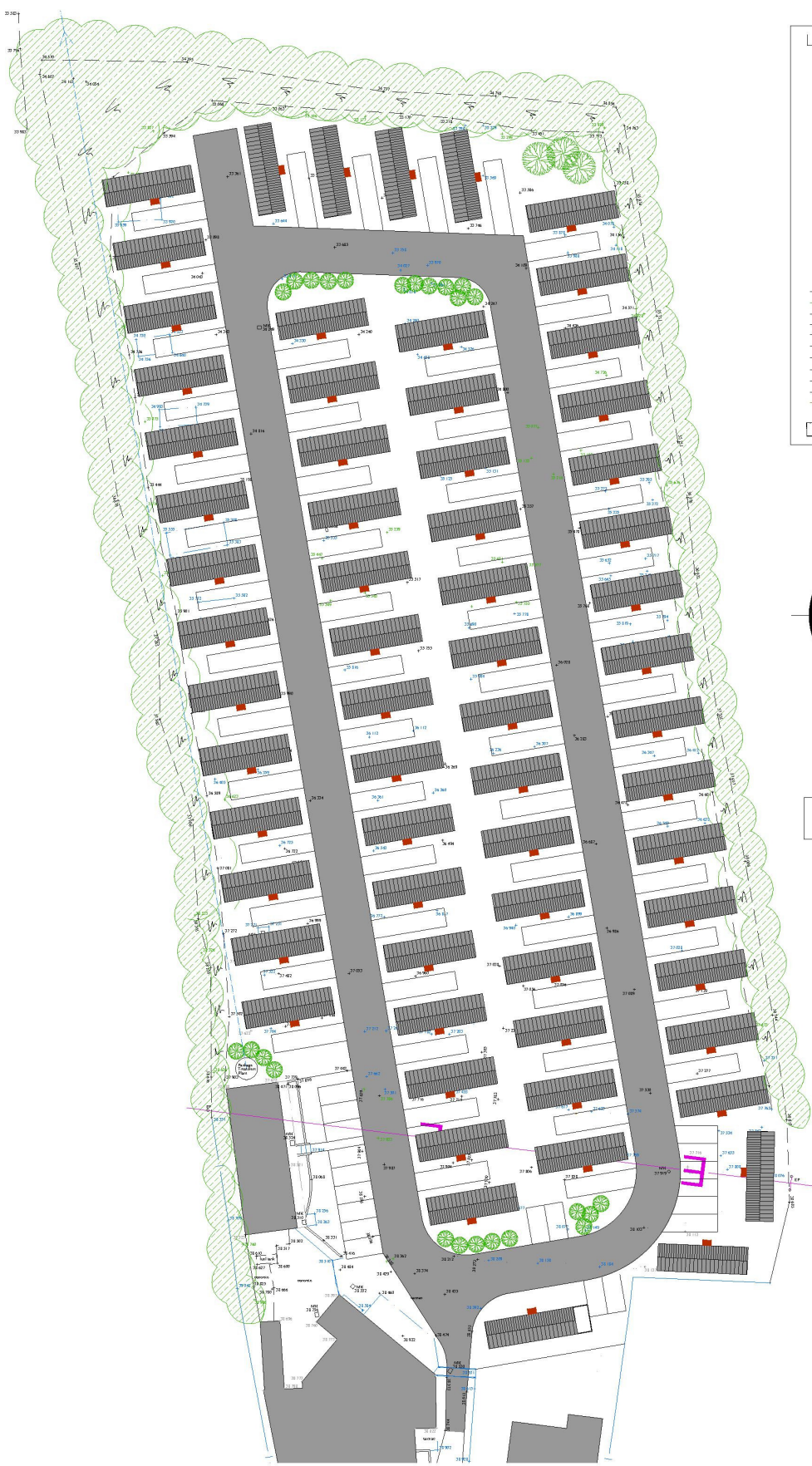
47No Units

A 16/10/20 NUMBER OF UNITS REDUCED
 REV STATE DETAILS
 REVISIONS:

113 Manhope Road South
 Dorking GU32 7JF
 Tel: 01323 860000
 info@wardmanbrown.com
 www.wardmanbrown.com

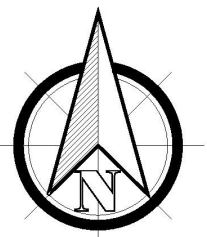
CLIENT: M Wood
PROJECT: Steady Fox Holiday Park
DRAWING TITLE: Proposed Site Layout Plan
PURPOSE OF ISSUE: PLANNING
SCALE: 1:500 @ A3
DATE: JULY 20 DRAWN: CB DRG REVISION:
DRAWING NO: L020005-003 A

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- Planters - PL
- Top embankment
- Bottom embankment
- Tarmac footpath / Surface change
- Services Excavation Scar
- Tactile paving
- Crash barrier fencing
- Post & wire fencing
- Concrete / paving
- Block paving
- ▨ Proposed Single Holiday Lodge



65No Units

REV	DATE	DETAILS

Wardman Brown

113 StarRace Road South
 Cape Town 803 297
 Tel: 01 303 46227

info@wardmanbrown.com
 www.wardmanbrown.com

CLIENT: Miwood
PROJECT: Snoopy Fox Holiday Park
DRAWING TITLE: Proposed Site Layout Plan
PURPOSE OF ISSUE: PLANNING
SCALE: 1:500 @ A3
DATE: JULY 20 DRAWN: CB DRG REVISION:
DRAWING NO.: L020005-003



Typical Floor Plan

NOTES:

- DO NOT SCALE FROM DRAWING.
- The drawing is a guide only and does not constitute a contract. It is subject to change without notice.
 - All dimensions to be verified on the job site by the client and the contractor.
 - Any discrepancies to be reported to the Designer BEFORE any work is carried out.
 - The drawing must be used in conjunction with relevant contracts and schedules of work.
 - The drawing must be used in conjunction with the drawing schedule.

COM 2015 - (Refer to Project Health & Safety information)

- WARNINGS:
- Use correct safety procedures.
 - Disconnect power before working.
 - Working near components.
 - Working at height - Fallig.
 - Maximum 3.5m clearance.
 - Always use correct lifting techniques.
 - The weight of each block must not exceed 10kg.



Proposed External Cladding Materials



Indicative Image (Cliffside Cladding)

Sheraton (14th model available)

With its cashmere coloured furnishings and classic walnut fixtures, the Sheraton exudes country house warmth at every turn - and those with a taste for comfortable and luxurious space will feel right at home in the super-sized 42 x 14 Sheraton Elite.

Sizes:
 40 x 15 - 2 bed
 42 x 14 - 2 bed

Sleeps:
 4 people
 6 people

Standard Features

Exterior / Structure

- Aluminium cladding - standard colour
- Light Grey
- Upgraded fully galvanneal chassis
- Energy efficient white PVCu double glazing windows and doors

Interior Features

- Gas central heating system featuring high efficiency condensing combi boiler
- 10 high ambient lighting
- Simply Better Build Integral Vast System™
- Simply Better Build brushed chrome handles and USB outlets

Lounge

- Two neighbouring two seater sofas with fold out bed (see view of the lounge area) - Fraser seat cover
- Scatter cushions to lounge
- Simply Better Build wood burner effect electric fire and feature the optional built in clock
- Combi boiler and 110litreage unit
- Feature Robocool (see manual) - that minimises noise

Kitchen

- Integrated 70/20 fridge freezer
- Simply Better Build Resipure™
- Integrated microwave
- Simply Better Build filling double oven with grill, oven rack, stainless cooler hood and extractor fan

Dining Area

- Contemporary dining table and chairs
- Wash downer

Main Bedroom

- King or bed with 85kg storage
- Wardrobe
- Wash in wardrobe
- Dressing table with upholstered stool and mirror
- Tallboy dresser unit

En-suite

- One piece 500mm shower enclosure with thermostatically controlled shower head in the main unit
- Circular basin mounted on vanity unit
- Chrome towel rail
- Shaver socket

Twin Bedroom(s)

- Single beds
- Over bed storage units
- Single wardrobe

Family Shower room

- One piece 500mm Signature shower enclosure with thermostatically controlled shower
- Circular basin mounted on vanity unit
- Chrome towel rail
- Shaver socket

Standard Specification

REV. DATE DETAILS REVISIONS

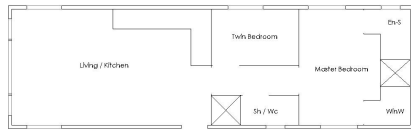


CLIENT:	
PROJECT:	South Shields Park
DRAWING TITLE:	Proposed Access/Driveway Type
PURPOSE OF ISSUE:	PLANNING
SCALE:	As to Scale
DATE:	REV: 01 DRAWN: CB DPO: REVISION:
DRAWING NO.:	LD20005-004

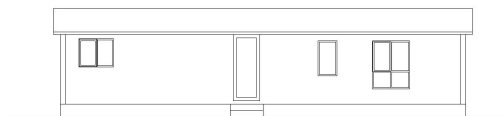
N O T E S
 DO NOT SCALE FROM THE DRAWING.
 1. This drawing is a preliminary drawing and is not intended for construction. It is for information only.
 2. All dimensions to be indicated on the drawings are shown in the metric system unless otherwise stated.
 3. Any dimensions not indicated on the drawings are to be ascertained by the Designer before construction.
 4. This drawing is to be made in coordination with relevant structural and services drawings.
 5. This drawing is to be made in accordance with the design specified.

USE THIS - (Details Referenced in Sides Elevation)
WALLS:
 1. Use service construction etc.
 2. Insulation - Closed Cell foam
 3. Insulation - Polyurethane
 4. Insulation - Polystyrene
 5. Weathers & Equipment
 6. Where applicable to a minimum ceiling strength of 100000
 7. The weight of each block must not exceed 20kg

This cannot be used as a guide for construction or other purposes. It is for information only. It is not intended for construction. It is not intended for construction. It is not intended for construction.



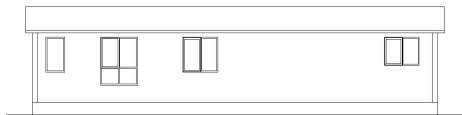
Floor Plan



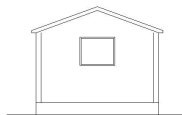
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

REV. DATE DETAILS REVISIONS:

Wardman Brown
 131 Kyneton Road South
 Kyneton VIC 3444
 Tel: 03 9327 4327
 1300 363 937
 www.wardmanbrown.com.au
 131 Kyneton Road South
 Kyneton VIC 3444
 Tel: 03 9327 4327

CLIENT:	Merrid
PROJECT:	Develop the Holiday Park
DRAWING TITLE:	Proposed Site Plan and Elevations
PURPOSE OF ISSUE:	PLANNING
SCALE:	1:10000:AS
DATE:	24/03/2021 [DRAWN: CB] [CHK: REVISION:]
DRAWING NO.:	L020005-005



Planning Statement

Change of use to permit the siting of 65No units of static holiday accommodation with an improved access road and a change in occupancy restrictions.

At

The Snooty Fox, Scarborough Road, East Heslerton, Malton, YO17 8EN

t - 01325 460227
w - www.wardmanbrown.com
e - info@wardmanbrown.com

INTRODUCTION

This application relates to an existing Caravan Park with approval for the permanent siting of 55No Touring Caravans. This application seeks approval for a change of use to permit the siting of 65No units of static holiday accommodation with an improved access road and a change in occupancy restrictions so that the site can be used year-round.

PLANNING HISTORY

Change of use of land for the siting of 15 touring caravans and erection of shower/toilet block
Ref. No: 00/00966/FUL | Status: Approval

Variation of Condition 2 on approval 00/00966/FUL dated 25.05.01 requiring site to be only occupied by touring caravans for a period not exceeding 28 days and shall not return to the site within a period of 28 days from departure
Ref. No: 03/00659/73 | Status: Approval

3/60/13B/AA Erection of a non-illuminated free standing trade sign 3' x 3'8" standing 8' above ground level at The Snooty Fox Restaurant, East Heslerton.
Ref. No: 80/00593/ADV | Status: Approval

3/60/13F/FA Erection of an extension to form toilet block and kitchen extension with entrance lobby at The Snooty Fox, East Heslerton.
Ref. No: 88/00659/OLD | Status: Approval

3/60/13G/OA Erection of a single storey building to provide 10 units of holiday accommodation at Snooty Fox, Scarborough Road, East Heslerton.
Ref. No: 88/00660/OLD | Status: Approval

3/60/13J/RM Erection of single storey extension to form 10 units of holiday accommodation (Decision 3/60/13G/OA dated 10/01/89 Refers) at Snooty Fox, East Heslerton.
Ref. No: 89/00760/OLD | Status: Approval

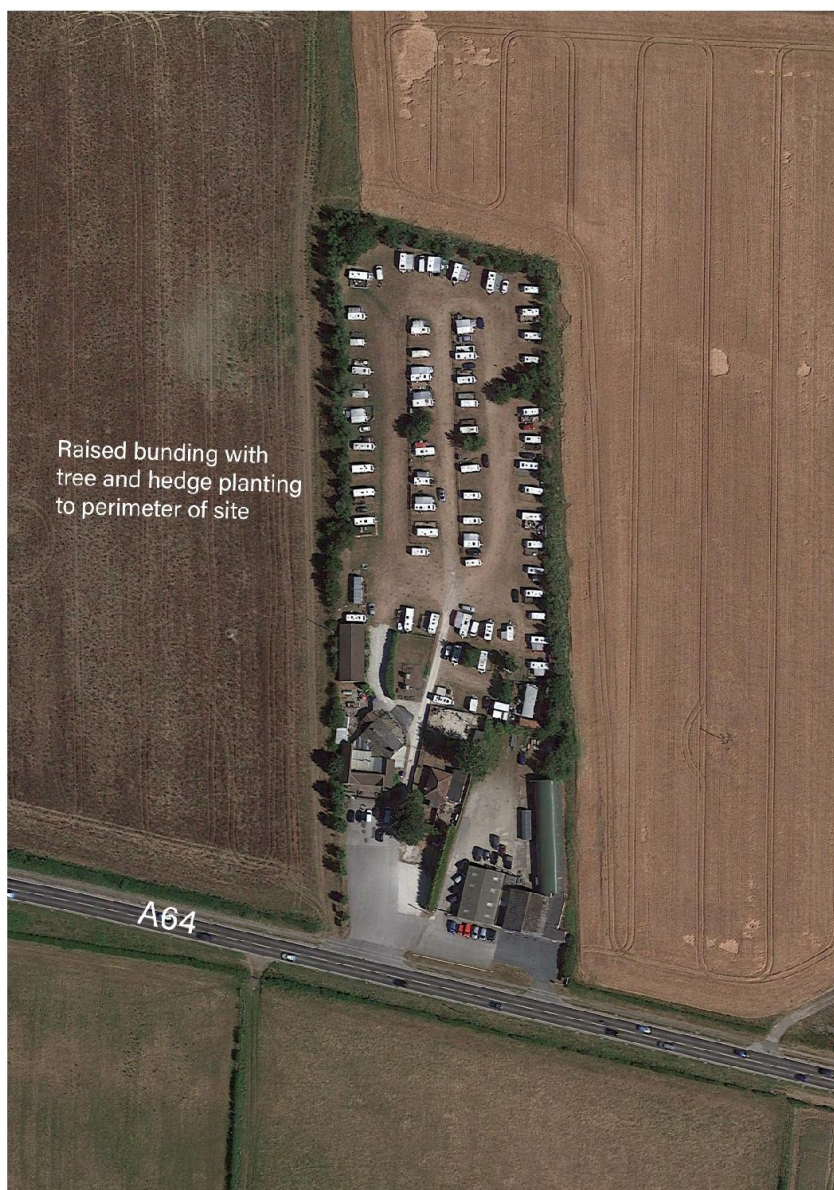
3/60/13L/AI Display of internally illuminated box sign at The Snooty Fox, East Heslerton.
Ref. No: 90/00633/ADV | Status: Approval

3/60/13H/FA Erection of extensions to existing cafe to provide extra seating capacity and toilets at Snooty Fox, East Heslerton.
Ref. No: 89/00761/OLD | Status: Approval

Use of land to allow permanent siting of 55no. touring caravans (retrospective application).
Ref. No: 17/01231/MFUL | Status: Approval

PHYSICAL CHARACTERISTICS OF THE EXISTING SITE AND SURROUNDINGS

The application site comprises land to the rear of The Snooty Fox. The site has raised bunding around its western, northern and eastern perimeter with tree and hedge planting on the bunded areas. The site is located within the Vale of Pickering Historic landscape character area. The Yorkshire Wolds Area of High Landscape Value, with its rising escarpment to the south of the application site. The Wolds Way National Trail runs along the escarpment. Access to the site is from the A64 to the south. The Snooty Fox is located adjacent the highway. This is an existing Public House which has been closed for some time.



PLANNING CONSIDERATIONS

Principle

The principle of Holiday Use is established. The use currently permits the siting of 55No touring caravans for seasonal occupancy and allows them to be retained on site for out of season storage purposes. The caravans could already be derived as static units of holiday accommodation with a seasonal occupancy.

The applicant is an experienced Holiday Park operator and intends to revitalise the site and create a more defined offering of Static Holiday Accommodation alongside the refurbishment and reopening of The Snooty Fox Public House which will offer benefits to owners but also the wider area.

Landscape and Visual Impact

This matter and the impact of the proposal within the context of The Vale of Pickering, The Yorkshire Wolds and Moors Fringe was assessed in detail during the previous application. It was a requirement of the previous consent to enhance the bund planting so that views of the site from the wider area were minimised. These works have been implemented and the site is now obscured from views from the surrounding area. The proposed use would not result in a materially different site context therefore any concerns over impact on landscape are presumed to be acceptably mitigated.

Foul and Surface Water Drainage

The proposed units would connect to the existing foul and surface water infrastructure within the site which leads to soakaways.

Proposed Occupancy

In order to achieve operational flexibility and to respond to customer demands and expectations, and to compete on a level playing field with other similar parks in the locality, the park operators wish to secure a 12 month operating season to enable the static units to be made available for holiday use at all times of the year on the basis of the following key factors: -

- Year-round use of holiday parks does not have any significant material effect on the character, appearance and amenity of the countryside / locality;
- Year-round use of holiday parks does not have any significant material effect on the living conditions of local residents;
- Year-round use of holiday parks would not harm the ambience and tranquillities of a locality;
- Year-round use of holiday parks has positive benefits for local economies, for employment levels and for the sustainability of local rural services;

- The traditional 'closed period' imposed on caravan parks is no longer in line with current policy thinking or changing market trends and may only in fact be necessary in appropriate circumstances where, for example, the use of a site might affect an important species of bird during its breeding season or when it is winter feeding;
- The long-term prospect of year round use of holiday parks leading to permanent residential abuse is not an inevitable or likely consequence. Greater weight should be attached to the economic benefits that year-round use can bring compared to concerns about residential abuse.
- There are other acceptable mechanisms available to control permanent residential occupancy of caravans, including well-established planning conditions requiring caravans to be used for holiday purposes only, for them not to be used as a sole or main place of residence, and for up to date registers of the names of all the owners of caravans on the site and of their main home address, which should be made available, at all reasonable times, to Local Planning Authorities;
- Year-round use of holiday parks creates a level playing field for businesses. Compared to sites which can operate year-round, those sites which have the encumbrance of a reduced operating season find themselves at a commercial disadvantage;
- Year-round use of holiday parks would not lead to a material increase in traffic or a material change to highway safety;
- Year-round use of holiday parks would not lead to a material difference in noise nuisance, activity levels or disturbance to residential amenity, general amenity or the amenities of users of public rights of way;
- Year-round use of holiday parks would not create unsafe or hazardous environments for park users because of winter weather;
- Year-round use of holiday parks have been found to be acceptable in Green Belts, as there is no physical extension or alteration of the site and no change to the effect of openness and thus no material effect on visual amenity.

Highways

There were no Highways concerns associated with the previous application. Potentially the increase in provision would result in a slight intensification of use however the site access from the A64 is an open forecourt, visibility is well in excess of minimum requirements and the proposed internal road layout will improve and define circulation. All units would be provided with 2 dedicated 'off access road' parking spaces.

CONCLUSION

The purpose of this application is to seek consent for minor changes to the approved site layout, the type of onsite accommodation and its occupancy restrictions. The proposed changes would have minimal impact within the context of the existing site.

From: Heslerton Parish Council
Sent: 04 November 2020 13:33
To: Alan Goforth
Subject: RE: 20/000703/MFUL

Afternoon

It would appear that the councillors have got the numbers transposed in their minds. The reduction to 47 vans is acceptable to them.

Regards
Chris Adnitt
Clerk to Heslerton Parish Council

Sent from [Mail](#) for Windows 10

From: Alan Goforth
Sent: 03 November 2020 16:29
To: Heslerton Parish Council
Cc: Development Management
Subject: RE: 20/000703/MFUL

Use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road

Dear Mr Adnitt,

Please can I ask for clarification on the latest response from the Parish Council on the above planning application. The re-consultation relates to a reduction in the number of proposed static caravans from 65 to 47 and in the response dated 10 September the Parish stated 'no objections' to the 65 units. The proposal is an alternative to the 55no. touring caravans currently permitted to be at the site.

Kind Regards

Alan Goforth
Senior Planning Officer

www.ryedale.gov.uk
Tel 01653 600666

Ryedale District Council, Ryedale House, Malton, North Yorkshire YO17 7HH

From: Development Management
Sent: 03 November 2020 16:15
To: Planning Scanning Alan Goforth
Subject: FW: 20/000703/MFUL

Parish comments

From: Heslerton Parish Council
Sent: 02 November 2020 13:23
To: Development Management
Subject: 20/000703/MFUL

Afternoon

Heslerton Parish Council have received complaints about the increase number of caravans on this site. The number of people living in these vans could exceed the existing number of residents in East Heslerton. The Parish Council wishes to object for this reason.

Regards
Chris Adnitt
Clerk to Heslerton Parish Council

Sent from [Mail](#) for Windows 10

Parish comments

From: Heslerton Parish Council
Sent: 10 September 2020 13:50
To: Development Management
Subject: Application No: 20/00703/MFUL

Afternoon

The parish council has considered planning application ref: 20/00703/MFUL and no objections have been received.

Regards
Chris Adnitt
Clerk to Heslerton Parish Council

Parish comments

From: Heslerton Parish Council
Sent: 02 November 2020 13:23
To: Development Management **Subject:** 20/000703/MFUL

Afternoon

Heslerton Parish Council have received complaints about the increase number of caravans on this site. The number of people living in these vans could exceed the existing number of residents in East Heslerton. The Parish Council wishes to object for this reason.

Regards

Chris Adnitt

Clerk to Heslerton Parish Council

Sent from [Mail](#) for Windows 10

Agenda Item 9

Item Number: 9
Application No: 20/00695/FUL & 20/00696/LBC
Parish: Sproxton Parish Meeting
Appn. Type: Full Application
Applicant: A Wainwright and Son
Proposal: Change of use and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc.) with associated facilities, landscaping and parking (Planning permission & Listed Building Consent)
Location: Sproxton Hall Farm Main Street Sproxton Helmsley YO62 5EQ

Registration Date: 28 September 2020
8/13 Wk Expiry Date: 23 November 2020
Overall Expiry Date: 11 November 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Sproxton Parish Meeting	Objection
Highways North Yorkshire	Awaiting response
Yorkshire Water Land Use Planning	No observation comments
Environmental Health	Full noise impact assessment is required
Public Rights Of Way	Adjacent PROW informative
NYCC Natural Services	Recommend conditions
Paul Jackson AONB Manager	Comments
Building Conservation Officer	No objection

Representations:

Mr Simon Dunn, Mr Anthony Holt, , Mr Bousfield, Mr Sarah Shaw, Mrs Joanna Oliver MBE, Joanna Oliver MBE, Elspeth Wrigley On Behalf Of Mr And Mrs Boddy, Mr B Roberts, Mr And Mrs McAndrew, Ms Linda Cubitt, Mr George Smith, Ms Maureen Skinner, Mr George Skinner, Dr Emma Shaw, Miss Emma Grace, Mr Jeremy Shaw, Mr Ian Boddy, John & Patricia Watson, Mr Colin Ward, Michelle Ward, Mr David Wells, Ms Helen Wells, Juliane Schaub, Beth Skinner, Mr And Mrs Walker, Mr Mathieu Hazorika-Stephany, Mr And Mrs Shaw, Mrs Doobori Hazorika-Stephany, Mr Stuart Prest, Mr David Kershaw, Mr Trevor Blackburn, Mr And Mrs Wilson, Mrs Catherine Kershaw, Mr Franklin Farrar, Mrs Bridget Sarstedt, R Roberts, Christine Drydale, M Dransfield, John Dransfield, Margaret Farrar, Blackburn, Fliss Murtagh, Mr J.R. Pattison, Mr And Mrs T Frost, W.B. Tait, Mr And Mrs S Balmforth, Sharon Marwood, Mrs Irene Peta Poole, Georgina Stares On Behalf Of Mr And Mrs Skinner, Mr James Vandenbroecke, Ms Sarah Vandenbroecke, Mr Simon Welford, Mr Stephen Burgess, Mrs Elaine Burgess, Ms Allison Munro, Mr Rob Oliver, Mrs Joyce M Walters, Rollits LLP, Katie Boddy, Mr Selwyn Jones, Mr Joe Marwood, Mr John Rowley, Mr Matthew Clark, Mrs Ann Spetch, Mrs Emily Slingsby, Mrs PJ Pattison, Mr Alexander Lamont, Dr Nicholas Seed, Miss Elizabeth Stockwell, Mrs S Stone, Mr Rob Fawcett, Mr And Mrs C Hodgson, Rosy Eaton And Fraser Hugill, Mr Christopher Jenkins, Ms D E Garside,

PURPOSE OF REPORT:

To consider a recommendation for a Member's site inspection prior to the determination of the planning and listed building consent applications.

BACKGROUND:

The applications are subject to objections based on material planning considerations and are therefore due to be determined by Planning Committee

SITE:

The proposed development site is a farm situated at the eastern end of the village of Sproxton. The site is outside village development limits and in the open countryside. The site is within the Howardian Hills AONB and Sproxton Hall is Grade II listed with curtilage listed traditional farm buildings. Access to the site is via an unclassified road (no through road) that leads east from the B1257 through the village to the farm. The road, where it approaches the entrance to the farm, is shared with bridleway number 25.90/2/4. There is a collection of cottages approximately 50 metres to the west of the site.

PROPOSAL:

Planning permission and listed building consent is sought for the change of use and alteration of farm buildings to form a mixed use events and venue barn (wedding ceremonies and reception and small conferences etc.) with associated facilities, landscaping and parking.

The proposed development would convert a range of existing, traditional farm buildings, which are no longer required for agricultural purposes, to form an events barn for use as a wedding venue or for conferences etc. The main house would remain in residential use and the adjoining farm buildings to the north and east would remain in agricultural use. A car park with 50 spaces would be created to serve the venue with access off the lane to the south of the farm complex.

The venue would cater for weddings with up to 180 guests during the day and up to 220 guests on an evening. The hours of use would be between 0900 – 2400 hours Monday to Friday; 0900 – 0100 hours Saturday; and 0900 – 2400 hours Sunday and Bank Holidays.

The applicant's Noise Management Plan indicates that any music played outside would be non-amplified; all live music would cease by 23:00 hours, all other music would cease by 00:30 hours and there would be no fireworks permitted.

The applications are accompanied by a Planning Supporting Statement, Heritage Assessment, photographic survey, Noise Management Plan, Transport Statement and an Ecological Survey.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

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

Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
Local Plan Strategy - Policy SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (PPG)

REPRESENTATIONS:

At the time of writing this report the LPA has received 63 representations raising objections and 9 in support of the proposed development. The main concerns relate to the following:-

- Conflict with farm/rural diversification policy
- Landscape character impact
- Noise disturbance from events and traffic movements
- Highways safety- access, visibility, road conditions, traffic movements
- Harm to significance of heritage assets
- Light pollution
- Drainage
- Impacts on protected species

A full summary of the comments made will be included in the detailed Officer report to be presented to Members at the meeting following the site inspection.

APPRAISAL:

The main considerations in the determination of this application are as follows (not exhaustive):

- Principle of the development;
- Landscape and visual impacts including the AONB;
- Design and impact on heritage assets;
- Impact on local/residential amenity;
- Highway impacts;
- Drainage; and
- Ecological impacts.

The above matters will be considered in detail in the Officer report presented to the Members at a future meeting following the site inspection.

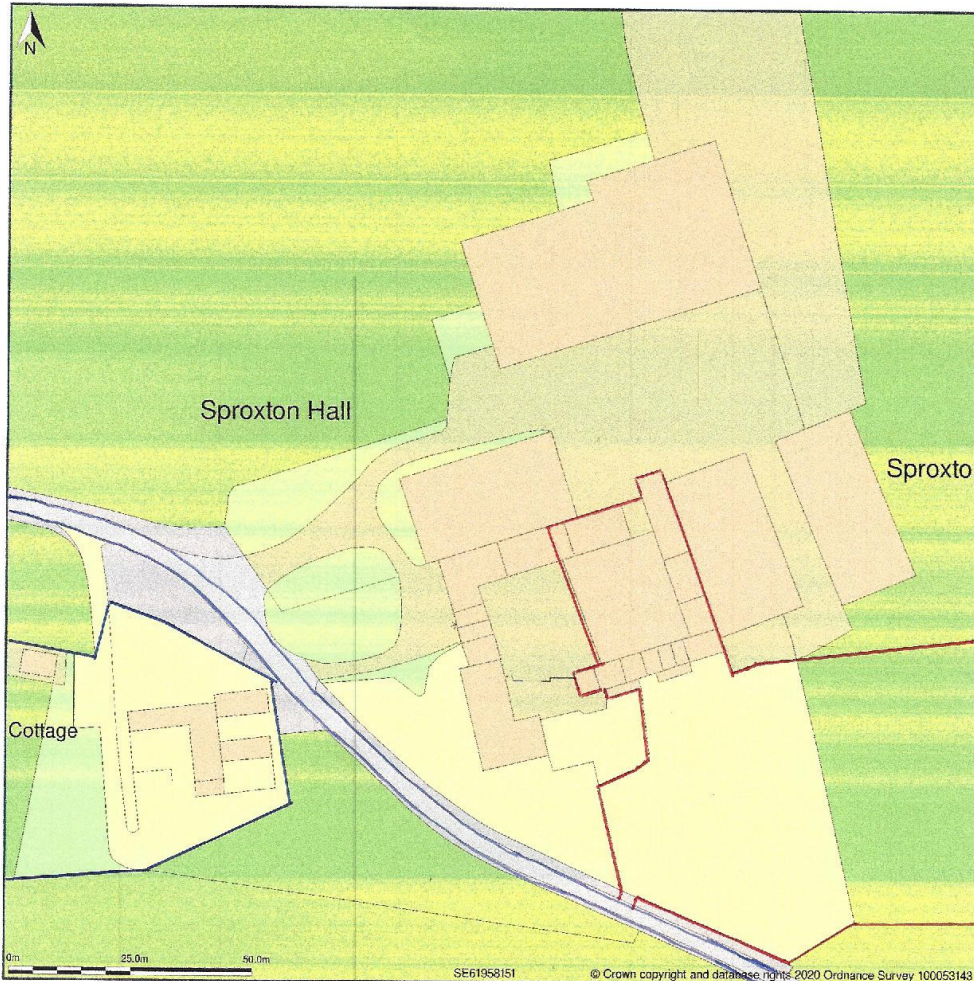
RECOMMENDATION: **Site inspection***

It is recommended that Members undertake to visit the application site to gain an understanding of the proposed development in the context of the surrounding land, local highway, heritage assets, significant landscape features and nearby residential development prior to the determination these applications at a future meeting of the Committee.

**If conditions do not permit a site inspection after 2 December 2020 then a virtual site inspection will be necessary.*



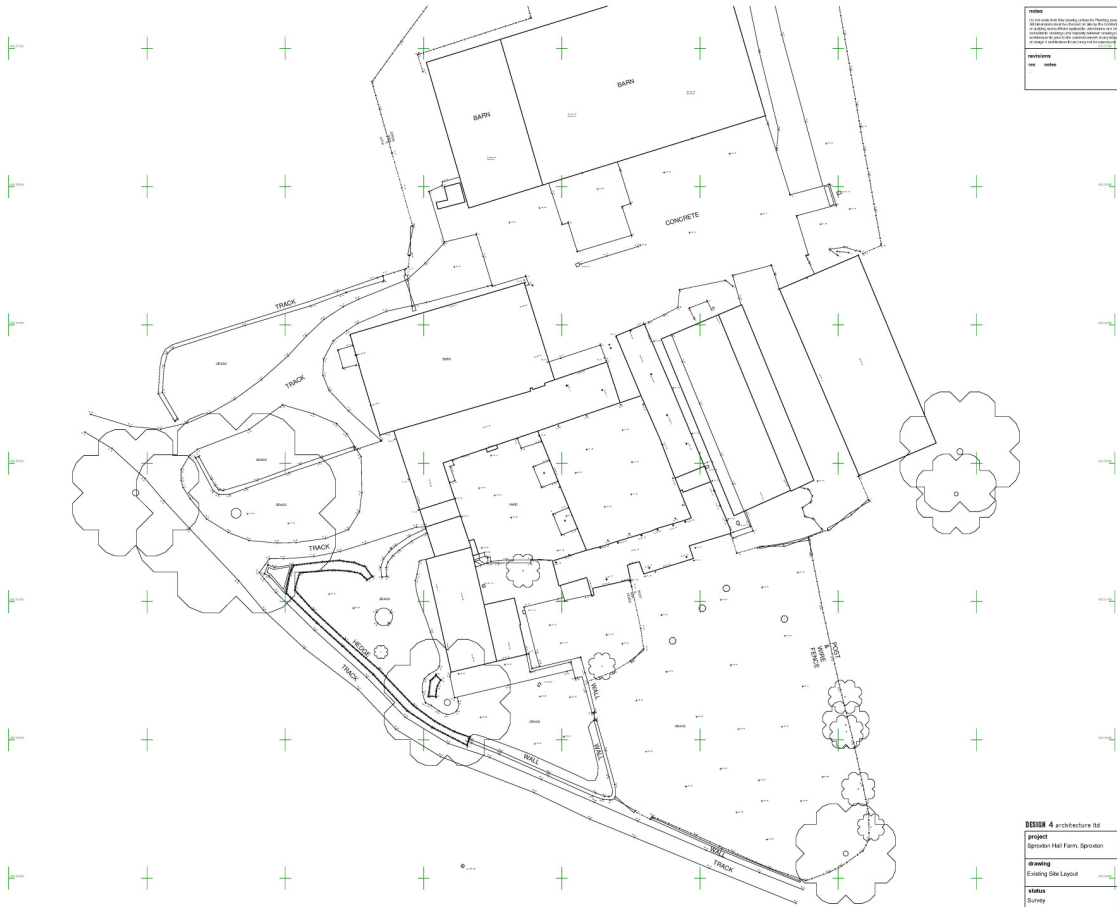
Sproxton Hall Farm, Main Street, Sproxton, Helmsley, North Yorkshire, YO62 5EQ



Site Plan shows area bounded by: 461857.42, 481419.92, 462057.42, 481619.92 (at a scale of 1:1250), OSGridRef: SE61958151. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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revision	date
no. notes	date

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DESIGN 4 architecture ltd			
project	Sproston Hall Farm, Sproston	client	Mr & Mrs M Mangan
drawing	Existing Site Layout	scale	1:500
status	Survey	date	June 2000
revision		member	
revision		revision	

chester house norton sironington york y062 6rd t: 01751 430703 m: 01773 858896
 e: hony.norton@design4architecture.com www.design4architecture.com

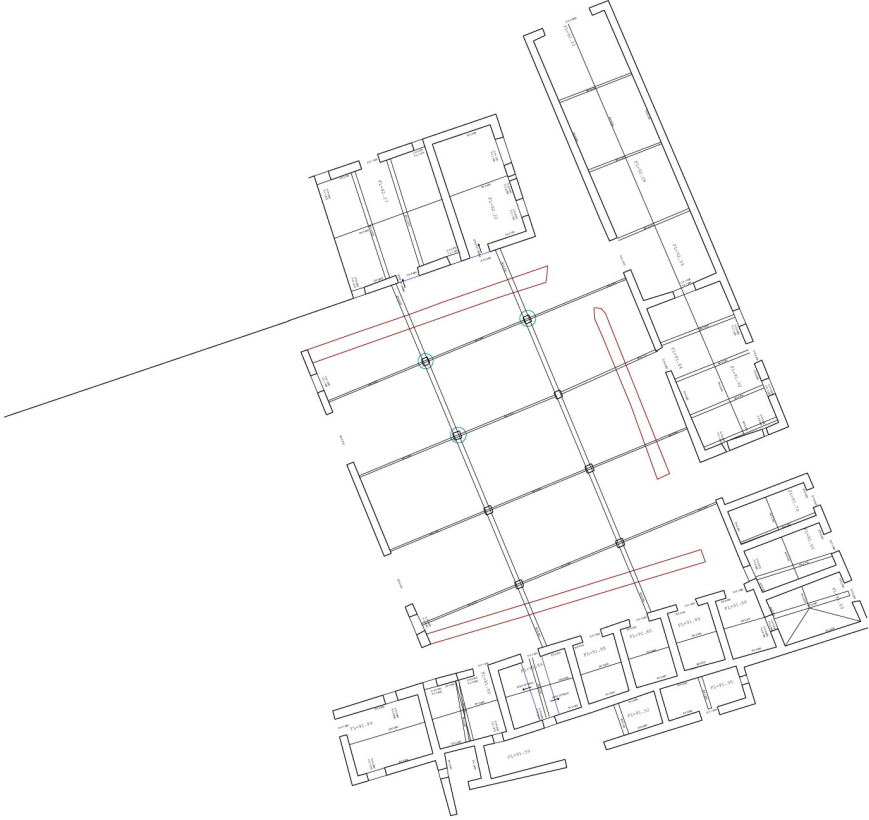


Notes		
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Revisions		
no.	date	description
1		Approved for construction of main and complete scheme

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DESIGN 4 architecture ltd			
project	Sproston Hall Farm, Sproston	client	Mr & Mrs M. Wainwright
drawing	Proposed Site Layout	scale	1:500
status	Design	member	member
date	July 2020	revision	A
Chestnut House norton sutton york y062 6rd t 01751 430703 m 01773 858896 e tony.norton@design4architecture.co.uk www.design4architecture.com			

Notes	
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Revisions	
no.	date



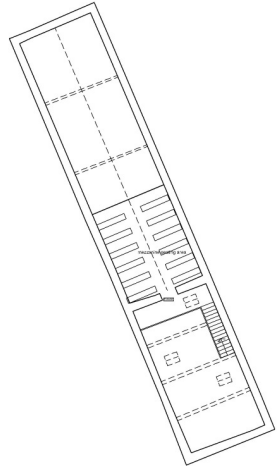
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DESIGN 4 architecture ltd			
project	client	date	
Sproston Hall Farm, Sproston	Mr & Mrs M Wainwright	18/06/2009	
drawing	scale	number	revision
Existing Floor Plans	1:100	000001	00
status	date		
Survey	June 2009		
Chestnut House norton sutton york y062 6rd telf: 01751 430703 m: 01773 858896 e: tony.norton@design4architecture.co.uk www.design4architecture.com			



ground floor plan

Notes		
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Particulars		
no.	date	description
1.	10/06/09	Issue for construction
2.	10/06/09	Issue for construction
3.	10/06/09	Issue for construction
4.	10/06/09	Issue for construction



first floor plan

DESIGN 4 architecture ltd

project	client	scale	member	revision
Sproston Hill Farm, Sproston	Mr & Mrs M Mangan	1:100	member	0
Proposed Floor Plans				
status	date			
Design	June 2009			

Chestnut House moston sironington york y062 6rd t: 01751 430763 m: 01773 858896
 e: tony.hamilton@design4architecture.co.uk www.design4architecture.com



ELEVATION E

Notes This drawing is for the building shown in the accompanying site plan. It is not to be used for any other building or site. The architect is not responsible for the accuracy of the site plan or any other information provided by the client. The architect is not responsible for the accuracy of the site plan or any other information provided by the client.	
Project	Date
Scale	Author



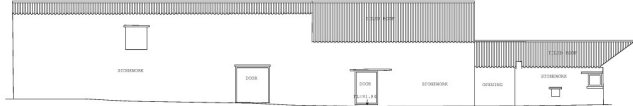
ELEVATION C



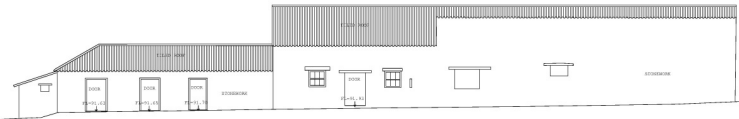
ELEVATION D



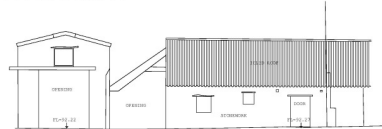
ELEVATION A



ELEVATION B



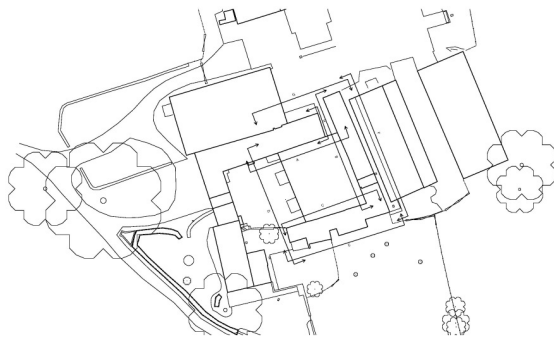
ELEVATION F



ELEVATION G



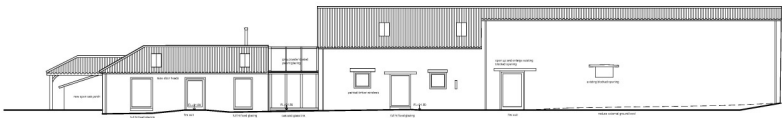
ELEVATION H



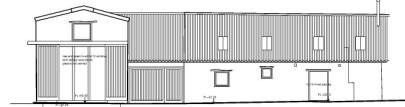
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DESIGN 4 architecture ltd			
Project Sproston Hall Farm, Sproston	Client Mr & Mrs M Mangan	Scale 1:100	Member Revision
Drawing Existing Elevations	Date June 2000	Author	Checker
Status Survey	Drawn	Checked	Approved
Chestnut House norton sprotton york YO62 6JG t: 01751 430703 m: 01773 858896 e: tony.norton@design4architecture.co.uk www.design4architecture.com			

Notes		
<p>1. This drawing is for the building shown in the accompanying site plan. It is not to be used for any other purpose without the written consent of the architect.</p>		
Particulars		
no.	description	date
1.	Approved for building regulations	18.07.20
2.	Approved for use as a residential building	18.07.20
3.	Approved for use as a residential building	18.07.20



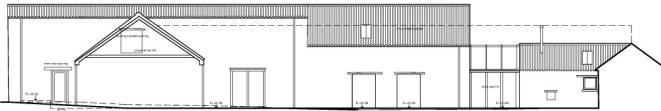
ELEVATION F



ELEVATION G



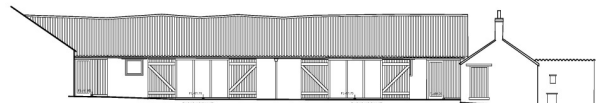
SECTION/ELEVATION H



SECTION/ELEVATION B



SECTION/ELEVATION C



ELEVATION D



ELEVATION E



SECTION/ELEVATION A

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DESIGN 4 architecture ltd			
project	Sproker Hall Farm, Sproker	client	Mr & Mrs M Mangan
drawing	Proposed Elevations	scale	1:100
status	Design	date	July 2020
check/house	mason	drawn	john
location	winnington	year	2020
postcode	YO62 6EJ	tel	01751 430763
email	tony.norton@design4architecture.co.uk	fax	01776 858896
		www	www.design4architecture.com

PLANNING SUPPORTING STATEMENT

At: Sproxton Hall Farm,
Sproxton

Cheryl **Ward**
Planning

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For: A Wainwright and Son
At: Sproxton Hall Farm, Sproxton

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Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by
02	23 Jul 20	Client amends	CWP

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1.0 Introduction

- 1.1 Cheryl Ward Planning has been appointed to submit planning and listed building applications in relation to the area outlined in red on the attached location plan at Sproxton Hall Farm, Sproxton, Helmsley, York, YO62 5EQ.
- 1.2 The application is seeking full planning consent for the change of use and conversion of farm buildings by way of a farm diversification scheme to run alongside the existing farming enterprise to form a low key, mixed use events venue.
- 1.3 The application falls within Ryedale District Council's planning jurisdiction. The property known as Sproxton Hall is a Grade II listed building. As such Listed building consent is also sought under the Planning (Listed Buildings and Conservation Areas) Act 1990 and this application is a combined application seeking both planning and listed building consent. There is also a requirement to submit a heritage assessment as well as other supporting information (see accompanying documents).
- 1.4 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute (RTPI) and associated ICN and PERN networks.

2.0 Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying combined applications. Its aim is to assist those assessing the application to understand the rationale behind the proposal. In summary, it provides a structured way of describing the development proposals.

3.0 Planning History

- 3.1 A search of Ryedale District Council's online search facility identifies the site in question has the following planning history/consents (last 10 years).

12/00760/73A - Variation of 02 of approval 10/00463/FUL dated 18.06.2010 to state "The development hereby permitted shall be carried out in accordance with the following approved plan (s): Email confirmation from the agent dated 17 June 2010 in respect of materials/colour and Drawing Ref MFC064A:- 01 01 Location Plan, 02 02 Proposed Block Plan, 05 01 Proposed Revised Plans/Elevations and 06 01 Proposed Revised Elevations" - substitution of plans at Sproxton Hall Farm Sproxton – Approve.

12/00759/FUL – Erection of a general purpose agricultural building at Sproxton Hall, Sproxton – Approve.

4.0 Pre-application advice

- 4.1 Paragraph 39 of the National Planning Policy Framework (NPPF) advises that early engagement has significant potential to improve efficiency and effectiveness of the planning application system for all parties. Good pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.
- 4.2 As required by Paragraph 41 of the NPPF the applicants have engaged with the LPA and have set out their brief to the proposals. The client's main objective is to:
- Convert the traditional Grade II curtilage listed barns (Heritage Assets) and secure a future use for their long-term conservation.
 - Establish a scheme that is compatible with the existing farming activity taking place at the site and one the proposal will run alongside.
 - Create a rustic tourism venture which will be sustainability connected to other local services in the wider District.
 - Consider the wider implications for the site, including functionality to existing access arrangements, heritage, landscape, highway and amenity impacts.
- 4.3 By taking this front loading approach we hope to have resolved as many issues as possible and taken a proactive approach to the development management process.
- 4.4 The LPA have confirmed that in principle:

"The site is within the open countryside, however, the principle of the development aligns with policies SP1, SP6 and SP9 as the proposed business represents farm diversification and would contribute to the rural economy and create employment at the site. Policy SP6 supports small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity in line with the provisions of SP9. Policy SP9 supports the conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6. It is considered that the development would align with the principle aims of these policies".

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Officers advice continued

“In principle, sensitive and sympathetic restoration and re use of the traditional farm buildings is supported. To accord with Policy SP16 (Design) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Attention should be paid to the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. Any alterations including the treatment of existing openings and insertions should be sensitively designed to retain the agricultural character”.

- 4.5 Essentially, the principle of the works described in the preceding sections of this report are in principle supported by Officers in terms of satisfying the National Planning Policy Framework (NPPF), and local planning policies and guidance.

5.0 Site and Context

- 5.1 The application site falls on the east side of Sproxton village and is a fully functioning farm to the adjoining land which lies to the north, south and east of the main farm unit at Sproxton Hall as well as other parcels of agricultural land nearby. The agricultural holding equates to 300 acres.
- 5.2 Sproxton Hall is a Grade II listed building with adjacent curtilage listed farm buildings. As such, there is a statutory duty to have special regard for the preservation of the listed buildings and their settings.
- 5.3 The site is outside village development limits and is deemed to be in the open countryside. The site also lies within the protected landscape of the Howardian Hills AONB.
- 5.4 In a wider context the application site lies some 1.34 miles south of the nearest market town of Helmsley, 5.42 miles south west of Kirkbymoorside and 11 miles due west of Pickering and north west of Malton. The District's broader road network provides access to the A19 and A1 and local railway stations. Sproxton is classed as an 'Other Village' in the District of Ryedale. Essentially the site lies in the heart of the District in a location that is sustainably linked to a wide range of facilities.
- 5.5 Access to the site is via an unclassified road (no through road) that leads east from the B1257 through the village to the farm. The public road terminates at the village hall and the road where it approaches the entrance to the farm is owned by the applicant. It is also shared with bridleway number 25.90/2/4. There is a collection of cottages approximately 50 metres to the west of the site within separate ownership.
- 5.6 Beyond this, the road continues around the south side of the farm and provides access to two further farms (Low Parks and Throstle Nest) as well as land and fields also within the applicant's ownership.

Property demographics

- 5.7 Sproxton Hall is a well-established and well managed farm which lies on the eastern periphery of Sproxton village. The village lies just off the junctions with the A170 and the B1257 road and is well placed on the edge of the road network.
- 5.8 The property has an attractive frontage and a range of traditional cart sheds to the left of the main house and facade. The house and traditional outbuildings are set within an attractive courtyard accessed via a stone archway. It is the buildings on the east side of the courtyard that are subject to this proposal and not those at the property frontage.
- 5.9 Although the buildings are not listed in their own right the LPA's Building Conservation Officer has advised they are to be treated as curtilage listed buildings. An accompanying Heritage Assessment sets out an understanding of their significance and the proportionate level of protection which can be afforded to them.

Site Constraints

Geographic Information

5.10 A thorough check of Magic Map has revealed the surrounding land is noted for the following countryside stewardship targeted areas:

- Environmental Stewardship Agreements.
- High Level Stewardship and Target Areas (England).
- Species: Lapwing, curlew, farm wildlife and Willow Tit.

Flood Risk

5.11 The Governments long term flood risk information database shows the site to be at very low risk from flooding from the sea, surface water and reservoirs with a chances of flood risk being less than 0.1 per cent. A flood risk assessment is not deemed to be necessary in this instance.

Site location map



Fig 1. – Sproxton Hall, Sproxton – site and buildings. Source: Google maps for illustrative purposes only.

<https://www.google.co.uk/maps/place/Sproxton,+York+YO62+5EF/@54.2257927,-1.0456549,619m/data=!3m1!1e3!4m5!3m4!1s0x487ecfc40cec0543:0xeca50a6f99899ae7!8m2!3d54.225291!4d-1.057865> as of 16 Jul 2020.

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5.12 The accompanying plans prepared by Design 4 Architecture Ltd seek to show how this is achievable without harming the special qualities of the area:

- OS Map extract (for site identification)
- Existing site layout – **D42004/01**
- Existing elevations – **D420004/03**
- Existing floor plans – **D420004/02**
- Proposed site layout – **D42004/04**
- Proposed elevations – **D420004/06 A**
- Proposed floor plans – **D420004/05 C**

Further information in support of the application includes:

- Noise management plan.
- Lighting assessment (incl in this document at Section 9.0).
- Transport Assessment – carried out by Sanderson.
- Ecological Assessment – carried out by MAB.
- Contamination report – deemed not needed at this stage as per email with Alan Goforth on **16 June 2020** due to the historical use of the buildings being only for livestock usage.

6.0 The Proposal

- 6.1 This Design and Access Statement is prepared by Cheryl Ward Planning and is submitted in support of the planning and listed building applications.
- 6.2 The aim of the proposal is to seek full consent for change of use and conversion of farm buildings to form a low impact, mixed use events venue/barn.

Use

- 6.3 The proposal is for a rural diversification project which will operate alongside the existing farming enterprise and seeks to make use of the traditional rural buildings to supplement the farms income.
- 6.4 The project would look to re-purpose the buildings for a low key, mixed use events barn i.e. wedding venue and cater for small conferences etc for tourism/economic purposes as well as some possible community use under policy SP9 and SP12 of the Local Plan strategy.
- 6.5 Use of the site is to be operational all round year however it is anticipated that there will be a natural drop off and quieter period throughout the winter months and hours of operation due to daylight hours will also shorten.

Re-use of farm buildings

- 6.6 The proposal seeks to utilise the traditional range of curtilage listed, stone and pantile buildings that make up a part of the courtyard close to the main house. Originally built around 1820, the buildings remain suitable for re-use today and by their scale, layout and general proximity to the main house they lend themselves to adaptation in a very simple manner without harm or undue impact to amenity.
- 6.7 The proposals are set across the whole of the ground floor of the foldyard and the buildings which immediately surrounding it. They are built to a solid traditional method and construction.

Moving through the space (north, east and south)

- 6.8 At the top of the yard (north) the buildings will be adapted to provide staff changing, wc and a disabled wc and a baby change facility.
- 6.9 The central building at the top of the foldyard will comprise:
- A utility/store and functional services area for staff.
 - Food preparation area – all catering for the events will be independent and no food preparation will take place on site.
 - The venue allows for catering facilities such as mobile vans i.e. moveable bar, ice cream van entertaining facilities to be brought onto the site.

- 6.10 It is proposed that an existing gap between the single storey range and the two storey barn is to be infilled by roofing over the void area (gap) albeit that there is a requirement for it to be high enough for a vehicle to pull under for drop-off/parking purposes.
- 6.11 Moving up through the eastern range of buildings - starting at the bottom end (south to north) the facilities will provide:
- A simple open sided oak entrance porch and the main entrance to the venue from the paddock to the south and parking area to the south east.
 - Within the buildings, an entrance lobby.
 - A pre-drinks rooms/coffee lounges and small conference suites in a series of rooms.
 - The ceremony barn/workshop space.
 - Mezzanine to the ceremony barn – to be accessed internally from the lounge prior to entering the barn and will allow a high level seating area.
- 6.12 Moving through the southern range of single storey outbuildings and retention of a compartmental style arrangement to provide:
- From the entrance area there will be a guest area for cloaks/secure guest storage.
 - Separate male and female wcs.
 - Bridal lounge and shower facility.
 - Retention of stores to the end of range close to Sproxton Hall.
 - Lean-to buildings on the south side of the buildings to be retained as stores.

Foldyard

- 6.13 The fold yard will remain a rustic and open plan space defined by the existing brick pillars which are a key feature of the space. They help to break up the massing as well as serving as a constructional support. The brick pillars are to be carefully taken down and re-built on a like for like basis to reinforce the roof structure.
- 6.14 The southern edge of the foldyard is defined by a concrete wall separating the livestock area from the traditional stores to the south of the yard. It provides an important visual break between spaces and will be retained as part of the development as an oak/timber screen separating the open area (dance reception area/dance floor/workshop area) and the toilet and cloak facilities.

Foldyard roof

- 6.15 The roof of the foldyard is to be replaced with a triple pitch roofscape similar to the existing to fit within the yard area. The roof will tie into the single storey barns with pitched roofs and ridges running in a north/south orientation with tin sheet roofs with oak boarding to the triangular end sections of the part of the roof that will be visible.
- 6.16 The roofs to the traditional buildings and inward facing courtyard to the main house will remain pantile.

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Re-use of traditional buildings and visionary imagery for the site



Fig 1. polished concrete and traditional sliding doors.



Fig 2. - exposed timbers and agricultural/industrial/rustic style appearance.



Fig 3. – retention of large internal open space within foldyard.



Fig 4. – rustic charm and appearance.

External areas

- 6.17 It is planned that there will be no use of Sproxton Halls private yard area and this is to be kept free and separate to the venue despite the west elevations facing onto the courtyard – see **Elevation D**. The existing openings are to be furnished with fixed oak frames and glass with painted timber sliding doors to be used as a means to control the level of privacy/sunlight etc.
- 6.18 Other than the new entrance which is to be direct from the paddock (south) and use of the farm access to bring in and shield the catering facilities there is to be no other use of outside areas.
- 6.19 Throughout the development there are to be glazed elements which will allow subtle glimpses of the working farm and the animals available to view demonstrating that this remains a fully functioning farm. It is reiterated that the development is a low key venture and is secondary to the main farming enterprise in operation at the site.
- 6.20 Not all of the traditional buildings are to be re-purposed as they are required for their original purpose. Those physically adjoining the main house and returning along the north side of the courtyard would remain in agricultural/domestic use.
- 6.21 Visitors to the venue will access the site from the south via the main village and road where the safety and suitability of the site access road and Sproxton Village Street to accommodate the additional vehicle movements associated with the proposed development has been fully taking into consideration (discussed later in this document and the accompanying Transport Assessment).
- 6.22 Sproxton Hall is characterised by its high-quality buildings and when this is combined with the local and pastoral environment it creates a location that is steeped in rich history and is one that should not be lost from the local landscape. The curtilage listed buildings in the setting have capacity to accommodate change without harm to the significance of the heritage asset.

Openings and other features

- 6.23 All of the existing openings are to be re-used and are to be glazed where possible together with the re-use of any blocked up openings.
- 6.24 A total of 4 no. new openings are to be formed. They are predominantly around the entrance area and one to serve the staff changing facilities as an internal opening inside the venue and where the majority of new openings are to be internal.
- 6.25 A few of the existing openings are to be enlarged due to the function that they will provide such as that to the food preparation area where a wider opening is needed for those carrying food and those which will provide a valuable visually connection to the working farm. A total of 2 no. openings will be enlarged.

- 6.26 1 no. window is to be unblocked to serve the food/prep store and 4 no. windows serving the wc facilities are to be walled up albeit sensitively with an acknowledgement of the former opening i.e. set-back in a reveal.
- 6.27 As a nod to the buildings former agricultural use and where they exist a series of old stone troughs throughout the southern range of buildings are to be retained in situ as features that are intrinsic to the development.

Windows

- 6.28 In so far as possible all windows are to be set back to the back edge of the walling to provide a deep reveal and are therefore characteristic in appearance and will be painted in a traditional heritage colour to compliment the joinery work around Sproxton Hall. Openings are to be simply glazed with no glazing bars or fenestration detail to replicate an agricultural style and appearance.

Doors

- 6.29 All external doors are to be traditional, fully boarded, timber ledged and braced, side hung doors. Internal doors and those serving the entrance area will take on a more transparent appearance to aid light to penetrate the buildings. Where double doors exist, they will be sliding doors.
- 6.30 All joinery work is to be painted in a colour sympathetic to the stonework and materials around Sproxton Hall.
- 6.31 A total of 12 no. metal conservation style rooflights are proposed throughout the development and are shown at **Elevations A, B and E**.

Glazed link

- 6.32 On the east wing there is currently a section of roof that has been lost. It is proposed to infill this section of the building with an oak framed link thereby knitting the buildings back together in a way that shows the buildings evolution. The glazed walls will also provide a visual connection to an adjacent part of the working farm for visitors to see and feel part of.

Materials

Externally

- 6.33 The proposal aims to retain the rustic appearance agricultural appearance of the buildings both from in internal and external aspect.
- 6.34 All external walls will be re-pointed (where necessary) with a mortar mix made up to match the existing buildings.

- 6.35 Roofs will be replaced on a like for like basis re-using the existing pantiles where possible otherwise new tiles will match the existing.

Internally

- 6.36 Inside the buildings there is a fundamental objective to create a minimal and rustic feel. Therefore, the majority of walls are to be left with exposed stonework, existing lime washed walls will have a new application applied.

Visitor numbers

- 6.37 The venue is designed to cater for a maximum of 180 guests per day and a maximum of 220 guests on an evening for wedding event although it is unlikely that this number will be met. On days when weddings are to be held, guests will arrive from noon on the day of the event and those not staying for the evening will depart by 6pm.

Employment (direct and in-direct)

- 6.38 It is forecasted that the project will create up to 8 jobs on larger event days, including managers, chefs, bar staff, waiters, cleaners and maintenance personnel. The overall management of the site including future bookings and management oversight will be maintained by the clients/owners of Sproxton Hall.
- 6.39 It is anticipated that future users of the site will be made up of a range of local businesses and local people required to assist in making the events successful.
- 6.40 Future guests who will come from further afield will bring financial benefits to the District/local area, including those needing accommodation of which is catered for nearby, food and hospitality businesses catering for the events.
- 6.41 Other local businesses will benefit from the proposal including hotels, guest houses, B&Bs providing local accommodation, wine shop/suppliers, beauticians, hairdressers, florists, self-catering specialists and those offering taxi/carriage services, the majority of which can be found in the local towns of Helmsley, Malton and Pickering.

7.0 Access

- 7.1 The main access for guests and staff is proposed on the south side of the farm via an existing farm gate serving the paddock. It is purposely designed to be away from the main Hall's access and private courtyard to the domestic side of the buildings. A separate point of access and egress for the farm is to be maintained at the sites western side.
- 7.2 It is vital that the farm access will remain independent and would be separate to the events entrance (excluding those catering for events) – see OS Map Extract plan attached.
- 7.3 With visitors and guests arriving to the venue via the existing field entrance serving the paddock the adjacent field to the east provides a safe place to park and from there to access the buildings. Taking vehicles to the south side of the farm means that they will not be visible and parked vehicles will not unduly impact on the setting of the historic buildings.
- 7.4 The main access route can only be taken from the A170 to the west of Sproxton Village. Sproxton Village Street is a no through-road that serves approximately 45 residential dwellings as well as some agricultural buildings (including Throstle Nest, Low Parks and Sproxton Hall), Sproxton Village Hall and Sproxton Hall Cottages (x4).
- 7.5 The road is subject to a 30mph speed limit and is without road markings or footway provisions on either side of the road. No street lighting is present with exception to a section of the road approximately 250m – 300m from the junction with Low Street (B1257).
- 7.6 From the information available on North Yorkshire County Council's interactive map, it is understood that Sproxton Village Street is adopted highway up to the point at which the road enters the applicant's ownership. The adopted section of Sproxton Village Street has a varying carriageway width of 4.0m – 5.4m.
- 7.7 A full transport assessment carried out by Sanderson Associates accompanies the planning application. The aim of the assessment has been to take critical highway measurements and record the prevailing highway conditions.
- 7.8 Based on the survey results taken it is concluded that for the majority of the week the site will not be in use, therefore, during these times the impact of the site on the local highway network will be negligible. On event days, the vast majority of vehicle movements in / out of the site will occur outside of typical network peak periods. Given the relatively light traffic flows along Sproxton Village Street throughout the day, the development is unlikely to affect the operation of the local highway network in terms of capacity.
- 7.9 As part of the development, improvements to the existing private lane are proposed in the form of passing places, which will allow two-way traffic flow to be maintained. The improvements will also be of benefit to existing traffic flows travelling to / from Throstle Nest, Low Parks and Sproxton Hall.
- 7.10 It is considered that the residual cumulative impacts of the development are not severe and as such should be considered acceptable on transport grounds.

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8.0 Signage

- 8.1 In line with Ryedale District Councils site licensing conditions a site name will be displayed at the site entrance for easy identification by emergency services.
- 8.2 Any signage associated with the proposed use of the venue would be located on the applicant's land and it is likely that it will be put up and down as it is needed therefore it is of a low degree of permanency.

9.0 Lighting Assessment

- 9.1 It is acknowledged that the site is within an area of high sensitivity including the Howardian Hills AONB and that ill-considered lighting has the potential to create unacceptable light pollution.
- 9.2 The buildings are situated within a rural setting on land that forms part of the nationally designated landscape. Darkness at night is one of the key characteristics of the rural area.
- 9.3 Dark night skies are also one of the areas special qualities. The ability to experience dark skies comes from the large areas of open countryside where there are low levels of light pollution.
- 9.4 The natural and open characteristics of the application site make it a perfect viewing point for experiencing the dark and starry skies in dramatic surroundings, from the open aspect on the south side of the farm and the paddock area and also from within the buildings through the glazed elements (including the roof) on the east side of the buildings.
- 9.5 Minimal lighting will therefore be used in the development on account of:
- Neighbouring properties (although given the distance between them and the site they are unlikely to be unaffected).
 - Birds and animals - affected by light stray intruding into their night world and confusing their natural patterns.
 - Lighting aimed at illuminating only the immediate area around the building and entrance area where required.
 - Where lighting is necessary it is low level or lights angled in a downwards position.
 - Simple low wattage lighting over the entrance sign for emergency purposes.
 - Motion sensor lighting for wc. facilities etc.
- 9.6 The buildings are themselves to a certain degree shielded by Sproxton Hall (the main house) and the attached outbuildings which sit at the forefront of the proposed events barn. As such it is not envisaged that light spill from the buildings from use of the barns will cause an amenity issue to adjacent occupiers.

10.0 Business plan and site management

- 10.1 The project will create a series of new employment opportunities within the local hospitality industry and like others will rely heavily upon a dynamic workforce so that each event can be tailored to the future users of the site albeit in a relatively low-key manner.
- 10.2 Increased productivity and profit from the proposed project will provide the farm with a sustainable business model and allow it to succeed in the future. Any profit will be channelled back into the farm. It will provide the unit with some certainty and a long-term plan within the uncertain times of BREXIT and will tie in appropriately with the end of the Common Agricultural Policy.
- 10.3 Market research carried out by the applicant has shown there is a significant demand for this type of low key, rustic use in the local area and that there is limited competition for the proposed project.
- 10.4 The nearest farm-based operational wedding venue is located 25 miles away in Bilborough, York. This venue is currently hosting two weddings per week for 40 weeks per annum. Weekend bookings are fully reserved for the next two years thereby demonstrating this is a viable commodity which can supplement the farms income. Equally, there is a considerable need for such unique projects to be delivered.
- 10.5 The proposed facility at Sproxton Hall would be situated in an ideal location, within an Area of Outstanding Natural Beauty (AONB) and within close proximity of the market town of Helmsley which is a thriving tourist destination and one that can assist in catering and the offer of products for the needs of a wedding/conference.
- 10.6 Within the local area there is a mix of traditional venues such as hotels and stately homes which offer marquees within their grounds, however none are authentic farm venues that offer rustic charm and or have the ability to offer the distinctively unique experience of a living/working farm.
- 10.7 The proposed project will offer an alternative to those traditional venues and provide the future user with a simple base from which to tailor their own occasion, enabling it to be suitable for various events. The project will offer the complete wedding package, including a place for the bride/bridal party to get ready, offer a building (room) for the ceremony to take place together with other linked buildings which will be used to host the reception including wc's, food prep facility and generally provide a bespoke service which can cater for individual customer needs.
- 10.8 In summary, DIY style weddings and events would be delivered through the project and in our opinion would appeal to a small-medium market, which is currently not catered for in the local area.
- 10.9 It is hoped that the project will be eligible for grant assistance (currently being sought), and that this money will be used to assist in the delivery of the project on a proportionate scale and to a higher standard.

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- 10.10 Following the receipt of the necessary planning/LB consents the grant will mean the project could be delivered sooner and as a result, job opportunities within the local area will also be created quickly. The grant will provide an income stream that would be used towards converting the buildings and their preservation and enhancement for future generations to enjoy together with safeguarding the longevity of the farm business.

11.0 Landscape Impact Assessment

- 11.1 Although the site is not within a locally valued landscape (AHLV designation) it is in close proximity to the local landscape type referred to as 'Fringe of the Moors' and is within the Howardian Hills AONB a sensitive and nationally valued landscape. It is therefore appropriate to include a brief assessment of the development and how it is a suitable response to the local area.

Landscape evaluation

- 11.2 A brief site evaluation has been carried out to understand the landscape setting and assist in forming the overall development plan concept. This forms the basis for which an appropriate landscape plan and/or conditions and safeguarding measures will evolve.

Key points considered:

- Which landscape features and characteristics should be retained and protected.
 - Which (if any) features can be removed.
 - Whether new planting could enhance the proposal.
 - Whether existing vegetation contributes to the scheme and;
 - Views into the site from public highways and public rights of way.
- 11.3 The outcome of the evaluation is that the application will promote and encourage good landscape design as an integral part of the development.
- 11.4 Existing boundary features such as fences, trees and hedges are considered to significantly contribute to the character of the site and the wider landscape and will be maintained.
- 11.5 It has already been demonstrated that little visual intrusion would arise from the development on grounds that the site is well screened by existing buildings at Sproxton Hall.
- 11.6 Notwithstanding this, the application includes safeguarding measures to protect the local landscape and the applicant's commitment to ensure that the development responds positively to the landscape character and AONB landscape to conserve the highly valued landscape.

A well designed, sustainable landscape scheme will be achieved by:

- Retaining all existing landscaping including trees and hedges which includes good quality mature native species.
- Introducing grass create or other reinforced grass to the park field so as not to damage the surface of the field.
- Keeping all of the levels throughout the site and grass parking field.

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- Maintain existing soft landscape but not plant anymore as this could appear too contrived and lose the landscape views to the south.
- Full enclosure of the site has been discounted as it could have a catastrophic impact on the local landscape.
- It is important to the applicant that views through, into and out of the site are fully maintained.

Hard landscaping

- 11.7 Where possible the development seeks to minimise areas of hard surfacing for visual impact reasons and to reduce the rate of water run-off and the consequent need for alternative drainage systems.
- 11.8 A paved area is to be created close to the buildings main entrance due in part if wet weather persists and will provide a clean drop off point. The type of surfacing is tbc.
- 11.9 It is confirmed that no new access tracks/roads are to be laid out within the site to safeguard the key visual character and quality of the site.
- 11.10 Once the site becomes established this part of the site will become a simple yet functional characteristic part of the site.

12.0 Landscape and Biodiversity Assessment

- 12.1 The UK Government and devolved administrations have placed regulations on LPAs to take a lead in responding to biodiversity losses through the adoption of clear environmental and planning policy requirements that encourage developers to take account of biodiversity impacts.
- 12.2 In England, the National Planning Policy Framework (2019) states that planning should contribute to conserving nature and securing ‘net gains’ for biodiversity (ch. 15).
- 12.3 The Royal Town Planning Institute in collaboration with Partnership for Biodiversity in Planning have recently prepared an advice note to promote biodiversity through the UK planning system (Nov 19).
- 12.4 In accordance with national planning and biodiversity policies and legislation this development takes account of the potential biodiversity impact and provides useful information about promoting biodiverse developments through planning.
- 12.5 This assessment uses the most up to date information to inform the proposal and seeks to minimise impacts, and to maximise benefits for biodiversity, as a result of the development.
- 12.6 An accompanying Ecological report forms part of the submission and deals with the local wildlife network.

Summary of site opportunities for biodiversity through planning

- To maintain and enhance biodiversity – bat and bird boxes will be erected on the site and provides a net benefit to biodiversity.
 - Not to cause significant loss of habitats.
 - Maintaining and enhancing green infrastructure – dry stone walls, hedges and traditional boundaries will be maintained as will the grass field to the south and east of the traditional buildings.
 - The site will promote a real sense of natural health and well-being both to the applicants and future users of the site as they will be exposed to natural views in a rustic open countryside location.
 - The local environment may encourage classes/courses/workshops that promote general improvements to physical and mental health – due to exposure to the open countryside and the opportunities to live a healthy lifestyle.
 - Nature in this case will act as a catalyst to future users’ enjoyment – i.e. clear, clean, fresh farm air.
- 12.7 It is concluded that the proposal will not result in a net loss of biodiversity. Rather it will provide an enhancement and promote opportunities for wider biodiversity enhancement.

13.0 Planning Policy Context

Introduction

- 13.1 This section outlines the principal planning policies that pertain to the proposed scheme.
- 13.2 The Planning and Compulsory Purchase Act 2004 came into force in September 2004. It carries forward the provisions of the Town and Country Planning Act 1990, giving statutory force to a plan-led system of development control.
- 13.3 Under Section 70 of the 1990 Act and section 38 (6) of the 2004 Act, the determination of planning applications must be in accordance with the approved Development Plan unless material considerations indicate otherwise.

National Planning Policy (NPPF) (2019)

- 13.4 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in January 2019 and is a contributing material consideration. It provides a framework within which regional and local policy is set. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 13.5 Paragraph 7 of the recently published NPPF states that ‘at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’.
- 13.6 Paragraph 8 of the NPPF states that ‘achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective
 - b) a social objective
 - c) an environmental objective’
- 13.7 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay or where there are no development plan policies, or the policies which are most important for determining application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

13.8 Paragraph 38 of the NPPF advises that ‘local planning authorities should approach decisions on proposed development in a positive and creative way ... to secure developments that will improve the economic, social and environmental conditions of the area’.

‘Decision-makers at every level should seek to approve applications for sustainable development where possible’.

13.9 Paragraphs 40-42 of the NPPF advise that ‘Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. The more issues that can be resolved at pre-application stage, the greater the benefits. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle’.

13.10 Paragraph 47 of the NPPF advises that ‘decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing’.

13.11 Paragraph 83 of the NPPF states that ‘planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’.

13.12 Paragraph 131 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.

13.13 In addition to the above, paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

The Ryedale Plan — Local Plan Strategy (2013)

- 13.14 The Ryedale District Council Local Plan Strategy covers the whole of the administrative area of Ryedale District (excl. the NYM National Park). Ryedale District Council adopted its Core Strategy with modifications in September 2013 and together with the saved policies of the Ryedale Local Plan (2002) and the 2002 proposals maps form the Development Plan in force for the application.
- 13.15 An overall summary of National and local planning policies considered relevant to the case are summarised in the table below:

DOCUMENT	POLICIES AND DENOTATION
The Planning and Compulsory Purchase Act 2004	
National Planning Policy	
National Planning Policy Framework (NPPF) (2019)	Paragraphs 2, 7, 8, 10, 11, 38, 39, 83, 84, 170, 171, 172, 174, 175, 189, 192, 193, 196, 200
Local Development Plan in force	
Ryedale Local Plan Strategy (2013)	SP1 - General Location of Development and Settlement Hierarchy SP6 - Delivery and Distribution of Employment/Industrial Land and Premises SP8 - Tourism SP9 – The Land-Based and Rural Economy SP12 - Heritage SP13 - Landscapes SP14 - Biodiversity SP16 - Design SP17 - Managing Air Quality, Land and Water Resources SP19 – Presumption in Favour of Sustainable Development SP20 - Generic Development Management Issues

- 13.16 Paragraph 3.37 of the Local Plan Strategy (2013) states that a multi-functional countryside is an important way in which the rural economy can be diversified and sustained in the longer term.
- 13.17 The Council recognises that in a rural area such as Ryedale, new tourist attractions, facilities and accommodation cannot be restricted to the more sustainable locations in the District. This could stifle opportunities to develop the District tourism base and diversify the wider rural economy.

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13.18 **Policy SP9** is of relevance to the proposal and considers the land based and rural economy and is supportive of (amongst others):

- Conversion of traditional buildings for tourism or residential uses (subject to the occupancy conditions set out in Policy SP21).
- Conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6.
- Appropriate farm and rural diversification activity including innovative approaches.

14.0 Planning Assessment

- 14.1 The proposal draws on the positive contribution that the development will make to the area quality, the longevity of the buildings and improvements to be made the overall visual appearance and the desirability of the development making a positive contribution to local character and distinctiveness.
- 14.2 Heritage assets change over time. Protection of heritage assets need not prevent change; indeed, that change may be positive. The low key impact of the changes outlined in this proposal are considered to be positive.

Principle of the Development

- 14.3 The site is within the open countryside and the principle of the development aligns with **Policies SP1, SP6 and SP9** as the proposed business represents farm diversification and would contribute to the rural economy and create employment at the site.
- 14.4 **Policy SP6** supports the small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity in line with the provisions of SP9. **Policy SP9** is the overarching policy and supports the conversion of existing buildings to support appropriate small-scale rural economic activity in line with **Policy SP6**. It is considered that the development would align with the principle aims of these policies working hand in hand.

Design, character and form

- 14.5 The design character and form of the buildings is guided by the original structures, buildings and materials for the buildings rather than the use. A balance is struck between facilitating the practical requirements of the new use and maintaining the special character of the curtilage listed buildings. These two things are reconciled in a mutually acceptable way throughout the design process whereby the individual elements, compartmental zones of the buildings remain in-tact including openness of the foldyard. As such the design proposes an innovative solution to the re-use of the buildings.
- 14.6 Put simply, the design is simplistic which involves little intervention and allows the buildings to 'speak for themselves' which means the key and defining characteristics of the buildings can be retained. In this regard the proposal aligns with **Policy SP16**.
- 14.7 The general characteristics of the buildings at Sproxton Hall are:
- The original fabric of the wall, floors and roof structure – which is to be maintained.
 - The uncluttered exterior with extensive walling.
 - The massing of the roofscape which is to be retained.
 - A robust build with simply joinery.

14.8 A sensitive scheme of conversion is achievable due to the following general principles being followed:

- Respect for the basic shape and traditional design of the original buildings.
- As referenced above in S6 (para. 6.19 – 6.22) the scheme makes as few alterations as possible to external walls.
- Maintaining the character of the roofscape by limiting the number of alterations.
- Incorporating purposes made timber joinery to openings.
- Retaining the foldyard as a single open space.
- Integrating car parking and access arrangements and services into the proposal as a whole.
- Using adjoining buildings for uses associated with the conversion for example, storage, wcs, cloaks and prep areas thereby reducing the need for new buildings.
- Designing a simple internal layout around existing features.
- Retaining the sites setting and approach to the buildings from the land to the south.
- Simply letting the existing buildings dictate the nature of the conversion.

Impact on local amenity

14.9 As required by **Policy SP20** (Generic Development Management Issues) the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community.

14.10 The proposed development site is on the edge of the settlement in a rural setting adjacent to agricultural land and woodland. **Policy SP20** requires that the proposed development would need to be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses. Beyond the main house there are residential receptors within 100 metres of the application site. It is considered that the proposal aligns with **Policy SP20**.

14.11 Another special quality of the area is the strong feeling of remoteness something the applicant wishes to share with visitors to come to the site in the form of:

Stillness

Rustling of the trees in the breeze

A sense of calm from busy day to day lives

Serenity

Peacefulness

Quietness except for wildlife

Flow of a nearby stream

Restfulness

- 14.12 During pre-application discussions the LPA noted that the development has the potential to have impacts in terms of noise disturbance and light pollution and these matters should be considered in the forthcoming application.
- 14.13 The application is complete with a noise management plan and lighting assessment (Section 9.0 above) and due to the low key nature of the development it has been confirmed that the outdoor area to the south of the buildings will not be unduly impacted upon nor would neighbouring residents/residential amenity.

Impact on highway safety

- 14.14 **Policy SP20** advises that “Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists.
- 14.15 The proposed site layout at **Dwg. D420004/04** shows that a separate access is to be formed to the south of the site to serve the proposed events venue with the existing access on the western side of the site remaining for use for farm traffic and the occupants of the dwelling.
- 14.16 Full consideration has been given to the impact of traffic travelling through the village late at night and general disturbance from departing visitors/guests. The accompanying Transport Assessment gives a brief overview of a ‘typical day’ for a wedding event using the maximum projected figures. Given the relatively light traffic flows along Sproxton Village Street throughout the day, it is concluded that the development is unlikely to affect the operation of the local highway network in terms of capacity. Furthermore, trip generated by the development will largely be tidal (i.e. large proportions of arrivals or departures), as such, conflict between arriving and departing vehicles will be low.
- 14.17 It should be acknowledged that the above figures are based upon the robust assumption that the development will be operating at maximum capacity. In reality, the majority of wedding parties will involve a smaller number of people and as such, the resulting traffic generations will be less.
- 14.18 With regard to sustainable transport the applicant notes that the site is in a rural location. The transport assessment also confirms is acknowledged that the applicant has a responsibility to be mindful of the environmental impact of the proposed development and should implement reasonable measures to reduce the need for both staff and guests to travel by car.
- 14.19 To encourage staff and guests to travel to and from the site using sustainable travel modes other than single occupancy car journeys, it is particularly important that they are made aware of the sustainable transport alternatives that are available. To this end, the site management will inform staff and guests on the following:
- Car Sharing - The site management will develop an informal car sharing database for the site’s staff and identify where practicable car sharing opportunities exist. If possible, staff shift patterns will be reviewed and tailored so that staff living in
 -

- proximity to each other can start / finish at the same time. The benefits of car sharing will also be relayed to guests during the booking stage.
- Organised Transport - The site management will contact local taxi firms and minibus operators to negotiate potential discount for staff guests. Details of the service providers and any such discounts will be highlighted to staff and passed on to the lead guests for circulation amongst their party.

Protected species

- 14.20 **Policy SP14** aims to conserve and enhance biodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features. The application is supported by a full Ecological Assessment and the results of an emergence survey for bats and birds carried out by a qualified ecologist prior to any works for the conversion or demolition of existing agricultural outbuildings.

Achieving Sustainable Development

- 14.21 It is acknowledged that the site is in the open countryside and **Policy SP1** seeks to restrict development to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities.
- 14.22 Tourism makes a significant contribution to the local Ryedale economy and local planning **Policy SP8** seeks to develop tourism in a sustainable way which does not undermine some of the special qualities of the area and is one we feel can be met.
- 14.23 Attractions and facilities are located in places where the scale, nature of activity and visual intrusion can be accommodated, for example, in terms of the character and sensitivities of the locality, wider landscape and the road network.
- 14.25 The application site is located in the heart of the District where the three objectives of sustainable development are achievable.
- 14.26 The proposed development will deliver clear economic, social and environmental benefits. These benefits will be delivered jointly and simultaneously to reflect that the three overarching objectives of the planning system are interlinked:

The economic benefits of the proposed development include:

- Provision of a locally distinctive and rustic, mixed use events venue which will drive up and maintain the standard of design and sustainability for the rural economy both locally and nationally.
- Secure a rural diversification project which will operate alongside the exiting farming enterprise which will continue to operate.

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- Seeks to re-use traditional rural buildings which are suitable for re-use as demonstrated by their scale and general proximity to the main house for appropriate management and overseeing the business which they own locally.
- The applicants are active members of the local community and strongly supportive of local business and living closely will mean they are able to continue to be supportive to local business and use local services.

The social benefits of the proposed development include:

- Providing a well-designed scheme with the creation of high quality usable buildings – a well-designed place is seen to be fundamental to the planning process.
- The proposal creates a better place for the applicants to live and work with one that is mutually acceptable to everyone including the local community.

The environmental benefits of the proposed development include:

- High levels of sustainability in the development balanced with the building's conservation.
- Plans to conserve and enhance the special qualities of a designated landscape and features of the wider site for this and future generations to enjoy.

14.27 The development as submitted would therefore deliver clear economic, social and environmental benefits to the local area; is not only delivering a sustainable development that is of good quality but one which would raise the standard of design and quality and design expectations in a rural area.

15.0 Conclusion

- 15.1 This section brings together the information presented within this planning statement and provides a reasoned conclusion for the approval of this application.
- 15.2 This statement demonstrates that the proposed development accords with the relevant national and local planning policies. Paragraph 7 of the NPPF (2019) states that at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 15.3 It is concluded that the site is in a highly sustainable location and will form a unique mixed use events barn which can be operated alongside the existing farming enterprise as rural diversification project and one that would be compatible with the significance of heritage assets to create rustic appeal and charm.
- 15.4 The proposed change of use and farm diversification aligns with the principle aims of policies SP6 and SP9 through the creation of employment opportunities and has the potential to make a positive contribution to the rural economy whilst enabling the restoration and reuse of traditional, listed buildings. The design and layout preserve and enhances the listed buildings and their setting and not detract from the nationally designated landscape.
- 15.5 With the site ready for development and one which can make an important contribution to supporting the sustainable growth of a small-medium rural business it will allow the local economy to prosper in the long term.
- 15.6 The Ryedale Plan acknowledges the integral and valuable contribution that Tourism makes to the Districts economy and is supportive of the site being used more widely for visitors and is considered necessary to support a prosperous rural economy.
- 15.7 Supporting sustainable rural tourism and leisure developments which respect the character of the countryside is key contributory factor of the NPPF (para. 83).
- 15.8 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force it is requested that planning permission should be granted without further delay.

Cheryl Ward Planning

Offering a high quality, technical and locally focused Planning and Development Consultancy service. With a pragmatic and conscientious approach to all projects our core aim is to achieve the best possible outcome for our clients.

Accompanied by an in-depth knowledge of the local area and a deep-rooted understanding of local authority planning requirements the business is well equipped to deal with all-encompassing planning matters specialising in planning applications (all types) – town and rural i.e. residential, rural and equine planning projects whether it be traditional or contemporary in design.

Our planning services are continually developing to keep up with the changing dynamics of the UK planning system. This helps to widen our knowledge so that our clients are furnished with the most up to date planning criteria.

Operating to a multidisciplinary approach means we are accomplished at working with a range of stakeholders including private individuals, Estate Directors, farmers, landowners, private and public organisations/groups, Parish Councils, other professionals, clients and applicants.

Our services include:

- Pre and post planning advice
- Appraising sites for development potential
- Agricultural and Forestry Notifications
- Planning Supporting Statements
- Discharge planning conditions
- Check and send service – Cheryl Ward Planning can check forms, plans and other documents etc to make sure your application will be validated by the Council. Finally, we will submit your application via the Planning Portal on your behalf.
- Planning Enquiries
- Planning Applications (all types)
- Design and Access Statements
- Variations/amendments to planning approvals
- Prepare and submit planning appeals

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Application: Sproxton Hall Farm – change of use and alteration of farm buildings to form a mixed-use events and venue barn

Planning Application No: 20/00695/FUL and 20/00696/LBC

Consultation based upon Sproxton Parish Meeting of 9 October 2020

I write as Acting Chairman on behalf of Sproxton Parish Meeting following the Extraordinary Meeting held on the 9th October 2020 by Zoom.

At the meeting Residents were given the opportunity to question the Applicant on the planning application as published. Residents had also had the opportunity to visit the site during the week prior to the meeting.

The principle points which were raised at the meeting against and in favour of the plans are as follows, each section ordered in terms of relative importance of the issue to Residents:

Points against

1. Access / Increased Traffic – Residents were concerned about the suitability of Main Street to accommodate the increased traffic to the site. The principle concern was around the narrowness of the road and the difficulty of vehicles to pass each other in Main Street and on the drive to Sproxton Hall. This concern extended to other road users including horses and pedestrians due to the lack of a footpath in the village. Residents questioned the number of passing places on the drive in the plan and the potential congestion caused by the tidal nature of traffic during events. Further questions were asked about car parking facilities and if they are large enough to accommodate all visitors.
2. Noise / Disturbance – Residents questioned the noise levels during events – principally from music - and whether the plans for sound proofing and noise insulation were adequate. Particular concerns were raised in relation to guests staying at Sproxton Holiday Cottages. Questions were raised around the general disturbance to the village because of the increased traffic particularly due to the tidal nature of this traffic as events close late in the evening.
3. Environmental Impact – Residents questioned the impact of the plans on wildlife (principally bats, owls) and users of public rights of way (Ebor Way) and as to whether the plans were adequate to address these.
4. Criminal Activity – a question was asked to whether the increased number of visitors to the village caused by the development might lead to increased criminal activity.

Points in favour

1. Economic Impact – Residents asked about the positive economic impact the plans are expected to have on the Village, Helmsley and Ryedale as a whole. This related both to job creation (full and part-time roles) directly from the planned investment as well as from the trickle down economic impact on the wider business community (hotels, restaurants, pubs) that would benefit from having a new wedding venue in the locality and that could potentially attract events into Ryedale.
2. Community Benefits – a conversation was had on the benefits from the investment to Residents from the creation of a facility that could be offered for their use for village events such as village meetings, birthday / Christmas parties, yoga / exercise classes. Residents currently have no reasonable facilities that they can use.
3. Traffic / Noise – a comment was made that there will be a reduction in the current number of agricultural HGVs visiting the farm due to a likely stopping of pig rearing following the wedding venue project commencing – thereby reducing some of the noise and disturbance of current farming operations.

At the end of the meeting a Vote was held to gauge support for or against the plans. The count of the individual votes showed results as follows:

- Against 71.7%
- For 28.3%

The meeting closed after Residents were explained the Planning Process going forward in particular their individual opportunity to make comments on the plans to Ryedale District Council ahead of the first planning meeting.

This is a fair and honest representation of the meeting.

Joanne Welford
Acting Chairman of Sproxton Parish Meeting

Application: Sproxton Hall Farm – change of use and alteration of farm buildings to form a mixed-use events and venue barn

Planning Application No: 20/00695/FUL and 20/00696/LBC

Consultation based upon Sproxton Parish Meeting of 9 October 2020

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2. Noise / Disturbance – Residents questioned the noise levels during events – principally from music - and whether the plans for sound proofing and noise insulation were adequate. Particular concerns were raised in relation to guests staying at Sproxton Holiday Cottages. Questions were raised around the general disturbance to the village because of the increased traffic particularly due to the tidal nature of this traffic as events close late in the evening.
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4. Criminal Activity – a question was asked to whether the increased number of visitors to the village caused by the development might lead to increased criminal activity.

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1. Economic Impact – Residents asked about the positive economic impact the plans are expected to have on the Village, Helmsley and Ryedale as a whole. This related both to job creation (full and part-time roles) directly from the planned investment as well as from the trickle down economic impact on the wider business community (hotels, restaurants, pubs) that would benefit from having a new wedding venue in the locality and that could potentially attract events into Ryedale.
2. Community Benefits – a conversation was had on the benefits from the investment to Residents from the creation of a facility that could be offered for their use for village events such as village meetings, birthday / Christmas parties, yoga / exercise classes. Residents currently have no reasonable facilities that they can use.
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Joanne Welford
Acting Chairman of Sproxton Parish Meeting

Agenda Item 10

Item Number: 10
Application No: 20/00848/HOUSE
Parish: Warthill Parish Council
Appn. Type: Householder Application
Applicant: Mr Alan Desport
Proposal: Erection of a rear two-storey extension with attached single-storey garden room and front porch (revised details to approval 13/00351/HOUSE dated 13.05.2013) and erection of detached garden room - part-retrospective
Location: Meadowsweet Cottage Common Lane Warthill YO19 5XW
Registration Date: 18 September 2020
8/13 Wk Expiry Date: 13 November 2020
Overall Expiry Date: 20 October 2020
Case Officer: Ellie Thompson **Ext:** 43326

CONSULTATIONS:

Warthill Parish Council Warthill Parish Council recommends that the extension building works revert back to the dimensions shown in the plans approved by Ryedale District Council in planning application No. 13/00351/HOUSE and that planning application No. 20/00848/HOUSE is refused.
Highways North Yorkshire No objections
Foss Internal Drainage Board Recommend conditions

Representations: , Mr P McFarlane, Dr Mark Pearse, Mrs Sarah England, Mr Simon Whincup, Mr Michael Andrew, Mr Angus Brown, Mr John Semourson, Mrs Heather Stout,

SITE:

Meadowsweet Cottage is a large, two-storey, detached dwelling, located on the eastern side of Common Lane in Warthill. The property dates from the late 20th century, and is constructed from brick under a clay-pantile roof and features white, timber windows. The property is located within the Development Limits of the village and is within the York Green Belt.

The property occupies a large plot, and is set back from the highway within its curtilage. The plot has a 'dog-leg' shape, with a section of the curtilage to the rear of the building facing east with the remainder of the garden angled towards the north-east. The properties and their plots to the south of the application site have similar shaped curtilages.

PROPOSAL:

In 2013, planning permission was granted for the erection of a rear two storey extension to the property with an attached single storey garden room and front porch at the property. This application seeks revisions to that permission.

Permission is sought for the erection of a part-two storey, part-single storey rear extension, together with the erection of a porch to the front elevation (revised details to approval 13/00351/HOUSE dated 13.05.2013), and the erection of a detached garden room building. The application is part-retrospective. The majority of the structures have been built to a 'shell' stage, including walls (and the roof of the extension) but not window or door fittings. As constructed, the building/s differ from the

approved plans of the existing permission (13/00351/HOUSE). Essentially, this application seeks to regularise development at the site, following an enforcement complaint.

The two-storey element of the rear extension has been built with a pitched roof, cross-wing form. It has been constructed from brick under a clay-pantile roof, and will feature white uPVC windows. The extension is proposed to have four, large windows in the rear (eastern) elevation at first floor level, with a small window at ground floor level on the southern elevation, and a high-level horizontal window on the northern elevation. These window openings are already in situ, but windows have not yet been fitted. The overall ridge height of the extension is proposed to be approximately 8.6 metres, with an eaves height of approximately 5 metres. The two-storey section of the extension extends out from the rear of the property by approximately 3.9 metres, and has a width across the back of the property of approximately 7.6 metres. The overall footprint of the two-storey section is approximately 31.3 square metres.

As built and proposed in this application, the ridge and eaves height of the two storey section are the same as that permitted under 13/00351/HOUSE. In comparison with the permission granted under 13/00351/HOUSE, the main differences are that the width of the extension across the back of the house has increased by 0.4m and the depth of the extension from the back of the house along the boundary with the neighbouring property has increased by 0.6m.

The single-storey section of the extension extends out from the rear of the two-storey section, and has been designed with an unusual, angled shape, to follow the alignment of the plot. This section of the extension has a flat-roof form, and will feature large, aluminium framed glazed doors on the north eastern corner of the building. It has been constructed from brick under a grp roofing system. The extension is proposed to feature two horizontal, high level windows on the north and western elevations, and a small, high-level window on the eastern elevation. These openings are in situ. The overall height of the extension is approximately 3.5 metres, however there is an additional parapet wall on a section of wall on the northern elevation of the extension, which reaches approximately 3.9 metres in height. The overall footprint of the single-storey section of the extension is approximately 59 square metres.

The height of the single storey section is built/proposed to be the same as the height of the single storey element approved under 13/00351/HOUSE. The footprint of the single storey section is two square metres less than that approved under 13/00351/HOUSE.

The cumulative ground floor area of both the two-storey and single-storey extensions is approximately 90.3 square metres which is an increase of 4.3 square metres over the ground floor area which was approved under 13/00351/HOUSE.

The new garden room building has already been partially constructed, and is situated to the rear of the existing garage building, within the rear garden of the property. It is understood that the applicant had intended to construct the garden room utilising permitted development rights. However, in order to complete the building with a 'warm' flat-roof form, this will result in a building height of 2.7 metres.

As a result the detached garden room building requires planning permission and has been included in the application. It has been constructed from brick, and there is a high-level, horizontal window opening in place on its southern elevation, with a single door opening on the western elevation. The overall footprint of the building is approximately 21.5 square metres.

The new porch has a footprint of approximately 5.5 square metres. It has been constructed from brick with a flat-roof form, with an overall height of approximately 3.5 metres. The height of the porch (as built) is an increase of 0.3m in the height approved under 13/00351/HOUSE. The footprint of the porch is also proposed to increase by 0.9 square metres.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that

comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)

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

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

The Yorkshire and Humber Plan (Regional Spatial Strategy)

York Green Belt Policies (YH9 and Y1)

Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS:

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

A summary of the representations received from neighbours and the Parish Council is as follows:

One objection has been received from the occupiers of the neighbouring property to the south (Isca House) raising the following issues:

- **Scale, Size and Design:** the contributor cites Officers feedback from the original application (13/00351/HOUSE) relating to the scale of development, which at the time led the application to be revised to reduce the width and depth of the scheme. The contributor considered that the applicant has not implemented these amendments, and that what has been built is not subservient to the existing house, and is of the same scale as the scheme that was originally rejected. The extension is out of proportion to surrounding buildings and neighbouring extensions and not sympathetic to original dwelling.
- **Impact on Neighbouring Amenity:** Scale and bulk of what has been built has a significant impact on the amenity (and potential value) of neighbouring properties.
- **Loss of Privacy:** Concern that the extension results in significant overlooking of the garden of Isca House, due to the orientation of the plots. The increase in the projection of the two-storey extension increases the angle and unusual orientation, and brings the windows closer to the boundary. The height of the single storey extension and position of the neighbouring garage do not reduce the loss of privacy experienced.
- **Impact on York Green Belt:** Scale and bulk of development is clearly visible from Public Right of way to the east, leading from Warthill to Gate Helmsley.
- **Inaccuracy of Plans and Design Statement:** Measurements and the Positioning of the Neighbouring Garage/Boundary are not accurate. East Elevation Plans are an inaccurate representation of the impact of scale and size. Inaccuracy and lack of professional plans make it challenging for an accurate planning decision to be made.
- **Concern for Setting a Precedent:** For extensions of a similar scale and for building outbuildings along the length of the plot, potentially beyond the building line.

- Groundworks: Concern that the extension has been built without groundworks for drainage.
- Quality of Build: Concerns that the build does not meet building regulations; materials are stored unprotected and site is unoccupied and not secured overnight/at weekends. Concerns relating to the Health and Safety of the site and the lack of safety equipment were also raised.
- Length of Build: Works started in 2016 and are still incomplete four years later, requiring another planning application.
- The contributor wished the Planning Committee to be aware that when the original application was made, they worked collaboratively with the applicant and did not object to the application.

The occupier of the neighbouring property to the north (Marwood House) has made comments neither objecting nor supporting that application:

- Extension is strikingly large and dominant, but the extension and the porch do not significantly interrupt the sight lines or overlook Marwood House.
- Proposed landscaping will improve the gardens.
- Outbuildings are close to the boundary but are not a significant intrusion; they will be sympathetic and not overlooking.
- Concern raised for precedent and disregard of the planning process. The contributor seeks assurance that all such regulations (including building standards) and processes have been followed both for the extension and outbuildings, as non-compliance could affect the future sale of neighbouring properties in terms of value and legal completion, including a formal determination as to whether formal Development Limits have been/will be exceeded.
- The contributor expressed a desire for the decision to progress in a timely way, as construction has been sporadic and slow, which is unsightly and unacceptable.

Six letters of support have been received for the application, making the following points:

- The extension will provide necessary increased living space and enhances the visual appearance of the property.
- The proposed works are in-keeping with other dwellings and neighbouring properties in the village.
- Scale/size of the extension is similar to many extensions in the village.
- The proposed works greatly increase the level of privacy for the applicant – the single-storey extension means they are no longer over-looked by Isca House.
- The large window in the southern elevation of the property that overlooked Isca House has been bricked up.
- The new outbuildings are small and appear private and do not dominate the garden.
- Changes/revisions (from approved scheme) appear to have occurred mainly due to constructability, misinterpretation and availability/reliability of contractors.
- Majority of the scheme cannot be viewed from the street or neighbouring properties due to existing mature planting and neighbouring garages.
- Considered that there is no detriment to neighbouring properties in terms of privacy, amenity or light and will be substantial improvement to the dwelling.

- It would be best for all involved if the build was completed as soon as possible.

Warthill Parish Council responded to the application, and concluded that the application should revert back to the original permission, and the current application be refused. The Parish Council raised the following concerns:

- What has been built is bigger than what was originally approved, in respect of both the width and depth of the extension. The increase in size is considered to cause harm to the amenity of the neighbouring properties.
- The single-storey extension has increased in area to what was approved. It is not sympathetic to the character of the original dwelling, the plot size or neighbouring properties.
- Concern that it will set a precedent for future development of this scale at neighbouring properties.
- The proposed garden room appears to extend beyond the Development Limits into the Green Belt, and there is concern that this would set a precedent for more development beyond the Development Limits/in the Green Belt. The building is not supported if it extends beyond the Development Limits.
- There is a building to the east of the Garden Room that is not on the plans, and it is not clear if this falls within this application but it appears to extend beyond the Development Limits.

The Local Highway Authority was consulted and raised no objections to the proposed plans.

The Foss Internal Drainage Board was consulted and recommended conditions.

Planning History:

12/00167/HOUSE: An application for the erection for a two-storey side extension to side elevation and erection of a detached double garage following demolition of existing garage was refused.

13/00351/HOUSE: Planning permission was granted for the erection of a rear two-storey extension with attached single-storey garden room and front porch (revised details to refusal 12/00167/HOUSE dated 03.04.2012).

15/01430/COND: Condition 02 of approval 13/00351/HOUSE dated 13.05.2013 was discharged.

Appraisal:

Members are reminded that a planning permission exists at the site for much of the development proposed and this is a relevant consideration in the determination of the application. In considering the planning issues raised by the application, it is the implications of the changes between the approved scheme and the proposed scheme that are of particular relevance to the determination of the application.

Design

The proposed two-storey rear extension is large in scale, and has been constructed with a pitched-roof, cross wing form. The ridge and eaves heights of the extension matches the overall respective heights of the original dwelling at approximately 8.6 metres (ridge) and 5 metres (eaves). The overall width of the extension is approximately 7.6 metres, which subsumes the rear elevation of the host dwelling. Although this element is not designed to be a visually subservient addition to the property, the mass of the two storey section remains subservient to that of the existing dwelling. This serves to ensure that the two storey element is not physically or visually out of proportion with the existing dwelling. The proposed roof design is considered to relate well to that of the existing dwelling.

The proposed single-storey rear extension has been constructed with a flat roof that reaches approximately 3.5 metres in height (4 metres to the top of the parapet on the northern elevation). The extension has an angled form which follows the diagonal orientation of the plot. The overall footprint of the single-storey extension is approximately 59 square metres. The form and layout of the single-storey extension is considered to be unusual and contemporary. Although it is large in scale and its design is forced by the constraints of the plot, it is not readily visible from public vantage points.

The existing property is not considered to be of any significant architectural merit. Despite the cumulative size of the proposed extensions and the contemporary and unusual form of the single storey section, the design of the extensions would not individually or cumulatively detract from the character and appearance of the host dwelling. Moreover, the property sits within a generous plot and within this context, the proposed building, despite its resultant cumulative size, would not appear out of proportion with the overall size of the plot.

The existing planning permission granted approval for a two-storey rear extension with an overall ridge height of approximately 8.6 metres, and a width across the back of the property of approximately 7.2 metres. The previously approved two-storey extension was proposed to extend out from the rear elevation of the host dwelling by approximately 3.5 metres, and had an overall footprint of approximately 25 square metres. The previously approved single-storey extension also had an angled form, and had a footprint of approximately 61 square metres, and an overall height of 3.5 metres. The cumulative footprint of the entire extension on the previously approved scheme was approximately 86 square metres. As a result, it is important to acknowledge that what has been built, is not significantly larger (in terms of width, depth and floor area) than what has already been granted permission. Moreover, the roof form and built form of the development proposed is not different to the permitted scheme.

On this basis, it is considered that the proposed part two-storey part single-storey extension is, on balance, acceptable in design terms and complies with Policy SP16 (Design) of the Local Plan Strategy.

The proposed new detached garden room building has been partially constructed in a re-entrant area, between the rear elevation of the garage building, and the boundary with the neighbouring property (and their garage) to the north. The building has a footprint of approximately 21.5 square metres, and has been constructed from brick. It is proposed to be finished with a flat roof, which will have an overall height of approximately 2.7 metres. The building is small in scale, and will have a simple appearance that will match the contemporary design of the single-storey extension. It is considered that the building is appropriate in design, in terms of scale, materials and form. On this basis the detached garden room complies with Policy SP16 (Design) of the Ryedale Local Plan.

Effect on Neighbours

The two-storey section of the extension extends from the rear of the property to a depth of 4 metres along the boundary with the neighbouring property to the south. The eaves height at this position is 5 metres. As built/proposed this element of the scheme is 0.6 metres longer than the building for which planning permission exists. Whilst the building does result in a large expanse of flank wall against the boundary of the neighbouring property, the increase in its length is not considered to be significantly larger than the building for which permission currently exists. The increase in length would not in itself result in a situation which would lead to an unacceptable overbearing effect or loss of light, over and above that which would be experienced as a result of the approved scheme. It is understood that the occupier of the neighbouring property to the south did not object to the previous/approved scheme although members will be aware that the occupier of the neighbouring property is objecting to the current proposal.

There are four large window openings on the rear of the two-storey extension at first floor level. Due to the orientation of the plot and the neighbouring plot to the south, the rear garden of Isca House is angled behind the application site, in direct view of the first floor windows. The single storey

extension and the neighbouring garage create a slight buffer between the windows and the neighbouring garden, potentially partially obstructing the view from the southern-most window, however it is considered that views into parts of the neighbouring garden to the south will be achieved. It should be noted that the property and the neighbouring property have fenestration on their rear elevations and some inter-visibility between gardens will have historically existed. This existing relationship was a consideration in the determination of the approved scheme and the existing permission includes four windows situated in the rear elevation of the two-storey extension, albeit slightly smaller in size than those currently proposed. While these windows would have been set approximately 0.6 metres further away from the rear garden of the neighbouring property, they would have been constructed with the same orientation and facing the same direction towards the neighbouring garden and a section of that garden used as a patio area.

As a result it is considered that the level of overlooking that will be experienced from what has been built, is not significantly different from what would have been experienced as a result of the scheme for which planning permission already exists. The orientation of the plots is such that views towards the neighbouring garden are limited, and there are no views back towards the rear elevation of the neighbouring property.

The proposed detached garden room building is situated between the existing garage building and the northern boundary of the site, immediately beyond which is an extended neighbouring garage/outbuilding. It is considered that the proposed garden room will have no detrimental impact on the amenity of neighbours, in terms of loss of light, loss of privacy or overbearing effects.

On balance, the proposed scheme is considered to be acceptable in terms of its impact on the amenities of the occupiers of the neighbouring property.

Impact on the York Green Belt

The extension is to the rear of the property. The property occupies a generous plot and whilst the two storey element of the scheme will be visible from some surrounding public vantage points (a public right of way to the rear of the site and glimpsed views from the highway) the development proposed is within the context of existing development and in a relatively discrete location. In this respect, it is not considered to impact on the openness of the York Green Belt and is not in conflict with national policy in this respect.

Development Limits

Several comments have been made relating to the proposed development extending beyond the identified Warthill Development Limits, which runs across the rear garden of the application site, in line with the eastern-most corner of the existing garage building. The Development Limits, as identified by Policy SP1 (General Location of Development and Settlement Hierarchy), are intended to restrict the development of new dwellings or separate buildings. The development proposed in this application consists of an extension to an existing property within the development limits, and a smaller-scale outbuilding and in this respect, there is no conflict with Policy SP1 of the Ryedale Local Plan Strategy.

Other Issues

Concern has been raised relating to the potential for this development to set a precedent for extensions of a similar design and scale within the locality, as well as a precedent for development outside of the development limits. Members are reminded that the Local Planning Authority is required to consider every planning application on its own merits against the policies of the development plan and in the context of all relevant material considerations.

Concern has also been raised about the impact of the proposed development on the value of neighbouring properties. This is not a material planning consideration and is not relevant to the determination of the application.

Concerns have been raised that the development for which permission is sought is comparable to a proposal for which planning permission was previously considered unacceptable and revised as part of the application 13/00351/HOUSE. Initial designs as part of that application were revised to address officer concerns over the roof design and scale of the two storey section. The roof design and proposed length of the extension along the neighbouring boundary (4.9m to 3.9m) were reduced as part of that process.

Members will be aware that the standard of build is a matter for the building control process.

Warthill Parish Council has objected to the proposal. The Parish Council supported the approved scheme. The differences between the approved scheme and the proposed scheme are limited and are outlined in the report.

Conclusion

The development proposed is considered to be acceptable in design terms and in terms of its impact on the occupiers of neighbouring properties. The existing permission is the fall- back position and is a material consideration. The differences between the existing permission and the development proposed are not considered to be so significant as to render the proposed scheme unacceptable. Approval is recommended subject to the following conditions.

RECOMMENDATION: Approval

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

- Site Location Plan (received by the Local Authority on 23/09/2020)
- Proposed Site Layout Plan (dated September 2020) (scanned to file on 15/10/2020).
- Proposed Ground Floor Plan Drawing, (drwg. no. 01, dated august 2020) (received by the Local Authority on 23/09/2020)
- Proposed First Floor Plan drawing, (drwg. no. 02, dated august 2020) (received by the Local Authority on 23/09/2020)
- Proposed Front and Rear Elevation Plans drawing, (drwg. no. 03, dated august 2020) (received by the Local Authority on 23/09/2020)
- Proposed South Elevation drawing, (drwg. no. 04, dated august 2020) (received by the Local Authority on 23/09/2020)
- Proposed North Elevation drawing, (drwg. no. 05, dated august 2020) (received by the Local Authority on 23/09/2020)
- Proposed Garden Office Elevations and Floor Plan drawing, (drwg. no. 06, dated august 2020) (received by the Local Authority on 23/09/2020)

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

2 Prior to the occupation of the development hereby approved by this permission, a Scheme for the provision of surface water drainage works shall be submitted to and approved by the Local Planning Authority in consultation with the Internal Drainage Board. Any such Scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered:

- The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology.
- If soakaways are not feasible, then the Board may consider a proposal to discharge surface

- water to a watercourse (directly or indirectly).
- For the redevelopment of a brownfield site, the applicant should first establish the extent of any existing discharge to that watercourse.
 - Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
 - Discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm).
 - Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
 - A 30% allowance for climate change should be included in all calculations.
 - A range of durations should be used to establish the worst-case scenario.

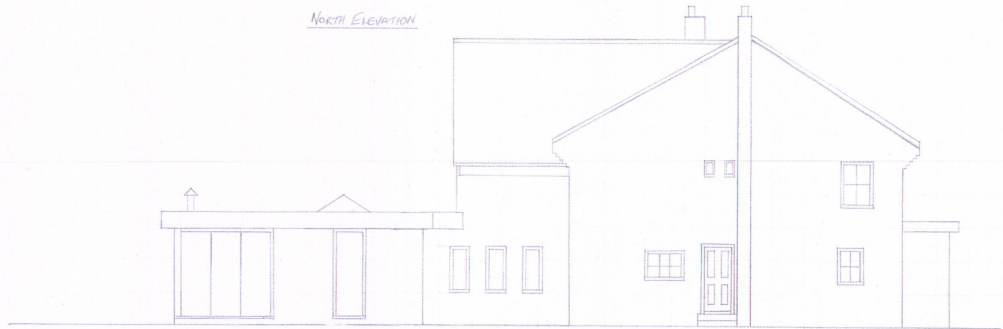
Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.



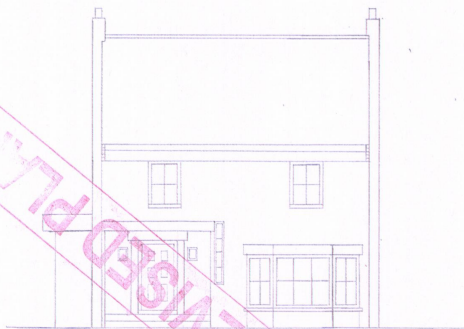
Original Site Plan
May 2013
NTS

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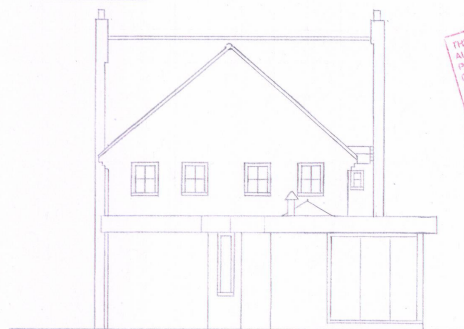
North Elevation



West (Front) Elevation



East Elevation

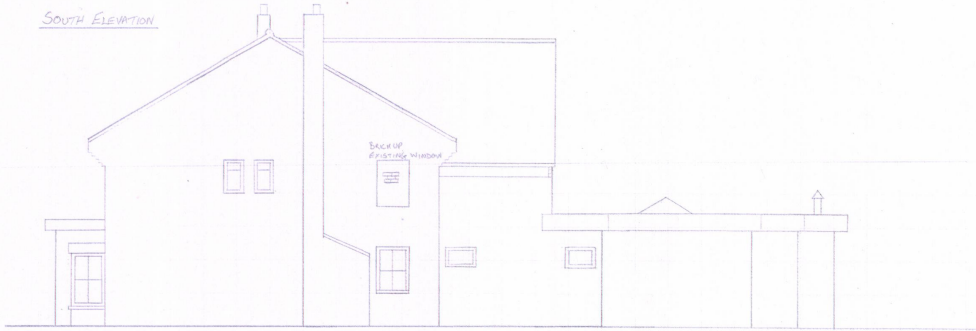


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REVISED PLAN

PROJECT	
PROPOSED EXTENSION (AMENDED) MEADOWSWEET COTTAGE COMMON LANE WICKHAM Y019 5XX	
SCALE	DATE
1:100	APRIL 2013
DRAWN BY	No.
A D	002a

SOUTH ELEVATION

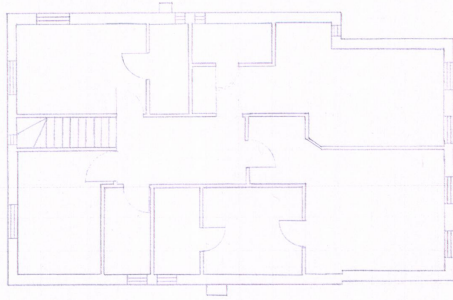


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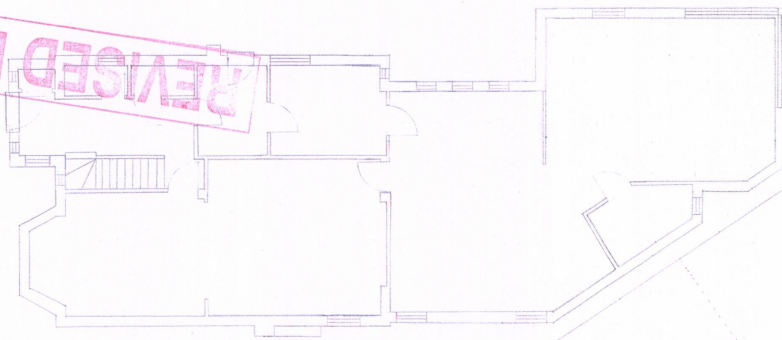
REVISED PLAN

PROJECT	
PROPOSED EXTENSION (AMENDED) MEADOWSWEET COTTAGE COMMON LANE WARTHILL YORKSH	
SCALE	DATE
1:100	APRIL 2013
DRAWN BY	NO.
AD	0030

First Floor Plan



Ground Floor Plan



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PROJECT	
PROPOSED EXTENSION (AMENDED) MEADOWSWEET COTTAGE COMMON LANE WARKHILL YO195XW	
SCALE	DATE
1:100	APRIL 2013
DRAWN BY	NO.
AD	001a



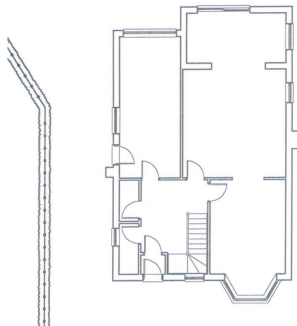
Front Elevation

Side Elevation

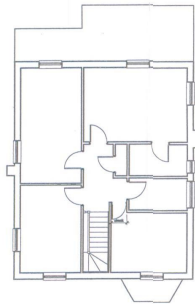
Rear Elevation

Side Elevation

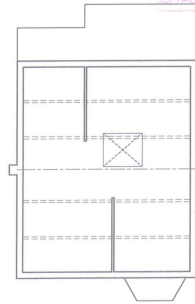
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Ground Floor Plan



First Floor Plan



Loft Plan

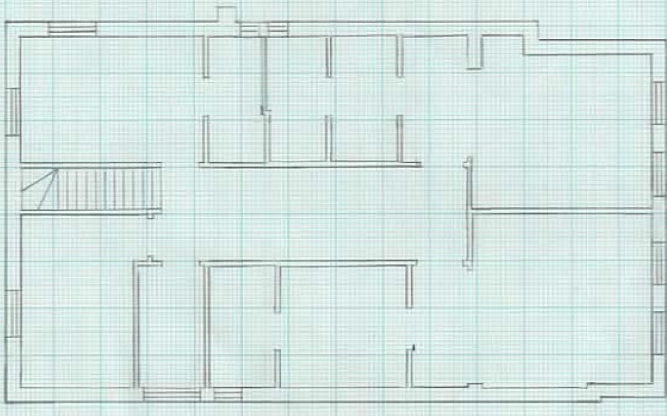
13223511 House
RYEDALE DM
25 MAR 2013
DEVELOPMENT
MANAGER

REV	DATE	DESCRIPTION

PROJECT:	Proposed Extension
OWNER:	Osman Lars
DESIGNER:	Mr & Mrs A. Doughty
DATE:	As Existing
SCALE:	Plans & Elevations
SCALE:	1:150
DATE:	January 2010
PROJECT NO.:	DE8001
SCALE:	MCW

No. 02

FIRST FLOOR PLAN
AUGUST 2020
AS BUILT



No. 03

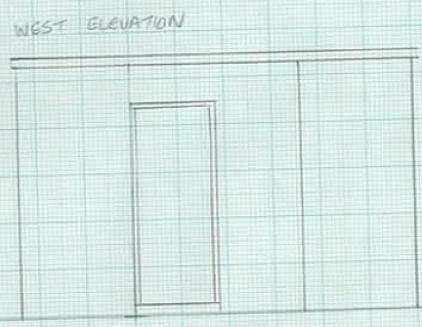
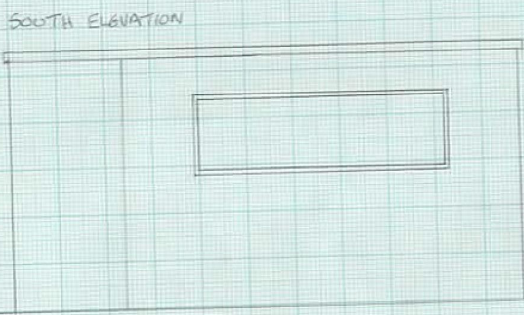
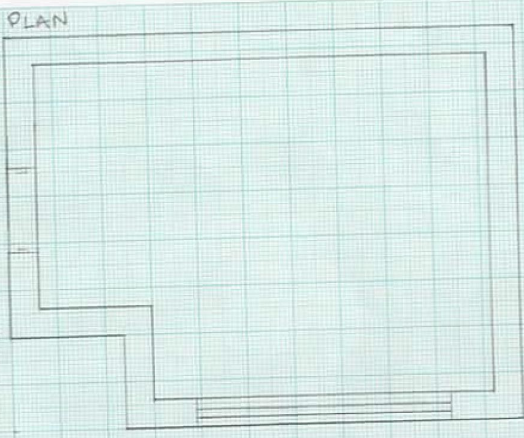
FRONT ELEVATION
AUGUST 2020
AS BUILT

REAR ELEVATION

1m

SKYLIGHTS 1.9m
ABOVE ATTIC
FLOOR LEVEL

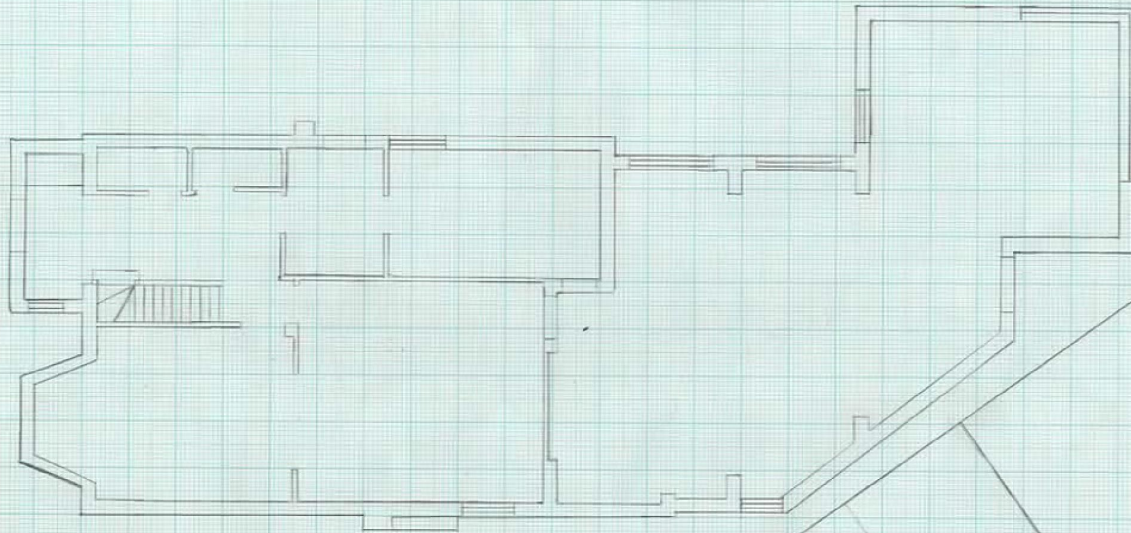




No 01

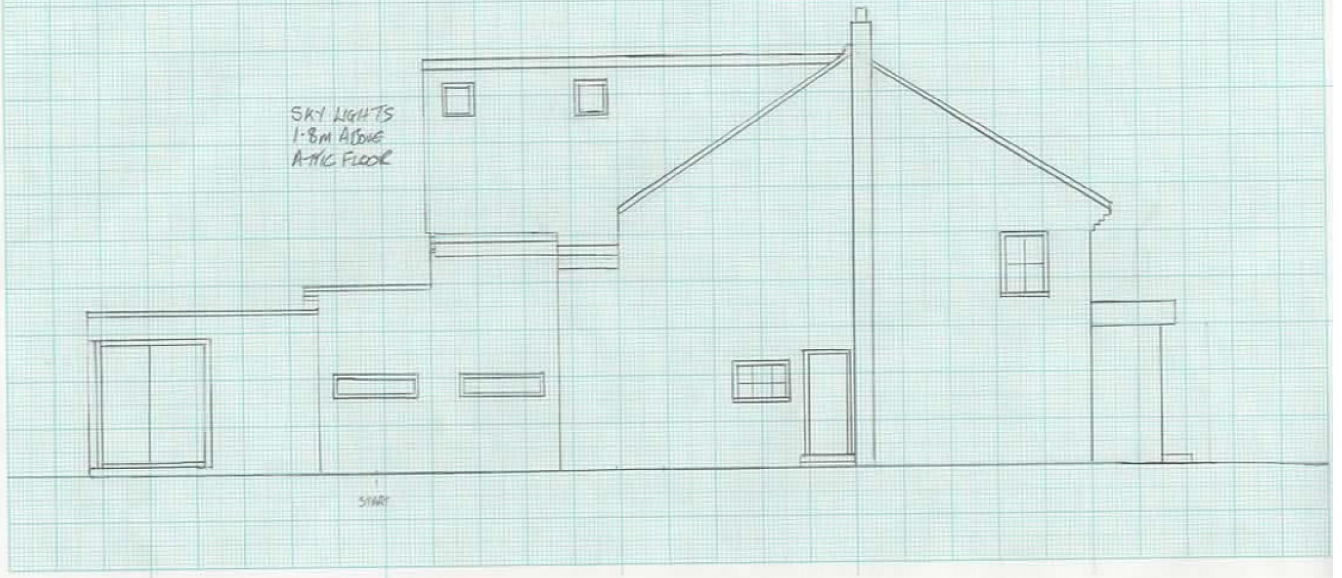
GROUND FLOOR PLAN
AUGUST 2020
AS BUILT

1m



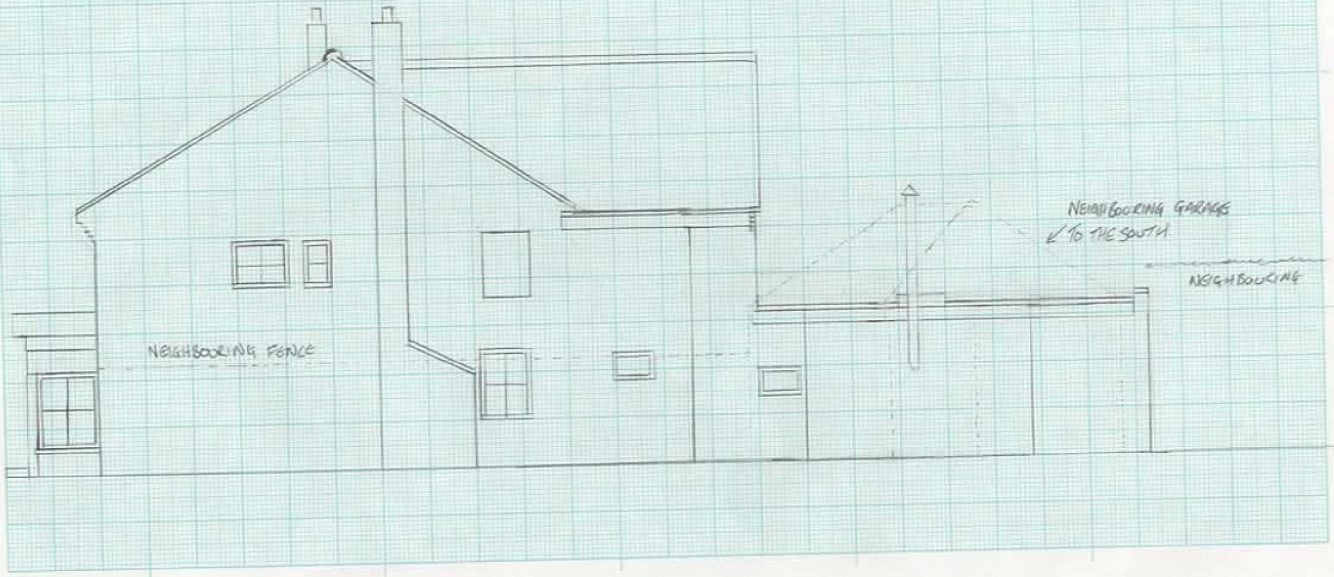
No. 05

NORTH ELEVATION
AUGUST 2020
AS BUILT



No. 04

SOUTH ELEVATION
AUGUST 2020
AS BUILT



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Original Site Plan
May 2013
NTS

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As Built Site Plan
September 2020
NTS

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As Built Site Plan
September 2020
NTS

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Design & Access Statement

for the proposed development at

Meadowsweet Cottage, Common Lane, Warthill, York

March 2013

Introduction

This design and access statement is for a double storey rear extension with a single storey garden room behind that. The provision of a small front porch is also proposed. The existing dwelling is located on the main street of Warthill approximately 4m north of Isca House and over 8m south of Marwood House. The frontage of Meadowsweet Cottage is 3-4m behind the frontage of these two adjacent houses.

Design

The proposal is for the erection of a double storey extension constructed in a mellow brick with a pantile roof to match existing and incorporating a flat GRP mansard section. A single storey garden room in mellow brick with a flat GRP roof, incorporating a double glazed roof lantern would be constructed to the rear of this two storey extension. A small porch would also be introduced around the existing front door.

The proposal would improve the internal living space in line with our family needs and would greatly improve the rear amenity space by introducing clear views of the rear garden from the house.

The construction will use modern insulation technologies and that will significantly improve the energy efficiency of the building. The incorporation of a home office will also deliver environmental benefits.

Layout

The position of the proposed extension is to the rear of the existing property with a lowered ridge line. The porch would be significantly behind the houses at either side.

The extension moves the rear upper floor bedroom windows closer to the boundary with Isca House due to the unusual orientation of the rear gardens. However, the position of the new windows, the position of the Garage at Isca House and the height of the garden room extension mean that the garden of Isca House would not be significantly overlooked. A bedroom window to the south that directly overlooks the rear and patio of Isca House would be bricked up. Additionally, window on the north elevation that currently overlooks Marwood House would be replaced by two smaller opaque windows. Overall the proposed scheme would increase the privacy of the house and gardens at Meadowsweet Cottage, Isca House and Marwood House.

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The furthest point of the extension would not protrude beyond a line between the rear corner of the garage at Meadowseweet Cottage and the rear corner of the garage at Isca House.

Scale

The size of the proposal is considered acceptable in comparison to the overall footprint of the existing building, plot and the neighbouring extensions.

Appearance

The proposed extension would be constructed from a mellow brick with a pantile roof (with GRP mansard section) to match existing with UPVC double glazed units to replace the existing single glazed windows. The garden room to the rear would be fitted with powder coated aluminium double glazed windows. The roof of the garden room would be of flat GRP construction.

Landscaping

The boundary treatments will generally remain unaltered as existing. To improve the existing amenity additional hard and soft landscaping will be undertaken.

Access

The site lies in the middle of the village with access directly from the main street. The existing access would be maintained.

Emergency and other service vehicles can enter the site from the road.

From: Henry Whitten
Date: 08/10/2020 07:12 (GMT+00:00)
To: Karen Hood
Subject: Planning Application No. 20/00848/HOUSE

Dear Karen

Warthill Parish Council has reviewed the application for the 'Erection of a rear two-storey extension with attached single-storey garden room and front porch and increase in height of existing detached garden room (revised details to approval 13/00351/HOUSE dated 13.05.2013)-part retrospective'.

The Parish Council has the following observations:

1. The gabled rear extension on the East elevation, which is partially constructed, appears to have increased in size from the plans approved in planning application ref: 13/00351/HOUSE in respect of both the width of the extension and depth of the extension. We consider this increase in size and scale will cause harm to the amenity of the neighbouring properties.
2. The rear ground floor extension, which is partially constructed, appears to have increased in area from the plans approved in planning application 13/00351/HOUSE. We are concerned that this additional area combined with the additional area on the first floor is not sympathetic to the character of the original dwelling, the plot size, or to the neighbouring properties, and may set a precedent for future development of this scale at neighbouring properties.

For the reasons set out above the Parish Council considers that any development on the site be limited to plans approved in the 2013 planning application (ref 13/00351/HOUSE).

In respect of the new single storey garden office the Parish Council has the following observations:

- a) The planning application appears to imply that the office has been built under permitted development and it only requires an increase in height. If this is the case, and assuming it satisfies the requirements for permitted development, we note that this structure, which is partially constructed, extends beyond the line of the SP1 Development limits into the Green Belt as defined on the Interactive Ryedale Local Plan map on the planning section of the Ryedale website. As stated in the 'The Ryedale Plan – Local Plan Strategy' at page 30, Proposals for development within the Green Belt will be considered against national policy. We would also have concerns that any permission granted beyond this development limit could set a precedent for development at neighbouring properties.
- b) If the entire structure falls within this application then, whilst we would support the application for a garden office, we would not support any projection of the garden office structure beyond the development limits for the reasons noted in the a) above.
- c) We note there is a building attached to the garden office which is not identified on the plans. It is not clear if this building should also fall under this application however if it does the entire structure would appear to be beyond the line of the SP1 Development limits set out in the Ryedale Local Plan Map, and hence in contravention of that plan.

In conclusion, Warthill Parish Council recommends that the extension building works revert back to the dimensions shown in the plans approved by Ryedale District Council in planning application No. 13/00351/HOUSE and that planning application No. 20/00848/HOUSE is refused.

Kind regards

Henry Whitten

Chairman
Warthill Parish Council

Item Number: 11
Application No: 20/00910/73A
Parish: Weaverthorpe Parish Council
Appn. Type: Non Compliance with Conditions
Applicant: Mr Trevor Morris (Scoradale Ltd)
Proposal: Removal of Condition 03 of planning approval 17/00059/FUL dated 14.03.2017 to allow the removal of local needs occupancy condition
Location: Sunday School Cottage Main Road Weaverthorpe Malton North Yorkshire YO17 8EY

Registration Date: 7 October 2020
8/13 Wk Expiry Date: 2 December 2020
Overall Expiry Date: 5 November 2020
Case Officer: Rachael Balmer **Ext:** 43357

CONSULTATIONS:

Weaverthorpe Parish Council Support
Representations: No responses received

1.0 SITE:

1.1 The property known as Sunday School Cottage is a former Methodist chapel. It was subject to a change of use application with extension and alterations to the building and the formation of parking and amenity areas in 2017. It was approved under delegated powers. The Local Needs Occupancy Condition was applied as required by the adopted Development Plan. It was constructed in 2018. It is currently tenanted.

2.0 PROPOSAL:

2.1 A variation of the permission is sought Removal of Condition 03 of planning approval 17/00059/FUL dated 14.03.2017 to allow the removal of local needs occupancy condition LNOC. This would allow the property to be sold without any eligibility criteria.

The agent has advised that:

It went on the market in October 2018 at £185,000 and by November 2018 price was reduced to £180,000.

By March 2019 this had been reduced to £160,000.

With not one viewing.

At March 2019 it was taken off the market- and advertised for rental.

At which point the property was rented in August 2019 to a worker at Velco.

The tenant's lease ends in January 2021 and the applicant would like to market the property again, without the LNOC.

They note the removal of an occupancy condition on another property in the village (East bank Cottage).

The applicant has claimed verbally that the property has remained on the market- and the Case Officer has sought details of this, as the property is not advertised on 'Rightmove' nor is it advertised with Reeds Rains.

Prior to agenda being finalised, the applicant has provided a statement which is appended to the report.

It shows that the applicant was advised by two Estate Agents who both valued the property at £185,000. The first Agent then advised to market the property at £160,000 with the LNOC. The second- did not, and advised they should be marketed for six months incrementally dropping the price. The price reached £160,000 in March 2019, after 6 months on the market. The property then was both marketed for both sale and for rent (the sale period being up to August 2019) - which is potentially 4-6 months depending on timings. With tenants in the property since August 2019.

3.0 HISTORY:

3.1 17/00059/FUL - Change of use, alteration and extension of former Methodist chapel to form a two bed room dwelling to include erection of a single storey extension to the front elevation and formation of a vehicular access with park and amenity areas. - approved.

3.2 No further planning history.

4.0 POLICY:

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of any planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises:

The Ryedale Local Plan Strategy (2013)

The Policies Map (2019)

The Local Plan Sites Document (2019)

The Yorkshire and Humber Plan (Regional Spatial Strategy)- York Green Belt Policies (YH9 and Y1)

(The latter three components are not considered as part of the determination of this proposal)

The Ryedale Plan - Local Plan Strategy (5 September 2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP2 Delivery and Distribution of New Housing

Policy SP21 Occupancy Restrictions

Material Considerations:

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance

5.0 CONSULTATIONS:

5.1 A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view on the public access webpage, and referred to in the report accordingly.

5.2 The Parish Council Support the removal of the condition. Reasons for this are:

- We understand the policy is stop second homes- but we have only one house owned by someone who lives in Sheffield;
- The village needs people to come in from outside the village- helps to bring a mix of people into the village;
- Need to allow younger people from further afield to come into the village- the school will eventually stagnate
- District Council should focus on the delivery of more affordable housing
- Selling properties with the LNOC makes it more difficult which will increase the number of empty properties in the village- with consequential antisocial behaviour.
- Plenty of beds for tourism in the village- so not attractive as a holiday let
- The property is currently occupied by a family from Poland
- Weaverthorpe Parish Council have already raised the subject of the Local Needs Occupancy Condition on several occasions. Most recently we were told it would be reviewed in the next issue of the Local Plan which was scheduled to be out for consultation in late 2019. A document entitled RDC Council Plan has just been issued to us, but we still await the opportunity to input into the subject of the Local Needs Occupancy.

5.2 In terms of other respondents, there has been no responses received.

6.0 APPRAISAL:

6.1 The Parish Council have been issued with the Council Plan- which Members will be aware is a series of objectives that the Council wishes to deliver- these can be around areas of planning policy, but also areas which are not subject of planning control, or are corporate objectives. This planning application is required to be considered within the context of the adopted Development Plan- the Ryedale Plan - Local Plan Strategy.

6.2 This proposal is a very specific requirement, which is to consider whether it is appropriate, and in accordance with the provisions of the Development Plan, to release the property known as Sunday School Cottage from the Local Needs Occupancy Condition. The report explains:

- The reason for the application of the Local Needs Occupancy Condition through Policies SP1, SP2 and SP21; and
- The circumstances around the lifting of such conditions through SP21.

The reason for the application of the Local Needs Occupancy Condition through application of Policies SP1, SP2 and SP21

6.3 Policy SP1- General Location of Development and Settlement Hierarchy- identifies 'other villages', such as Weaverthorpe as being areas of housing restraint, and development is restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities. Accordingly, Policy SP2 sets out the limited scenarios where new residential development will be permitted. This scheme complied with SP2 as it was a previously developed site within the Development Limits of the settlement. It was approved subject to the Local Needs Occupancy Condition which is set out in Policy SP21, and is applied in perpetuity:

Local Needs Occupancy:

To meet local housing need in the non-service villages the occupancy of new market housing will be subject to a local needs occupancy condition where this accords with Policy SP2, and will be limited to people or their dependants/spouse who:

- Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock, or
- Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past

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

6.4 It can apply to both ownership and occupancy, allowing an owner to rent to those who need to rent the property (because they are unable to access the housing market) and who comply with the condition. This is still meeting a local need. The Local Planning Authority have also included further clauses which allow in the default of a mortgage the LONC to be lifted- and this has satisfied the lender in question.

6.5 It is important to understand the context of why the condition is imposed in the first place. Its principal objective is to act as a restrictive check on the supply of housing coming forward in the less sustainable locations at the point of considering proposals- with a corresponding focus on delivery of housing at the Market Towns and Service Villages in the adopted development plan. It is not imposed to deliver affordable housing.

6.6 The Parish Council has sought that the District Council deliver more affordable homes; an objective which the District Council is exploring to its full capacity. But the reality is that affordable housing is primarily delivered on larger schemes in the larger settlements. Only one rural exception site has been delivered so far during the Plan Period. This is since the Government removed the ability to deliver on-site affordable housing on schemes of less than 10 units (unless a rural exception site is proposed).

6.7 The presence of the condition however can make pricing more competitive, and give those with the local connection an advantage over those with more funds, but no such local connection. Anecdotally, in relation to larger, higher value properties subject to the LNOC, whilst being reflective of the market value with the LNOC in place; remain beyond the means of many local residents- particularly those seeking to get onto the housing market. Smaller properties are perceived as being more desirable when they have the LONC in place- as it allows those with a local connection the opportunity to purchase them.

6.8 Smaller properties can also be attractive to those who seek to downsize their accommodation, whilst staying in the village or parish association in which they currently reside. This can then free up larger homes for families to move into. This would be contrary to the concern that was raised by the Parish Council that the LNOC would prevent new families moving into the village.

6.9 It is also important to understand the extent of the issue under consideration. Properties that are subject to the LNOC make up a very small proportion of housing in a settlement. For example, in Weavertorpe there were 133 households in the census in 2011. There have been four approved applications with the LNOC since the adoption of the Ryedale Plan in 2013. They are simply not capable, therefore, of changing the overall housing market in a village. The condition only affects the property to which it relates.

6.10 The Council is not aware of a situation where any property subject to the LNOC has become a target for antisocial behaviour cross the District. It must be remembered that this is not a material planning consideration and such actions are not within planning control.

6.11 The approach of the condition is to therefore also to allow new housing in circumstances to meet identified local needs, and not meeting externally-driven demand (with the corresponding increases in house prices). That is the spatial approach of the adopted Ryedale Plan Local Plan Strategy. However, after the dwelling has been constructed, there can be instances where, in time, the condition is no longer relevant or reasonable to continue to apply.

6.12 It is noted that within the information provided by the applicant, and the Parish Council, the property has been rented by a family originally from outside of the District. However, because of one of

the family members works at Velco, which is a major employer within Weaverthorpe, they satisfy one of the requirements of the Local Needs Occupancy Condition. This is all that is required. The occupiers have a local connection to an established business, and it has provided them with a home locally between August 2019 and January 2021. Therefore, the condition has been (to date) operating entirely as was intended. It is not clear however why the tenancy agreement is due to end in January 2021.

Circumstances around the lifting of Occupancy Conditions in accordance with Policy SP21

6.13 Policy SP21 also sets out the situation where in time, there may come a point where the Local Needs Occupancy Condition (or other condition) cannot reasonably continue to be applied. This is particularly relevant when properties are built, and the Local Planning Authority does not want to prevent the ability of a dwelling to be occupied. It states that:

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

6.14 The other property referenced by the agent, Eastbank Cottage, is such an example of this. It was advertised for over 10 months continually, at a price which reflected the depreciation in value of the LNOC at the point the application was considered. It was considered in that instance that there was no local need present, and that it was not reasonable, given the pricing and marketing that had been undertaken, to continue to impose the condition.

6.15 In relation to this application, based on the submission provided by the agent it is not clear whether the property however was priced to take account of the LNOC in place:

"Reeds Rains valued the property at £185,00. Scoradale Ltd instructed Reeds Rains to sell the property. Tony Hunter, branch manager of Reeds Rains, Haxby did comment that local occupancy clause would limit interest in the property and reduce the chances of the sale, hence this application".

6.16 Officers are aware that, based on valuations undertaken elsewhere, a 15-20% reduction in price is a consequence of the Local Need Occupancy Condition. It is not expressly clear from the originally submitted statement whether the property was valued at £185,000 with a depreciation, or that was its open market value without factoring in any depreciation. Indeed, through the applicant's submission, it is clear that they were presented with a valuation which took the LNOC into account, but did not apply it until much later.

6.17 By way of comparison, the property at East Bank Cottage is three bedrooms, and an overall significantly larger property with a connected, private garden and parking and was marketed at £215,000 for 10 months with a 20% LNOC depreciation factored in. It therefore different in both its attributes as a property, and its marketing profile.

6.18 Within 1 month of the application property going on the market the price was reduced by £5,000, and further reduced by March 2019 to £160,000 in the space of less than six months (a reduction of £25,000 in total). It was then advertised on the market for sale, and also placed for rental. At a 15% reduction from the original £185,000 valuation, the property would be priced at c.£157,000. The property was initially valued by another Estate Agent at £160,000.

6.19 Officers consider that these rather swift price reductions reflect the fact that the property was indeed not marketed initially at a price which took into account the depreciation in value that comes with the LNOC. This resulted in no interest in the property.

6.20 The applicant has claimed verbally that it was marketed for much longer and stated so in their appended statement - but no physical evidence such as details from the Estate Agent have been provided to date. At the most, the property was only marketed for sale for between four and six months at this lower price (depending on when these changes occurred). From the price being dropped in March 2019 to £160,000 there was then a lag time, of potentially as little as 4 months, when the applicant asserts that the property was for sale at the lower price, but the property was then rented by an individual

(and family) who met the LNOC in the August and it was taken off the market.

6.21 The Case Officer has looked at current properties for sale on national property website 'Rightmove' and there is a property currently for sale in Weaverthorpe. It is a semi-detached, two bedroomed dwelling with garden and parking. It is advertised as being in need of updating and improvement and is on the market without occupancy restriction for £129,950 added 20 October 2020 with Cundalls.

6.22 Given anecdotal evidence that property transactions in villages, and rural areas are increasing, as a response to Covid, a figure of £160,000 for a detached property of two bedrooms, recently converted could indeed be a reasonable price- but one that remains to be tested in the market place for reasonable period of time, as required by policy in the adopted development plan.

6.23 Returning to what the policy requires:

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

It is considered that based on the valuation information provided, without any further details, the property has not been marketed for a sufficient period of time to test the market. Nor within that time period, has it been advertised at a sustained price which reflects the presence of the LNOC. It is therefore considered that at this point in time, there is insufficient justification demonstrated to lift the occupancy condition associated with this property.

6.24 The property should be in due course marketed accordingly for a period of c.10 months at its last advertised sale price of £160,000 or less. If that still does not generate a sale, then Officers would then be a position to have robust evidence that the property has been appropriately marketed, without interest, and that then no local need would be demonstrated to be present.

Conclusion

6.25 It is considered that based on the valuation information provided, the property has not been marketed for a sufficient period of time to robustly test the market. Nor within that time period, has it been advertised at a sustained price which reflects the presence of the Local Needs Occupancy Condition (LNOC). It is therefore considered that at this point in time, there is insufficient justification demonstrated to lift the occupancy condition associated with this property. It remains therefore applicable to continue the application of the condition. In relation to Policy SP21g the testing of whether it remains applicable to retain the condition has not be robustly undertaken. There are no material considerations raised by the proposal which would be of sufficient weight to justify a departure from the adopted Development Plan.

RECOMMENDATION: Refusal

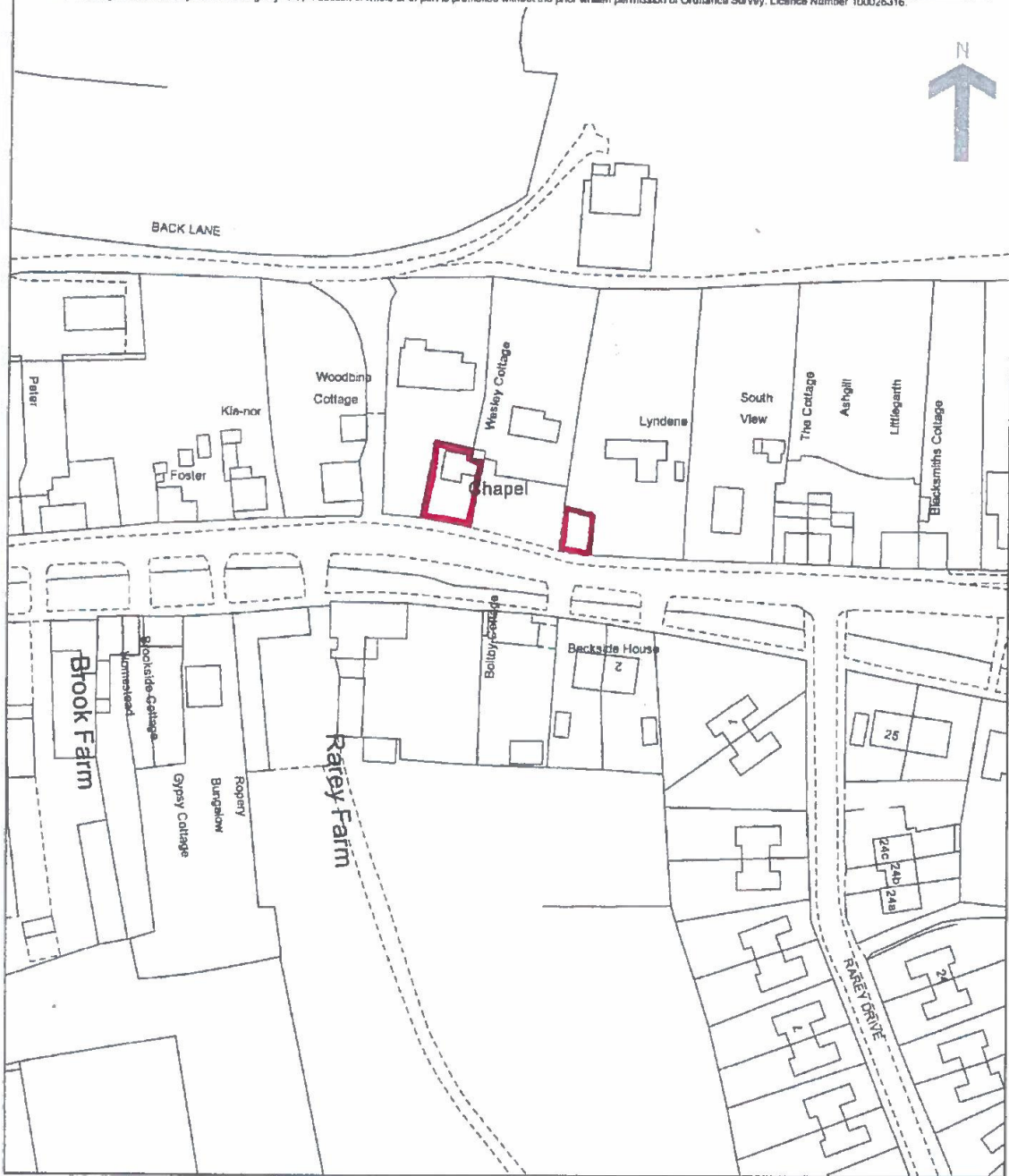
- 1 The property subject of this s.73 application has not been marketed a price which robustly reflects the implications of the Local Needs Occupancy Condition (LNOC). Furthermore, the duration of that marketing has not been for a sufficient, nor recent period of time. The lack of interest in the site is considered to be reflective of both these circumstances and it has not been demonstrated that there is no local need to justify the lifting of the condition. Lifting the LNOC would result in a dwelling being sold on the open market, and no longer capable of specifically meeting an identified local need. As such the proposal results in a development which is a departure from Policies SP1, SP2 and SP21 (parts a and g) of the adopted Ryedale Plan Local Plan Strategy, which is focused on the restraint of market housing in the Other Villages to that which meets an identified local need. There are no material considerations identified which are of sufficient weight to justify a departure from the adopted Development Plan. It is considered within the context of Policy SP21 (g) that it remains applicable for the LNOC to remain in place at this time.

HM Land Registry
Current title plan

Title number NYK373006
Ordnance Survey map reference SE9670NE
Scale 1:1250 enlarged from 1:2500
Administrative area North Yorkshire : Ryedale



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This is a copy of the title plan on 6 MAR 2019 at 10:00:39. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

Kevin Hardcastle

Architectural Consultant

Development Manager
Ryedale District Council
Ryedale House
MALTON
North Yorkshire
YO17 7HH

Ref:KH/TH/TM

21.09.2020

Dear Sirs

**Re: Methodist Church (now known as Sunday School
Cottage), Main Road Weaverthorpe, Malton
Application No: 17/00059/FUL-(Approved)**

My client, Scoradale Ltd, purchased the Methodist Chapel 1st September 2017. They completed the conversion by October 2018. Reeds Rains valued the property at £185,000. Scoradale Ltd instructed Reeds Rains to sell the property. Tony Hunter, branch manager of Reeds Rains Haxby, did comment the the local occupancy clause would limit the interest in the property and reduce the chances of a sale, hence this application.

In November 2018, my client agreed to reduce the price to £180,000. By March 2019, they had reduced to £160,000 with not one viewing, at which they instructed Reeds Rains to take it off the market and advertise for letting. This was no easier and no locals were interested. In August 2019, they rented to a Polish couple, husband working for Vellco, but not a local couple. I understand the reasoning behind Clause SP21 but believe it is detrimental to Weaverthorpe village. My client's tenant's lease ends in January 2021 at which point they would like to market the property again but they feel it would be pointless with the present restrictions.

I note from the planning portal that you have recently removed a similar condition on East Bank Cottage, Main Road, Weaverthorpe, Ref: 20/00402/73 which was supported by the parish council.

I therefore request that the enclosed application be considered and approved, to remove the Policy SP21 for the reasons provided above.

Yours Faithfully

Kevin Hardcastle

Enclosed: 3 copies of all docs
" cheque £234.00 fee

15 Southgate, Hutton Cranswick, Nr Driffield YO25 9QX
Telephone (01377) 271391 Mobile 07940 872576
E-mail: kevhardcastle777@btinternet.com

From: Weaverthorpe Parish Council
Sent: 16 October 2020 07:35
To: Development Management
Subject: Planning application no. 20/00910/73A - Removal of Condition 03 of planning approval 17/00059/FUL dated 4th March 2017

Weaverthorpe Parish Council have considered the above application and have asked me to communicate to you that they agreed to SUPPORT the application for the removal of condition 03, relating to Sunday School Cottage, Weaverthorpe.

The reasons for this decision are as follows: -

We understand the reason is to stop villages becoming full of second homes for city dwellers but this is not the case in Weaverthorpe. We have only one home owned by someone who lives in Sheffield.

If homes are only for sale to those who have a link to the village it will not lead to a mix of residents in the village, which has happened over the last couple of decades because people have moved from elsewhere which helps to create a diverse and supporting community, which the local needs occupancy condition will cease to achieve.

The local needs occupancy condition includes selling to people who have employment in the village. There is no evidence that our local businesses only employ local people.

When properties are for sale, a mix of age groups need to be attracted to the village. The local needs occupancy condition will eventually stagnate our school if non local people are not allowed to purchase properties, as younger people need to see Weaverthorpe as an attractive place to live. This does not always mean young people who have existing links to the village.

We feel that a more important issue for the District Council is to encourage builders who are developing property to create affordable housing.

The increasing use of the local needs occupancy condition which makes marketing the property more difficult will increase the number of empty properties in the village, which increases the risk of vandalism and illegal occupation of the properties. Currently, two properties are standing empty because of the local needs occupancy conditions, this may get worse because the properties will not sell.

There are already plenty of beds for tourism in the village which makes the prospect of the purchase of a holiday home less viable.

This property even having the local needs occupancy condition applied to it, is currently occupied by a family from Poland.

Another property that was developed by an existing resident has the LNO conditions, this will make it difficult to sell once their family has grown up.

Weaverthorpe Parish Council have already raised the subject of the local needs occupancy rule with RDC on a several previous occasions. Most recently we were told that it would be reviewed in the next issue of the Local Plan which was scheduled to be out for consultation towards the end of 2019. A document entitled RDC Council Plan has just been issued to us by the YLCA, but we still await the opportunity to input on the subject of Local Needs Occupancy.

Jeff House Clerk to Weaverthorpe Parish Council

13.11.20

SUNDAY SCHOOL COTTAGE – NOTES ON REMOVAL OF CONDITIONS

On completion of refurbishment, two agents were invited to value and sell.
We chose Reeds Rains.

CUNDALLS - Andrew Wood £160k taking into account LNOC
 £185k without allowance for LNOC

REEDS RAINS - Tony Hunter

October 2018 £185k first on market 6 months – not one viewing

November 2018 £180k
Reducing by £5k per month
March 2019 to £160k not one viewing

NEVER BEEN ONE VIEWING

We then tried to rent. Not one local couple or individual showed any interest.
There just isn't a need.

In August 2019, we rented to Polish couple. The property was still for sale up to that time so it still stood empty at a reduced price for another six months.

So, in total, the property was for sale for 12 months at £25k less than the valuation by Reeds Rains with not one viewing.

Having spoken to Rachael Balmer of RDC, this is their rule of thumb:- The LNOC reduces the value by 15%. 15% OF £185k is £27k. We reduced by £25k so we cannot be accused of asking too much money. So from our evidence the condition applied. Does not work in this particular village. It is also apparent through the lack of children at the local school this is a grave concern to the parish council who have supported a previous application which was approved by yourselves. They also support our application. You have informed our agent you intend to oppose our application which we feel is exactly the same to the previous one passed one hundred yards away. In your opinion you know better than the parish council and the people who live in the village. I am right in assuming you have not had one objection to this application. Surely that tells you a story that everyone agrees what is required in the village. It is not in the best interests of the village.

As a company, it is doubtful that we will speculate on any further property refurbishments carrying this condition in the future.

Item Number: 12
Application No: 20/00946/FUL
Parish: Kirkbymoorside Town Council
Appn. Type: Full Application
Applicant: Mr Sugars and Ms Brackstone
Proposal: Change of use, conversion and alterations to stables to form 1 no. four bedroom dwelling with associated parking and landscaping
Location: Land At OS Field 04201 Village Street Keldholme Kirkbymoorside North Yorkshire

Registration Date: 12 October 2020
8/13 Wk Expiry Date: 7 December 2020
Overall Expiry Date: 6 November 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Kirkbymoorside Town Council No response received
Highways North Yorkshire Recommend conditions

Representations: *Objections (6):* Ms Julie Eveleigh, Mr And Mrs Goodway, Mr And Mrs Hoyland, Mrs WM Wain, Mrs E.R Dineen, Ms Ruth Breakell.

Support (2): Mr and Mrs R Bradley, Mr Ian Smithson.

Neutral (1): Mr William Breakell

BACKGROUND:

The application is to be determined by Planning Committee as one of the applicants is an elected Member of the Council. In addition representations received in response to the consultation exercise have raised objections based on material planning considerations.

SITE:

The site is beyond the Keldhome development limit and therefore within the open countryside and also an Area of High Landscape Value. The application site amounts to approximately 0.11 hectares and comprises the north western corner of a field to the rear of detached dwellings which front the road through the village. The building the subject of this application is fenced off from the field which is currently grazed by sheep.

The building is 'L-shaped' measuring 21.1 metres in length by 11 metres in depth with an external footprint of 157m². The building stands 2.5 metres to the eaves and 5.5 metres to the ridge. The building was completed approximately 14 years ago and was constructed in two parts as a workshop then an adjoining stable block (see planning history). The building is constructed from stone with a pitched pantile roof. There are three stable doors in the front, south facing elevation and a single door in the rear, north facing elevation. There is a single door and window in the east facing side elevation of the workshop and a single door and obscure glazed window in the east facing gable end of the stables. There are four rooflights in the southern roof slope of the stables which serve the upper floor which has been created in the roof.

The residential properties of Springfield and Lytel Garth stand to the west of the building the subject of the application. Highfield House stands to the northwest. The access track off the main road which leads to the building runs between Lytel Garth and Newlands.

HISTORY:

05/01314/FUL- Erection of replacement workshop for domestic use. APPROVED 03.01.2006. Condition 4 requires that the workshop is only used for domestic purposes in association with the dwelling known as Highfield House.

06/00441/FUL- Erection of block of three stables with tack room. APPROVED 08.06.2006. Condition 4 requires that the stables are not used for commercial equine purposes.

PROPOSAL:

Planning permission is sought for the change of use, conversion and alterations to stables to form 1 no. four bedroom dwelling with associated parking and landscaping

There are no proposed changes to the external dimensions of the building and conversion would largely make use of the existing openings in the building. The additional openings would comprise a single window inserted in both the northern and western elevations and bi-folding doors and a single window being formed in the south facing gable end elevation of what is currently the workshop. There would be a black steel flue pipe projecting from the western roof slope of the building.

The ground floor would comprise an entrance hall; an open plan kitchen, dining and living area; a bathroom; and two bedrooms one of which will have direct access to a wet room. The first floor would be accessed from the hallway and would contain two bedrooms one of which would be served by an en-suite.

The site would be enclosed by a post and rail fence and three parking spaces would be provided and a flagged footpath would link the parking area to the proposed dwelling. The supporting documents state that the conversion will use 'as many renewable energy resources as possible', however, no specific details are provided.

The application is accompanied by a supporting statement which states that the conversion to residential accommodation would be for the local needs of the applicants' and their two children. The supporting statement, which is appended to this report, explains the family's local connections to the area and also the specific requirements to create a home suitable for their disabled daughter.

There are letters of support appended to the applicants' statement from Kirkbymoorside Golf Club, Sinnington CPS, the Salvation Army and three individuals who know the family.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

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

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

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

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (PPG)

REPRESENTATIONS:

The LPA has received a total of 6 objections from the occupants of the following properties in Keldhome: Springfield, Lytel Garth, Newlands, Heather Grove, Dove Dale House and Moorcroft. The concerns raised are as follows:-

- The buildings are outside development limits and within an Area of High Landscape Value
- Residential use encroaching onto agricultural land
- The buildings are not redundant, the stables have never been used by horses
- If permission is granted it would set a precedent
- There is new housing on the edge of Kirkbymoorside better suited to a young family
- Three car parking spaces adjacent to hedge of neighbouring property
- Impact on privacy and peace of Lytel Garth
- Loss of privacy and overlooking of rear gardens
- Four bed house with no garage
- The main road is busy and has no footpaths
- Headlights and noise from traffic using shared access road
- Speed of traffic through the village
- Neighbours objections are nothing to do with welcoming or not welcoming new families into the local community
- The building was previously ancillary to Highfield House which has been sold off separately
- The building is used for workshop and storage but under terms of permission can only be used in association with Highfield House.
- The applicants do not own the land and building

The objections that raise concerns in relation to land ownership and private rights of access are not material to the consideration of the application as they are matters beyond planning control.

The two representations submitted in favour of the application support the conversion of a disused building for residential use by a local family and child with a disability.

APPRAISAL:

Principle of development

The Ryedale Plan-Local Plan Strategy 2013 sets out the strategy for the distribution of housing development during the plan period. Policy SP1 (General Location of Development and Settlement Hierarchy) sets out a hierarchy of settlements and seeks to focus new housing within the Principal Towns, Market Towns and Service Villages. The application site is outside of development limits and within the open countryside.

Policy SP1 of the Local Plan Strategy makes it clear that in open countryside locations, development will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities; which can be justified to secure significant improvements to the

environment or conservation of significant heritage assets or, to that which is justified through the neighbourhood planning process.

Paragraph 79 of the NPPF notes that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more specific circumstances apply. The criteria (c) relates to circumstances where ‘the *development would re-use redundant or disused buildings and enhance its immediate setting*’. Similarly, Policy SP2 of the Local Plan Strategy states that a source of new housing in the open countryside is ‘*Conversion of redundant or disused traditional rural buildings and where this would lead to enhancement to the immediate setting for Local Needs Occupancy*’.

In considering the proposal against Policy SP2, it is noted that the proposed change of use relates to a purpose-built outbuilding constructed for ancillary purposes (to serve Highfield House) approximately 14 years ago. The landowner has confirmed that the building is partly in use as a workshop but the stables have not been brought into use for their intended purpose. In light of this it is considered that the building, as a whole, cannot reasonably be described as ‘*redundant or disused*’.

It is substantial outbuilding which, as required by permission ref’s 05/01314/FUL and 06/00441/FUL, has been constructed from traditional materials appropriate to this open countryside setting and Area of High Landscape Value. However, in a departure from the approved plans relating to permission ref. 06/00441/FUL at some stage an upper floor has been formed above the stables and four rooflights inserted within the south facing roof pitch. Whilst those building operations are likely to be immune from enforcement action through the passage of time they do result in a domesticated, non-traditional appearance to a building which was initially permitted as a modest stable block. In light of this it is considered that the building cannot reasonably be described as a ‘*traditional rural building*’.

The proposed change of use relates to modern building constructed from traditional materials but is not regarded as a ‘*redundant or disused traditional rural building*’, as required by Policy SP2. The proposal therefore runs contrary to the development strategy for the area set out in the Development Plan.

The building is not a traditional rural building in need of preservation or at risk without refurbishment or repair and the associated curtilage is likely to result in the encroachment of domestic paraphernalia on the open countryside to the detriment of the visual qualities and landscape character of this Area of High Landscape Value. For this reason the conversion of this building would not result in an ‘*enhancement to the immediate setting*’ which also conflicts with the requirements of Policy SP2.

The personal circumstances of the applicants’ and the requirements of the accommodation are noted. However, planning permission runs with the land and personal circumstances are usually only considered material to the decision making process where they are relevant to an assessment against a specific policy objective, for example local needs occupancy or new residential accommodation in the open countryside for agricultural or forestry workers.

Local Needs Occupancy

The Local Needs Occupancy policy consideration would only apply in this case if the building was deemed to be ‘*a redundant or disused traditional rural building*’ under Policy SP2 which is not considered to be the case for the reasons given above. For completeness the applicant’s circumstances will be assessed against Policy SP21(a), in relation to local needs occupancy, which states: “*To meet local housing need in the non-service villages the occupancy of new market housing will be subject to a local needs occupancy condition where this accords with Policy SP2, and will be limited to people who:*

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

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

The hamlet of Keldholme is within the parish of Kirkbymoorside and the parishes that adjoin Kirkbymoorside are Hutton le Hole, Appleton le Moors, Sinnington, Edstone, Nunnington, Welburn, Nawton, Fadmoor and Gillamoore, In terms of the existing housing stock there is a healthy five year housing supply in the District and new houses are currently under construction in Kirkbymoorside. It is considered that the applicant’s accommodation needs (ground floor bedroom, open plan living, parking and driveway, set back from a main road) could be met by existing housing within the development limits of more sustainable settlements.

Policy SP21(a) sets out the specific circumstances for those who meet local needs occupancy. The applicant’s supporting statement summarises the family’s local connections to the area which is supported by the letters appended to their statement referred to earlier in this report.

However, the application does not contain any evidence that the applicants would meet the abovementioned Local Needs Occupancy requirement set out in Policy SP21(a). The applicants currently live in Pickering, which is not an adjoining parish, and no details are provided to confirm that they have lived in Kirkbymoorside or an adjoining parish for at least three years and have moved away in the last three years. It is noted that one of the applicants works for the Salvation Army in the Kirkbymoorside area but this would not fall within the definition of *‘full-time permanent employment in an already established business’*. With regard to the other circumstances listed in SP21(a) there is no reference in the application to any previous military service or a need to live close to relatives due to age or infirmity.

The supporting statement sets out the applicants’ local connection to the area but the personal circumstances in this case would not satisfy the Local Needs Occupancy requirements set out in Policy SP21(a).

Design, appearance and impact on open countryside and Area of High Landscape Value

In terms of proportions, construction materials and the position, size and treatment of openings it is considered that the existing building is structurally suitable for conversion, exhibits some characteristics of a dwelling and would require relatively limited works to be brought into residential use.

The building is a modern, purpose built outbuilding which has been adapted and altered through the insertion of an upper floor above what was intended to be stables along with four rooflights to provide natural light to this space. The building is a non-traditional hybrid and, arguably, already appears as a dwelling which has been designed to resemble a stable block in part. It is considered that the design of the proposed development would fail to reinforce local distinctiveness and would result in a residential building and associated curtilage and parking areas within a rural landscape which would appear incongruous and result in domestic encroachment upon the open countryside to the detriment of its visual amenity. The development would fail to enhance its immediate setting and would result in harm to the character and appearance of the open countryside and the Area of High Landscape Value in conflict with Policies SP13 (Landscapes), SP16 (Design) and SP20 (Generic Development Management Issues) of the Local Plan Strategy.

Residential Amenity

Policy SP20 seeks to protect the living conditions of present or future occupants, and the users or occupants of neighbouring land and buildings.

It is noted that due to existing boundary treatments and the scale and orientation of the building there would be no direct views or overlooking from the windows of the proposed dwelling towards any

habitable rooms of the adjacent dwellings. Furthermore, the conversion would not result in any overbearing presence or loss of light to any neighbouring properties.

The building was constructed tight to the north-west corner of the field to allow access to and from Highfield House to the north (which it served as an ancillary outbuilding) and as a result is close to the rear boundary of Springfield.

This is a back land plot within a rural area with low ambient background noise levels. The proposed alterations would include the creation of a large glazed opening with folding doors in the south facing gable end of what is currently the workshop. The application site includes land (directly accessible from the folding doors) which is parallel to the private, rear gardens of both Springfield and Lytel Garth.

The concern is that the parking and outdoor amenity areas would be immediate to the rear boundary of those properties and activity in this area could result in noise disturbance that would have a significant adverse impact on the ambience of the area and cause harm to the residential amenities of the occupiers of the two adjacent dwellings to the west contrary to Policy SP20 of the Local Plan Strategy.

There would be increased use of the shared access between Lytel Garth and Newlands as a result of the new dwelling. However, due to the small scale nature of the development, the noise arising from the associated level of vehicular movements would not be harmful to the living conditions of the occupants of those neighbouring residential properties which are side on to the access track and it is relevant to note that the track is also used by agricultural vehicles accessing fields to the east.

Highways impact

The access is constructed to the necessary specification although the highways officer has informed the Case Officer that visibility, especially to the north (right) appears restricted. Nevertheless, the highways officer acknowledges that there are other accesses along this road and the site and buildings have the potential for other activity without recourse to planning, which may in itself involve some element of vehicular traffic. The proposed development is for a single dwelling and the shared agricultural access element is unlikely to be intensive in itself and the highways officer states that, on balance, there are no objections to the application.

If permission is granted the highways officer would require conditions to secure the proposed access and parking to serve the dwelling as shown on the plan and also arrangements for construction parking and materials storage areas clear of the public highway. It is considered that the proposed development would not result in conditions prejudicial to highway safety and complies with the requirements of Policy SP20 in this regard.

Conclusion

It is considered that the application does not involve the conversion of a '*redundant or disused traditional rural building*' and would not lead to an enhancement to the immediate setting for Local Needs Occupancy. The applicants' circumstances would not meet any of the LNO policy requirements. The site is to the rear of existing dwellings and beyond the development limits for the settlement. The change of use of the building and creation of domestic curtilage and a parking area and associated activity in these areas would encroach on the open countryside conflicting with the ambience of the area to the detriment of its visual amenity, the area of high landscape value and the living conditions of the occupants of neighbouring properties immediately to the west. The building is not considered to be conducive to residential use due to its back land position and proximity to the private, rear gardens of Springfield and Lytel Garth.

The limited benefits of adding to the supply and choice of housing in the area are acknowledged, as well as any social, health and well-being benefits that may arise from the development. However, given the existing housing land supply in the District and the small scale of the development, these matters do not outweigh the fundamental conflict with the Development Plan.

In conclusion, the proposed accommodation would not be appropriately located at this site and would

give rise to conflict with the NPPF and the adopted development plan Policies SP1, SP2, SP13, SP16, SP19, SP20 and SP21. There are considered to be no compelling arguments or material considerations of sufficient weight to justify a departure from the adopted Development Plan.

RECOMMENDATION: Refusal

It is considered that the proposed development does not accord with the aims of paragraph 79 (c) of the NPPF and is contrary to the requirements of Policies SP1, SP2, SP13, SP16, SP19, SP20 and SP21(a) of the adopted Ryedale Local Plan Strategy (2013) for the following reasons:-

i. The proposed development site is not a suitable site for a new dwelling and is contrary to the provisions of Policy SP1 (General Location of Development and Settlement Hierarchy) and SP2 (Delivery and Distribution of New Housing) of the Ryedale Plan of the Ryedale Plan - Local Plan Strategy which states that new residential development in the wider open countryside will not be permitted unless exceptional factors apply. The proposal is not considered to form the conversion of a 'redundant or disused traditional rural building', nor would this proposed conversion lead to 'an enhancement to the immediate setting', for Local Needs Occupancy.

ii. The applicants' personal circumstances in this case would not satisfy the Local Needs Occupancy requirements contrary to Policy SP21(a) (Occupancy Restrictions). In addition, Policy SP21 requires justification for the requirement of new market housing, specifically how the proposed accommodation cannot be met from the existing housing stock. No convincing justification for the requirement of a Local Needs Occupancy dwelling has been provided in this instance.

iii. The design of the proposed development would fail to reinforce local distinctiveness and would result in a residential building and associated curtilage within a rural landscape which would appear incongruous and result in domestic encroachment upon the open countryside to the detriment of its visual amenity. The development would fail to enhance its immediate setting and would result in harm to the character and appearance of the open countryside and the Area of High Landscape Value in conflict with Policies SP13 (Landscapes), SP16 (Design) and SP20 (Generic Development Management Issues) of the Local Plan Strategy.

iv. The proposed development site occupies a back land position within a quiet rural area with low ambient background noise levels. The parking and outdoor amenity areas would be immediately to the rear boundary of two adjacent dwellings and activity in this area would be likely to result in additional noise disturbance that would have a significant adverse impact on the prevailing quiet rural character of the area and harm to the residential amenities of the occupiers of the properties Springfield and Lytel Garth. This would be contrary to Policy SP20 of the Local Plan Strategy.

There are no material considerations to outweigh the relevant policies outlined above contained within the Plan that justify a departure from the adopted Development Plan in this case.

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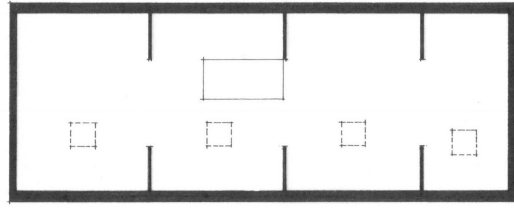


**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 471020, 486205**

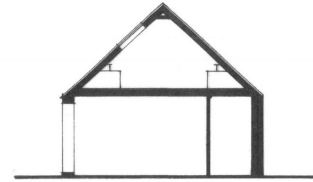


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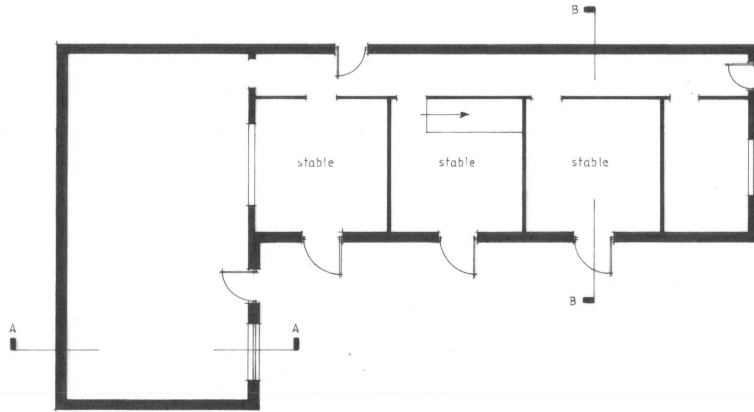
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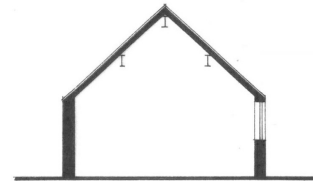
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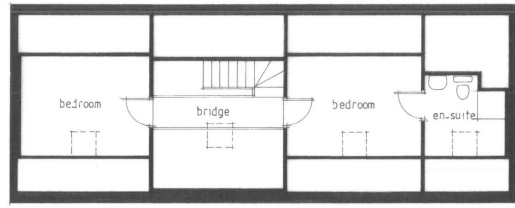
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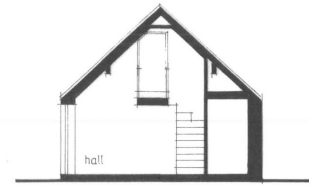
Architectural Designers • Peter Rayment • Richard Waller

title:	survey floor plans & sections	diag No:	2011-201
project:	conversion of stables to dwelling Kraig Lane, Keldholme.	scale:	1:100 @ A3
client:	J Sugars & C Brackstone	date:	08 09 20

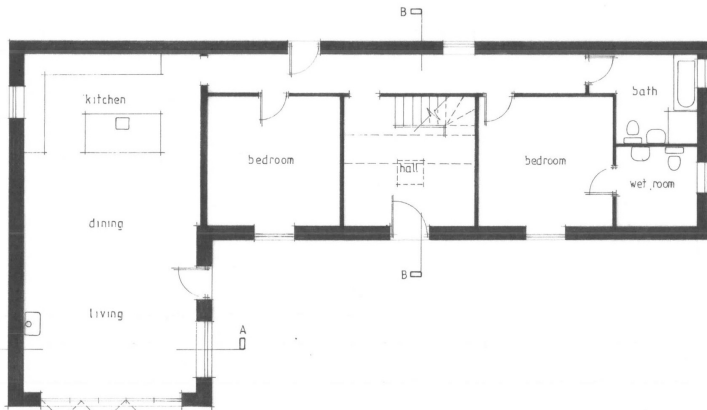
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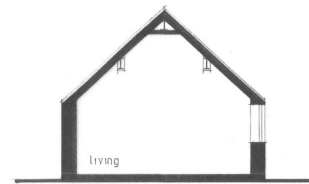
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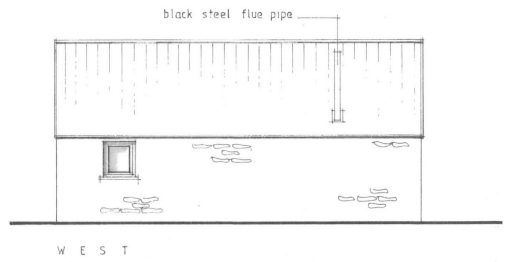
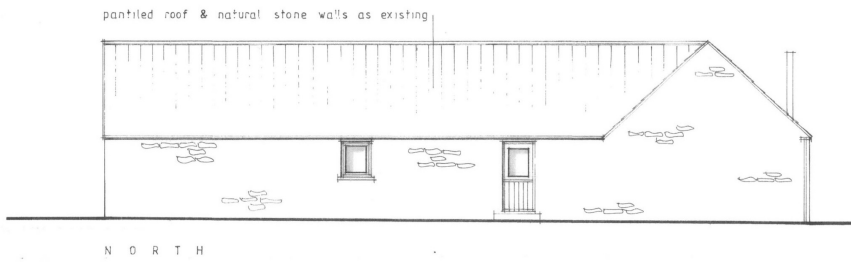
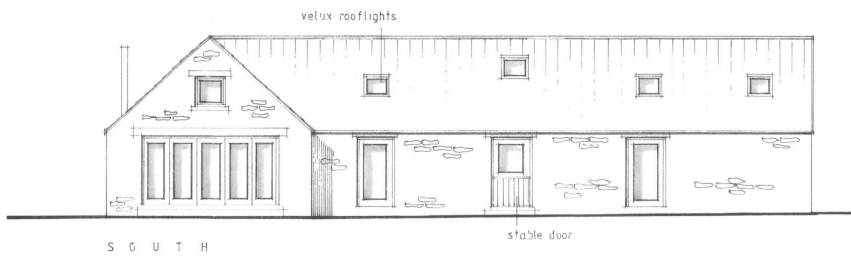
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title:	proposed floor plans & sections	doc No:	2011-401
project:	conversion of stables to dwelling Kraig Lane, Keldholme.	scale:	1:100 @ A3
client:	J Sugars & C Brackstone	date:	22 09 20

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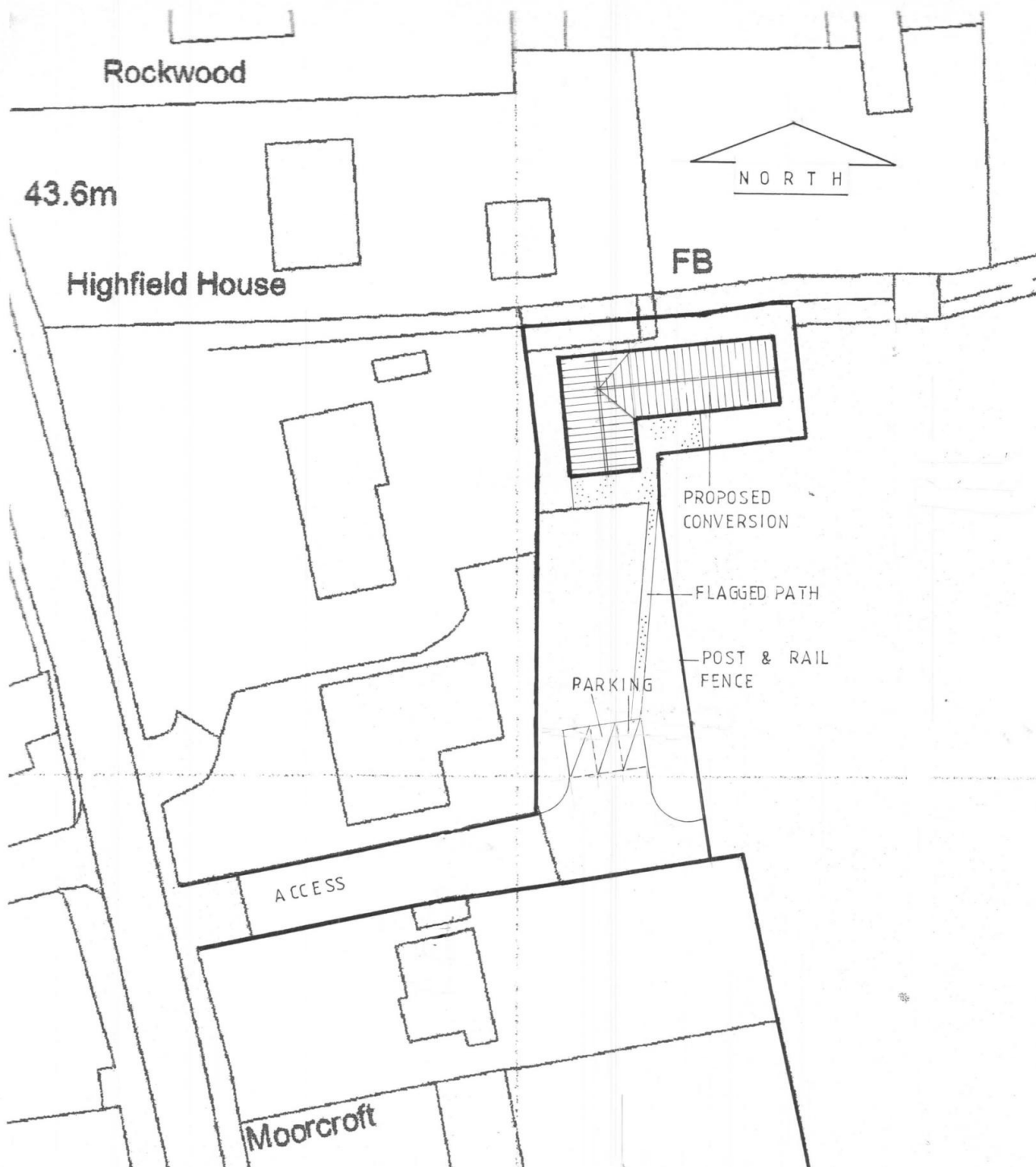


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title:	proposed elevations	desig No:	2011-402	pp:
project:	conversion of stables to dwelling Kraig Lane, Keldholme.	scale:	1:100 @ A3	
client:	J Sugars & C Brackstone	date:	22 09 20	

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PETER RAYMENT *design*

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title: proposed site plan
 project: conversion of stables to dwelling
 Kraig Lane, Keldholme.
 client: J Sugars & C Brackstone

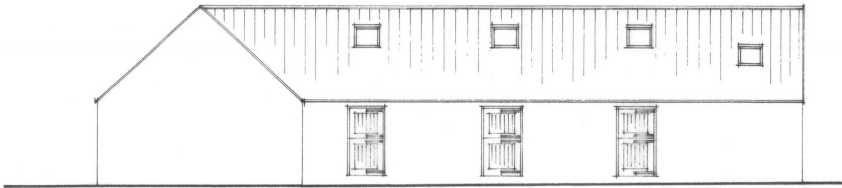
dwg No: 2011-403
 scale: 1:500 @ A4
 date: 22 09 20

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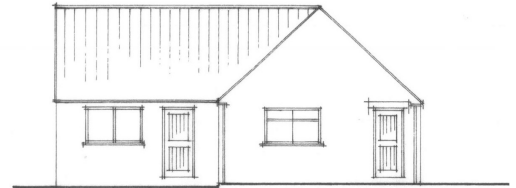
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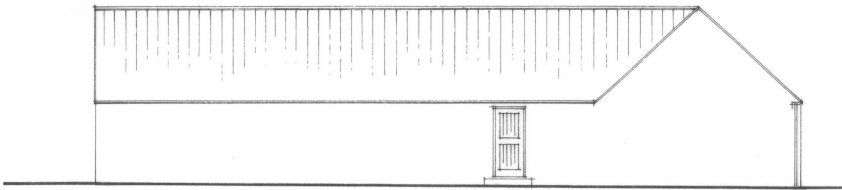
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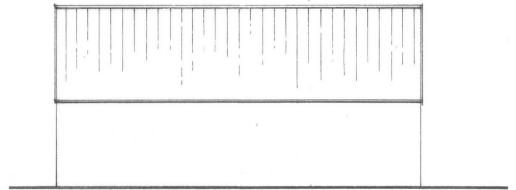
S O U T H



E A S T



N O R T H



W E S T

PETER RAYMENTdesign

Architectural Designers • Peter Rayment • Richard Waller

title:	survey elevations	draw No:	2011-202
project:	conversion of stables to dwelling Kraig Lane, Keldholme.	scale:	1:100 @ A3
client:	J Sugars & C Brackstone	date:	08 09 20

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TITLE Design Statement
PROJECT Proposed conversion of existing stable to dwelling at Kraig Lane, Keldholme.
CUSTOMER J Sugars & C Brackstone

VERSION 1.0 **DATE** 22 09 2020 **DRAWING NO's** 2011-201
2011-202
2011-401
2011-402
2011-403

OVERVIEW

The subject building is an existing traditional stone and pantiled structure constructed as a range of stables with tack room and storage. The site is located adjacent to the east of Keldholme Village in an area designated as being of high landscape value.

We are proposing the conversion of this building to residential accommodation for local needs occupation by John Sugars and Carrie Brackstone and their two children.

The conversion can be undertaken without any changes to the shape or form of the building and with minimal alterations to the fenestration.

IMAGE



Existing building viewed from the south east and showing the traditional materials and proportions of the structure.

DESIGN

The design of the proposed conversion retains the equestrian nature of the existing building. Doors and window frames will be in stained or dark painted timber and most of the existing openings will be utilised. Significant additional openings are confined to the south facing gable where a large glazed opening will be created with a glazed forking door over.

PLANNING POLICY

The proposals have been carefully considered to accord with current planning policies, in particular SP2 (conversion of redundant rural buildings) SP13 (protecting landscapes – area of high landscape value) and SP21 (local needs occupancy) of the Ryedale Local Plan Strategy.

It is intended that the resultant dwelling will be occupied by persons who comply with the criteria of SP21 (local needs occupancy)

In assessment of impact, the proposed works will have a positive impact on the locality and will make good use of the existing redundant stable buildings whilst minimising the impact on the environment through a sympathetic and appropriate development.

LOCAL NEEDS COMPLIANCE

John Sugars has lived in Rosedale and Pickering since birth (43 years) He has been employed in Kirkbymoorside and surrounding parishes for eight years as a charity collector for The Salvation Army. In addition John has a long standing association with Kirkbymoorside Golf Club as detailed in the appended letter and including a period of employment from 2008 to 2011.

In addition to the above John & Carrie's daughter, Ruby attends Sinnington School where she is happy and settled. The following explanation of Ruby's circumstances will demonstrate the relevance of this.

SPECIAL CIRCUMSTANCES

The driving force behind this proposal is the urgent requirement for John & Carrie to provide a home suitable for their daughter Ruby.

Ruby is presently 5 years of age and received her diagnosis of Cohens Syndrome at 2.5 years. Cohens is a very rare genetic syndrome. There are less than 1000 cases diagnosed worldwide. As a result of her syndrome, Ruby suffers from:

Microcephaly (a small head and brain)

Hypermobility/Joint laxity (compromising her mobility)

Hypotonia (low muscle tone, compromising both gross motor and fine motor skills)

Intellectual Disability (she has a development age of roughly 18 months)

Global Development Delay (delay in all areas – social, emotional, communication, motor)

Neutropenia (making her extremely vulnerable to infections)

Retinol Dystrophy (her sight is gradually deteriorating and she will be registered blind in her mid-teens)

Her secondary diagnosis would be AUTISM. She is non-verbal and has poor sensory-processing.

Ruby is on the extremely vulnerable register for Covid-19 and as a result of this, has been shielding for most of this year. In the past, Ruby has been hospitalised several times; a cold often results in respiratory problems and her developing pneumonia.

Ruby receives HIGH mobility Disability Living Allowance and HIGH for care Disability Living Allowance. She has NHS input from physiotherapy, occupational therapy and Speech and Language Therapy.

Ruby only learned to walk aged 4 after intensive therapy. She is still very unsteady on her feet due to her muscle tone and hypermobility. She trips and falls approximately 80 to 100 times a day and can not walk further than 50-100 metres holding hands. For any travelling outside of the household, she uses a wheelchair.

Ruby suffers from Retinol Dystrophy which affects her sight and her mobility. She is under Moorfields Hospital in London and wears glasses. Her condition affects her 3D perception making going up and down stairs very difficult for her. Most children with Cohens never learn to use stairs. Currently, the family carry Ruby up and downstairs to the toilet and bedroom several times a day. She also needs to be lifted in and out of the bath and car.

Ruby is non-verbal and has poor sensory-processing. She is frightened by loud noises and will go into panic mode when faced with anything unknown, in particular loud noises. Ruby has no concept of danger and can not be left in a room unsupervised for fear of injuring herself and in particular putting objects in her mouth. She needs a safe, quiet place to feel settled and regulated emotionally.

Ruby currently attends Sinnington Primary and has attended their nursery since she was 2/3 years old and is part of the school family. Ruby is graded band 7 on her EHCP and would qualify for a place in special school but the family want to keep her amongst her community and peers for as long as possible. Ruby will never achieve independent living; her geneticist said it was unlikely that she will ever be able to make a cup of tea.

As a family, Carrie and John are desperate for a safe space for Ruby; an open-plan living area with plenty of light (due to her degenerating sight) where she can be supervised constantly and still interact as a part of the family. A home on one-level with an even surface would result in less falls for Ruby but also less physical lifting for her parents. It would also be of huge benefit for them to have a safe drive-space away from a main road where Ruby could be loaded into her car with her wheelchair. With ground floor accommodation being a premium in this area, they would struggle to obtain somewhere with the space that Ruby needs at a price that they could afford and then make suitable adaptations on top of that. It is really imperative to find Ruby a home that she can become familiar with before her sight deteriorates further. With that in mind, they would develop this property for Ruby to be her 'forever home', using as many renewable energy resources as possible, to keep energy use down and the impact on the environment to a minimum.

APPENDIX- LETTERS

Sinnington Community Primary School.

The Salvation Army.

Kirkbymoorside Golf Club.

Nick Turner.

Martin Foster.

Jane Pinkney.

Agenda Item 14

RYEDALE DISTRICT COUNCIL

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

1.

Application No: 20/00459/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Mark McCalmont (NC Developments Ltd)
Location: West View House Potter Hill Pickering North Yorkshire YO18 8AF
Proposal: Subdivision, alteration and extension of an existing four bedroom dwelling to form 2no. two bedroom dwellings to include erection of a part first floor/part two storey extension to the north elevation of dwelling No.2, alterations to fenestration, erection of close boarded timber fences with timber personal entrance gates with brick piers, boundary railings, reduction in height of existing stone wall, removal of existing detached store and parking area canopy and provision of amenity and parking areas

2.

Application No: 20/00460/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Mark McCalmont (NC Developments Ltd)
Location: West View House Potter Hill Pickering North Yorkshire YO18 8AF
Proposal: External and internal alterations to allow the subdivision, alteration and extension of an existing four bedroom dwelling to form 2no. two bedroom dwellings to include erection of a part first floor/part two storey extension to the north elevation of dwelling No.2, alterations to fenestration including 4no. conservation rooflights, formation of new stairs to each dwelling with removal of existing stairs, relocate existing chimney internally and externally, erection of close boarded timber fences with timber personal entrance gates with brick piers, boundary railings, reduction in height of existing stone wall and removal of existing detached store and parking area canopy

3.

Application No: 20/00471/FUL **Decision: Approval**
Parish: Heslerton Parish Council
Applicant: Mr Stephen Murphy (Murphy Utilities)
Location: Boothby's Garage Five Acres Scarborough Road East Heslerton Malton North Yorkshire YO17 8RW
Proposal: Demolition of existing plant and equipment storage/workshop with associated office (Use Classes B1, B2 and B8) and erection of a replacement two storey commercial building for use as offices(Use Class B1(a)), light industrial use (Use Class B1(c)) and storage (Use Class B8) with retention of adjacent single storey building for storage (Use Class B8) together with parking and occasional plant machinery outside storage

4.

Application No: 20/00472/ADV **Decision: Approval**
Parish: Heslerton Parish Council
Applicant: Mr Stephen Murphy (Murphy Utilities)
Location: Boothby's Garage Five Acres Scarborough Road East Heslerton Malton North Yorkshire YO17 8RW
Proposal: Display of 2no. externally illuminated wall mounted stainless steel and powder coated individual letter business name signs and logos to the south (front) elevation

5.

Application No: 20/00596/FUL **Decision: Refusal**
Parish: Luttons Parish Council
Applicant: Mr and Mrs Driver
Location: Land West Of Long Hill Helperthorpe Malton North Yorkshire
Proposal: Erection of agricultural building adjacent to the existing hardstanding following removal of existing temporary structures

6.

Application No: 20/00684/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr & Mrs E Hull
Location: 1 Park Cottages Strensall To Sheriff Hutton Road Sheriff Hutton YO60 6QH
Proposal: Erection of part single-storey, part-two storey extension to west elevation, together with erection of attached double garage building following the removal of existing garage, store and lobby

7.

Application No: 20/00776/TPO **Decision: Approval**
Parish: Weaverthorpe Parish Council
Applicant: Mr Andrew Peters
Location: Ash Tree House Main Road Weaverthorpe Malton North Yorkshire YO17 8EX
Proposal: Common Ash - targeted crown reduction to 4no. limbs by a maximum of 2 metres, crown lift to maximum of 3 metres and crown thin by 5 - 10 % of TPO 284/2002

8.

Application No: 20/00791/LBC **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr Tim Bradford
Location: Rowan Tree Cottage 18 High Market Place Kirkbymoorside North Yorkshire YO62 6BQ
Proposal: Erection of rear open sided entrance porch

9.

Application No: 20/00797/HOUSE **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: Mr and Mrs Bertucci
Location: Martins Cottage High Street Hovingham YO62 4LA
Proposal: Erection of a single storey front extension

10.

Application No: 20/00822/HOUSE **Decision: Approval**
Parish: Appleton-le-Street Parish Meeting
Applicant: Mr Matthew Truman
Location: Appleton House Main Street Appleton Le Street Malton YO17 6PG
Proposal: Alterations and extensions to dwelling to include the erection of two storey garden room and stair hall extension, single storey kitchen extension, single storey games room and gym extension, erection of garage block with first floor office and erection of single storey stores adjacent to the existing timber framed garage and wood store

11.

Application No: 20/00824/ADV **Decision: Approval**
Parish: Malton Town Council
Applicant: Mrs Clara Challoner Walker (Cosy Cottage Retail Malton Ltd)
Location: 13 Market Place Malton North Yorkshire YO17 7LP

Proposal: Display of 1no. non illuminated fascia sign and 1no. non illuminated projecting hanging sign

12.

Application No: 20/00841/HOUSE **Decision: Approval**

Parish: Sheriff Hutton Parish Council

Applicant: Mr & Mrs Nelson

Location: 7 The Croft Sheriff Hutton YO60 6SQ

Proposal: Rendering of all elevations including the proposed extension approved under 20/00254/HOUSE dated 27.05.2020

13.

Application No: 20/00842/FUL **Decision: Approval**

Parish: Ebberston Parish Council

Applicant: Mr John Hinchcliffe

Location: Snainton Golf Centre Ebberston Scarborough North Yorkshire YO13 9PG

Proposal: Erection of steel framed storage building

14.

Application No: 20/00844/FUL **Decision: Approval**

Parish: Pickering Town Council

Applicant: Saint Gobain Building Distribution

Location: Jewson Ltd Vivis Lane Pickering YO18 8DL

Proposal: Installation of replacement external vertical cladding and reroofing of all buildings

15.

Application No: 20/00846/HOUSE **Decision: Approval**

Parish: Malton Town Council

Applicant: Mr P Richardson

Location: 25 Ryngwoode Drive Malton YO17 7FH

Proposal: Erection of single storey rear extension

16.

Application No: 20/00847/LBC **Decision: Approval**

Parish: Malton Town Council

Applicant: Paul Holland

Location: 10 Old Maltongate Malton YO17 7EG

Proposal: Installation of replacement front door with associated repair works to door frame

17.

Application No: 20/00850/HOUSE **Decision: Approval**

Parish: Heslerton Parish Council

Applicant: Mr & Mrs P Wright

Location: The Cottage Church Lane East Heslerton Malton North Yorkshire YO17 8RN

Proposal: Erection of single storey side extension to form garage

18.

Application No: 20/00851/FUL **Decision: Approval**

Parish: Staxton/Willerby Parish Council

Applicant: Mr Bradley (Willerby Wold Piggeries Ltd)

Location: Willerby Wold Pig Farm Windle Beck To Old Malton Road Staxton Scarborough YO12 4SN

Proposal: Erection of a rain water harvesting tank

- 19.**
Application No: 20/00852/HOUSE **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr J Gray
Location: 16 Hugden Close Pickering North Yorkshire YO18 7ES
Proposal: Erection of a part two storey/part single storey side extension including garage and formation of vehicular access onto Outgang Lane with timber entrance gates and posts (maximum height 2 metres)
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- 20.**
Application No: 20/00853/CLEUD **Decision: Approval**
Parish: Burythorpe Parish Council
Applicant: Mr Anthony Sowerby
Location: Manor Farm House Eddlethorpe North Yorkshire YO17 9QT
Proposal: Certificate of Lawfulness in respect of the works to install the 201 kW biomass boiler and external feed bin and flues subject of this application outside and within the building as shown in red on the submitted site location plan were substantially completed more than four years before the date of this application
-
- 21.**
Application No: 20/00854/73 **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr & Mrs Wright
Location: Black Bull Caravan Park Malton Road Pickering YO18 8EA
Proposal: Variation of Condition 01 of approval of 14/01394/73A dated 30.01.2015 that previously amended Condition 02 of approval 3/102/349H dated 05.09.1983 - to allow all year round opening of the caravan site within the red lined area as indicated on the submitted drawing 1:2500 scale Location Plan EX10-01
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- 22.**
Application No: 20/00868/73 **Decision: Approval**
Parish: Norton Town Council
Applicant: Mrs Catherine Simkins (Tilly's Tail Dog Grooming)
Location: 22 Camellia Close Norton Malton North Yorkshire YO17 8FE
Proposal: Removal of condition 01 of planning approval 19/00340/FUL dated 30.05.2019 to allow the permanent use of the building as a dog grooming parlour
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- 23.**
Application No: 20/00899/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Simon Roberts (The Kingthorpe Pension Fund)
Location: Jacksons Yard Showfield Lane Malton YO17 6BT
Proposal: Erection of a steel framed building forming 4no. industrial units (Use Class E) with associated parking
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- 24.**
Application No: 20/00919/73 **Decision: Approval**
Parish: Flaxton Parish Council
Applicant: Jeanette Sutton
Location: Elm Tree Cottage Main Street Flaxton Malton YO60 7RJ
Proposal: Removal of condition 17 of planning approval 15/00363/FUL dated 19.02.2016 to allow the removal of local needs occupancy condition
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Application No: 20/00921/FUL **Decision: Approval**
Parish: Aislaby Parish Council
Applicant: S & L Stephenson
Location: Ryehills Marton Lane Pickering North Yorkshire YO18 8LW
Proposal: Erection of general purpose agricultural building for the storage of farm produce, machinery and the housing of livestock

26.

Application No: 20/00936/FUL **Decision: Approval**
Parish: Staxton/Willerby Parish Council
Applicant: Mr And Mrs White
Location: Willerby Grange Farm Wains Lane Staxton Scarborough YO12 4SH
Proposal: Erection of extension to existing agricultural building to include a roof canopy
