



## PLANNING COMMITTEE

Tuesday 20 December 2022 at 6.00 pm

Council Chamber, Ryedale House, Malton

**IMPORTANT:** This meeting is being held as an in-person meeting and in public. In view of the ongoing COVID-19 pandemic, Ryedale District Council will continue to operate in accordance with Government guidelines.

Please try to stay at home if you are unwell, take a test if you have COVID-19 symptoms, and stay at home and avoid contact with other people if you test positive.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to: (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on the filming and recording of Ryedale District Council meeting, a copy of which is available on request or at [ryedale.gov.uk](http://ryedale.gov.uk). Anyone wishing to record must contact Democratic Services using the details above, three days prior to the meeting. Any recording must be conducted openly and not in secret.

Please note that proceedings at this meeting will be filmed for subsequent broadcast via the Council's website. If you choose to attend, you will be deemed to have consented to being recorded and/or filmed and to the use of those images and sound recordings on the broadcast.

### Agenda

**1 Emergency Evacuation Procedure**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

**2 Apologies For Absence**

**3 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.

- 4 **Minutes** (Pages 3 - 7)
- 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 8 - 10)
- 7 **21/01530/MFUL - Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire** (Pages 11 - 72)
- 8 **22/00933/HOUSE - Cherry Garth Page Lane Wombledon Kirkbymoorside North Yorkshire** (Pages 73 - 115)
- 9 **22/00851/MFUL - Wolds Way Caravan And Camping West Farm Knapton Wold Road West Knapton Malton North Yorkshire** (Pages 116 - 140)
- 10 **22/00950/MFUL - Spring Willows Caravan Park Staxton Scarborough North Yorkshire** (Pages 141 - 171)
- 11 **22/01070/MFUL - Normanby Manor Whitecarr Lane To Wandale Lane Riseborough Pickering North Yorkshire** (Pages 172 - 190)
- 12 **22/01133/MREM - Land North Of Outgang Lane Pickering North Yorkshire** (Pages 191 - 199)
- 13 **22/01052/73 - Claxton Grange Malton Road Claxton Malton North Yorkshire** (Pages 200 - 218)
- 14 **22/01080/FUL - The Limes 33 Undercliffe Pickering North Yorkshire** (Pages 219 - 230)
- 15 **22/01117/HOUSE - The Oaks 110 Outgang Road Pickering North Yorkshire** (Pages 231 - 240)
- 16 **22/01195/HOUSE - 1 Russett Road Malton North Yorkshire** (Pages 241 - 251)
- 17 **Any other business**
- 18 **List of Applications determined under delegated Powers** (Pages 252 - 258)



## Planning Committee

---

Held at Council Chamber, Ryedale House, Malton  
Tuesday 22 November 2022

### Present

---

Councillors Paul Andrews, Arnold (Substitute), Cleary (Vice-Chair), Goodrick, Mason, Potter (Chair) and Thackray

Substitutes: Councillor S Arnold

### In Attendance

---

Catherine Ashton, Niamh Bonner, Alan Goforth, Hayley Hunter, Alpha Love-Koh, Ellie Thompson and Jill Thompson

### Minutes

---

91 **Emergency Evacuation Procedure**

92 **Apologies for absence**

Apologies were received from Councillors Hope, MacKenzie and Windress. Councillor Arnold substituted for Councillor Windress. No substitutes were received for Councillors Hope and MacKenzie.

93 **Declarations of Interest**

No Declarations of Interest were received.

94 **Minutes**

**Decision**

That the Minutes of the Planning Committee held on 25<sup>th</sup> October 2022 be approved and signed as a correct record.

Voting Record  
5 For  
0 Against  
1 Abstention

95 **Urgent Business**

There was no urgent business.

96 **Schedule of Items to be determined by the Committee**

The Service Manager Planning and Development submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

Councillor Mason joined the meeting at 18:05

97 **22/00864/FUL- Staxton Methodist Church, Main Street, Staxton, Scarborough, North Yorkshire**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended with an amendment to change the additional window on the eastern elevation to be arched, plus an Informative to reiterate that the development site includes no land for vehicular access or parking**

Voting Record  
5 For  
0 Against  
2 Abstentions

98 **22/00865/LBC- Staxton Methodist Church, Main Street, Staxton, Scarborough, North Yorkshire**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended with an amendment to change the additional window on the eastern elevation to be arched**

Voting Record  
5 For  
0 Against  
2 Abstentions

- 99 **19/00656/FUL- Land South Of Malton Grange Country Park, Amotherby Lane, Amotherby, Malton, North Yorkshire**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended**

Voting Record  
7 For  
0 Against  
0 Abstentions

- 100 **21/01461/FUL- Land At OS Field No 2000, Flatts Lane, Wombledon, Kirkbymoorside, North Yorkshire**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended to include additional of holiday condition as noted by Officer**

Voting Record  
6 For  
0 Against  
1 Abstentions

- 101 **22/00233/FUL- White Swan Hotel, Market Place, Pickering, YO18 7AA**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended**

Voting Record  
7 For  
0 Against  
0 Abstentions

- 102 **22/00807/FUL- Duggleby Wold Farmhouse, Weaverthorpe To Fosters Wold Plantation, Weaverthorpe, Malton, North Yorkshire, YO17 8EP**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended**

Voting Record  
5 For  
2 Against  
0 Abstentions

- 103 **22/00908/73M- Land At Whitby Road, Pickering, North Yorkshire**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended plus an additional condition in relation to an ecological management and monitoring of the reinstated/compensatory hedgerow**

Voting Record  
6 For  
0 Against  
1 Abstentions

- 104 **22/00933/HOUSE- Cherry Garth, Page Lane, Wombledon, Kirkbymoorside, North Yorkshire, YO62 7SE**

**Decision**

**DEFERRED FOR A SITE VISIT**

Voting Record  
6 For  
0 Against  
1 Abstentions

- 105 **22/01135/73A- Blacksmiths Cottage, Braygate Street, Swinton, Malton, North Yorkshire, YO17 6QT**

**Decision**

**PERMISSION GRANTED- Subject to Conditions as Recommended**

Voting Record

5 For

0 Against

2 Abstentions

- 106 **Any other business**

There was no other business.

- 107 **List of Applications determined under delegated Powers.**

The Service Manager Planning and Development submitted for information (previously circulated) a list which gave details of the applications determined by the Service manager Planning and development in accordance with the scheme of delegated decision.

**Meeting Closed 22:05**

# Agenda Item 6

## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 20/12/22

---

7

**Application No:** 21/01530/MFUL

**Application Site:** Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire

**Proposal:** Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)

---

8

**Application No:** 22/00933/HOUSE

**Application Site:** Cherry Garth Page Lane Wombledon Kirkbymoorside North Yorkshire YO62 7SE

**Proposal:** Erection of detached open sided car port to the front of the dwelling

---

9

**Application No:** 22/00851/MFUL

**Application Site:** Wolds Way Caravan And Camping West Farm Knapton Wold Road West Knapton Malton North Yorkshire YO17 8JE

**Proposal:** Change of use of redundant agricultural building to form 1no. one bedroom holiday unit and management office, change of use of land for the siting of 5no. camping pods and 4no log cabins, relocation of 1no. log cabin for holiday use and change of use of agricultural land to form additional amenity space for existing touring caravan site

---

10

**Application No:** 22/00950/MFUL

**Application Site:** Spring Willows Caravan Park Staxton Scarborough North Yorkshire YO12 4SB

**Proposal:** Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans for holiday purposes, retention of 1no. static caravan for the dual use of holiday accommodation/warden's accommodation and 1no. static caravan for use as amenity facilities (part retrospective)

---

## APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

### PLANNING COMMITTEE - 20/12/22

---

11

**Application No:** 22/01070/MFUL

**Application Site:** Normanby Manor Whitecarr Lane To Wandale Lane Riseborough  
Pickering North Yorkshire YO18 8LU

**Proposal:** Erection of 2no. agricultural buildings for the rearing of up to 2,000 pigs (1,000 per building) with associated 2no. feed silos, area of concrete hardstanding and section of new farm track

---

12

**Application No:** 22/01133/MREM

**Application Site:** Land North Of Outgang Lane Pickering North Yorkshire

**Proposal:** Construction of road infrastructure, 2no. substations and pumping station (outline approval 16/00346/MOUTE dated 08.02.2022 refers)

---

13

**Application No:** 22/01052/73

**Application Site:** Claxton Grange Malton Road Claxton Malton North Yorkshire YO60 7RE

**Proposal:** Removal of condition 02 of planning approval 15/00014/MFUL dated 10.09.2015 to allow the removal of local needs occupancy condition to dwellings 03, 08, 11, 12 and 14

---

14

**Application No:** 22/01080/FUL

**Application Site:** The Limes 33 Undercliffe Pickering North Yorkshire YO18 7BB

**Proposal:** Change of use of residential annex/holiday let to form a one-bedroom dwelling (Use Class C3)

---

15

**Application No:** 22/01117/HOUSE

**Application Site:** The Oaks 110 Outgang Road Pickering North Yorkshire YO18 7EL

**Proposal:** Alterations to front elevation roofslope to extend rafters and roof tiles over existing bay windows

---

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

**PLANNING COMMITTEE - 20/12/22**

---

**16**

**Application No:** 22/01195/HOUSE

**Application Site:** 1 Russett Road Malton North Yorkshire YO17 7YS

**Proposal:** Erection of single storey rear extension following demolition of garage and alteration to roof of previous single storey rear extension

---



<b>Item Number:</b>	7
<b>Application No:</b>	21/01530/MFUL
<b>Parish:</b>	Amotherby Parish Council
<b>Appn. Type:</b>	Full Application Major
<b>Applicant:</b>	Yorkshire Housing
<b>Proposal:</b>	Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)
<b>Location:</b>	Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire

## UPDATE REPORT

### INTRODUCTION

Members are aware that this item was deferred at the October meeting. This was in order for the developer to provide additional information in relation to the Kiss and Drop facility and the proposed affordable housing tenures and to reconsider the number of homes proposed at the site.

This report should be read in conjunction with the main report and update report which were considered by the Committee in October. These are appended to this report.

### SUMMARY OF ADDITIONAL INFORMATION

The additional requested information has been provided and includes:

- A letter from the Chairman of Governors of Amotherby Community Primary School, confirming management arrangements for the Kiss and Drop
- A 'Frequently Asked Questions' information sheet covering affordable housing tenures.

In summary, the letter from the school Chair of Governors confirms that the on-going management of the facility will be undertaken by the school and that the school will optimize its use to meet the needs of the school. The letter confirms the intention to place a bollard at the entrance to the facility to control use and for a member of staff to be present on-site to marshal children into the school grounds when the facility is in use.

The Affordable Housing Information sheet/ Frequently Asked Questions (FAQs) provides detailed information on the different affordable housing tenures that are proposed at the site, including occupancy eligibility and subsequent resales for shared ownership products.

The letter and FAQs are appended to this report. It would be helpful if Members could contact officers, prior to the meeting if there are any points of clarification needed on any of this information. This will ensure that officers are able to get any further information from the developer prior to the meeting.

In addition, the developer has prepared an update to the Statement of Community Involvement supporting the application. This details the public consultation and engagement that was undertaken prior to the submission of the application and specifically, to outline more recent discussions and amendments. This update is appended to this report for information.

## **SUMMARY OF PROPOSED CHANGES TO THE SCHEME**

In addition, following the deferral, the developer has made a number of relatively minor amendments to the scheme to address some of the concerns raised by the committee and to address some design matters raised when the scheme was originally consulted on. These include:

- The provision of an additional single story dwelling on the site (by the substitution of one two bedroomed unit)
- An amended the affordable housing mix to increase the number of Rent to Buy units by a further six. These will replace 6 of the proposed Affordable Rented units. The resulting affordable tenure mix is therefore as follows: 29 Affordable Rent; 10 Rent to Buy and 19 Shared Ownership. It is understood that this change has been in made following recent discussions with representatives of the Parish Council
- The provision of a 3m wide cycle and pedestrian route through the site from the entrance to the Kiss and Drop and to Meadowfield
- An increased use of Artstone across the site
- The use of chimneys on a number of plots – focussed at those plots facing the western and southern boundaries of the site

The proposed changes have a consequential impact on the proposed plans, including house type drawings. All of the revised plans are available to view on the public file on the web-site and the revised site/layout plan, materials and tenure plan are appended to this report.

The proposed changes are relatively minor in nature and a number have been made in response to issues raised in earlier consultation on the application. Notwithstanding this, the proposed changes have been brought to the attention of the Parish Council, the Local Highway Authority, some neighbouring residents immediately adjacent to the site and the Council's housing officers. Any comments received will be reported in the late pages or at the Committee meeting.

## **PROPOSED NUMBERS**

The proposed number of dwellings remains unchanged. Whilst the developer has acknowledged that the Parish Council would like to see a scheme of circa 40 units, the developer remains of the view that the proposed density is appropriate and notes that there is no technical justification for reduced numbers of units. The developer has noted that a scheme of circa 40 houses would reduce the density of the development to 17 dwellings per hectare and that this would not be an efficient or effective use of an allocated housing site. The developer has outlined/ reiterated their position in the appended SCI update document.

## **CONCLUSION**

The site is an allocated housing site. Its development for affordable housing aligns strongly with key Council priorities and key elements of the design align with the established development principles for the site in the Development Plan. It is considered that the development can be accommodated without an unacceptable impact on the surrounding landscape and as proposed, the scheme is within the capacity of infrastructure to accommodate. The further changes to the design and housing mix/ tenure mix represent further refinements/ improvements to the scheme.

The benefits of the development are considered to weigh significantly in favour of the proposal.

**RECOMMENDATION: Approval**

Approval subject to a Section 106 agreement and the following conditions:

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

Reason: In order to comply with the provisions of the Town and Country Planning Act as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the application form dated the 5 November 2021 and the following approved plans:

Existing Site Plan, ref. 001-PL-8620, Rev. B;  
Location Plan, ref. 002-PL-8620, Rev.A;  
Proposed Site Plan, ref. 003-PL-8620, Rev. S  
Boundary Treatment Plan, ref. 005-PL-8620, Rev. P  
Proposed Materials Plan, ref. 006-PL-8620, Rev E ...  
Proposed PV panel location, ref. 009-PL-8620, Rev. C  
Kiss & Drop Facility, ref. 010-PL-8620;  
Proposed Tenure Plan 2, ref. 014-PL-8620; Rev B  
Proposed Highway Plan, ref. 015-PL-8620, Rev. G;  
Arkendale Semi-detached proposed Floor Plans, ref 104-PL-8620-Rev C  
Arkendale Semi-detached proposed Elevations, ref 204-PL-8620-Rev C  
Arkendale Detached proposed floor plans ref 109-PL-8620-REV C  
Arkendale Detached proposed Elevations ref 209-PL-8620-REV C  
Airedale Semi-detached Proposed Floor Plans, ref. 100-PL-8620, Rev. C;  
Airedale Semi-detached Proposed Elevations, ref. 200-PL-8620, Rev. C;  
Airedale Terraced Proposed Floor Plans, ref. 101-PL-8620, Rev. C;  
Airedale Terraced Proposed Elevations ref. 201-PL-8620, Rev. C;  
Rosedale Bungalow Semi-detached Proposed Floor Plans, ref. 102-PL-8620, Rev. A;  
Rosedale Bungalow Semi-detached Proposed Elevations ref. 202-PL-8620, Rev. D;  
Stonesdale Semi-detached Proposed Floor Plans, ref. 103-PL-8620, Rev. C;  
Stonesdale Semi-detached Proposed Elevations, ref. 203-PL-8620, Rev. C;  
Stonesdale & Littondale Dual-aspect Proposed Floor Plans, ref. 106-PL-8620, Rev. C;  
Stonesdale & Littondale Dual-aspect Proposed Elevations, ref. 206-PL-862, Rev. D;  
Stonesdale Semi-detached Proposed Floor Plans, ref. 108-PL-8620, Rev. A;  
Stonesdale Semi-Detached Proposed Elevations, ref. 203-PL-8620, Rev. C;  
The Harrison Detached proposed Floor Plan ref107-PL-8620, Rev C  
The Harrison Detached proposed Elevations ref207-PL-8620, Rev D  
The Dearne Semi Detached proposed Floor Plan ref 108-PL-8620 Rev A  
The Dearne Semi-detached proposed elevations ref 208-PL-8620, Rev C  
The Dearne Detached proposed floor plans ref 105-PL-8620, Rev C  
The Dearne Detached proposed Elevations ref 205-PL-8620, Rev D  
*NB Drawing numbers of above house type plans subject of amendments to be confirmed with agent for avoidance of doubt*  
Proposed Site Section A-A & B-B, ref. 300-PL-8620; Rev G  
Proposed Site Section C-C, ref. 301-PL-8620;  
Design & Access Statement, dated. 1 July 2021;  
Landscape Masterplan, ref, DR-5104-01.01, Rev M.  
Planting Specification, ref. DR-5104-01.02, Rev M  
Proposed Visuals, ref. 400-PL-8620; dated 11 November 2021;  
Proposed Street Scenes, ref. 401-PL-8620;Rev B

Reason: For the avoidance of doubt as to what constitutes the permission and in the interests of proper planning.

- 3 Prior to works of above ground construction, details and samples of all materials to be used on the exterior of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 4 Prior to works of above ground construction, the developer shall construct on site for the written approval of the Local Planning Authority , one metre square free standing panels of the external walling to be used in the construction of the dwellings and retaining boundary walls.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 5 Prior to works of above ground construction, details of all windows and doors including means of opening, depth of reveal and external finish and precise eaves detailing shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 6 Prior to works of above ground construction precise details of ground surface materials shall be submitted to and approved in writing by the Local Planning Authority and thereafter the agreed details for all public areas shall be maintained.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 (Generic Development Management Issues) of the Local Plan Strategy.

- 7 Prior to works of above ground construction, precise details of the measures to address renewable energy, low carbon and sustainable building within the scheme, including electric car charging points to all dwellings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details thereby agreed.

Reason: To support energy efficiency and a reduction in carbon emissions and to satisfy Policy SP18 of the Local Plan Strategy and SD10 of the Ryedale Plan.

- 8 Prior to the occupation of the dwellings hereby approved, details of the precise position, design and specification of the acoustic barrier, including superficial mass density of the acoustic fencing along the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The acoustic barrier shall be constructed and thereafter maintained in accordance with the approved details.

Reason: To protect the residential amenity of the occupiers of the development in accordance with Policy SP20 of the Local Plan Strategy.

- 9 No development shall take place other than in accordance with Land South of Amotherby Primary School, Amotherby, North Yorkshire - Written Scheme of Investigation Archaeological Strip Map and Record prepared by MAP Archaeological Practice.

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

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

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

- 11 No works shall take place until a Construction Environment Management Plan (CEMP-Biodiversity) is submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the measures recommended in the supporting Badger Assessment Report; Preliminary Ecological Appraisal Report and Ecological Impact Assessment Report. The approved CEMP shall be adhered to and implemented throughout the construction period in strict adherence with the approved details.

Reason: In the interests of the Ecology and Biodiversity of the area and to comply with Policy SP14 of the Ryedale Local Plan.

- 12 No works shall take place until and Landscape and Biodiversity Management Plan covering the site is submitted to and approved by the Local Planning Authority. The plan shall include measures recommended in the submitted Preliminary Ecological Appraisal and Ecological Impact Assessment reports and shall cover all of the site but shall also specifically include:

- Full details of the tree, hedge and native scrub planting , together with initial and on-going management of vegetation along the western boundary of the site
- Full details of the tree and native scrub planting, grassland retention, meadow creation, and hedgerow reinstatement at the southern boundary and open space to the south of the site and on-going management of this area. The details shall include minimum heights of landscape planting to be maintained to ensure appropriate screening of the acoustic barrier.
- Full details of the planting, initial tree and hedgerow management and on -going management of the boundary trees and hedges, public open space and public areas along the eastern side of the site.

Those agreed measures and their management shall be incorporated on the site within the agreed planting timescales and thereafter so maintained.

Reason: In the interests of the longer term landscape setting of the development, with the enhancing of habitats and biodiversity of the site, and to enhance green infrastructure on the site to comply with the requirements of Policies SP13 (Landscapes), and SP14 (Biodiversity) and SP15 (Green Infrastructure) of the adopted Ryedale Plan- Local Plan Strategy and the Development Principles of Policy SD10 of the Ryedale Plan- Local Plan Sites Document.

- 13 Prior to the commencement of the development hereby approved, details of the form and position of fencing, which shall comply in full with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', for the protection of those trees, shrubs and natural features not scheduled for removal shall be submitted for the written approval of the

Local Planning Authority, and such fencing shall be erected in the positions approved before the development is commenced ( including any soil stripping) and thereafter retained until such completion of the development, to the approval of the Local Planning Authority. Hereafter, the fencing shall be referred to as the 'approved protection zone'. There shall be no site huts, vehicles, or any other buildings or materials in connection with the development sited or stored within tree root protection zones.

Reason: To preserve trees and hedges at the site in the interests of biodiversity, visual amenity and the character of the area and to comply with Policies SP14 (Biodiversity), SP13 (Landscapes) and SP15 (Green Infrastructure) of the Local Plan Strategy.

- 14 Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation and use on site. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of biodiversity, the local landscape and safety and to satisfy the requirements of Policies SP14; SP16 and SP17 of the Ryedale Plan, the Local Plan Strategy.

- 15 The on-site Children's play area shall be built to a Local Equipped Area for Play (LEAP) Standard. Prior to works of above ground construction, full details including the number (minimum of 6) and types of play equipment/ experiences; boundary fencing; signage; seating; surfacing and management shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure safe and usable children's play space and to satisfy Policy SP1 of the Local Plan Strategy.

- 16 Prior to the commencement of the development precise details of existing spot ground levels and the finished floor levels of each dwelling measured in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

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

- 17 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

- 18 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until, visibility splays of 120 metres measured along both channel lines of the highway from a point measured 2.4 metres down the centre line of the access road shall be provided. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these

visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan.

- 19 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been provided. In measuring the splays the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan.

- 20 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. 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.

- 21 Prior to the commencement of the development a Construction Management Plan for the construction works required to complete the hereby approved development shall submitted to and approved in writing by the Local Planning Authority. Once approved, construction of the hereby approved development shall be undertaken in full accordance with the approved Construction Management Plan. The Plan must include the following:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;
2. Restriction on the use of Meadowfield access for construction purposes;
3. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. The parking area of contractors' site operatives and visitor's vehicles;
5. Areas for site compound and storage of plant and materials used in constructing the development clear of the highway;
6. Measures to manage the delivery of materials and plant to the site including preferred routing and timing of deliveries and loading and unloading areas;
7. Details of the preferred routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. Protection measures of carriageway and footway users at all times during any demolition and construction;
9. Protection measures of contractors working adjacent to the highway;
10. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
11. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
12. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
13. Details of external lighting equipment;

14. Details of ditches to be piped during the construction phases;
15. A detailed method statement and programme for the building works; and
16. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interests of public safety and amenity.

- 22 Prior to the commencement of the development, details of a detailed maintenance and management regime for the surface water drainage storage facility shall be submitted to the Local Planning Authority for written approval. Once approved, those details shall be adhered to in full for the duration of the development.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to comply with Policy SP17 of the Ryedale Local Plan.

- 23 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: To ensure satisfactory and sustainable drainage and to manage flood risk and pollution.

- 24 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to: ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to manage flood risk.

- 25 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made.

- 26 During construction no burning shall take place on site.

Reason: In the interests of the amenity of the area.



- 27 Construction works and related activity shall only take place between the hours of:  
08.00 - 18.00 Monday to Friday;  
09.00 - 13.00 Saturday  
And with no works and activity on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the area.

- 28 Prior to being brought into use, a Management Plan for the Kiss and Drop Facility shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and thereafter the facility shall be operated in accordance with the approved details. The Plan shall include details of the arrangements to be put in place to monitor the parking, arrival and departure of vehicles during school drop off and pick up times and outside of these times, the measures to be employed to prevent vehicular access save access for maintenance or emergency access.

Reason: In the interests of residential amenity in accordance with Policy SP20 of the Local Plan Strategy.

### **INFORMATIVE(S)**

- 1 It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

**Item Number:** 7  
**Application No:** 21/01530/MFUL  
**Parish:** Amotherby Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Yorkshire Housing  
**Proposal:** Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)  
**Location:** Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire

**Registration Date:** 16 November 2021  
**8/13 Wk Expiry Date:** 15 February 2022  
**Overall Expiry Date:** 16 September 2022  
**Case Officer:** Jill Thompson **Ext:** Ext 43327

**CONSULTATIONS:**

<b>Designing Out Crime Officer (DOCO)</b>	Comments
<b>Lead Local Flood Authority</b>	
<b>Flood Risk</b>	Recommendations
<b>Public Rights Of Way</b>	Comments
<b>Archaeology Section</b>	Recommends conditions
<b>NYCC Natural Services</b>	Recommends Conditions
<b>Housing Services</b>	Comments
<b>Economic Development</b>	
<b>Environmental Health</b>	
<b>Highways North Yorkshire</b>	Comments
<b>Tree &amp; Landscape Officer</b>	
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	
<b>Lead Local Flood Authority</b>	
<b>Yorkshire Water Land Use Planning</b>	Comments
<b>Ellie Hook AONB Manager</b>	my response of 20 December 2021 still applies.
<b>NYCC Natural Services</b>	Further comments
<b>NYCC Natural Services</b>	comments
<b>North Yorkshire Education Authority</b>	Comments
<b>Highways North Yorkshire</b>	Recommends Conditions
<b>Highways North Yorkshire</b>	Recommends Conditions
<b>Ellie Hook AONB Manager</b>	Comments
<b>Amotherby Parish Council</b>	Comments
<b>Economic Development</b>	
<b>NYCC Natural Services</b>	
<b>Environmental Health</b>	
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	
<b>Archaeology Section</b>	
<b>Flood Risk</b>	previous consultation dated 06/06/2022 still applies.
<b>Housing Services</b>	
<b>Ellie Hook AONB Manager</b>	
<b>North Yorkshire Education Authority</b>	
<b>Highways North Yorkshire</b>	
<b>Amotherby Parish Council</b>	Objects
<b>Designing Out Crime Officer (DOCO)</b>	
<b>Public Rights Of Way</b>	Comments
<b>Lead Local Flood Authority</b>	
<b>Tree &amp; Landscape Officer</b>	
<b>Yorkshire Water Land Use Planning</b>	
<b>Archaeology Section</b>	

**Representations:**

Ms Andrea Beck, Miss Sally Raines, Mr Alan Eddison, Mr Jonathan Corbett, Mrs Laura Dodsworth, A & L Lovett, Mrs Sarah Harper, John Jones, Carol Brisby, Mrs Joanna Kelly, C Ann Botting, R D Welch, Eva Henderson, Andrea Ward, , Mr Anthony Hoggarth, Barbara Bossall, Helen Gundry, Mr James Brambles, Amotherby School, Miss Sara Bath, Mrs Rhonda Googe-Robinson, Mr David Bairstow, Mr David Wilson, Rosy Smith, Mrs Allison Casper, Mr Mark Swift, Mrs Bethany Corbett, Mr Graham Goforth, Alison Hill, Laura Elliott, David Elliott, Mr & Mrs Nigella And Neil Ballard, Margaret Mackinder, Elisabeth Arridge, Mrs Clare Swift, Mrs Sophie Long, G & I M Wishart, David Wakeley, Mr Robert Welch, Miss Darcy Skilbeck, Clare Suddaby, Mrs Rosie Riley, Mrs Sarah Tolhurst, Dr Katherine Diggory, Mr Mike Moffoot, Helen Quinn, Mr John Gill, Mr & Mrs P Wilcox, Mr Charlie Vaughan, R W Bell,

---

**SITE:**

The site is a field which is located on the south-western edge of the village. It is approximately 2.68 hectares in size and broadly rectangular in shape. The topography of the site is such that it slopes/ falls gradually in a south to north direction. The boundaries of the site are largely delineated by field boundaries consisting of traditional native hedges and mature trees.

The B1257 runs adjacent to the southern boundary of the site and existing residential properties are primarily located to the east. Amotherby Community Primary School is situated immediately to the north of the site and abuts the boundary of the site. Open Countryside lies beyond the site to the west. The Howardian Hills Area of Outstanding Natural Beauty is located to the south of the site and the B1257.

A Public Right of Way (Public Footpath) runs across the southern half of the site at an angled south/ west to north –east direction. The PROW runs from the Malton Road/B1257, across the site to Amotherby Lane. A further track at the north eastern edge of the site also links the site to land to the front of the primary school and to Meadowfield.

The site is a housing land allocation in the Development Plan (Policies SD2 – Residential Land Allocations and SD10 – Site Development Principles of the Ryedale Plan: Local Plan Sites Document). The site is within the Development Limits of the village and is located in Flood Zone 1.

**HISTORY:**

There is no recent planning application history associated with the site.

**PROPOSAL:**

The applicant seeks full planning permission for the erection of 58 dwellings. The proposed development is comprised of four distinct blocks of housing each aligning internal estate roads. An area of open space and children’s play space and a school ‘kiss and drop’ facility is proposed at the north side of the site and an area of open space is proposed at the southern part of the site between the first block of proposed housing and the site boundary fronting the B1257. Access to the site is proposed off the

B1257 and located towards the South-Eastern part of the site.

The scheme is proposed as a 100% affordable homes, with a split of tenure of 60% affordable rent and 40% shared ownership. The dwellings would comprise 20no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including 2no. 2 bedroom bungalows.

The dwelling types are proposed as follows:

- The Airedale (18 no. total) – Semi-detached – x2 bedrooms (70.1 sq. metres);
- The Airedale – Terraced – x 2 bedrooms (80.1 sq. metres);
- The Arkendale(16 no.) – Semi-detached – x3 bedrooms (95.4 sq. metres)
- The Dearne (5 no.) – Detached – x 4 bedrooms (107.2 sq. metres);
- The Harrison (1 no.) – Detached – x 3 bedrooms (99.6 sq. metres);
- The Littondale (2 no.) – Semi-detached – x 2 bedrooms (82.9 sq. metres);
- The Stonesdale (14 no.) – Semi-detached – x 3 bedrooms (94.7 sq. metres);
- Rosedale (2 no.) – Bungalows – x 2 bedrooms (74.1 sq. metres)

Materials proposed include a combination of red brick and reconstituted stone external walling and concrete ‘rustic red’ interlocking roof tiles. Windows are proposed to be constructed of white UPVC with artstone heads and sills; rainwater goods of black UPVC and doors constructed of a composite material, with colours of differing shades of green. Each property would also feature canopies to the front doors which would be white GRP with tiling to match those used on the roof of the dwellings. All of the proposed dwellings would have front and rear amenity garden spaces with off street/ curtilage car parking for two cars.

Each property will be equipped with solar PV panels and energy efficient heating systems using Air Source Heat Pumps. In addition a ‘fabric first’ approach to construction will be undertaken to ensure that the properties are energy efficient and all properties will be installed with electric vehicle charging points.

Within the housing blocks, a combination of 1.8m close boarded fencing and 1.8m close boarded fencing on 0.6m gravel board is predominantly proposed as the boundary treatment between rear gardens. To address the sloping topography, the proposed development will sit on broad terraced levels within the site with limited sections of retaining walls, constructed of artificial stone, topped with close boarded fencing between gardens in some areas. The maximum height of these retaining wall boundary features and fencing is proposed at 1.65m walling with 1.8m fencing. The retaining walls which are proposed to front public areas are proposed to be constructed in masonry (stone) to a height of 1.5m, topped with 1.8m close boarded fencing.

The proposal includes provision of three areas of on- site public open space which would be located to the North, South and East of the site and totalling 5,757 sq. metres. A play park area is also proposed which would be located at the side of the site, comprising 400 sq. metres in area and proposed to be built to a LEAP (Local Area for Play Standard) with play equipment available for use by younger children. The scheme retains an existing access track link to Meadowfield in the north-eastern corner of the site. The Public Right of Way across the site would be sought to be diverted. This would be the subject of a separate diversion application. The entry/ exit points of the PROW at the site would remain unchanged and the proposed layout allows for a diverted route across the southern part of the site and through the open space proposed to the east of the site.

The proposed ‘Kiss and drop’ facility is located towards the north eastern corner of the site. It will be accessed from the main estate road and is designed as a loop to allow parent to drive into the space, drop off children and exit back into the housing estate. A new access and gate from the facility to the school grounds will be installed. A new 1.8 metre paladin fence is proposed along the whole of the northern boundary of the site. For the most part this would adjoin the boundary of the primary school.

A landscaping plan is proposed with proposed trees and ornamental shrub planting proposed within or at the edges of the housing blocks and with new native hedgerow, heavy standard tree planting, species rich grassland and native scrub planting at/ within the areas of proposed open space and the perimeters

of the site. Existing field boundaries would remain in-situ although a section ( circa 13m) of existing hedgerow on the southern boundary will be removed to accommodate the site access . A further circa 42m of the existing hedge will be removed to the west of the access road in order to accommodate the necessary visibility splay. This will be reinstated/ realigned approximately 0.5 m back towards the site. A 0.3m high bund with 1.5m high acoustic fencing is proposed along the side of the site along the edge of the public open space in this location. The bund/ fencing will be located behind the boundary hedge and set within an area of native scrub and species rich grassland.

Further associated infrastructure includes the provision of an underground surface water drainage attenuation tank and pumping station.

The application is supported by a range of technical supporting information which is available to view in detail on the public website. It is also supported by a Planning Statement, Design and Access Statement and Landscape masterplan which are appended to this report. The Planning Statement includes reference to pre-application discussions that have been undertaken with a range of stakeholders.

## **PLANNING POLICY AND DECISION TAKING PRINCIPLES:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

### **Development Plan**

The Development Plan for the area of Ryedale (not within the North York Moors National Park) consists of:

- The Ryedale Plan – Local Plan Strategy (2013)
- The Ryedale Plan – Local Plan Sites Document ( 2019)
- The Yorkshire and Humber Plan (Regional Spatial Strategy):- York Green Belt Policies (YH9 and Y1)

The following policies of the Ryedale Plan - Local Plan Strategy are of particular relevance to the assessment of the application:

- Policy SP1- General Location of Development and Settlement Hierarchy
- Policy SP2 - Delivery and Distribution of New Housing
- Policy SP3 - Affordable Housing
- Policy SP4 - Type and Mix of New Housing
- Policy SP10 - Physical Infrastructure
- Policy SP11 - Community Facilities and Services
- Policy SP13 - Landscapes
- Policy SP14 - Biodiversity
- Policy SP15 - Green Infrastructure Networks
- Policy SP16 - Design
- Policy SP17 - Managing Air Quality, Land and Water Resources
- Policy SP18 - Renewable and Low Carbon Energy
- Policy SP19 - Presumption in favour of Sustainable Development
- Policy SP20 - Generic Development Management Issues
- Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

The following policies of the Ryedale Plan- Local Plan Sites Document, are relevant to the

determination of the application:

- Policy SD2 Residential Land Allocations

The Policy allocates 2.83 ha of land to the south of Amotherby Primary School for residential development with an indicative yield of 40 units. The policy makes it clear *that 'the yield identified for each site is indicative and the precise number of units to be provided on each site will be determined at the planning application stage'*.

- Policy SD10 Housing Land Allocation – Land to south of Amotherby Primary School, Amotherby. Development Principles.

The policy states:

*Detailed proposals for the development of the site shall include:*

- *An indicative yield of 40 dwellings*
- *Access from B1257*
- *Retention of Public Right of Way through the site*
- *Pedestrian and cycle only link to Meadowfield*
- *Land to be provided for a Kiss and Drop facility for Amotherby Primary School; public open space and children's play area within the northern quarter of the site*
- *Retention of hedge along boundary with B1257*
- *Well designed street and spaces*
- *Landscaping belt to the western site boundary*
- *Scale of buildings to be limited to one and two storey heights*
- *Sustainable drainage system to be integrated into design*
- *Capability for electric vehicle charging for each property with a dedicated car parking space within its curtilage*
- *Lighting scheme to minimise glare, reduce energy usage and protect amenity*
- *Appropriate archaeological evaluation and mitigation as detailed in Appendix 1*
- *As a safeguarded site, the feasibility and viability of the extraction /utililisation of the minerals resource will be demonstrated*

### **National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)**

National policy covering Decision making; Housing Delivery; Communities; the Environment and Design is of specific relevance to the consideration of this application. National Planning Policy ( the NPPF) and Planning Practice Guidance (PPG) are a material consideration in the decision taking process.

### **The Presumption in Favour of Sustainable Development**

Both the Development Plan and the National Planning Policy Framework include policies which promote a presumption in favour of sustainable development to be applied in the decision making process alongside the legislative requirement that decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 11 specifically confirms that for decision- taking the presumption means:

- *“ approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting planning permission unless:*

- 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
- 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”

Policy SP19 of the Local Plan Strategy is consistent with the above national presumption but makes specific reference to the Local Plan and Neighbourhood Plans; working proactively with applicants and clarifies the application of the second bullet of the national presumption. It states:

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

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

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

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

## **REPRESENTATIONS:**

Members are reminded that all representations made in response to the application can be viewed in full on the public web-site.

Just over 50 letters of objection to the application have been received from individuals/ households or local groups. One letter of objection has noted support in principle for the development but objects to specific matters. One letter has been submitted which provides comments on the application (without expressing explicit support or objection). The issues and concerns raised by those objecting to the proposal are summarised below.

### General

- Does not comply/ conflicts with the Local Plan and National Policy (NPPF)
- Concerns / comments made by villagers have not been addressed/ have been ignored
- Concerned about the level of consultation undertaken
- Isolated from the village
- Amotherby does not need anymore disruption
- Village has few services to support new development
- The village hall is dangerous to access and more cars will make this more dangerous
- Concerned about rabbits from the site causing damage to school grounds
- The brownfield garage site should be used
- Is at odds with the environment and community

### Housing (General)

- Fewer houses and more mix needed
- More suitable to an urban setting

- Should make an effort to deliver schemes that have stalled ( eg ATS at Norton)

#### Housing (scale)

- Number of dwellings proposed should be reduced
- Too many houses for a village of limited facilities
- Will increase the size of the village by 47%
- Almost doubles the number of houses in the village in one space/ area
- Number proposed is in excess of the 40 units referred to/ approved in the Local Plan
- Scale of the development will impact on the character of the village/ will not integrate with the village

#### Housing (Tenure/ Mix)

- The needs of all in the community will not be met
- Mix (100% affordable housing) is unbalanced/ wrong
- Should be some market housing for people to buy as well as rent
- Provides no opportunity for local people to purchase a house locally/ stay in the village/ downsize and for young people to get on the property ladder
- Should be more bungalows for those wishing to downsize
- Should not be used to relocate families from outside of the District
- Should be a higher proportion of shared ownership
- Will create a ghetto/ undermine social cohesion
- Anti-social behaviour is associated with large social housing estates
- Amotherby is being sacrificed at the expense of Malton and Norton as RDC has failed to build the allocated number of shared ownership and rental properties
- Amotherby is being expected to make up for deficiencies in wider local affordable housing provision
- There will be a fast turnover of residents which will not encourage community integration
- Don't assume all local people can't afford to buy a house and therefore disadvantaging those young people who can
- Not right location for people on low incomes with limited access to services/ dependency on running a car
- The Parish Plan supports the development of affordable housing for private purchase/Residents are against social housing

#### Design

- Development criteria of SP10 have not been met
- Does not reflect the character of the village
- Should be a boundary fence to the east to demarcate the development from the wood
- Density or layout is not in keeping with the village or AONB
- Cramped/ contrived form of development which is detrimental to the character of the area
- These are town style houses not village style houses
- Material (brick)/ ( one roof tile type) is not in keeping with the village/ would not integrate with the village
- Uniform design/Generic sub urban estate/Standard off the peg design with no effort to reflect local character
- Degrades rather than enhances the appearance of the village
- Paladin fence to the north has an industrial appearance
- Boundary fencing would destroy existing hedges
- Concerned about the maintenance of landscaping and paucity of planting/ landscaping



- Private gardens for some plots are too small
- Conflicts with Government policy on design – monotonous arrangement/ repetitious house types/ no sense of place/ limited materials and absence of features to provide visual relief to roofscape compound harm
- Boundary treatments are unlikely to be maintained resulting in unsightly frontages/ detrimental impact
- No garaging – fronts will be dominated by parked vehicles

#### Landscape/ trees

- Concerned about the loss of hedge
- The landscape/ open space to the front of the site does not provide a substantial buffer
- Light pollution will affect the AONB
- Mundane estate layout which fails to respect its surroundings ( village and the AONB) and landscape setting
- Will impact on the view and feel of the AONB

#### Highway/ Transport

- Traffic calming measures should be included
- Will increase traffic close to the village crossroads where safety is already an issue. Increasing the size of the village will exacerbate an already dangerous traffic situation
- The TA underestimates the number of vehicle trips. The impact on the highway network will be severe.
- Safety audit does not mention cycling or dropped kerbs
- Developer might consider a contribution to local cyclepaths
- Site access needs to be wide enough to accommodate a pedestrian and wheelchair island and cycle lane
- Lower speed limit on the B1257 should be installed
- The proposed junction will be hazardous. A roundabout, signage and lower speed limit is needed
- Bus service is inadequate for modern living

#### Amenity

- There will be more noise and disturbance created by the development
- Concerned about smell from the pumping station
- The Kiss and Drop will result in disturbance and noise for new residents
- Construction noise will impact upon learning/ the school
- The air source heat pumps will generate noise
- The impact of traffic noise has not been resolved
- Construction traffic/ parking should be on-site and accessed from the B1257

#### Infrastructure

- The primary school is at capacity and the secondary school is oversubscribed
- Flooding in the village will be exacerbated. The drains can't cope with excess water
- Doctors surgery is already overcrowded
- Ryedale needs new schools, doctors and better road not new houses
- Services do not have the capacity to cope/ puts pressure on existing infrastructure
- Play area is small – question the safety of the location next to the Kiss and Drop
- The play park will not benefit the village
- The public open space is inadequate in size to serve the development

### Kiss and Drop

- The village will still be gridlocked
- Inadequate to alleviate the current situation
- Should be a car park to address the problems associated with the school traffic
- Question if it will be used as parents like to see children into school
- Parent will continue to block drives of houses on the new estate
- Too constrained for safe access
- Question size and design. It will cause a bottleneck with congestion and safety implications

### Public Right of Way

- Historic route would be lost
- The proposed route is not reflective of the current nature of the existing footpath
- The development should be designed around the existing route of the PROW
- Diversion will mean that walkers will need to negotiate the road

Another Parish Council has also objected to the proposal. Letters that have been received from the Parish Council are appended to this report. The Local Council's objections are summarised as follows:

- PC objection does not relate to the principle of developing the site
- Does not adhere to the requirements of SD10 and other local and national policy
- Excessive in size, scale and mix in comparison with the village with resultant impact on character and social cohesion
- The Design and Access Statement is inaccurate and does not reflect the concerns raised by the PC in consultation prior to the submission of the application. It is not the case that all consultees are happy with the scheme
- The Public Right of Way is not retained
- A proper SUDS is not provided
- Question whether the issue of noise has been resolved and whether the substantial buffer to the south of the site has been provided as referred to in the Inspectors report
- The Kiss and drop does not appear to have been designed with any proper analysis of the problem that requires its provision
- Issue of need for this form and size of the development and its sustainability is in question
- Concerned about the extent to which the PC's concerns have been taken into account and addressed and the lack of engagement of officers with the PC

Following some revisions to the scheme to address noise mitigation, landscaping proposals and highway matters, the Parish Council provided a further letter reiterating its objections. This is summarised below:

- No amendments have been made that address the legitimate concerns of the Parish Council/ the schemes' shortcomings
- 6 of the development principles have not been met or are questionable in terms of compliance
- The amendments to address noise will mean that the existing hedge is not retained and the substantial buffer between the development and the B1257 is not provided. The bund and acoustic fencing is a contrived and incongruous solution
- If a substantial buffer was provided at the southern end of the site and 12 of the units nearest the highway removed this would satisfy the development principles for the site by reducing noise and visual impact

One letter of support has been received. The matters/ issues included in support of the scheme are summarised below:

- Support – especially shared ownership

- Provides opportunities for the younger generation to live in the countryside as not everyone wants to live in a town
- Kiss and Drop will hopefully reduce traffic in the village
- The play park and open space will mean that children would not need to travel and will help bring the community together

A further letter has been received confirming no objection in principle to the proposed development and notes that the Kiss and Drop facility is appropriate (and the person would object if it was changed to a car park).

## **APPRAISAL:**

The main issues in relation to the consideration of the application are addressed below.

### **Principle of Development**

Members are aware that the site is allocated for housing development in the Development Plan and as such, the development of the site for housing is acceptable in principle. In this respect, significant weight is afforded to this in principle compliance with Policy SD 2 of the Local Plan.

### **Housing - Delivery**

The proposal will support the delivery of housing in the District against planned housing requirements and will contribute to the Council's ability to continue to demonstrate a five year supply of deliverable housing land. There is no reason to assume that the delivery of the scheme will stall and the applicant anticipates a delivery rate of 35-50 homes per annum. The proposal will deliver in accordance with Policy SP2 (Delivery and Distribution of new housing) and contributes to the objective of national policy to significantly boost the supply of new homes. This is a benefit which weighs in favour of the proposal.

### **Housing - Scale**

The scale and tenure/ mix of the development proposed is relevant to the consideration of the proposal. These are matters which have been raised by local objectors to the proposal in expressing concerns about social cohesion and the extent to which the scheme, in seeking to accommodate this number of dwellings is able to achieve design and other related policy requirements of Policy SD10.

The application proposes the development of 58 dwellings and the development site is the allocated site. Whilst the development plan provides for an indicative yield of 40 units from the site, the fact that the application proposes numbers of units in excess of this amount does not represent an in principle policy conflict. The yield from the site is expressed as an indicative yield and not an absolute figure. The key consideration in respect of the number of homes proposed relates to the extent of any harm which would result in planning terms.

At the proposed scale the proposal would result in a circa 38% increase in the number of homes in the Parish and objectors have noted that in terms of the size of the village itself the proposal would be closer to a 47% increase in homes. However, whilst Amotherby has a limited number of services and facilities, there is no evidence to suggest that the development at this scale (and 18 units above the indicative yield) would overwhelm existing facilities or services. (It is not anticipated for example, that the Primary school would not have the capacity to accommodate children from the site.) In addition, the scale of the development proposed over and above the indicative yield is not considered to result in a level of development which would undermine or change Amotherby's character or role as a rural village in Ryedale.

The extent to which the number/ scale of development proposed is acceptable is a matter of whether the scheme is acceptable in terms of factors such as design, the development principles established for the site in the development plan and residential amenity, taking account of requirements of national and local policies that are aimed at increasing the delivery of new homes and ensuring an efficient use of land. These matters are addressed later in the report.

## **Housing - Tenure**

All of the homes will be available as affordable housing and provided by the applicant who is a Registered Social Landlord. The scheme proposes a mix of affordable rent and shared ownership tenures and proposes 35 affordable rented homes and 23 shared ownership/intermediate properties.

It is understood that the scheme is to be delivered with the help of Homes England grant funding. Due to restrictions on the how that funding is applied, only a policy compliant contribution can be included/ secured in a Section 106 agreement. (Members are aware that under SP3 (Affordable Housing) of the Development Plan, the Council will seek to secure 35% of dwellings as affordable dwellings on site.) The implications of this is that 20 of the dwellings proposed ( 16 Affordable rent and 4 shared ownership properties) will be subject to a local occupancy/ connection criteria specific to Ryedale. Yorkshire Housing has confirmed that the remaining 19 affordable rented dwellings will be allocated through North Yorkshire Home Choice, which is available to households within the County. The remaining 19 shared ownership properties will be subject to eligibility criteria set by Homes England. Therefore, whilst not all of the properties will have occupancy secured/restricted to residents of the District, local residents in affordable housing need would still be eligible to occupy all of the dwellings proposed.

The proposed tenure splits for the scheme as a whole is proposed at 60% affordable rent and 40% shared ownership/ intermediate tenure. Of the 20 properties to be secured in the Section 106, 80 % (16) of these will be for affordable rent, with 20% (4) as an Intermediate Affordable tenure. The applicant has confirmed this will be a Buy to Rent product.

Members are aware that Policy SP4 (Type and Mix of new housing) expects new housing sites to provide for increased housing choice and to contribute to the provision of a balanced housing stock. Policy SP4 does not prescribe a detailed tenure mix for individual sites. The aim of the policy is to ensure increased choice on a district wide basis. In this respect, the proposed 100% affordable tenure scheme would, albeit in a very limited way, help to address the imbalance between affordable homes and market/ owner occupied housing which exists across the District . The absence of any open market housing on the site does mean that site would not contribute to increasing the housing choice of those who do wish to purchase open market housing in the village. Whilst this is a limitation of the scheme, the majority of homes in the surrounding local area and at the village are owner occupied/ open market tenures. Residents in the local area will continue to have the choice to purchase homes in the local area as and when these become available. In addition, the proposed development will contribute to a greater mix of tenures across the settlement as a whole. Indeed, the Council's Housing Officer notes that there were only 6 affordable properties in Amotherby at the beginning of this year.

Objections have been raised on the basis that as a purely affordable scheme, the site may not be conducive to social cohesion. It is considered however, that the proposed mix of house sizes and affordable tenures will provide for a wide range of households of different compositions and covering a variety of age, household structure and income groups. There is no reason to assume that new households will not contribute to local village life in the same way as a scheme that included a different tenure mix. Concerns that the scheme is tantamount to the creation of a 'ghetto' and will lead to antisocial behaviour are considered to be rather inflammatory and without basis. The scheme proposes the creation of new homes, which as outlined above will support a range of households. It should not be assumed the occupancy of the proposed properties would result in anti-social behaviour that is any way different to that which can be generated by those in owner occupied housing and in itself this point is not considered to be a materially relevant consideration in the determination of the application.

The proposal includes a mix of house types and sizes , including 3 and 4 bedroomed detached properties, 2 and 3 bed semi- detached properties and 2 bed terraced and single story dwellings. It is considered that this does represent an appropriate mix of house types and sizes which broadly reflects Strategic Housing Market Assessment information which shows a requirement for smaller properties across the District. The proposed x2 bungalows complies with the specific policy requirement of Policy SP4.

In terms of space standards, the supporting material confirms that all of the homes will be built to or will exceed the ‘Technical housing standards – nationally described space standard’. This is welcomed and provides flexibility for households and changing household composition. In addition, the applicant has confirmed that the proposal is to build the dwellings with a build specification that will reduce energy demand by 94%. The development will not utilise gas and each property will be built with air source heat pumps and photovoltaic panels. This is a significant way of ensuring that the proposed properties will be affordable to occupy over time.

The Council’s Housing Officer has confirmed that Housing support the proposal for 100% affordable housing in this location and following discussion with the applicant, has verbally confirmed that they are supportive of the mix, size and tenure of the proposed scheme.

The proposal is considered to comply with Policies SP2 (Delivery and Distribution of new housing); SD2 (Residential land Allocations); SP3 (Affordable Housing) and SP4 (Type and Mix of New Housing) . It is considered to be consistent with national policy (Chapter 5 NPPF) which aims to boost the supply of new homes and to ensure that new housing meets the needs of groups with specific housing requirements are addressed. Whilst it could be argued that a proportion of open market housing would result in a more balanced mix of tenures from the allocated site, this is not part of the development proposed. The delivery of affordable housing is a key Council priority and the benefits of the proposal in providing affordable housing, together with compliance with national and local policies as a whole weigh in favour of the scheme.

It should be noted that whilst the basis on which the application has been made has been known from the outset, the description of development does not specifically refer to the development being affordable housing. The applicant has agreed to an amendment to the description of the application to include reference to affordable housing. In addition , a tenure plan has been submitted which would secure the tenure mix via condition.

### **Design**

Policy SP16 (Design) of the Ryedale Plan states that “ *Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well- connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being”*

Policy SP20 (Generic Development Management Issues) requires that :

*“New development will respect the character and context of the immediate locality and the wider landscape/ townscape character in terms of physical features and the type and variety of existing uses.”*

Paragraph 130 advises that *‘Planning Policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.*

The application proposes a housing estate of modern, predominantly two storey dwellings with pitched roofs and of a traditional scale and form.

Amotherby itself is formed of a range of house styles and housing layouts, ranging from the smaller historic cottages/properties which front onto Main Street, to mid to late 20<sup>th</sup> century housing estates at Cherry Tree Walk and Eastfield and the more recent modern estate, Seven Wells. There is a varied use of materials throughout the village, with stone and brick being the predominant external facing materials, and clay pantiles being the predominant roofing material. Boundary treatments within the village vary according to the different 'character areas'. For example, stone retaining walls and front garden landscaping are a feature of Main Street. Landscaped front gardens and off street car parking are a feature of the more recent housing estate layouts and of existing housing along the B1257.

Within the context of the village, the proposed estate layout and form is not considered to be out of character with the built form of the village which has expanded (albeit not on the scale proposed on any one site) in the past, particularly on its western edge, to accommodate new housing in an estate layout. The scale/ proportions and form of the dwellings proposed are not considered to be out of character with much of the existing housing stock in the village. Furthermore, with the exception of the concrete roof tiles, the materials proposed are reflective of materials used across the village.

One of the key distinctive features of the village in the wider landscape is the way in which buildings sit within the sloping topography of the landscape. The design approach for the site will utilise the existing topography, with dwellings set into the existing sloping terrain. The use of retaining walls within rear gardens and on side garden elevations, is reflective of the use of retaining walls elsewhere in the village, particularly in the older area of Main Street, where the land falls steeply from The Street.

All of the dwellings proposed will front onto streets within the scheme and internal estate roads are connected which ensures the layout is easily navigated and legible. The retention of a Public Right of Way across the site and the inclusion of pedestrian and cycle access to Meadowfield are important features of the scheme which help connectivity to the wider village and the countryside beyond the village. The cycle and pedestrian only link to Meadowfield is required to comply with this element of Policy SD10. Notwithstanding this, the lack of specific cycle paths or shared cycle and pedestrian paths to support safe cycling is considered to be a limitation of the design approach although it is noted in the transport assessment that the estate environment within the site is conducive to encourage cycling within and through the site.

Objections to the design of the scheme include objections relating to a lack of local distinctiveness in the design approach, including architectural detailing, concern over the visual dominance of cars to the front of properties and the use of fencing for boundary treatments.

As noted above, Amotherby has a very mixed range of architectural styles reflecting its incremental growth over time. In officer's opinion, there is no predominant or strong local vernacular and against this context, it does not follow that all new development at the settlement should reflect the architecture of the traditional historic 'core' of the village. Whilst these historic properties are often aesthetically pleasing, it is not considered that the architectural style of properties in the village is so predominant or cohesive as to justify a design approach that is required to mirror traditional historic design in detail.

Notwithstanding this, it is considered that the scheme would benefit from the some further architectural detailing in the form of chimneys. These are an architectural feature which are common across many properties within the village and which are prominent in distanced views of the roofscape of the village. In order to better reflect the built form and character of the settlement in the landscape, it is considered that the inclusion of chimneys on plots around the western and southern perimeters of the site and within selected plots within the site should be included within the scheme. In addition, it is also considered that the scheme would benefit from a more balanced mix of proposed of external walling materials. Currently only a limited (11) number of plots are shown as being constructed from Artstone, with brick being particularly dominant. If members are minded to approve the application and to include these further changes, it is suggested that an amended proposed materials plan be requested, to include these details including the positions and numbers of chimneys and that authority to approve the amended plan is granted to the Planning Service Manager. Both of these matters have been raised

during consultation on the proposed plans. They are relatively minor design alterations which would not impact upon the amenity of neighbouring residents. As such it is considered that amended plans to secure these further points of detail would not require further consultation.

Car parking to the front of plots avoids the use of rear car parking courts which can present design and safety challenges. Ornamental boundary landscaping and tree planting will help to visually soften building lines and car parking spaces. Close boarded fencing is a commonly used domestic boundary treatment. It is not unreasonable to assume that over time, the appearance of fence panels will be softened as trees and shrubs are planted within domestic gardens. It cannot be assumed that fence panels will be left to deteriorate or become unsightly over time. The applicant will remain the landlord for properties across the site which provides additional reassurance that boundary treatments will be maintained.

Three main areas of public open space are included within the design of the scheme. Two informal areas of open space are proposed along the southern section of the site and within a central eastern section. These open spaces will be landscaped with naturalistic planting and it is considered that they will help to create a sense of place by enclosing and framing the proposed housing. More formal open space, including a children's play area (LEAP) and kick about area are located in the northern section of the site. The open spaces proposed at the site total circa 0.7 ha. Village amenity/ open space is not an integral part of the character or built form of Amotherby and in this respect, the open space at the site has been designed to frame the development, support connectivity and to visually assimilate the development in the landscape.

A comment has been made that this is an insufficient level of open space and that the areas of open space to the south and east of the site are incidental areas that are not large enough for functional or usable recreational purposes. This is not a view shared by Officers. The cumulative quantum of open space is considered to be acceptable and the type of open space proposed will provide for a variety of recreational use including walking and informal and formal children's play. The level of type of open space provided is acceptable under Policy SP11 (Community Facilities and Services). A condition is proposed to secure an appropriate specification and maintenance for the open space and LEAP at the northern side of the site.

The application is supported by a landscape masterplan and planting specification. In general, the approach to landscaping includes the provision of more formal shrub and tree planting within the main site area, including formal low level ornamental boundary planting to delineate front garden spaces, together with more natural landscaping at the site boundaries. The latter includes the retention of boundary trees and hedges, together with native shrub, heavy standard tree planting and species rich grassland planting. The submitted landscaping masterplan has been the subject of various minor amendments and in a limited number of areas, necessary landscaping has been omitted in error in a limited number of areas. To this end, if members are minded to approve the application, this would be subject to the submission of a further revised landscape masterplan. In general, it is considered that the approach to landscaping at the site is acceptable for a scheme of this nature and within the context of the surrounding landscape character.

Policy SD10 specifically requires the provision of a landscaping belt to along the western boundary of the site. The site, once developed will be most visible from the west and landscaping along the western boundary will be an important way of ensuring that the proposed development can be successfully assimilated within the landscape. At present, whilst the boundary benefits from some mature trees, the hedgerow is 'scrappy' in parts, with significant gaps. To this end, whilst the landscape masterplan provides broad proposals for this boundary, it is considered that a more detailed landscaping plan and specification is required for this area, which includes identification of areas of additional hedgerow planting as well as tree planting and native scrub planting and maintenance. A condition is proposed to secure the submission and approval of such details.

The landscape masterplan is broad brush in nature and approach. Two other areas of the site – the landscape buffer along the southern boundary and the open spaces on the eastern boundary are significant spaces that are integral to the design of the scheme. Whilst in principle, the landscape approach to these areas is acceptable, it is considered that the detailed extent and nature of planting in these specific areas does need to be secured by specific conditions.

The Police Designing Out Crime Officer has reviewed the application and provided comments which have been addressed in the design which will be secured through appropriate conditions. These include the use of appropriate boundary treatment to the Kiss and Drop and LEAP; defensive boundary landscaping and landscaping to demarcate plots and a management plan for Public Open Space. The developer has also confirmed that each property will be provided with secure cycle locks and security lighting to front elevations. The Officer did raise the issue of visitor car parking arrangements. The developer has confirmed that visitor car parking will be provided on street and not in any specific designed area which is not something that the Local Highway Authority has objected to. Visitor car parking will be overlooked and lit by street lighting. The Police have not objected to the scheme on the basis of safety.

The density of the development is 28 dwellings to the hectare. This is not an inappropriate density for a housing site in an edge of a village location. If the site were to be developed at a lower density ( with a resulting lower yield) and in the absence of other specific constraints to the developability of the site, the Council would not be making the best use of land. In effect, it would be under utilising a land allocation, in conflict with para 124 of national policy which states that '*Planning policies and decisions should support development that makes efficient use of land*'.

A number of energy efficiency/ carbon reduction measures have been included as part of the design of the scheme and performance is documented in a supporting Energy and Carbon reduction statement. All of the proposed dwellings will benefit from the installation of air source heat pumps and roof mounted solar pv panels, with a high specification of thermal insulation. Significantly the supporting statement notes that the approach to the design/ specification will result in a reduction in carbon emissions of 91.4% and a reduction in energy demand of 94.25% over a baseline scenario. The supporting information and proposed scheme supports requirements of Policy SP18 ( Renewable and Low Carbon Energy) and these design credentials are benefits which weigh in favour of the proposal. In addition, electric vehicle charging points will be installed to all of the properties, in accordance with Policy SD10.

It is considered that subject to a limited range of revisions and appropriate conditions, the proposal complies with the design requirements of Policy SP16 (Design); SP20 (Generic Development Management Issues) and Policy SD 10 ( Development Principles for the site) .

### **Residential amenity**

The residential amenity of residents neighbouring the site and the future occupiers of the proposed scheme has been considered.

Policy SP20 ( Generic Development Management Issues) notes that "*New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.*"

Existing residential properties are located to the east of the site, with two bungalows in the south eastern corner of Cherry Tree Walk being in closest proximity to the proposed new housing. The two bungalows proposed as part of the scheme have been sited with these existing properties in mind and these are sited immediately to the west of the neighbouring bungalows. Separation distances between elevations are a minimum of 20m. It is understood that the hedge boundary in this location are owned by the occupiers of the properties in Cherry Tree Walk which will ensure that existing boundary planting can be maintained. A 1.8m close boarded fence is also proposed to the rear of the proposed bungalows. With these factors in mind, it is considered that the proposed development will not result in an unacceptable impact on the residential amenity of the occupiers of adjacent properties at Cherry Tree Walk either in terms overlooking, loss of light or overbearing effects.

Other neighbouring properties are located to the east of the site adjacent to the B1257 although these are separated from the site by boundary planting and an area of wooded copse/ thicket. The Dwellings proposed as part of the scheme are located at some distance from these properties and will not present



any issue in terms of overlooking, loss of light or overbearing effects. A 1.8 m close boarded fence is proposed to be located along the south eastern boundary of the site. Whilst the neighbouring properties which front the B1257 will be subject to significant road traffic noise which is an existing issue that the proposed development could not be expected to address, the fence will help to mitigate the impact of any increase in road traffic noise and disturbance as a result of the installation of the site access.

Plot sizes and Noise are residential amenity issues of relevance to future occupiers of the proposed dwellings. Members are aware that the Council does not have specific policy requirements in respect of separation distances between properties, property sizes or plot/ external amenity space areas. Separation distances between directly facing main elevations are circa 20 metres or more, with a reduction in separation distances between properties with main elevations at oblique angles or with main elevations facing gable elevations. The separation between plots within the proposed layout is considered to be acceptable. A comment has been made that the rear gardens to a number of plots are too small. With the exception of two plots, all homes will have external amenity spaces at or in excess of 50 metres square which is not an unreasonable level of outdoor private amenity space. Plots sizes are generally commensurate with house sizes across the site. Whilst, Plots 24 and 48 have proposed external amenity space of 46 and 43 square metres respectively, these spaces are not considered to be unacceptably small for two bedroomed properties. The space is sufficient for bin storage, 'sitting out' and the drying of washing. It should be noted that these properties will be made available to rent through choice and may serve to provide some choice for households who do not require a larger garden area for children's play or gardening. All of the proposed dwellings will have private rear amenity space/gardens which is considered to be adequate, in accordance with Policy SP4 (Type and Mix of new Housing) of the Development Plan. The internal floor area of all of the dwellings are proposed to exceed technical housing standards (Nationally Described Space Standard) established by Government.

The application site is exposed to road traffic noise associated with the B1257 and a Noise survey and noise contour modelling has been undertaken to support the application. Policy SP20 (Generic Development Management Issues) requires "*developers to apply the highest standards in respect of noise*". In order to achieve internal daytime ( 35 db LAeq) and internal night-time noise levels with windows open ( 30 db LAeq and 45db LAm<sub>ax</sub>), a 0.3m high bund with 1.5 m high acoustic fencing is proposed to mitigate the impact of road noise. On the basis of the information provided, the Environmental Health Manager has confirmed:

*"The application is therefore supported provided that a condition is imposed to ensure the acoustic barrier referred to above is of the design and specification (superficial mass density) modelled in the contour mapping exercise and that the bund and barrier are constructed and maintained to ensure there are no gaps or holes in it to provide the sound reduction claimed"*.

The application is considered to be in accordance with the relevant policy requirements of Policies SP20 and SP4.

The Parish Council has raised concerns that a significant landscape buffer has not been provided at the southern end of the site and that this was a feature that the Inspector (appointed to assess the soundness of the Local Plan Sites Document) made reference to in her Examination report, which stated that "*Due to the depth of the site, a substantial buffer can be created to reduce the potential for noise from the busy B1257*". This highlights that the Inspector was mindful of the road as a source of noise and took the view that through layout and design, noise was capable of being addressed at the site. Noise modelling and a detailed layout was not available to the Inspector and it is not clear if, in her mind, the significant buffer to which she referred should or should not include mitigation measures over and above distance alone. A reference to such a buffer was not required to be added to the development principles in SD10 as a modification to the plan. Noise contour modelling of the field (in the absence of any proposed development) has not been undertaken. In this respect, the distance of the development into the site from the road which would be required to achieve satisfactory noise standards (without the bund and acoustic fencing) is not known. Inevitably this would mean a reduction in the developable area of the site. The proposed layout includes a landscape buffer to the south of the site which is also capable of accommodating acoustic mitigation measures which area acceptable in landscape terms. A reduction in the developable area of the site or increase in the extent of landscape buffer proposed to the southern boundary is not required in order to ensure that the highest standards of noise can be acceptably achieved at the site in accordance with the Council's policy.

### **Landscape impact**

The site is currently a field with a pastoral quality. The development of the site will clearly change the character of the site in the landscape. The allocation of the site for development establishes the fact that this is considered to be acceptable in principle.

The site lies within the setting of the Howardian Hills Area of Outstanding Natural Beauty and it is within the Vale of Pickering National Landscape Character area and adjacent to the Howardian Hills National Landscape character area.

Field boundary trees and hedgerows are a key feature of the landscape character of the Vale of Pickering and existing boundary trees and hedges will remain a key feature of the landscape proposals for the site. In addition, the changing topography at the juncture of these two character areas is a key feature of the local landscape as land falls from the scarp slope of the Howardian Hills into the Vale of Pickering. The site is proposed to be developed by taking account of the sloping topography and in this respect takes account of this element of the immediate landscape character and context of the site. Furthermore, the site is adjacent to existing development at the village and it is considered that from immediate and wider views within the surrounding landscape, the site will be read in the context of the existing village.

The Howardian Hills AONB is located to the south of the site, with the boundary of the AONB running along the southern side of the B1257. National and local policy recognise that development within the setting of a nationally protected landscape can have an adverse impact on the natural beauty and special quality of a protected landscape. To ensure that the natural beauty of the nationally protected landscape is conserved and enhanced, it is important that new development within the setting of a nationally protected landscape is located and designed to avoid or minimise impact on the protected landscape. The AONB Manager has responded to the planning application and notes that there are limited views of the site from within the AONB. Notwithstanding this, the AONB Manager has noted that the first row of houses will be visible from the AONB and that the development will result in increased traffic through the AONB. The AONB manager has suggested number of measures to reduce the impact of the scheme on the AONB including : the retention of boundary hedging; the inclusion of open space and tree planting to the front/ south of the site; measures to control the impact of light/ light pollution ; appropriate construction management and the retention and inclusion of features to assist ecological connectivity with the AONB. The range of measures will be addressed through proposed conditions . It is considered that subject to securing such measures, the development, by virtue of its location within the setting of the AONB , will not result in harm or unacceptable adverse impact on the landscape or natural beauty of the protected landscape.

The southern boundary hedge is a key feature in the landscape and together with other hedges, provides landscape, green infrastructure and ecological connectivity along the B1257. The hedge stretches for 131m along the length of the southern boundary of the site. The construction of the site access and visibility splays will result in the removal of 55m of the hedge, although with the exception of the permanent loss to facilitate the road and path access, the majority of the hedge ( circa 38m) will be reinstated. Policy SD10 recognises that landscape significance of this hedge and the retention of a hedge on the southern boundary is a development principle which is reflected in the proposed scheme.

It is considered that for the reasons outlined above, the development of the site will not have an unacceptable impact on the character or appearance of the local landscape or the nationally protected landscape and is considered to accord with the policy requirements of Policy SP13 (Landscapes) and SD10 of the Development Plan.

### **Ecology/ Biodiversity**

The application is supported by an Ecological Impact Assessment (EIA), Landscaping planting specification; Vegetation Survey, Bat Activity Survey and Badger Assessment.

The site is agriculturally improved grassland of relatively low biodiversity value with hedgerows and

tree lines on its boundaries. The site and boundary trees and hedges have some value in providing foraging habitat for bats and badgers. The EIA notes that the impacts of the development include the loss of habitat and potential damage and disturbance during the construction and operational periods. The EIA proposes a range of mitigation measures including on site landscaping/ habitat creation and management; the control of lighting and general environmental protection provisions during the construction phase.

The County Ecologist has reviewed the information supporting the application, which has been revised after initial comments were provided. In terms of habitat creation/ biodiversity gain, he has noted that , *'The updated Biodiversity Metric calculation shows a small (4%) net gain in area-based habitat units post-development and a more substantial (42%) increase in hedgerow units. While this would not meet the 10% uplift set out in the Environment Act, this is not yet a mandatory requirement and it does deliver the net gains for biodiversity referred to in para 174(d) of the NPPF'*.

The ecologist has agreed that the schedule of planting contains appropriate species for the proposed native tree and hedge planting and has confirmed that the mitigation measures proposed in the EIA should be conditioned if members are minded to approve the application. The measures for ecological mitigation in the EIA are itemised so that each will be detailed in an Arboricultural Method Statement, Construction Environmental Management Plan or a Biodiversity Management Plan. On that basis it is appropriate that a condition is used to secure the submission for approval of each of these plans.

The proposed development will not result in unacceptable harm or loss of biodiversity and satisfactory mitigation measures can be secured. In this respect, the proposal is considered to be acceptable in terms of Policy SP14 (Biodiversity) of the Development Plan and paragraphs 179 and 180 of national policy.

### **Public Right of Way and Green Infrastructure**

A public footpath crosses the site in a south west to north easterly direction before it exits the site to the south of Cherry Tree Walk to the east of the application site. The development as proposed would affect the existing route of the PROW. The applicant is proposing to permanently divert the PROW within the site. The site layout plan indicates that the proposed route would align with the proposed pedestrian highway to the south of the site, running parallel with the stretch of open space to the site frontage before following the site access road in a northerly direction and then running through the proposed open space on the eastern side of the site before joining the existing route of the path beyond the eastern boundary of the site.

The legal process to divert the PROW is separate to the determination of the planning application. It is understood that a diversion order has been sought via the Secretary of State although such an order would not be confirmed before any planning permission is granted.

A number of objections to the scheme relate to the diversion of the PROW/ loss of the existing route and concern that the proposed new route will diminish the experience of users. The allocation of the site for development establishes the principle of the land use change on the site and the change in character of the site. The proposed PROW diversion route is aligned with public open spaces proposed at the site. This is in accordance with good practice in order to support continued informal recreational use and user experience. A PROW will be retained at the site in accordance with SD10 and SP15 (Green Infrastructure Networks) of the Development Plan.

### **Trees**

The application is supported by a Tree Survey. Trees at the site are present along the boundary of the site along with existing hedgerows. The survey notes that these are all either of moderate arboricultural value or relatively low landscape and arboricultural value. No existing trees are proposed to be removed as part of the development according to the tree survey, although one Ash tree is identified as being removed from the proposed area of open space on the eastern side of the site. The Council's Tree and Landscape Officer has no objection to the removal of the tree which has a fungal bracket at the base and decay cavity. He has confirmed that the tree has a potentially elevated risk of failure and that it would be prudent to remove it. He has confirmed that in his view, the proposed level of tree planting is considered sufficient to mitigate the loss. The Officer has also confirmed that " *subject to necessary ground /fencing protection up to or beyond the root protection of the trees the proposal is considered to*

have a minimum impact on existing trees both on and off site.” A tree protection condition is recommended and on that basis the proposal is considered to accord with the elements of Policies SP13 (Landscapes) SP14 (Biodiversity) and SP16 (Design) which seek to retain natural landscape features as part of new development.

### **Archaeology and Heritage**

The application is supported with several archaeological assessments including geophysical surveys and trial trenching. The requirement for this information was identified during the plan making process and is included in Policy SD10. These have been subsequently assessed by the County Archaeologist. The archaeologist has confirmed that the assessments are an appropriate level of investigation and that they meet the requirements of national policy. The work has revealed evidence of a later prehistoric or Romano British settlement towards the northern part of the site.

Having regard to the level of harm and loss to below ground heritage assets and the significance of these, the County Archaeologist has confirmed *‘I attach a copy of a Written Scheme of Investigation prepared by MAP Archaeological Practice for a set piece archaeological excavation to mitigate against the loss of archaeological deposits in the northern part of the site. I have previously informally agreed the scope of this scheme and have no issues with the document. The written scheme should be implemented in advance of the development’*. A condition requiring the appropriate archaeological recording has been requested to be attached to any grant of planning permission.

The level of harm associated with the development is not considered to outweigh the benefits associated with the development. On the basis that appropriate mitigation can be secured by condition, the impact of the proposal on archaeological heritage assets is considered to be acceptable.

The site is not located within or on the edge of a Conservation Area and whilst there are some Listed Buildings within the main body of the village, it is considered that the proposed development would have a neutral impact on the setting of these designated assets which is currently the built form of the village.

In terms of heritage assets, it is considered that the proposed development would comply with Policies SP12 and SD10 of the Development Plan and national policy (Chapter 16).

### **Highways**

The application is supported by a Transport Assessment and road safety audit. The proposed residential development is expected to generate 28 am peak (8.00-9.00am) movements and 25 pm (5.00-6.00pm) peak vehicular movements. In addition, the proposed Kiss and Drop facility could see a significant school associated trips into and out of the site but notes that these are vehicular movements within the highway network.

The Local Highway Authority has considered the application and has sought some clarification and revisions to ensure appropriate visibility splays are achieved at the sites entrance, that internal junctions are appropriately designed and to ensure that sufficient pedestrian crossing points and dropped kerbs are provided. The LHA requires a widening of the footpath from the site entrance to the village crossroads on the B1257 and is satisfied that the car parking provision proposed satisfies its car parking standards. The proposed Kiss and Drop facility has the potential to result in high traffic volumes at peak school drop off and pick up times. The LHA initially questioned how traffic was to be managed in order to minimise disruption to estate roads. The developer has confirmed that the Kiss and Drop facility will be transferred to the school as part of a legal agreement and that the legal transfer will secure appropriate management arrangements. It is understood that this will include the need for a marshal to be present to on site during these times and for a bollard to be installed to manage car parking when not in use. The LHA has noted that marshal arrangements have worked successfully at other school Kiss and Drop facilities within the County and the LHA is content that the design of the Kiss and Drop facility is acceptable. The LHA will monitor how the facility operates and the LHA has the option in the longer term to put traffic management in place on the estate roads if this is considered to be necessary in the future. The Kiss and Drop facility has the potential to alleviate some of the effects of school related traffic on Main Street and Meadowfield and this is considered to be a benefit of the scheme.

Policy SP20, entitled ‘Generic Development Management Issues’ states 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. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads*”.

Paragraph 111 of the NPPF makes it clear that ‘*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*’.

It is considered that vehicular traffic associated with the application can be accommodated on the proposed estate roads, the junction of the site with the B1257 and the B1257. The LHA has not objected to the application on the basis of highway safety or capacity and has recommended conditions to cover engineering specifications/ layout; off-site highways works and construction management. In this respect the proposal is considered to comply with the requirements of Policy SP20.

The Local Cycle Forum has referred to the possibility of the site including a section of cycle path parallel to the B1257 to assist in delivering aspirations for a wider strategic route/s. In the absence of further detail or development of a route, this is not addressed as part of the application. However, it is noted that the proposed layout of the scheme would not preclude the installation of a route within the southern extent of the site or alterations to the access junction if required.

### **Drainage and Flood Risk**

The application is supported by a Flood Risk Assessment, Drainage Philosophy/ Strategy, a SuDS Management Plan and details. The submitted information has been considered by the Lead Local Flood Authority and Yorkshire Water.

The site is located in Flood Zone 1 and the Flood Risk assessment confirms that the risk of fluvial flooding is low and that much of the site is at a very low risk of overland flooding, with the exception of a small area on the northern ( lowest point of the site )which is at a low risk of overland flooding. The supporting information notes that the introduction of a drainage scheme as part of the development of the site will address this. The Flood Risk Assessment concludes that the proposed surface water attenuation will the risk of flooding to/at the site will be low from all forms of flooding and that the proposed positive drainage strategy will ensure that flood risk should not increase flood risk elsewhere off site.

The supporting drainage information and Planning statement confirm that it is not possible or practicable to discharge surface water to either the ground via infiltration or to a nearby watercourse and on that basis the proposal is to discharge surface water to a nearby surface water sewer. Surface water drainage attenuation will be achieved through the use of an underground attenuation tank which would have the capacity to provide storage for 1 in a 100 year event with a 40% climate change addition. The proposed drainage scheme also requires the installation of a pumping station to address land levels relative to the outfall to the surface water connection drain.

For foul water, the proposal is to connect into the existing Yorkshire Water foul sewer within Meadowfield.

Concerns of objectors in relation to drainage and flooding issues have been received and relate to the existing capacity of the waste water systems and existing surface water flooding that has taken place in the village. In terms of the latter whilst these concerns are noted, they do not relate to the site and indeed appear to relate to the main road through the village which is understood to become flooded in periods of intense rainfall. It appears that the concerns are that this development would exacerbate that issue although no evidence to support this has been submitted for consideration by the Local Planning Authority. The proposed drainage scheme would be designed to attenuate surface water in storm events. The Lead Local Flood Authority (LLFA) have considered the surface water design proposed and has confirmed that it represents a reasonable approach to the management of surface water and recommend conditions. Yorkshire Water has recommended conditions to ensure related to drainage of foul and surface water on separate systems; no piped discharge until the completion of proposed surface water

drainage works and to ensure that no works are undertaken until the foul water drainage proposals were submitted and approved. It should be noted that whilst Yorkshire Water have not raised concerns in principle, they do require some amendments to the proposed submitted drainage details, most notably in relation to pumped rates of discharge to the public sewer network. It is understood that the applicant's drainage engineers have addressed these points and have revised the drainage proposals in line with Yorkshire Water's requirements and it is understood that the LLFA has confirmed that the revised pumping rates are acceptable to them. The details will be required to be submitted and approved as part of the discharge of the conditions proposed.

The drainage measures proposed are a SUDS scheme, albeit at the 'lower' end of the drainage hierarchy.

It is considered that based on the assessment completed by the LLFA and the response from Yorkshire Water, the proposal would not increase flood risk to the users of the development or elsewhere and that suitable surface and foul water drainage arrangements can be provided in compliance with Policy SP17 of the Development Plan and the NPPF.

### **Ground Contamination**

The application is supported by ground investigation reports. The Council's Environmental Health team have considered the information provided and have confirmed that the results are '*acceptable and show no cause for concern regarding the site*'. In this respect that application complies with the requirements of Policy SP17 (Managing Air Quality, Land and Water Resources).

### **Economic Benefits**

The supporting Planning Statement notes a range of economic benefits associated with the proposal. Direct benefits include construction expenditure of circa £ 9 million; the creation of 39 new jobs; New Homes Bonus ( Circa £500k) and additional council tax payments ( circa £90K). Indirect economic benefits will arise as housing needs are met which provides increased opportunity for those in need to live and work locally, an estimated 54 new indirect jobs and increased expenditure in the local area.

Whilst these economic benefits are not all unique to this application, they are factors which weigh in favour of the proposal. The development for the site for affordable housing is of particular benefit to those economic sectors who are struggling to recruit or retain workers due to a lack of affordable housing in the area.

### **Infrastructure/ Developer Contributions**

The Community Infrastructure Levy is used in Ryedale to fund off site infrastructure improvements which are required as a result of new development. Affordable housing is exempt from the CIL payment and a CIL receipt will not be generated from the scheme. The Education Authority has confirmed that additional capacity is not required at Amotherby County Primary School. It has confirmed that the development contributes to a requirement for additional capacity at Malton Secondary School. As a CIL receipt will not be generated by the development, additional capacity at the secondary school would need to be addressed through existing and future CIL monies raised elsewhere. This is consistent with Policy SP22 (Planning Obligations, Developer Contributions and CIL). It should be noted that the proposed Kiss and Drop facility will be transferred to the Primary School and can be considered as an 'in kind' developer contribution to the school. This will be secured within the S106 legal agreement.

The development will provide some additional village greenspace and a children play area which will contribute existing provision/ underprovision. This is a benefit of the scheme which accords with Policy SP10 ( Physical Infrastructure) .

### **CONCLUSION:**

The site is an allocated housing site. Its development for affordable housing aligns strongly with key Council priorities and key elements of the design align with the development principles established for the site in the Development Plan. It is considered that the development can be accommodated without an unacceptable impact on the surrounding landscape and as proposed is within the capacity of

infrastructure to accommodate.

The benefits of the development are considered to weigh significantly in favour of the proposal.

**RECOMMENDATION:** Conditional approval subject to: a Section 106 agreement and to the receipt of a revised landscape masterplan and revised external materials plan (approval to be delegated to officers).

Conditions to follow on the late pages.

**Item Number:** 7  
**Application No:** 21/01530/MFUL  
**Parish:** Amotherby Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Yorkshire Housing  
**Proposal:** Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)  
**Location:** Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire

**Registration Date:** 16 November 2021  
**8/13 Wk Expiry Date:** 15 February 2022  
**Overall Expiry Date:** 16 September 2022  
**Case Officer:** Jill Thompson **Ext:** Ext 43327

### Report Update

#### Officer report – Omission

Members should be aware that the Officer report has omitted in error a reference to the Minerals and Waste Joint Plan as forming part of the development plan for the area. In addition, the report has not addressed the fact that the site falls within a Minerals Safeguarding Area and that a development principle of Policy SD 10 requires *'the feasibility and viability of the extraction / utilisation of the minerals resource to be demonstrated'*. The purpose of the relevant policy in the Minerals and Waste Plan and of the development principle is to encourage developers to consider the extraction of the resource and where possible for use within the development. In this case the developer has confirmed that it is not practicable or viable for them to extract sub surface mineral resources from the site. In officers view, mineral resource extraction could also have a significant impact on the topography of the site which is proposed development seeks to utilise and extraction would also have a significant impact on the residential amenity of local residents.

#### Additional Consultation responses

Following the agenda despatch two further neighbour letters/emails of objection have been received. These can be read in full on the public website. The further concerns have been made in response to the report recommendation and a summary is as follows:

- Express concerns with the recommendation
- In the face of overwhelming objection
- Road deaths and accidents are on RDC is this goes ahead

#### Development Description

The Officer report made reference to a change to the description of the development proposed to include a specific reference to affordable housing. The applicant has subsequently confirmed that this would not be acceptable to Homes England. This could present difficulties for those wishing to purchase and staircase shared ownership properties. Officers are of the view that the submitted tenure plan which is proposed to be conditioned, provides the clarity which confirms that the tenures proposed across the site are affordable tenures.



## Draft Proposed Conditions

A draft list of proposed conditions is outlined below. Further minor changes to the specific wording of the conditions may be required to improve clarity and following a further check of plan references.

01. The development hereby permitted shall be begun within 3 years of the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

02. The development hereby permitted shall be carried out in accordance with the application form dated the 5 November 2021 and the following approved plans:

- Existing Site Plan, ref. 001-PL-8620, Rev. B;
- Location Plan, ref. 002-PL-8620, Rev.A;
- Proposed Site Plan, ref. 003-PL-8620, Rev. L
- Boundary Treatment Plan, ref. 005-PL-8620, Rev. K
- Proposed Materials Plan, ref. 006-PL-8620, Rev ...
- Proposed PV panel location, ref. 009-PL-8620, Rev. C
- Kiss & Drop Facility, ref. 010-PL-8620;
- Proposed Tenure Plan 2, ref. 014-PL-8620; ( 13/10/22)
- Proposed Highway Plan, ref. 015-PL-8620, Rev. G;
- Arkendale Semi-detached proposed Floor Plans, ref 104-PL-8620-Rev C
- Arkendale Semi-detached proposed Elevations, ref 204-PL-8620-Rev C
- Arkendale Detached proposed floor plans ref 109-PL-8620-REV C
- Arkendale Detached proposed Elevations ref 209-PL-8620-REV C
- Airedale Semi-detached Proposed Floor Plans, ref. 100-PL-8620, Rev. C;
- Airedale Semi-detached Proposed Elevations, ref. 200-PL-8620, Rev. C;
- Airedale Terraced Proposed Floor Plans, ref. 101-PL-8620, Rev. C;
- Airedale Terraced Proposed Elevations ref. 201-PL-8620, Rev. C;
- Rosedale Bungalow Semi-detached Proposed Floor Plans, ref. 102-PL-8620, Rev. A;
- Rosedale Bungalow Semi-detached Proposed Elevations ref. 202-PL-8620, Rev. D;
- Stonesdale Semi-detached Proposed Floor Plans, ref. 103-PL-8620, Rev. C;
- Stonesdale Semi-detached Proposed Elevations, ref. 203-PL-8620, Rev. C;
- Stonesdale & Littondale Dual-aspect Proposed Floor Plans, ref. 106-PL-8620, Rev. C;
- Stonesdale & Littondale Dual-aspect Proposed Elevations, ref. 206-PL-862, Rev. D;
- Stonesdale Semi-detached Proposed Floor Plans, ref. 108-PL-8620, Rev. A;
- Stonesdale Semi-Detached Proposed Elevations, ref. 203-PL-8620, Rev. C;
- The Harrison Detached proposed Floor Plan ref107-PL-8620, Rev C
- The Harrison Detached proposed Elevations ref207-PL-8620, Rev D
- The Dearne Semi Detached proposed Floor Plan ref 108-PL-8620 Rev A
- The Dearne Semi-detached proposed elevations ref 208-PL-8620, Rev C
- The Dearne Detached proposed floor plans ref 105-PL-8620, Rev C
- The Dearne Detached proposed Elevations ref 205-PL-8620, Rev D
- Proposed Site Section A-A & B-B, ref. 300-PL-8620; Rev G
- Proposed Site Section C-C, ref. 301-PL-8620;
- Design & Access Statement, dated. 1 July 2021;
- Landscape Masterplan, ref, DR-5104-01.01, Rev.
- Planting Specification, ref. DR-5104-01.02, Rev J
- Proposed Visuals, ref. 400-PL-8620; dated 11 November 2021;
- Proposed Street Scenes, ref. 401-PL-8620;

Reason: For the avoidance of doubt as to what constitutes the permission and in the interests of proper planning.

03. Prior to works of above ground construction, details and samples of all materials to be used on the exterior of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

04. Prior to works of above ground construction, the developer shall construct on site for the written approval of the Local Planning Authority , one metre square free standing panels of the external walling to be used in the construction of the dwellings and retaining boundary walls .

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy

05. Prior to works of above ground construction, details of all windows and doors including means of opening, depth of reveal and external finish and precise eaves detailing shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy

06. Prior to works of above ground construction precise details of ground surface materials shall be submitted to and approved in writing by the Local Planning Authority and thereafter the agreed details for all public areas shall be maintained.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 ( Generic Development Management Issues) of the Local Plan Strategy

07. Prior to works of above ground construction, precise details of the measures to address renewable energy, low carbon and sustainable building within the scheme, including electric car charging points to all dwellings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details thereby agreed.

Reason: To support energy efficiency and a reduction in carbon emissions and to satisfy Policy SP18 of the Local Plan Strategy and SD10 of the Ryedale Plan

08. Prior to the occupation of the dwellings hereby approved, details of the precise position, design and specification of the acoustic barrier, including superficial mass density of the acoustic fencing along the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The acoustic barrier shall be constructed and thereafter maintained in accordance with the approved details.

Reason: To protect the residential amenity of the occupiers of the development in accordance with Policy SP20 of the Local Plan Strategy

09. No development shall take place other than in accordance with Land South of Amotherby Primary School, Amotherby, North Yorkshire - Written Scheme of Investigation Archaeological Strip Map and Record prepared by MAP Archaeological Practice.

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

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

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

11. No works shall take place until a Construction Environment Management Plan (CEMP-Biodiversity) is submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the measures recommended in the supporting Badger Assessment Report; Preliminary Ecological Appraisal Report and Ecological Impact Assessment Report. The approved CEMP shall be adhered to and implemented throughout the construction period in strict adherence with the approved details.

Reason: In the interests of the Ecology and Biodiversity of the area and to comply with Policy SP14 of the Ryedale Local Plan

12. No works shall take place until and Landscape and Biodiversity Management Plan covering the site is submitted to and approved by the Local Planning Authority. The plan shall include measures recommended in the submitted Preliminary Ecological Appraisal and Ecological Impact Assessment reports and shall cover all of the site but shall also specifically include :

- Full details of the tree, hedge and native scrub planting , together with initial and on-going management of vegetation along the western boundary of the site
- Full details of the tree and native scrub planting, grassland retention, meadow creation, and hedgerow reinstatement at the southern boundary and open space to the south of the site and on-going management of this area. The details shall include minimum heights of landscape planting to be maintained to ensure appropriate screening of the acoustic barrier.
- Full details of the planting, initial tree and hedgerow management and on –going management of the boundary trees and hedges, public open space and public areas along the eastern side of the site.

Those agreed measures and their management shall be incorporated on the site within the agreed planting timescales and thereafter so maintained.

Reason: In the interests of the longer term landscape setting of the development, with the enhancing of habitats and biodiversity of the site, and to enhance green infrastructure on the site to comply with the requirements of Policies SP13 (Landscapes), and SP14 (Biodiversity) and SP15 (Green Infrastructure) of the adopted Ryedale Plan- Local Plan Strategy and the Development Principles of Policy SD10 of the Ryedale Plan- Local Plan Sites Document.

13. Prior to the commencement of the development hereby approved, details of the form and position of fencing, which shall comply in full with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', for the protection of those trees, shrubs and natural features not scheduled for removal shall be submitted for the written approval of the Local Planning Authority, and such fencing shall be erected in the positions approved before the development is commenced ( including any soil stripping) and thereafter retained until such completion of the development, to the approval of the Local Planning Authority. Hereafter, the fencing shall be referred to as the 'approved protection zone'. There shall be no site huts, vehicles, or any other buildings or materials in connection with the development sited or stored within tree root protection zones.

Reason: To preserve trees and hedges at the site in the interests of biodiversity, visual amenity and the character of the area and to comply with Policies SP14 (Biodiversity) , SP13 ( Landscapes) and SP15 (Green Infrastructure) of the Local Plan Strategy

14. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation and use on site. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of biodiversity, the local landscape and safety and to satisfy the requirements of Policies SP14; SP16 and SP17 of the Ryedale Plan, the Local Plan Strategy.

15. The on-site Children's play area shall be built to a Local Equipped Area for Play (LEAP) Standard. Prior to works of above ground construction, full details including the number (minimum of 6) and types of play equipment/ experiences; boundary fencing; signage; seating; surfacing and management shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure safe and usable children's play space and to satisfy Policy SP1 of the Local Plan Strategy

16. Prior to the commencement of the development precise details of existing spot ground levels and the finished floor levels of each dwelling measured in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 of the Local Plan Strategy

17. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

Informative: (Detailed Plans of Road and Footway Layouts)

1. It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

- 18 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until, visibility splays of 120 metres measured along both channel lines of the highway from a point measured 2.4 metres down the centre line of the access road shall be provided. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan

- 19 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been provided. In measuring the splays the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan

- 20 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. 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.

- 21 Prior to the commencement of the development a Construction Management Plan for the construction works required to complete the hereby approved development shall submitted to and approved in writing by the Local Planning Authority. Once approved, construction of the hereby approved development shall be undertaken in full accordance with the approved Construction Management Plan. The Plan must include the following:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;
2. Restriction on the use of Meadowfield access for construction purposes;
3. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. The parking area of contractors' site operatives and visitor's vehicles;
5. Areas for site compound and storage of plant and materials used in constructing the development clear of the highway;
6. Measures to manage the delivery of materials and plant to the site including preferred routing and timing of deliveries and loading and unloading areas;
7. Details of the preferred routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. Protection measures of carriageway and footway users at all times during any demolition and construction;
9. Protection measures of contractors working adjacent to the highway;
10. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
11. Means of minimising dust emissions arising from construction activities on the site,

including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;

12. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;

13. Details of external lighting equipment;

14. Details of ditches to be piped during the construction phases;

15. A detailed method statement and programme for the building works; and

16. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interests of public safety and amenity

- 22 Prior to the commencement of the development, details of a detailed maintenance and management regime for the surface water drainage storage facility shall be submitted to the Local Planning Authority for written approval. Once approved, those details shall be adhered to in full for the duration of the development.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to comply with Policy SP17 of the Ryedale Local Plan.

- 23 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: To ensure satisfactory and sustainable drainage and to manage flood risk and pollution

- 24 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to: ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to manage flood risk

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made

- 25 During construction no burning shall take place on site.

Reason: In the interests of the amenity of the area.

- 26 Construction works and related activity shall only take place between the hours of:  
08.00 – 18.00 Monday to Friday;  
09.00 – 13.00 Saturday  
And with no works and activity on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the area.

### Note to developer

This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement. It is the applicant's responsibility to ensure all necessary agreements/consents are in place prior to the commencement of development and to take appropriate advice thereon if required.

There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary.

If the proposed development will physically affect the Public Right of Way **permanently** in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.

If the proposed development will physically affect a Public Right of Way **temporarily** during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order. It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.

If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.

Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times. Applicants should contact the County Council's Countryside Access Service at County

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 OR COMBINED SECTION 38/278 AGREEMENT of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions). Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

The retaining wall for the turning head serving the road to plots 1 to 11 is likely to require technical approval under the attached document 'Technical Approval Procedures for Developers' Structures' as part of the requirements of Condition 01 of the Local Highway consultation response

The proposed new hedgerows, ornamental hedging and shrub planting should not encroach on the

pedestrian visibility splay requirements of Condition 04 of the consultation above. The same standards should also apply where no adoptable footway adjacent to driveways / accesses are proposed on the development (ie. direct onto the adoptable carriageway).

Attention is drawn to the Solmek Phase 2 Site Investigation Report. The site is within a radon affected area. The developer and future occupiers are advised to consult Building Control in relation to new building and future extensions to buildings.

It is respectfully noted that the operational use of the kiss and drop facility to be provided as part of this proposed development should be accompanied by a statement of intent agreed between the developer and established management company for this kiss and drop facility that provides an overview of the arrangements to be put in place to monitor the parking, arrival and departure of vehicles during school drop-off and pick-up times to ensure vehicular space remains available within the kiss and drop facility as far as practicable and that outside of these times physical measures are employed to prevent vehicular access into the kiss and drop facility save for that required for maintenance or emergencies should the need arise. This statement of intent is recommended to be drawn-up with the agreement and support of the local planning authority in consultation with the local highway authority and be available for implementation on commencement of the facility being brought into use.



## **MALTON ROAD, AMOTHERBY – STATEMENT OF COMMUNITY INVOLVEMENT UPDATE – DECEMBER 2022**

This note provides a synopsis of the original work undertaken to discuss the proposals with the Council, North Yorkshire County Council, and local stakeholders prior to the submission of the planning application and further discussions undertaken in recent weeks since the application was deferred at planning committee on the 25<sup>th</sup> October 2022.

### **PRE-APPLICATION DISCUSSIONS AND CONSULTATION**

Pre-application discussions and meetings took place with the following parties prior to the submission of the planning application: -

- Ryedale District Council: -
  - 19<sup>th</sup> February 2021
  - 15<sup>th</sup> March 2021 (Including Highways Officers from North Yorkshire County Council)
  - 19<sup>th</sup> October 2021
  
- Local Ward Member: -
  - 3<sup>rd</sup> February 2021
  - 2<sup>nd</sup> March 2021
  
- Amotherby Parish Council: -
  - 19<sup>th</sup> February 2021
  - 22<sup>nd</sup> October 2021
  
- Amotherby Community Primary School: -
  - 26<sup>th</sup> February 2021
  - 26<sup>th</sup> March 2021
  - 12<sup>th</sup> May 2021
  - 16<sup>th</sup> July 2021
  - 22<sup>nd</sup> October 2021

For ease and brevity, the amendments which have been made to the development proposals as a result of consultation with each of the above stakeholders are detailed in the topic specific sections of this statement.

With regards to consultation with local residents, the applicant had delivered consultation leaflets to every house in Amotherby, along with properties located between Amotherby and Swinton, and also to properties located within Swinton. Approximately 300 leaflets were delivered in total (a copy of which is enclosed). The consultation leaflets provided details of the proposed scheme and included indicative plans of the proposed layout and house types. Contact details were provided so that comments could be made on the draft proposals. A total of 46 comments were received. These comments have been considered by the applicant and full details of how they have responded to them are included in the topic specific sections of the submitted Planning Statement and are summarised below.

The applicants have undertaken comprehensive consultation discussions with a wide variety of local stakeholders. These discussions have led to positive amendments being made to the development proposals which are outlined below to alleviate a number of issues that were raised. Showing a real commitment to engaging with the local community and to delivering a well-designed scheme that provides much needed homes for the wider community.

The applicant remains available to undertake further discussions with local stakeholders should they have any further comments or questions following the submission of the planning application.

## **CHANGES MADE TO THE DEVELOPMENT PRE-SUBMISSION OF THE APPLICATION**

Following the discussions with local stakeholders, a number of changes were made to the original development proposals. These included: -

- The reduction in the number of homes at the site from 65 to 58.
- The size of the Kiss & Drop was increased to enable the provision of 2 more parking spaces (6 in total) and space for a mini bus which is used by the School. A new access gate was also provided direct from the Kiss & Drop connecting to the School's southern boundary. A 1.8m high paladin fence will be provided along the School's southern and eastern boundary where it bounds the application site. It was agreed that the Kiss & Drop will not be enclosed by a boundary treatment for aesthetic purposes. Bollards will be used to control vehicular access. The School will take on the long-term ownership and management of the facility. Rabbit proof fencing is also to be provided on the site's boundary with the School at the School's request.
- The proposed homes were pushed back from Malton Road following the undertaking of a noise report and discussions with the Council's Environmental Health Officer (EHO). There is also a benefit of this in respect of creating an open/green frontage at the entrance of the development.
- The two bungalows have been located adjacent to existing bungalows at the north-east corner of the site. This is to ensure that the amenity of existing properties is retained.
- The landscape proposals including additional native tree, wildflowers and hedgerow planting were further tailored to ensure the delivery of Biodiversity Net Gain on site.

## **RECENT DISCUSSIONS WITH 3<sup>RD</sup> PARTIES & AMENDMENTS TO THE PROPOSALS**

Since the deferral of the planning application at planning committee on the 25<sup>th</sup> October 2022 a number of discussions have taken place with Planning Officers of the Council, the School, and a meeting was also held with the Parish Council on Friday 4<sup>th</sup> November. The applicant's response to these discussions has been as follows: -

- A Frequently Asked Questions (FAQ) note has been submitted to explain how the proposed homes can be purchased by local people and thus have the ability to directly meet local housing needs.
- The development has been amended to increase the opportunity for home ownership within the development. Six of the proposed affordable rental homes have been exchanged with six rent-to-buy properties. The FAQ provides a full explanation of what this means in respect of increasing the opportunity for local people to buy one of these homes.
- A 3<sup>rd</sup> bungalow has been provided in the scheme to ensure that at least 5% of the proposed homes are bungalows.
- The School have submitted a letter confirming their involvement in the designing of the proposed Kiss & Drop facility, management plan and their support for its delivery.
- The cycle/pedestrian route through the site to Meadowfield has been widened to 3m to ensure that it delivers a fully segregated non-car connection from Malton Road to Meadowfield to encourage walking and cycling in the local area.

- Yorkshire Housing have agreed to deliver chimneys on key plots throughout the development, including along the site's frontage and western boundary to enhance a rural character of the development.
- Yorkshire Housing have agreed to deliver more of the homes in reconstituted stone to ensure that the development is in-keeping with the character of the area.

## CONCLUSION

Yorkshire Housing have therefore undertaken a substantial level of consultation on the application prior to and following the submission of the planning application. They have engaged with the community and have responded to the comments received by making a number of amendments to the scheme.

The only area where they have been unable to make changes to the scheme is associated with the request of the Parish Council to substantially reduce the number of homes to circa 40.

In this regard, justification has been provided on a number of occasions to demonstrate that the number of homes at the site is driven by the housing mix. Which fully accords with the District's housing needs. The development contains more homes than indicated in the Local Plan because the housing mix predominantly contains two and three bedroom semi-detached homes, which take up the same development footprint as a larger 4-bedroom detached house. As such, if the proposed semi-detached properties were exchanged with larger detached homes, whilst the number of homes would reduce, the overall development footprint would not change at all.

The environmental and technical reports submitted with the application confirm that there is no adverse impact associated with the number of homes which are proposed to be delivered at the site. This position has since been corroborated by the statutory and technical consultees on the planning application who have not objected to the development proposals, including North Yorkshire County Council Highways & Ecology Officers, the Local Lead Flood Authority, Yorkshire Water, and each of the officers of Ryedale District Council.

With regards to density, the overall density of the development is low at 25 dwellings per hectare. Policy SP16 of the adopted Local Plan identifies that in general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of the surrounding context. In this instance we believe a lower density of 25 dwellings per hectare is justified, however, a scheme of circa 40 homes would reduce the density to 17 dwellings per hectare, which simply put would not be an efficient and effective use of a site which is allocated for residential development in the Local Plan. There would also be no justification for such a low figure given there are no objections to a development of 58 homes at the site from statutory and technical consultees. Furthermore, all of the proposed homes meet or exceed the National Described Space Standards (NDSS) which is not a current policy requirement in the adopted Local Plan; all of the homes have appropriate garden sizes; and all of the proposed homes deliver acceptable separation distances. All properties will be well insulated and use air source heat pumps with PV panels which will permanently reduce carbon emissions and energy demand.

Accordingly, as there are no objections to the development of 58 homes at the site from any of the statutory or Technical consultees, and given an amended scheme with a reduced number of homes on account of the delivery of more detached properties would result in a scheme which didn't align with planning policy guidance in respect of meeting established housing needs, there is no justifiable reason in planning terms for Yorkshire Housing to substantially reduce the number of homes within the development. Notwithstanding this position, as outlined above, Yorkshire Housing have made a number of changes to respond positively to the comments received from local stakeholders pre and post submission of the planning application.

Finally, as there is an acute shortage of affordable homes in the District, the additional affordable homes that the development is seeking to deliver is supported by national and local planning policy guidance.

The scheme will deliver an all affordable mixed tenure development which offers local people the opportunity of affordable home ownership and affordable rented tenures. The scheme provides a range of homes to suit the needs of first time buyers, small and larger families, downsizers, and older age groups which will offer a greater opportunity for people to access home ownership and renting at an affordable level relative to local incomes compared to a market-led scheme. This scheme will therefore make an invaluable contribution towards new affordable housing supply in the area, providing people with a genuine choice and mix of house types and tenures. The submitted FAQ confirms how these homes will be made available for local people to purchase or rent.

Accordingly, the socio-economic benefits of the development will far outweigh the *none* or *negligible* impact of more homes being delivered at the site than the indicative number outlined in the Local Plan. Especially when the following further benefits of the scheme are also considered: -

- The development will deliver a net-gain in biodiversity value on-site.
- All of the new homes will vastly exceed building regulations in respect of sustainable design measures. Indeed, all of the properties will be well insulated and use air source heat pumps with PV panels which will permanently reduce carbon emissions and energy demand.
- The proposed kiss and drop facility alleviate and improve existing highways pressures on Meadowfield and Main Street at school drop-off and pick-up times by taking cars away from the central areas of the Village.
- The new segregated cycling/pedestrian route will encourage more sustainable travel to and from the site.

The development proposals therefore align with relevant national and local planning guidance, and this view is of course shared with the Council's Head of Planning who recommended the application for approval prior to the 25<sup>th</sup> October 2022 planning committee.



### LAND TO THE NORTH OF MALTON ROAD, AMOTHERBY - HOUSING SITE ALLOCATION REF. SD6 - DEVELOPMENT OF 65 NEW HOMES – LOCAL RESIDENT CONSULTATION

Dear Resident,

As you may be aware, in June 2019 land located to the north of Malton Road, Amotherby was allocated for residential development by Ryedale District Council.

Yorkshire Housing is now in the process of preparing a full planning application for the development of the site and before we submit this application, we are keen to get the views of neighbouring residents of the site

Key aspects of our indicative proposals are as follows: -

- The development proposals seek to deliver 65 homes at a density of 27 dwellings per hectare. The proposed housing mix includes: - 27 x 2 bed (41%); 35 x 3 bed (54%); & 3 x 4 bed (5%).
- The scheme seeks to deliver affordable homes for rent and shared ownership. A number of which will be offered to local people in the first instance. Shared Ownership is an affordable route to homeownership. It offers an opportunity to buy a share in the property and pay rent on the remaining equity. Further shares can be purchased gradually.
- 3 x Bungalows are included in the scheme and will be located next to existing bungalows located to the east of the site's boundary. All of the other homes will be 2-storey in height.
- The site access will be delivered from the B1257/Malton Road.
- The existing Public Right of Way (PROW) will be retained in a green setting, separate to the highways provided within the site. A connection to the PROW is also retained at the south-west corner of the site.
- The proposals include the provision of a pedestrian and cycle only link to Meadowfield. Providing safe access to Amotherby Primary School.
- Land is to be provided for a kiss and drop facility for Amotherby Primary School.
- Large areas of public open space and a children's play area will be provided within the northern area of the site.
- The hedge on the site's frontage will be retained other than where the access road is required to be located. The development includes the ability to provide additional landscaping on the western boundary of the site.

The proposed development will deliver electric charging points to all properties with a dedicated car parking space within its curtilage.

· All of the proposed homes will include enhanced fabric, photovoltaic panels and will be powered by air source heat pumps. The scheme will therefore deliver a level of energy efficiency that goes beyond that required by the adopted Local Plan. We estimate that these measures will deliver an 82% carbon reduction when compared with current building regulations.

· Full details of the proposed drainage strategy will be submitted alongside the planning application. The final design will be agreed following discussions with Yorkshire Water, the Environment Agency and the Lead Local Flood Authority.





Plans providing details of the location of the development site; our initial proposals; and images of some of the proposed houses are enclosed.

As a resident of the Village, we are writing to you to offer you the opportunity to provide us with your comments on the proposals before they are submitted to Ryedale District Council. Comments can be submitted via email to [contact@pbplanning.co.uk](mailto:contact@pbplanning.co.uk) or by post using the address above. Can we please ask that any comments are provided by Sunday 7th March 2021.

I hope you find this information useful and I look forward to hearing from you.

Yours sincerely,



PAUL BUTLER  
PB Planning

On behalf of Yorkshire Housing



Proposed Site Plan - Scale 1:500

1<sup>st</sup> December 2022

Jill Thompson  
Planning and Development Services Manager  
Ryedale District Council

**BY EMAIL ONLY**

Dear Jill,

**Application reference: 21/01530/MFUL**

**Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)**

**Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire**

I refer to the above planning application submitted by Yorkshire Housing ('YH') and to recent comments requesting some further information in respect of the proposed affordable housing offer on site.

The scheme proposes an all affordable mixed tenure development which offers people the opportunity of affordable home ownership and affordable rented tenures. The details of the scheme are outlined below.

I trust that the above is of assistance, however should you require any further information please do not hesitate to contact me.

**Marta Snopinska**  
Land Buyer

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

Yorkshire Housing Limited is a charitable housing association (No. 304438). Regulator of Social Housing (No. L4521).  
Affiliated to the National Housing Federation. Registered Office: Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**



## Shared Ownership

### How does it work?

Shared Ownership is a great way to get on to the property ladder when you can't quite afford to buy a home on the open market. You can buy an initial share of your home between 10% and 75% and make a small monthly rental payment for the remaining share that Yorkshire Housing retain. The total annual rent is 2.75% of the unsold equity, paid in monthly instalments.

The scheme works by offering a percentage of the full market value of the property. For example, if your chosen property is worth £275,000 and you can finance a mortgage of £137,500 you would be eligible for a 50% share and would pay a 2.75% rent on the remaining 50% share that we own.

You can purchase additional shares as and when you can afford it, this is called 'staircasing'. There are no timescales or deadlines on when you must staircase however, the more shares you purchase, the lower your monthly rent payments become. For example: The property you're buying have a market value of £275,000. The 35% share would be £96,250 and monthly rent £409.64. The 50% would be £137,500 and monthly rent £315.10. The 75% share would be £206,250 and monthly rent £157.55.

Amotherby falls within a Designated Protected Area (DPA). The purpose of DPA is to protect the availability of affordable homes now and in the future, which is why you cannot own a freehold on Shared Ownership homes in this location. Therefore, you can reach 100% leasehold ownership but the freehold will remain with Yorkshire Housing. Meaning that the proposed homes would remain as affordable homes in perpetuity.

### How can people buy one of those?

You are eligible for Shared Ownership if:

- You have a household income of less than £80,000
- You are unable to buy a home that meets your needs on the open market
- You have no ties to any other properties on completion of the purchase i.e.
  - You're a first-time buyer
  - You used to own a home but cannot afford to buy one now
  - You're forming a new household - for example, after a relationship breakdown
  - You're an existing shared owner, and you want to move
  - You own a home and want to move but cannot afford to buy a new home for your needs.

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**





As part of your application, your finances and credit history will be assessed to ensure that you can afford and sustain your mortgage and rental payments. Similar to if purchasing a home on the open market.

Although there is no specific locational restriction for prospective purchasers, the Shared Ownership homes will be made available locally for anyone in Amotherby and the immediate area who qualify under the above criteria.

How much does it cost?

The initial share you can buy is between 10% to 75% of the market value and depends on your financial circumstances. Below are examples of different share prices based on a property with a market value of £275,000.

Share Price - 35%	5% Deposit*	Rent (pcm)
£96,250	£4,812	£409.64

Share Price - 50%	5% Deposit*	Rent (pcm)
£137,500	£6,875	£315.10

Share Price - 75%	5% Deposit*	Rent (pcm)
£206,250	£10,312	£157.55

(\*5% Deposit based upon mortgage lender)

The size of the deposit depends on a number of factors, but mortgages are available with deposits ranging from as little as 5% of the value of the share you purchase. There is a wide range of mortgage products available to people purchasing a Shared Ownership home, with many high street lenders now on board, including Leeds Building Society, Halifax, Santander, Nationwide, Skipton Building Society amongst others.

Purchasers should also take into account the reservation fee of £300, the mortgage valuation cost, legal fees and general moving-in costs. Which are again similar to if you were purchasing a property on the open market.

There will be a service charge for upkeep of green areas, hedges and grass cutting. This is normal practice on any new build development as local authorities often choose not to

adopt new green spaces. A typical Yorkshire Housing service charge is around £360 per year including buildings insurance, although this varies from location to location. When you move in you will budget for the following:

- Mortgage payment
- Rent payment
- Service charge & Building insurance
- Contents insurance
- Council Tax
- Gas and electricity
- Water.

#### How can people apply for the shared ownership scheme?

The properties will be advertised on our sale website: [www.spacehomes.co.uk](http://www.spacehomes.co.uk)  
To check that you are eligible for the scheme and to apply, you just need to complete a form on the Help to Buy North East and Yorkshire Humber website: [www.helptobuyagent1.org.uk](http://www.helptobuyagent1.org.uk) . Once this is approved, you can then to reserve the property you have chosen with our sales team.

If desired, we would be more than happy to hold a sales/marketing event in the Village prior to the homes being released. This would ensure that local people had the first opportunity to secure one of the properties.

#### What is the process of buying Shared Ownership?

We ask for a non-refundable £300 reservation fee which is taken off the Completion Statement on the purchase of the property. Along with this, we will need proof of funds that you can afford to purchase this share of the property. We will carry out affordability checks to calculate the maximum share you can buy. As mentioned above, all Shared Ownership homes are sold as leasehold. You pay for a percentage share of the market value of a home. You enter into a lease agreement with YH and agree to pay rent on the remaining share.

The conveyancing process is the same as buying a property outright and includes carrying out searches by the solicitors, surveys and valuations as well as securing the mortgage offer. You will pay a deposit on exchange of contracts and completion funds on the legal completion day when you get the keys for the property.

#### Who looks after the property?

The new properties will be the purchasers own home and will be treated as such. People can paint, decorate and refurbish the home as you wish. Shared Owners are responsible for keeping the home in good condition and for the cost of repairs and maintenance of the

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**



home. People will therefore take pride in their homes, the development, and the wider area in the same way as anyone purchasing a home on the open market would.

The lease offers Initial Repair Period (IRP) of 10 years for structural repairs. During the IRP, YH will be responsible for external and structural repairs to the building (including paying admin charges and excess fees). Shared Owners remain responsible for general repairs to the property. However during the IRP they can apply for a £500 contribution each year towards the cost of repairing heating or plumbing:

- Heating - the installation for space heating and heating water
- Plumbing - the installations in the premises for the supply of water, gas and electricity and for sanitation.

New build homes have a defects liability period of 12 months which means the defect repairs will be fixed by the contractor. The property will also come with a 10 year new build warranty and insurance policy.

#### Can people let their Shared Ownership home to somebody else?

People can rent out a room in the home, but they must live there at the same time. They cannot sublet (rent out) their entire home unless :

- They have Yorkshire Housing's permission which they will only give in exceptional circumstances. An example of an exceptional circumstance for sub-letting is if you're a serving member of the armed forces, and you're required to serve away from the area where you live for a fixed period;
- and
- Have your mortgage lender's permission if you have a mortgage.

This permission process is to ensure that the new homes will always be used by people which meet the initial purchasing criteria in order to ensure that they are being used as affordable homes in perpetuity.

#### Can people buy Shared Ownership as their holiday home?

No this must be your primary residence and you can't be a home owner already to qualify for Shared Ownership.

#### How much will the Rent be?

The annual rent is 2.75% of the equity retained by YH. Rent is reviewed annually by the formula detailed in the lease, this is based on the Retail Price Index (RPI) plus an additional percentage. For Yorkshire Housing Shared Owners, the rent calculation is the



current rent increased by RPI from the previous September + 0.5%. If RPI has gone down then the rent will increase by 0.5%. So if RPI in September 2021 was 5.1% then rents in April 2022 would increase by 5.1% + 0.5% so an increase of 5.6% in total. The table provided above provides examples of what the monthly rental payments might be.

#### What if people can't pay their rent/mortgage?

YH offers coaching services which includes money advice, employment advice, health and wellbeing advice and tenancy advice. Our coaching services are available to all our customers. Yorkshire Housing will help with budgeting, sorting debts or arranging benefits.

#### How long can people stay in their property?

New leases will be granted for a minimum of 990 years.

#### When can people buy more shares?

People can staircase at any point. They can buy tranches of 5% (in increments of 5 i.e. 5,10,15) at any point. They can also buy 1% every year for a period of 15 years from the start of the lease.

#### Can people sell their Shared Ownership home on the open market?

The freehold will not be transferred to you even if you reach 100% leasehold ownership of this home. This home will always remain leasehold so you won't be able to sell it outright on the open market. This ensures that the homes remain affordable properties in perpetuity.

This is because this home is in a Designated Protected Area (DPA). The purpose of DPA is to protect the availability of affordable homes now and in the future, which is why you cannot own a freehold on this home. The DPA is determined by Homes England and is not restriction imposed by Yorkshire Housing.

#### What if people want to move?

If people want to move, they can sell their share to an eligible purchaser. Before they put their home on the market they would need to obtain a valuation; this valuation would determine how much they could sell their property for. Anyone wanting to buy the property would need to be eligible for Shared Ownership.

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

Yorkshire Housing Limited is a charitable housing association (No. 304438). Regulator of Social Housing (No. L4521).  
Affiliated to the National Housing Federation. Registered Office: Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**



As this property is within a DPA, if people own more than 80% of the home the mandatory buyback provisions in the lease will apply and Yorkshire Housing or an eligible purchaser would buy the lease from them when they wish to sell the property. This would be bought back at current market value at that time.

### **Rent to Buy**

#### **What is Rent to Buy?**

Rent To Buy allows working households to rent a home at no more than 80% of market rent (including service charges) providing them with the opportunity to save for a deposit over a minimum 5 year period to then purchase the home. The homes are aimed at working households who are first time buyers having not previously owned their own home and are intending to purchase a property at the time of letting.

#### **Who is eligible?**

To be eligible for Rent to Buy, you must be:

- In full or part time employment
- A first time buyer or you are returning to home ownership following a relationship breakdown
- Able to pay your rent and save for a deposit at the same time (there is minimum income requirement to ensure that the home is affordable to you).
- Have a household income of no more than £80,000

#### **How do people apply for one of those?**

The properties will be advertised on North Yorkshire Home Choice.

People need to register and demonstrate they have local connections to the area to be able to apply for a property. The website address is:

<https://www.northyorkshirehomechoice.org.uk/>.

North Yorkshire Home Choice is a choice based lettings scheme that allocates available Local Authority and Housing Association properties for rent across the partnership area which covers the following local authority areas of Craven, Richmondshire, Hambleton, Ryedale, Scarborough and Selby in North Yorkshire.

If no applicants are found through North Yorkshire Home Choice, YH might expand search criteria to find an eligible customer for the property. Allocation is based on a housing needs and local connection basis.

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

Yorkshire Housing Limited is a charitable housing association (No. 30443R). Regulator of Social Housing (No. L4521).  
Affiliated to the National Housing Federation. Registered Office: Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**





If desired, we would be more than happy to hold an event in the Village so that this process can be fully explained prior to the homes being released. This would ensure that local people had the best opportunity to secure one of the properties.

#### How much does it cost?

The homes will be offered at 80% of the current comparable market rent levels including service charges. The discounted rent allows you to save up for the deposit to purchase the property.

People will need to pay a deposit and a holding fee which counts towards their rent. All costs will be specified at the time of advertising the property. For example, If the market rent for a property is £1000, the rent would be £800 (80% of the market rent including service charges).

#### Who looks after the property?

People are required to keep the property in good order under their tenancy agreement terms. The responsibility for the repairs is with Yorkshire Housing as landlord.

#### What if people can't pay their rent?

Yorkshire Housing offers coaching services which includes money advice, employment advice, health and wellbeing advice and tenancy advice. Their coaching services are available to all Yorkshire Housing customers. The money coach can help with budgeting, sorting debts or arranging benefits.

#### How long can people live in their Rent to Buy home?

The initial tenancy period is maximum 2 years and then becomes a month on month rolling tenancy. People will get an opportunity to buy their home 5 years after the property was built. If they chose not to buy at that point, Yorkshire Housing have a number of options available, including to continue to let the property for a further period and also the option to sell the property on an open market or as Shared Ownership. This will be assessed on an individual basis.

#### Can I purchase Rent to Buy as 100% freehold?

The Rent to Buy property can be bought outright after five years after the build is completed.



Five years after the build is completed, people will receive first refusal for buying the property outright or as Shared Ownership (as leasehold with buy back clause as above) if they are able to secure mortgage subject to Yorkshire Housing agreement. So in effect, the same staircasing opportunities are also available for Rent to Buy properties too.

#### What if people's circumstance change and they are not ready to buy after 5 years?

After the initial 2 years people can leave by giving 1 months' notice. Five years after the build is completed, the tenant will receive first refusal for buying the property. There's no obligation to buy and Yorkshire Housing will consider various options on a case by case basis.

### **Affordable Rent**

#### What is Affordable Rent?

Affordable Rent property is available for rent up to a maximum of 80% of the local market rent (inclusive of service charges) for an equivalent home to people with housing needs. In addition, Yorkshire Housing have a policy to cap the rents at Local Housing Allowance level to ensure they are affordable to our customers. The rent will be either a maximum of 80% of market rent, or at Local Housing Allowance – whichever is lower.

#### How do people apply for one of these homes?

The houses are allocated using North Yorkshire Home Choice based on a housing need and local connections of the applicants. North Yorkshire Home Choice is a choice based lettings scheme that allocates available Local Authority and Housing Association properties for rent across the partnership area which covers the following local authority areas of Craven, Richmondshire, Hambleton, Ryedale, Scarborough and Selby in North Yorkshire.

You need to register to be able to apply for a property. The website address is:

<https://www.northyorkshirehomechoice.org.uk/>.

Allocation is based on a housing needs and local connection basis.

If desired, we would be more than happy to hold an event in the Village so that this process can be fully explained prior to the homes being released. This would ensure that local people had the best opportunity to secure one of the properties.

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

Yorkshire Housing Limited is a charitable housing association (No. 304438). Regulator of Social Housing (No. L4521).  
Affiliated to the National Housing Federation. Registered Office: Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**



### Who is eligible

People will need to complete an application form on North Yorkshire Home Choice (NYHC). They will need to provide documentation to support their identity, local connections and eligibility for housing and information to enable their application and housing needs to be assessed.

When North Yorkshire Home Choice has carried out all checks, assessments have been completed and the application has been accepted, they will contact the applicant to confirm the band their application has been assessed for and will include the type of property and the number of bedrooms they can then bid for.

Verification will be completed at the time of application, at the point of any offer of accommodation or during any period of assessment to ensure you remain eligible and qualify for the NYHC Housing Register. For information about North Yorkshire Home Choice, please go to: <https://www.northyorkshirehomechoice.org.uk/>

### Is there an income cap?

Must have a combined household income and/or savings of less than £60,000.

### What is the letting process?

The properties are advertised on North Yorkshire Home Choice portal and customers need to place a bid for the properties they are interested in. Applicants with no local connection won't be able to register on the system. This ensures that the affordable homes are secured by local people in affordable housing need.

After the advertising period, the system will shortlist eligible applicants. Yorkshire Housing will go through the list and carry out vetting process and tenancy sustainability assessment to ensure the customers meet the criteria and are able to sustain the tenancy as well as ask for references from the past landlords. We offer support to the new customers to make sure they settled in, any repairs are carried out and rent payments set up.

### Who looks after my property?

People are required to keep the property in good order under their tenancy agreement terms. The responsibility for the repairs is with Yorkshire Housing as a landlord.

---

Call **0345 366 4404** or email **customerservices@yorkshirehousing.co.uk**

Write to us at Yorkshire Housing, The Place, 2 Central Place, Leeds LS10 1FB

**Let's get social:**





### What if people can't pay my rent?

Yorkshire Housing offers coaching services which includes money advice, employment advice, health and wellbeing advice and tenancy advice. Our coaching services are available to all Yorkshire Housing customers. The money coach can help with budgeting, sorting debts or arranging benefits.

### Can people buy my home?

The home is in a Designated Protected Area (DPA). The purpose of DPA is to protect the availability of affordable homes now and in the future. Therefore, properties which are made available for Affordable Rent are exempt from Right to Acquire or Right to Shared Ownership.





Marta Snopinska  
Yorkshire Housing  
The Place, 2 Central Place,  
Leeds, LS10 1FB

4<sup>th</sup> November 2022

Dear Marta,

I write with regards to Yorkshire Housing's current planning application at Land North of Malton Road, Amotherby (Ref. 21/01530/MFUL).

I can confirm that both Ruth Wanless (the Headteacher) and I have met with Yorkshire Housing six times between February 2021 and October 2021 to discuss your development proposals for the site. At one of these meetings a representative of North Yorkshire County Council's education team was also present.

Within our meetings we discussed the school's requirements for the proposed Kiss & Drop facility in respect of location, size, the safeguarding of children, the delivery of the facility, and ongoing management and maintenance.

The location of the facility was designed to ensure that it truly operates as a kiss & drop facility. Enabling parents to drop their children as close to the school's boundary as possible. For this reason, it is not designed to be a car park.

We asked Yorkshire Housing to incorporate the new entrance gate to be delivered on the southern boundary of the school adjacent to the facility so that children can enter the school as quickly and safely as possible. This will also provide the potential to enhance the frequency and capacity of the facility's use at peak times.

As part of our discussions the size of the facility was increased to enable the provision of 6 parking spaces (4 were originally proposed) and a space for a mini-bus which is used by the School. The mini-bus currently takes up space on Meadowfield and Main Street at peak drop off/pick up times, so this feature will help to further alleviate current issues on these roads.

The facility will be delivered by Yorkshire Housing and its ongoing management will be undertaken by the school. As North Yorkshire County Council own the school land, the Section 106 legal agreement to be attached to the planning application will secure the delivery and legal transfer of the facility to the County Council/School.

The school will manage the facility in the future to optimise its usage to meet the School's needs. Including its potential use for events that take place outside of school hours. A bollard will be placed at the entry to the facility to ensure that its use can be controlled by the School. We expect management to be undertaken in the form of a staff member being present on-site when the facility is in use to marshal parents/users and to drop/lift the bollard when required. The facility will also have a separate lighting system installed and the School will have the ability to control the lighting for it.

Finally, as part of our discussion with Yorkshire Housing we also discussed and agreed the type of boundary treatment to be provided on the school's boundary with the application site, which includes the erection of paladin fencing and rabbit proof fencing in the locations shown on the submitted plans.

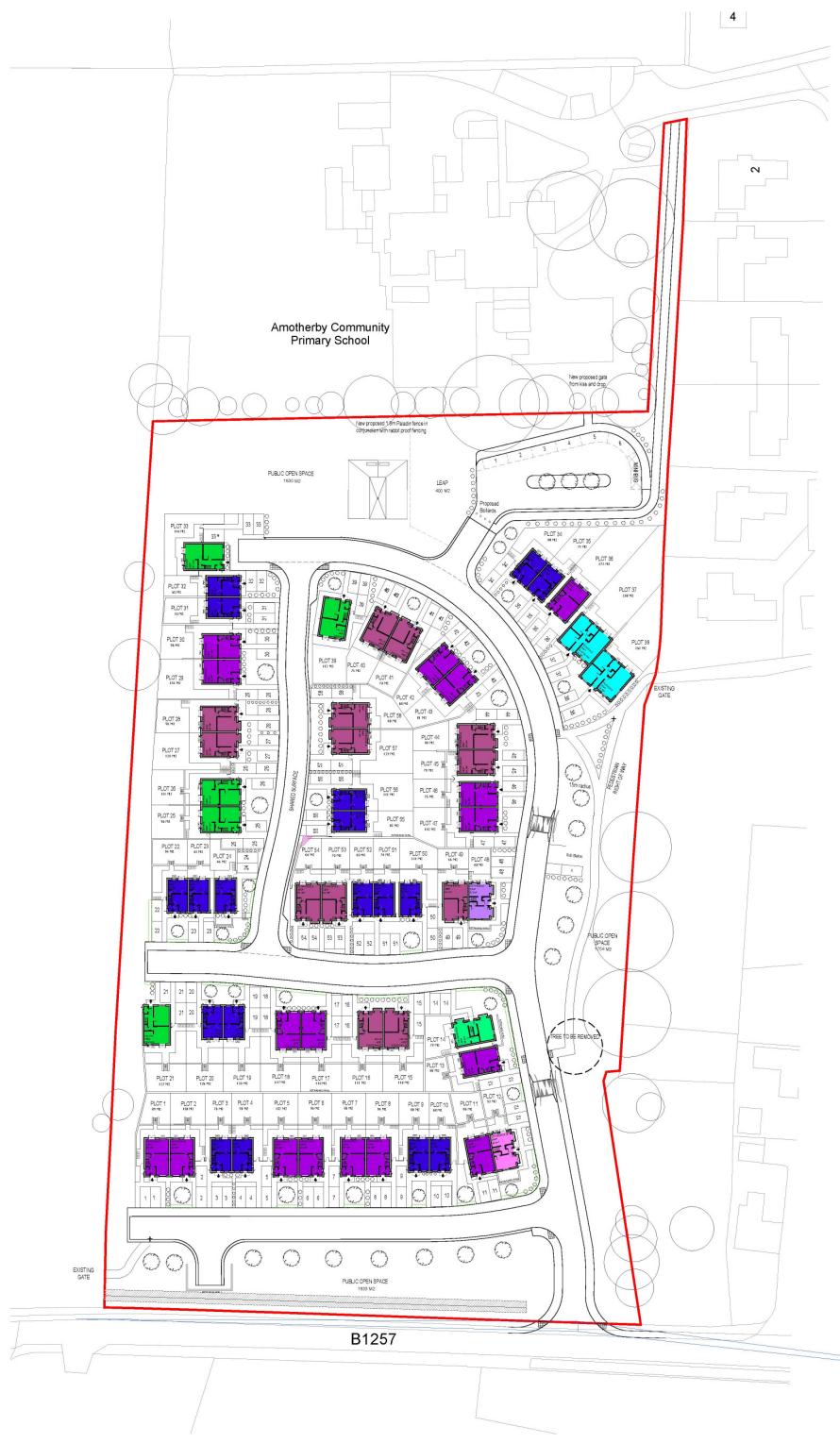
I trust this letter provides you with the information requested so that it can be forwarded to Ryedale District Council to provide them with further comfort of the school's involvement in this important element of the proposals.

Yours sincerely,

Mr Paul Simpson  
Chair of Governors  
Amotherby Community Primary School  
Amotherby  
Malton  
YO17 6TG

10/11/22





Proposed Site Plan - Scale 1:500

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION:**

IN ADDITION TO THE HAZARDOUS RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

Significant Residual Risks:  
 Action to be Taken:  
 Refer to Health and Safety Plan.

**NOTES:**

- Boundary Line
- Existing Trees
- Proposed Trees
- Tree removed

<span style="background-color: blue; width: 10px; height: 10px; display: inline-block;"></span>	Airedale 2Bed - 70.7m <sup>2</sup>
<span style="background-color: purple; width: 10px; height: 10px; display: inline-block;"></span>	Airedale mid-terrace 2Bed - 80.1m <sup>2</sup>
<span style="background-color: lightblue; width: 10px; height: 10px; display: inline-block;"></span>	Littondale 2Bed - 82.9m <sup>2</sup>
<span style="background-color: pink; width: 10px; height: 10px; display: inline-block;"></span>	Littondale SP 2Bed - 48.2m <sup>2</sup>
<span style="background-color: magenta; width: 10px; height: 10px; display: inline-block;"></span>	Stonesdale 3Bed - 94.7m <sup>2</sup>
<span style="background-color: cyan; width: 10px; height: 10px; display: inline-block;"></span>	Akersdale 3Bed - 95.4m <sup>2</sup>
<span style="background-color: green; width: 10px; height: 10px; display: inline-block;"></span>	Harrison 3Bed - 99.6m <sup>2</sup>
<span style="background-color: lightgreen; width: 10px; height: 10px; display: inline-block;"></span>	Deerne 4Bed - 107.2m <sup>2</sup>
<span style="background-color: cyan; width: 10px; height: 10px; display: inline-block;"></span>	Rosedale 2Bed Bungalow - 74.1m <sup>2</sup>

**Accommodation Schedule**

House Type	No.	Total Floor Area
31% Airedale 2B3P	18N	1291.4m <sup>2</sup>
4% Littondale 2B4P	2N	171.1m <sup>2</sup>
4% Rosedale 2B4P	2N	148.2m <sup>2</sup>
24% Stonesdale 3B5P	13N	1231.1m <sup>2</sup>
27% Akersdale 3B5P	17N	1621.8m <sup>2</sup>
1% The Harrison 3B5P	1N	99.6m <sup>2</sup>
9% The Deerne 4B5P	5N	536m <sup>2</sup>

Total	2-Bedroom House	20N
	2-Bedroom Bungalow	2N
	3-Bedroom House	31N
	4-Bedroom House	5N
<b>Total</b>		<b>58N 5069.2m<sup>2</sup></b>

**Parking**

2 per dwelling external additional bay at 4 bed dwellings  
 \* 3.2m wide parking bay  
 6N Parking Spaces for the school mess & drop area plus a mini bus  
 1N visitors bay for service of the sub-station

Total	128 bays
	300mm high bund with 1500mm high closed panel fence on top
	Visibility Splay

L	2019.02	Issue with water	13	
M	2017.12	Final 1:100 D&S (open loop, low engineering)	18	6/7
J	16.02.20	Groundworks	16	6/7
H	15.02.20	Final layout plan	15	
G	15.02.20	Final layout plan amended to allow 1:100 D&S	15	
F	20.02.20	Issue for cost of new layout, low level of cut 75% gate amended	15	
E	18.02.20	Accommodation schedule amended	15	
D	04.11.19	Accommodation schedule amended	15	
C	02.10.19	Issue with amended	15	1/8
B	01.03.19	Issue with amended	15	1/8
A	20.02.19	Amended accommodation schedule	15	1/8

REV	DATE	AMENDMENTS	BY	APPROV
-----	------	------------	----	--------

Do not scale from this drawing.  
 All dimensions must be checked on site by the Contractor prior to the commencement of any fabrication or building works.  
 Where applicable, dimensions and details are to be read in conjunction with specialist consultant drawings and/or specifications, any discrepancy to be brought to the attention of Michael Dyson Associates Limited prior to the commencement of any fabrication or building works.  
 This drawing is the property and copyright of Michael Dyson Associates Limited. It shall not be copied to any other party without the express written consent of an authorised director of Michael Dyson Associates Limited.



**Michael Dyson associates Ltd**  
 Excellence in Housing Consultancy  
 West House, Meltham Road, Honley,  
 Huddersfield HD9 6LB  
 t. 01484 666888 f. 01484 664186  
 w. www.mdyson.co.uk

CLIENT:  
**YORKSHIRE HOUSING**

PROJECT:  
**Malton Road  
 Amotherby**

TITLE:  
**Proposed Site Plan**

DEVELOPER:	TTP	APPROVED BY:	
DATE:	02.06.21	DATE:	
SCALE:	1:500 @ A1	ORIGINAL DIMENSIONS:	A4 x 594 - A1
DRAWING NO.:	003-PL-8620	REV:	L



Proposed site plan

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION:**

Significant Residual Risks :

Action to be Taken :

Refer to Health and Safety Plan

**NOTES**

— Boundary Line

D	21/03/21	Red noted	TP
C	21/03/21	Client feedback	KR
B	12/03/21	PLM 3D layout revised	MT
A	01/03/21	Site measurements	TPP
			03

REV	DATE	AUTHOR/REVISIONS	BY	APPROVED
-----	------	------------------	----	----------

Do not scale from this drawing.  
All dimensions must be checked on site by the Contractor prior to the commencement of any fabrication or building works.  
Where applicable, dimensions and details are to be read in conjunction with specialist consultants' drawings and/or other specifications; any discrepancy is to be brought to the attention of Michael Dyson Associates Limited prior to the commencement of any fabrication or building works.  
© This drawing is the property and copyright of Michael Dyson Associates Limited. It shall not be copied in any other form without the express written consent of an authorised director of Michael Dyson Associates Limited.



**Michael Dyson associates Ltd**  
Excellence in Housing Consultancy  
West House, Meltham Road, Honley,  
Huddersfield HD9 6LB  
t. 01484 666888 f. 01484 664186  
w. www.mdysosn.co.uk

CLIENT :  
YORKSHIRE HOUSING

PROJECT :  
MALTON ROAD  
AMOTHERBY

TITLE :  
PROPOSED SITE PLAN IN CONTEXT

DRAWN BY :	TPP	APPROVED BY :	
DATE :	02.02.21	DATE :	
SCALE :	NTS	ORIGINAL DRAWING SIZE	297 x 420 - A3
DRAWING NO :	004-PL-8620	REV :	D



Proposed Site Plan - Scale 1:500



**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION:**

IN ADDITION TO THE HAZARDOUS RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

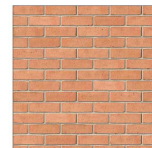
Significant Residual Risks	
----------------------------	--

Action to be Taken:	Refer to Health and Safety Plan
---------------------	---------------------------------

**NOTES:**

— Boundary Line

■ Ibstock Brick - Arden red or similar approved



■ Forticrete Anstone Standard - Buff or similar approved



All house types to have red concrete interlocking roof tiles or similar approved



— 300mm high bund with 1500mm high closed panel fence on top

— Visibility Splay

C	22.02	Block Masonry wall	TP
C	22.02	Walls to street edge	WB
B	15.02	Paving and outdoor areas to job 14.21.33.35	WJ
A	14.12	As above	TR

Do not scale from this drawing.  
All dimensions must be checked on site by the Contractor prior to the commencement of any fabrication or building works.  
Where applicable, dimensions and details are to be read in conjunction with applicable construction drawings and/or other specifications, any discrepancy to be brought to the attention of Michael Dyson Associates Limited prior to the commencement of any fabrication or building works.  
© This drawing is the property and copyright of Michael Dyson Associates Limited. It shall not be copied to any other party without the express written consent of an authorised director of Michael Dyson Associates Limited.



**Michael Dyson associates Ltd**  
Excellence in Housing Consultancy  
West House, Meltham Road, Honley,  
Huddersfield HD9 6LB  
t. 01484 666888 f. 01484 664186  
w. www.mdyson.co.uk

CLIENT:  
YORKSHIRE HOUSING

PROJECT:  
Malton Road  
Amotherby

TITLE:  
Proposed Facing Materials

DESIGNED BY:	TTP	APPROVED BY:	
DATE:	27.10.21	DATE:	
SCALE:	1:500 @ A1	ORIGINAL DRAWING DATE:	841 x 594 - A1
DRAWING NO.:	006-PL-8620	REV.:	D



THIS DRAWING IS THE PROPERTY OF MICHAEL DYSON ASSOCIATES LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE DRAWING. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE EXPRESS WRITTEN PERMISSION OF MICHAEL DYSON ASSOCIATES LTD.

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION:**

IN ADDITION TO THE HAZARDOUS RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

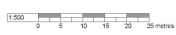
Significant Residual Risks	
Action to be Taken:	Refer to Health and Safety Plan

**NOTES:**

- Boundary Line
- S106 Intermediate Housing
- S106 Affordable Units
- Other Housing Units



Proposed Tenure Plan - Scale 1:500



C	20.02	Trust Transfer	TR
B	20.02	Block 5 Visual Review	TR
A	20.02	Visual Review	TR
REV	DATE	AMENDMENTS	BY

Do not scale from this drawing.  
All dimensions must be checked on site by the Contractor prior to the commencement of any fabrication or building works.  
Where applicable, dimensions and details are to be read in conjunction with specialist construction drawings and/or other specifications, any discrepancy to be brought to the attention of Michael Dyson Associates Limited prior to the commencement of any fabrication or building works.  
© This drawing is the property and copyright of Michael Dyson Associates Limited. It shall not be copied to any other party without the express written consent of an authorised director of Michael Dyson Associates Limited.



**Michael Dyson associates Ltd**  
EXCELLENCE IN HOUSING  
CONSTRUCTION  
West House, Meltham Road, Honley,  
Huddersfield HD9 6LB  
T: 01484 656888 F: 01484 654186  
W: www.mdyson.co.uk

CLIENT:  
**YORKSHIRE HOUSING**

PROJECT:  
**Malton Road  
Amotherby**

TITLE:  
**Proposed Tenure Plan**

DESIGNED BY:	MB	APPROVED BY:	
DATE:	17.11.21	DATE:	
SCALE:	1:500 @ A1	ORIGINAL DRAWING DATE:	S41 x 594 - A1
DRAWING NO:	012-(PL)-8620	REV:	C

**Item Number:** 8  
**Application No:** 22/00933/HOUSE  
**Parish:** Wombledon Parish Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr Alex Dodson  
**Proposal:** Erection of detached open sided car port to the front of the dwelling  
**Location:** Cherry Garth Page Lane Wombledon Kirkbymoorside North Yorkshire YO62 7SE

**Registration Date:** 1 September 2022  
**8/13 Wk Expiry Date:** 27 October 2022  
**Overall Expiry Date:** 14 November 2022  
**Case Officer:** Ellie Thompson **Ext:** 43326

## CONSULTATIONS:

<b>Wombledon Parish Council</b>	No Objections
<b>Highways North Yorkshire</b>	No Objections
<b>Building Conservation Officer</b>	Objection – See heritage section below.

**Representations:** Mrs Claire Chew, Mr David Richardson, Rufus Dickman, Clare And Tim Brennan, David Collier, James And Fiona Ward, Russ Dickinson, Mike Pilley, Jeff Dodson, Mr Wombledon Parish Council, Bernie O'connor, Roslyn And Stuart Davison, Peter Blackburn L.T. I.,

---

## BACKGROUND:

The application is to be determined by Planning Committee as representations received in response to the consultation exercise have expressed support based on material planning considerations.

At the Planning Committee held on the 22<sup>nd</sup> November 2022 members resolved to defer the determination of the application to allow a site inspection to take place. The site inspection subsequently took place on the 6<sup>th</sup> December 2022. The following Members were in attendance; Cllr Potter and Cllr Goodrick. The site inspection gave Members the opportunity to gain an understanding of the proposed development in the context of the street-scene, neighbouring properties, the Wombledon Conservation Area and the setting of the Grade II listed building.

This report updates the earlier version published in the agenda for the Planning Committee meeting held on the 22<sup>nd</sup> November 2022. The only update to the content of the report is the inclusion of a summary of four additional letters of support which have been received since the previous Committee meeting.

## SITE:

The property is a 1 ½ storey dwelling, located on Page Lane in Wombledon. The property is located within the Wombledon Conservation Area and within the village Development Limits.

The property is situated towards the back of a long plot, behind a deep front garden space. There is a Grade II listed Building (the Village Hall, former National School) situated immediately adjacent to the public highway, to the north of the application site.

The property was originally a single-storey, 20<sup>th</sup> century bungalow dwelling, but has recently been significantly remodelled following the granting the planning permission in 2021.

### **PROPOSAL:**

This application seeks permission for the erection of a detached open sided car port.

Permission for the proposed development was originally sought for under the previous full planning application (21/01335/FUL). However, Officer's advised the applicants at the time that this part of the proposal was unlikely to receive support due to its impact on the character and appearance of the Wombledon Conservation Area and the setting of the Grade II listed building; and subsequently the proposed development was removed from the previous proposal.

The new car port is proposed to be sited forward of the dwelling, within the front garden space. It is proposed to be situated against the northern boundary of the site, approximately 4.9 metres away from the front (eastern) boundary.

The car port is proposed to have a hipped roof form, with an additional hipped roof projection to provide additional storage space. The structure is proposed to be constructed from an oak frame on a brick plinth, and will feature timber cladding under a rosemary tile roof. The overall ridge height of the structure is proposed to be approximately 3.4 metres in height, with an eaves height of 2.1 metres. The overall footprint of the whole structure is 37.2 square metres.

Due to the siting of the proposed carport and its proximity to the Grade II listed building, the application has also been advertised as affecting the setting of a listed building.

### **PLANNING HISTORY:**

21/01335/FUL: Planning permission was granted for the erection of a 4no. bedroom detached replacement dwelling incorporating parts of the existing dwelling.

### **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 SP12 Heritage
- Local Plan Strategy – Policy SP16 Design
- Local Plan Strategy - Policy SP20 Generic Development Management Issues

#### Material Considerations

- National Planning Policy Framework
- National Planning Practice Guidance

#### Legislation

- Planning (Listed Building and Conservation Areas) Act 1990, Sections 66 and 72



## 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.

The Building Conservation Officer has been consulted on this application, and has objected to the proposed development. She has confirmed that in her opinion the proposed development would affect the setting of the Grade II listed building. She has also confirmed that the proposed development, by virtue of its positioning forward of the dwelling, in the front garden within the plot is contrary to the established pattern of development within the Wombleton Conservation Area. The Building Conservation Officer has confirmed that, in their view, the proposed development would cause less than substantial harm to the character and appearance of the Conservation Area, and less than substantial harm to the setting of the Grade II listed building. These comments will be included in full and addressed in the Heritage section below.

12 responses have been received from the occupiers of neighbouring properties and third parties, expressing support for the proposed development. These comments are summarised below:

- Occupiers of neighbouring property to the south (Fauconberg) have confirmed that the refurbishment of the property has been sympathetic to the village, and that the new carport has no impact on their views or blending in to the village.
- Occupiers of the neighbouring property Wellgarth responded and confirmed that the work which has already been carried out and the proposed carport will enhance the street view of Page Lane. The applicants have gone above and beyond the spec of materials to enhance and fit in with the surrounding area and the position well within building lines.
- Nothing but praise for the renovation of the old bungalow, and the design of the carport will complement the new home in style and materials, and will be sympathetic to the style of architecture in the village. It will sit discreetly within the garden using materials to blend in with the surroundings.
- The Carport has been designed to complement the house; vehicles parked under the carport will be less obtrusive. This is sympathetic and aesthetic use of the available space and will not overshadow adjacent or nearby buildings.
- Carport adds further to the character of Cherry Garth; traditional cart-shed design being in keeping with the rural characteristics and ambience of Wombleton, and its historical context.
- The Car port will fit in well with the charm and characteristics of the Conservation Area. The car-port faces the ‘unlisted’ parts of the village hall therefore causing no harm to the listed parts of the hall.
- There will be no adverse effect on existing properties or the village hall; over the years both sides and opposite the village hall have been built up with no detrimental effect to the village hall. The village hall, albeit listed has three different types of roof tiles – how can this be correct?
- The positioning of the proposed carport respects the existing neighbouring properties, their spacing and the established building lines on Page Lane. It would not affect the setting of Page Lane.
- There is a large garden with a six foot edge screening any view from the hall.
- The new carport will provide needed outdoor storage space and off-road parking, which will help to remove the potential additional on-road parking burden in this location. It will allow residents to drive out of the property safely because of the turning space.

- The carport will fit into the characteristics of the existing buildings in the area. It is subservient to the main building and complements the form, design and materials of the main property. The design of the carport is reflected in other properties throughout Wombleton and so offers a continuity of design throughout the village.
- The way the current garden is laid out reflects the development style that existing when the property was first constructed; construction of a carport in this area would better reflect the existing buildings in the locality.

Wombleton Parish Council has been consulted, and have raised no objections to the proposed development. The Local Highway Authority have also been consulted and have raised no objections.

## **APPRAISAL:**

The main issues in relation to this application are:

- Heritage: Impact on the Wombleton Conservation Area and the Grade II Listed Building
- Design
- Impact on Neighbouring Amenity
- Other issues: Highway Safety

### Heritage: Impact on the Wombleton Conservation Area and the Grade II Listed Building

The application site is located within the Wombleton Conservation Area and as such, Ryedale District Council has a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, the site is located in close proximity to a Grade II listed building (Village Hall), and the proposed development is considered to affect the setting of the listed building. Members are aware that under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for a development which affects a Listed Building or its setting, the District Council shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Wombleton is constructed around a 2-row medieval street pattern made up of the central Main Street, with Back Lane to the west and Page Lane to the east. Page Lane was relatively undeveloped until the late nineteenth century, and would have traditionally marked the end of the rear plots and provided rear access for properties located on Main Street. As such, this area would historically have predominantly featured grassed areas and trees. It is likely that the Grade II listed building (former National School, now Village Hall, built 1844) was the first building constructed in this area.

The majority of the properties located along Page Lane are large, detached dwellings dating from the twentieth century, however they have been constructed in a way which reflects the historic use of the plots, with the main dwellings situated towards the back of their plots in closer proximity to the built-up form of the village. As a result the majority of properties along Page Lane benefit from larger, deep front garden spaces, which help to retain the tranquil, open and rural sense of place along this thoroughfare and in this part of the Conservation Area. Additionally, due to the relatively uniform, set-back positioning of these properties within their plots, there is a strong, clear building line along Page Lane. The only building which disrupts this clear pattern of development is the historic Grade II listed Village Hall, which is the only building in this vicinity which is situated hard-up against the public highway.

The proposed development seeks permission for a new, permanent carport structure to be located in the front garden of the application site; approximately 10 metres forward of the principal elevation of the main dwelling, and 4.9 metres away from the front garden boundary of the site. As outlined above,

the Building Conservation Officer has been consulted on this application and has objected to the proposed development. Their full consultation response is as follows:

*“Cherry Garth is located within the Wombleton conservation area and as such, Ryedale District Council has a statutory duty to have special regard to the preservation or enhancement of the conservation area. In addition, the Grade II listed former National School, now Village Hall dating from 1844 lies c. 15m to the north of the development site. In my opinion due to proximity, the proposed development will affect the setting of the listed building.*

*The character of the conservation area at this point is generally detached houses dating from the 20<sup>th</sup> century set back from the road in reasonably generous plots with front gardens and driveways. Gardens make an important contribution to the rural qualities of the conservation area. Due to the set back nature of the houses, there is little development located towards the road. Untypically, the Grade II listed building is located hard up to the edge of the pavement giving it presence and definition within the streetscape.*

*The application proposes the erection of a detached garage. The position of the garage is within the existing front garden.*

*In my opinion the proposed location of the garage forward of the house is contrary to the established pattern of development within the conservation area. In addition, it will create a permanent change from open green space to built development. Its position towards the roadside will also challenge the dominance of the Grade II listed building and be harmful to its setting by way of distraction.*

*In my opinion harm will be caused to the conservation area by introducing a permanent built element that is contrary to the established pattern of development within the conservation area. It will also result in the loss of open green space which makes an important contribution to the qualities of the conservation area. In addition, it will harm the setting of the listed building by challenging the visual dominance of the listed building and creating a visual distraction. The design of the garage includes a hipped roof which is alien to the built form of the conservation area.*

*In my opinion the level of harm to the conservation area is on the mid range of less than substantial. In my opinion the level of harm to the setting of the listed building is on the mid range of less than substantial. According to the NPPF at paragraph 199 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In my opinion, there are no identified heritage benefits.”*

The NPPF (2021) states at paragraph 199 that:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

Paragraph 200 of the NPPF (2021) states that:

*"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or*

*destruction, or from development within its setting), should require clear and convincing justification."*

Policy SP12 (Heritage) of the Ryedale Local Plan - Local Plan Strategy states that:

*"Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced."*

And -

*"Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset"*

Due to its position hard up on the roadside, the Grade II listed building has a very strong, prominent presence within the street-scene. The existing buildings which are in close proximity to the listed building are sited to the north and west, behind or set back from the listed building. To the south there is currently only green, soft garden spaces, which allows for uninterrupted, clear views of the listed building from the public realm; particularly from the Page Lane junction and when rounding the corner of Flatts Lane. The proposed siting of the car-port is within the setting of the Listed Building. Its position within the plot and within the setting of the listed building would be such that it would challenge the dominance of the Listed Building in the street scene. As proposed, the development would not preserve the setting of the Listed Building but would be harmful to it. The proposed car-port would distract and detract from the historic value and significance of the designated heritage asset. As outlined above, the Building Conservation Officer has identified the level of harm to be less than substantial harm to the setting of the listed building.

Furthermore, as outlined above gardens and green spaces are an important part of the historic rural form, character and appearance of the Wombleton Conservation Area, and the pattern of development in this part of Wombleton is as such that the built structures are set back towards the rear of the plots behind deep front garden spaces. The proposed development would disrupt this strong pattern and grain of development within the Conservation Area, by introducing a new, permanent built structure within the front garden space of the application site, towards the roadside. Additionally, the proposed hipped roof form of the carport structure is not a common roof form within the Wombleton Conservation Area, and does not reflect the form of the host dwelling on the site. Hipped roof forms were historically used on buildings of a higher status, and as a result it is considered that the use of a hipped roof form on an ancillary outbuilding would disrupt the traditional form and hierarchy of buildings within the site itself.

In her objection, the Building Conservation Officer has identified that the proposed development, by virtue of the disruption to the established pattern of development and the loss of open, green garden space, would cause less than substantial harm to the character and appearance of the Wombleton Conservation Area.

Several letters of support have been received, which state that the proposed development respects the pattern of development and the building line within the area, and that it will not affect the setting of Page Lane. However, the proposed structure would be positioned outside of the established building line, forward of the dwelling in contrary to the established pattern of development in this area. Furthermore, none of the letters of support directly address the level of harm that has been identified to the two heritage assets.

In addition, several consultation responses have stated that the extension to the Village Hall, which is the closest part of the structure to the application site, is not listed. This is not correct; while the list description does acknowledge that the extension to the listed building is of no special interest, the entire building as a whole is legally and technically Grade II listed.

Furthermore, it has been suggested by the applicant's agent that the less than substantial harm that has been identified in this instance should be weighed against the public benefit of the application site being brought back into full-time residential use, whereas the Listed Building is only used intermittently. However this is not considered to be a public benefit, as it is understood that the application site is already in full time residential, private use, and a new car-port structure is not required to ensure that the application site and principal dwelling remain occupied. On this basis, it is considered that no public benefits which outweigh the identified level of harm to the heritage assets have been identified through the supporting information, or the consultation responses.

On this basis, it is considered that the proposal would result in harm to the Conservation Area and the setting and significance of the Grade II listed building. It is considered that the level of harm is not outweighed by public benefit of the proposals. The scheme is therefore considered to conflict with Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy.

### Design

The new carport is proposed to be of a traditional, timber-framed design with a hipped roof form. It is proposed to be constructed from traditional timber cladding on a brick plinth, under a rosemary tile roof, which are commonly used on rural, ancillary outbuildings. When considered in isolation, there are no significant concerns relating to the style and materials of the proposed car port structure.

However, it is considered that the siting and positioning of the proposed building does not reflect the established grain of the Wombledon settlement, or the pattern of development which is derived from the Medieval 2-row street pattern of the village. Furthermore, the hipped roof form of the proposed building is not a commonly used roof form, and does not reflect the form of buildings within the application site, or the immediate vicinity.

Members are aware that Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states that:

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

- *The structure of towns and villages formed by street patterns, routes, rives and becks. The Medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale.*
- *The grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

In addition, Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy state that:

*"New development will respect the character and context of the immediate locality..."*

On this basis, it is considered that the proposed carport would result in a permanent built structure in a position which conflicts with established pattern of development within the locality, and would have a roof form which does not reflect the traditional form of ancillary outbuildings in this location. The scheme is therefore considered to conflict with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

### Impact on Neighbouring Amenity

The new car-port is proposed to be sited forward of the principal dwelling and established building line, away from the closest neighbouring properties to the north and south. As such, it is not considered that the proposed carport will result in any detrimental impact on neighbouring amenity, in terms of loss of light, loss of privacy or overbearing effects.

Insofar as the proposed development relates to neighbouring amenity, in this respect the proposal is considered to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan – Local Plan Strategy.

### Other Issues – Highway Safety

The Local Highway Authority has been consulted on this application and has confirmed they have no objections to the proposed development. One letter of support also cited the increase in off-road parking spaces within the site as a positive aspect of the proposed development.

There are no concerns with the proposed development, insofar as it relates to highway safety and vehicular movements. The proposed development would increase private off-road parking availability for the occupiers of the application site, however it is noted that the site does already benefit from ample off-street parking. The proposed development is not required to ensure that there is an acceptable level of off-street parking available at the site.

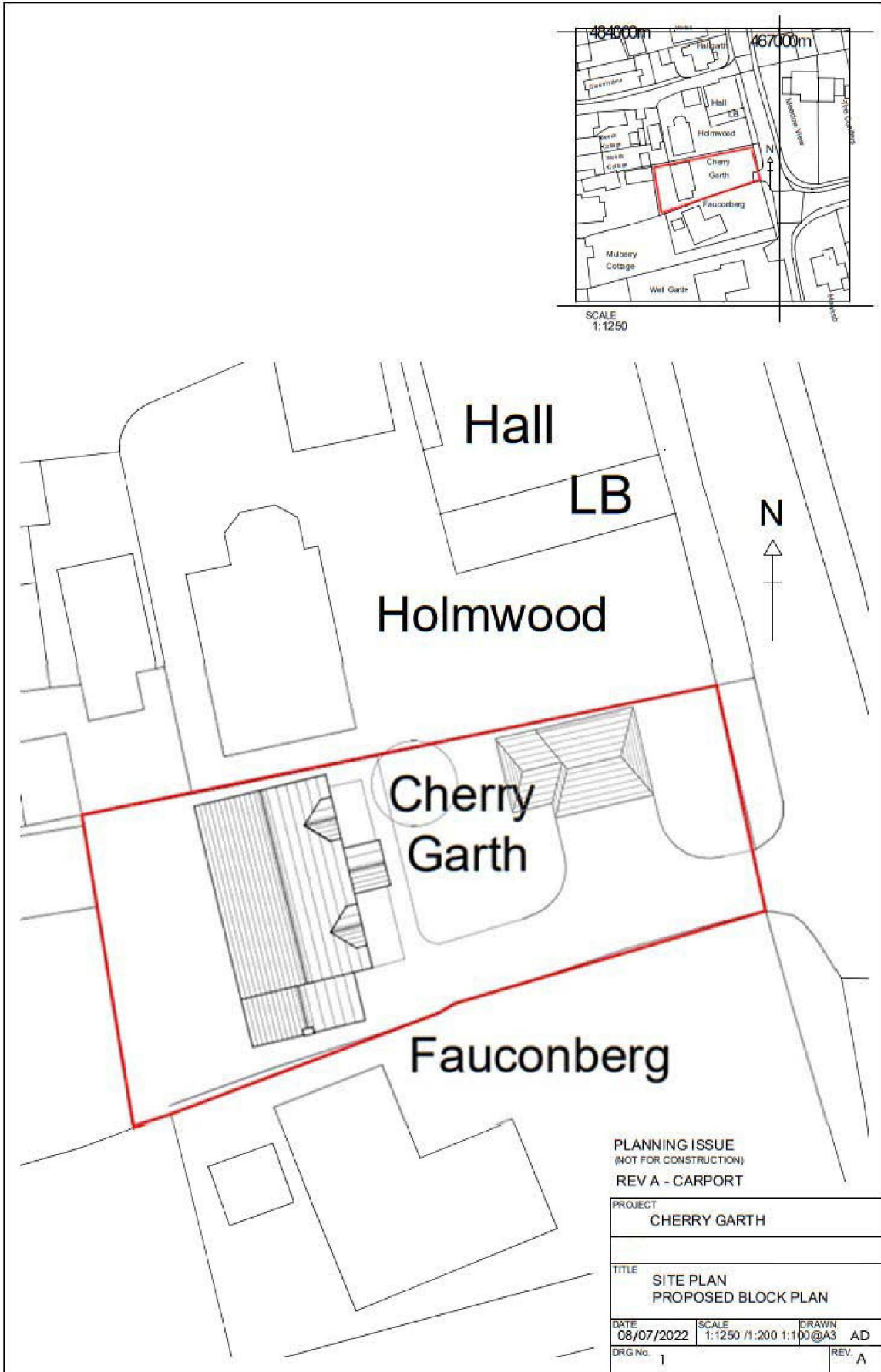
### Conclusion

In conclusion, the proposed development is considered to be harmful to designated heritage assets, namely the nearby Grade II listed building, and the Wombledon Conservation Area. Whilst on the spectrum of harm, the level of harm is considered to be less than substantial in scale, there are no public benefits which are considered to outweigh the harm to these designated heritage assets. Having regard to Sections 66 & 72 of the Planning (Listed Building and Conservation Areas) Act 1990; the conflict with Policies SP12 (Heritage) and SP16 (Design) of the Local Plan Strategy and conflict with national policy, the recommendation is one of refusal.

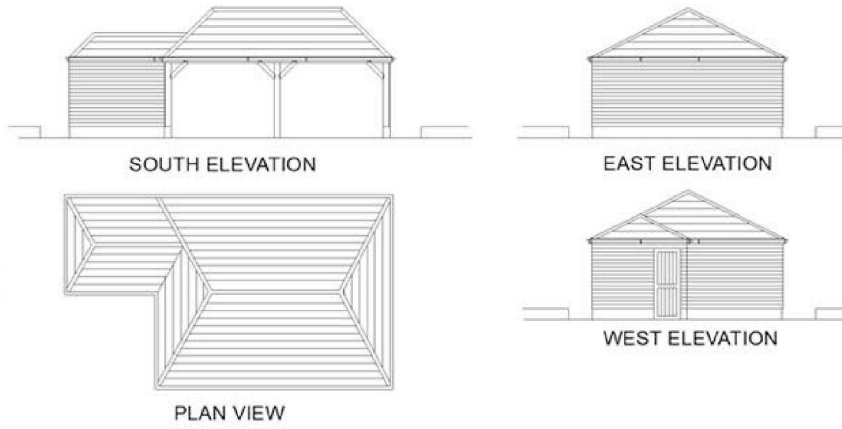
### **RECOMMENDATION: Refusal**

- 1 The proposed car-port, by virtue of its siting and positioning forward of the principal dwelling towards the roadside, within a green garden space, is considered to conflict with the established pattern of development at the village and within the Wombledon Conservation Area. As such, it would not preserve or enhance the character or appearance of the Conservation Area, but would result in harm to the character and appearance of the designated heritage asset. The resulting harm is not considered to be outweighed by public benefits of the proposal. The application is therefore considered to be contrary to the requirements of Policies SP12 (Heritage) and SP16 (Design) of the Ryedale Plan - Local Plan Strategy and contrary to Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.
- 2 The proposed car-port building will not preserve the setting of the Listed Building but will, by virtue of its presence and position towards the front of the application site and immediately to the south of the nearby Grade II Listed Building, be harmful to the setting of the Listed Building. The siting of the building in this location will distract from and challenge the historic prominence and dominance of the Listed Building and as such it will result in harm to its historic value and significance as a designated heritage asset. The resulting harm is not considered to be outweighed by public benefits of the proposal and

therefore the development proposed is considered to be contrary to the requirements of Policies SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy and contrary to Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.







PROJECT		
CHERRY GARTH		
TITLE		
CARPORT		
DATE	SCALE	DRAWN
8/7/2022	1:100 @A3	AD
DRG No.		REV.
2		A



FLOOR PLAN

PROJECT		
CHERRY GARTH		
TITLE		
CARPORT FLOOR PLAN		
DATE	SCALE	DRAWN
11/11/2022	1:100 @A3	AD
DRG NO.		REV.
1		A



FLOOR PLAN

PROJECT		
CHERRY GARTH		
TITLE		
CARPORT FLOOR PLAN		
DATE	SCALE	DRAWN
11/11/2022	1:100 @A3	AD
DRG No.	1	REV. A

# DESIGN, ACCESS AND HERITAGE STATEMENT

At: Cherry Garth,  
Page Lane,  
Wombleton

Cheryl **Ward**  
Planning

1 | Page

**For: Mr A Dodson**  
**At: Cherry Garth, Page Lane, Wombleton, YO62 7SE**

Cheryl Ward Planning  
MSc ICN MRTPI

Purposely left blank

## Contents

1.0	Introduction .....	5
2.0	Purpose of Statement .....	6
3.0	Planning History .....	6
4.0	Site Constraints .....	7
5.0	The Site .....	8
6.0	Heritage asset – Wombleton Conservation Area and Listed Buildings .....	11
7.0	The Proposal .....	17
8.0	Landscape and Biodiversity Assessment.....	21
9.0	Planning Policy Context.....	22
10.0	Conclusion.....	26
	Up to date photographs – Cherry Garth, Page Lane.....	27

### Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by
V2	15/08/2022	Client amends	CWP

Cheryl Ward Planning accepts no liability regarding the use of this report except to client for the purposes of which it was originally commissioned and prepared.

**Note:** Cheryl Ward Planning holds appropriate professional indemnity insurance for this instruction.

**COPYRIGHT** The contents of this document must not be copied or reproduced in whole or in part without the written consent of Cheryl Ward Planning.

**For: Mr A Dodson**  
**At: Cherry Garth, Page Lane, Wombleton, YO62 7SE**

Cheryl Ward Planning  
MSc ICN MRTPI

Purposely left blank

## 1.0 Introduction

- 1.1 Acting upon the request of the applicant Cheryl Ward Planning has been appointed to submit a full planning application in relation to the area outlined in red on the attached location plan at Cherry Garth, Page Lane, Wombleton, YO62 7SE.
- 1.2 Planning permission is sought under the Town and Country Planning Act 1990.
- 1.3 In summary, the application is for a detached car port within the domestic curtilage of Cherry Garth, a recently approved replacement dwelling in the heart of the village which has brought significant enhancement to the distinctive character of the settlement.
- 1.4 The car port, previously withdrawn from the last application has been re-assessed and in summary this revised scheme together with the applicants brief seeks householder planning permission to:
  - Make use of the only available amenity space to create an attractive, usable outdoor space for undercover vehicle parking and domestic storage.
  - Reduce massing with a hipped roof together with the overall height so that at no point does the structure breach the skyline.
  - Ensure the proposal fits in context with neighbouring buildings.
  - Use of materials that do not compete with the local vernacular streetscene.
  - Create a development that is positioned appropriately in the streetscene with softening to the edges thus allowing the adjacent listed Village Hall to remain the dominant form/focus on Page Lane.
  - Have special regard for the preservation and enhancement of Wombleton Conservation Area.
  - Have due regard to preserve the setting of adjacent listed buildings.
- 1.5 The application falls under the jurisdiction of Ryedale District Council for planning control. The accompanying plans identify the site location together with a computer generated image to show how it is physically possible to site the structure in the domestic curtilage of Cherry Garth without severely impact upon the village streetscene, setting of the Village Hall and street context in a setting of predominantly 20<sup>th</sup> century housing.
- 1.6 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 planning application. Its aim is to assist those assessing the application to understand the design and access rationale. In summary, it provides a structured way of describing the development proposal.
- 2.2 With the application there is also a requirement to submit a Heritage Statement where a statutorily designated heritage asset is affected. In this case, the application site falls within Wombleton Conservation Area and has the potential to affect the setting of an adjacent listed building (Village Hall). The Conservation Area and listed building are the 'heritage assets' and have therefore been assessed. The Statement is incorporated within this report.

## 3.0 Planning History

- 3.1 A search of Ryedale District Council's online search facility has revealed the brief planning history for the site:

**21/01335/FUL** - Erection of a 4 no. bedroom detached replacement dwelling incorporating parts of the existing dwelling at Cherry Garth, Page Lane, Wombleton – Approve.

- 3.2 The planning statement sets out the overall case for the proposed development and is supported by the following documents:

- Planning application forms.
- Computer generated image (CGI).
- OS Map Extract (for site identification).
- Block plan.
- Car port elevations and plan view – Dwg. 2.

## 4.0 Site Constraints

### Site Constraints

- Wombledon Conservation Area.

### Geographic Information

- 4.1 A thorough check of Magic Map has revealed there is no presence on the site edged in red or within close proximity to any known ecological (habitat and species), archaeological, landscape classification or marine constraints that would have a bearing on the submission of the application.
- 4.2 Magic provides authoritative geographic information about the natural environment from across government. The information covers rural, urban, coastal and marine environments across Great Britain including the application site and is a reliable source of information.
- 4.3 Further to our research, it is not considered that additional surveys or appraisals are necessary in this instance and validation of the scheme as presented is requested.

### Flood Risk

- 4.4 The site is not deemed to be at risk of flooding from rivers, surface water or reservoirs as confirmed by the Environment Agency's long-term flood risk assessment for locations in England.

## 5.0 The Site

### Site context and surroundings

- 5.1 The application site falls within Wombleton and is located in the centre of the village within the Conservation Area. It is a site viewed within the context of neighbouring buildings including the adjacent listed Village Hall. For planning purposes the site is within an 'Other Village' based on the facilities it has to offer.
- 5.2 In a wider context, the application site lies on the edge of the North York Moors on a flat plateau between Kirkbymoorside (2.2 miles east) and Helmsley (3.2 miles west) with Nawton/Beadlam to the north west.
- 5.3 Inside the settlement, the application property lies to the west of Page Lane and is set towards the back edge of a long plot, behind a deep front garden (the only amenity space the property possesses). Such spaces can be used to create attractive and usable outdoor spaces especially when grouped with traditional walling and hedging.
- 5.4 The dwelling has very little rear amenity space and is a property that does not benefit from any other outbuildings to support the function of the dwelling i.e. there is nowhere to store lawn mowers, bbq, bicycles and general domestic paraphernalia for the recently permitted 4 bed house.
- 5.5 The property, recently allowed as a replacement building is of modern construction and makes a positive contribution to the character and appearance of the streetscene, the Conservation Area and does not prejudice the setting of the Village Hall nor other neighbouring buildings which includes other single storey outbuildings/garaging which are clearly visible in the same street.
- 5.6 The property stands as an independent residential unit and benefits from a large front curtilage. It is essentially an open area/viewable platform when turning onto Page Lane from Flatts Lane and the set back nature of the buildings provides an appropriate backdrop.
- 5.7 In lieu of there being no rear garden, the front aspect essentially provides the main functional zone for the dwelling including parking, turning and manoeuvring of the applicants' vehicles.
- 5.8 The application site falls entirely within Wombleton Conservation Area (CA) where there is an eclectic mix, variety and style of buildings and modifications to dwellings including those directly opposite the Village Hall where there is an element of glazing used in a recent extension.

#### Area perambulation

- 5.9 The draft Wombleton Conservation Area Appraisal (2005) places Page Lane in 'Zone 3' as formerly being the 'back lane' to the east side of the village. Nineteenth century maps show Page Lane to have been undeveloped and consisting of a lane at the end of the rear plots to the buildings on Main Street largely laid out with trees/orchards.
- 5.10 The first, and still the most noteworthy, building on the lane is the National School, now the village hall, built in 1844. It comprises a single storey building with limestone walls, pointed "gothic" windows with ashlar surrounds, and a Welsh slate roof.
- 5.11 The Village Hall commissions a centre stage location on the pavement edge and is at the forefront of the streetscene. It commissions a high status (Grade II Listed) and in its own right attracts views from Page Lane. It is acknowledged that no other building should affect the setting.
- 5.12 Over time however, it has been accepted that the majority of the above mentioned plots have been sub-divided and new houses built, fronting onto the lane (Page Lane) including the recent replacement dwelling at Cherry Garth (the application property).
- 5.13 The CAA acknowledges the more recent buildings exhibit a variety of styles and materials including brick. They are mainly detached buildings sitting back from the road.
- 5.14 Despite these changes, Page Lane does still retain its rural character to a certain extent. It is not fully laid out with pavements or kerb edging and there are views to the greenery of the hedged south part of the lane.
- 5.15 In summary, this zone consists of a swath of piecemeal development to the north and east of the village outside the historic boundary. For these reasons, this area has not been included within the Conservation Area boundary.
- 5.16 It is noted during the area perambulation that the majority of properties (excluding the application property) benefit from outbuildings of one form or another whether detached or physically attached. This includes, the more recent lean-to addition to the Village Hall and a pitched roof garage which butts up to the back wall of the listed Village Hall.
- 5.17 Looking south of the application property the landscape is largely open and gradually elevates allowing extensive long distance views through the landscape.
- 5.18 Boundary treatments are commonly low stone or brick walls which are a distinctive feature of the village Conservation Area, however the visual impact of overhead lines particularly close to the listed Village Hall running with Page Lane do cause some erosion far greater than the proposal sought under this application.

- 5.19 Cherry Garth is a large, 4 bed property with a defined entrance point (left side of property frontage). Turning the corner onto Page Lane from Flatts Lane however, it is the larger brick built, dormer dwelling to the north (behind the listed Village Hall) which carries a far heavier, overbearing presence in the streetscene and is more likely to overshadow the Village Hall due in part to its verticality, bulk, height, massing and associated garage which butts up to the rear of the listed building.
- 5.20 The application site on the other hand, whilst fairly open, is bound by existing and mature vegetation and the replacement building that now stands on the site poses a far superior and enhanced building appropriate to distinctive character of the site. The house is characterised by a simple, flat, clean line appearance with a good solid to void ratio, and complementary coloured render, windows/doors and brick plinth which is a key feature and golden thread running throughout the site.
- 5.21 All in all, the property reflects elements of local distinctiveness and is of a traditional 'low key' design. The car port will assist in removing the currently exposed, parked motor vehicles from the site and conceal them, to a certain extent, within the desirable, well-mannered car port designed to flow harmoniously with the host building and sit comfortable on the site as indicated in the accompanying CGI.
- 5.22 In summary, a review of the area perambulation clearly indicates that the proposal does not bring about harm to any of the notable features, village setting or cause undue harm to the Conservation Area.
- 5.23 The property and domestic uses are capable of being extended in a forward manner, albeit in line with the neighbouring garage butting up behind the Village Hall yet remaining behind the building line of the adjacent Village Hall.

## 6.0 Heritage asset – Wombledon Conservation Area and Listed Buildings

- 6.1 The application site falls within Wombledon Conservation Area which includes most of the village and properties within it.
- 6.2 Conservation Areas are defined in the Planning (Listed Building and Conservation Areas Act) 1990 as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Conservation Areas are therefore those areas considered to have the most important environmental quality in the District.
- 6.3 The character of Wombledon Conservation Area is defined by the boundary which follows the historical extent of the plot boundaries of the built up area fronting onto Main Street. The area includes the majority of traditional buildings making a positive contribution to the character of the village. This boundary represents the historic core of the village.
- 6.4 Wombledon is an exception from most villages in that it had an airfield. During the Second World War, the 6 Group of the Royal Canadian Air Force flew Mk II Halifax bombers from the airfield, along with Lancasters, Spitfires and Hurricanes. Now it is used for civilian light aircraft. The airfield is situated on land which was once ancient common, enclosed in the 18th century to the south of Page Lane.
- 6.5 Like the majority of villages, Wombledon has developed from a farming community into a largely dormitory village. There are significant farms and farm buildings remaining - Manor Farm, White House Farm and South View Farm, on the west of Main Street and Fir Tree Farm to the east. These are important to the character of the village.

### Character and relationship of open spaces in the conservation area.

- 6.6 An important characteristic of the village are the views between buildings to open spaces, trees and countryside. The old village farm buildings have their axis at right angles to the street and this opens up such views.
- 6.6 This proposal does not seek to harm the relationship of open spaces in the Conservation Area.

### Green space, trees, hedges and other natural elements to the character of the area

- 6.7 The most significant open space within the conservation area boundary is the large field at the south end of the village identified as belonging to J Shepherd Esq. on the 1816 Enclosure Map.



- 6.8 This field is bounded by thick hedges, in Page Lane contributing to a typical country lane scene; whilst in Main Street it forms the eastern boundary of the increasingly built up area. The over-riding characteristic of the village is its rural setting in which lawns, walls, hedges and trees play a vital part of the locality.
- 6.9 This proposal does not seek to harm the character of the area and aims to retain the soft vegetation to the site boundaries and a traditional low level brick wall to the site frontage.

#### New buildings

- 6.10 It is acknowledged that there are a number of modern buildings which do not wholly respect the traditional character of the settlement in terms of scale, siting, external details and boundary treatments, however they now form part of the local, rural, streetscene and provide a useful guide for what may be appropriate for the siting of 'new buildings'.
- 6.11 The CAA notes that some buildings, in particular are set too far back from the street. The boundary treatments are too heavy. They are too big for their context. The walling materials do not relate to the rest of the village.
- 6.12 Taking the above into account, this proposal aims to appropriately site the proposed car port as far back into the site as possible and to ensure that it has a background context i.e. it sits against existing buildings. It is also to ensure turning space is possible whilst safeguarding the streetscene and adjacent listed building to any further erosion in character.

#### Understanding the nature of the significance

- 6.13 The starting point for the assessment when considering the significance of heritage assets is to identify the asset, in this case it is Wombleton Conservation Area and the nearby listed Village Hall that are likely to be affected by the proposed development.
- 6.14 Once established the contribution made by its setting and the effect of the proposed development on the significance of the asset(s) can be considered.
- 6.15 The LPA are clearly satisfied that replacement dwellings in this location are an acceptable form of development as an enhancement to the appearance of this part of the Wombleton Conservation Area in line with planning policies SP12 and SP16 of the Ryedale Local Plan Strategy (2013).
- 6.16 There is no mention of the impact of the dwelling on the adjacent Village Hall in the recent Officers delegated report for the replacement dwelling nor does it form part of the Officers Appraisal.

- 6.17 In bringing forward this further proposal we aim to demonstrate that similarly to the replacement dwelling, this scheme will safeguard the integrity for all of the adjacent buildings, not just the Village Hall but also for wider neighbouring amenity.
- 6.18 Together with lessening the impact on the Conservation Area, landscape features such as walls and trees which are important to the character of the village will be retained. This demonstrates our expert knowledge to exercise the applicants due diligence to protect these key features.
- 6.19 The asset's physical surroundings include characterful open space, trees, wide verges, access tracks and traditional boundaries that contribute to its setting.
- 6.20 Taking a more in depth look inside the village and the experience of the asset(s) this includes the views and vistas up and down Page Lane, Flatts Lane, Back Lane and along the road to Welburn, to and from, towards, through and across the Conservation Area.
- 6.21 It is concluded that the proposed development will not affect the Wombleton Conservation Area.

#### Listed status

- 6.22 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering applications for planning permission special regard should be had to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of this Act states that local planning authorities have a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

#### Listing – Village Hall, Page Lane

- 6.23 The historic environment record list entry description states:

SE 68 SE WOMBLETON PAGE LANE (west side)

4/110 Village Hall

GV II

National School, now village hall. 1844 on commemoration tablet; C20 extension to left. Dressed limestone and ashlar; slate roof; brick stacks. Single storey. C20 glazed door in left extension under original milled lintel. All windows are tall and pointed with small-pane glazing. Coped gables. Moulded scrolls at each corner. Extension at left rear not of special interest.

Listing NGR: SE6698183978



- 6.24 The listing description confirms that the Village Hall has been extended, the extension is of no special interest. The aforementioned extension falls on the south elevation of the Village Hall, between this and the application site there is also a neighbouring driveway and a dense hedge.
- 6.25 The lean-to extension, adjacent driveway and hedge act as a buffer to the Village Hall. Although in close proximity to the application site it is likely that the lean-to extension has a far greater impact on the Village Hall than any other development in the near vicinity.
- 6.26 Other than the Village Hall being well referenced in the CAA, the list description provides minimal information about the internal or external character and fabric of the building.

#### Legally

- 6.27 The building known as Village Hall, Page Lane is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. As such there is no intention that the scheme will result in the loss of any internal architectural or historic fabric.

#### Listed buildings

- 6.28 Listed Buildings are irreplaceable heritage assets which are recognised as being of special architectural or historic interest in the national context. They are identified on the National Heritage List for England held currently by the Department for Culture, Media and Sport.
- 6.29 Protection extends to the whole building, inside and outside, its curtilage and certain structures within its domain. The majority of works to Listed Buildings require listed building consent (in addition to any other consent required through planning legislation), including internal features and fittings, attachments and any decorative schemes of special significance.

#### Summary of importance

- 6.30 A relevant proportion of significance has been assessed together with the nature, extent and relative importance to the past. This assessment can now focus on what effect the proposed development may have on the heritage asset (Wombleton Conservation Area and the adjacent setting of a listed building – Village Hall).
- 6.31 From here we can begin to describe how the proposed car port will fit within the context provided by the surroundings. This is possible due to the large plot (curtilage) size which allows for improvements to the quality and liveability of the sites occupants together with the site's compatibility to accommodate a new building for improved viability and prospects for long term conservation.

- 6.32 Having regard specifically to the adjacent listed Village Hall, we refer to the 'optimum viable use' of the application site which has always been residential versus the Village Hall (with its intermittent uses) there is no net change.
- 6.33 Paragraph 194 of the NPPF requires the level of detail including the contribution that the site/dwelling/structures makes to the area setting to be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on any significance.
- 6.34 The proposal has the ability to allow the key attributes of the Listed Village Hall, where they exist, to remain as they are. The scheme is suitably designed for optimal viable use and is conducive to the layout of the area without impacting on the village hall use.
- 6.35 Either way, the development is respectful to all existing buildings, listed or not.
- 6.36 This Assessment of Heritage Assets concludes that the proposed development would have less than substantial harm on the character, form and appearance of the adjacent Village Hall.
- 6.37 Whilst 'setting' itself is neither a heritage asset nor a heritage designation it can contribute towards the significance of a heritage asset.
- 6.38 The policies contained in the NPPF together with guidance on their implementation in the Planning Policy Guidance (PPG) provide the framework for the consideration of change affecting the setting of designated heritage assets.
- 6.39 In addition, paragraph 206 of the NPPF (July 2021) requires LPAs to look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourable.
- 6.40 The heritage asset(s) in this case are maintained and enhancements will be made to the overall streetscene in the form of increased boundary features and screening to create softened edges to the development. As such, the development can be seen as a positive change.

The 'public benefits' of the proposal

- 6.41 The application is concerned with a relatively small scale (householder) change to an existing residential dwelling where there is no doubt that wider public benefit would accrue from development. Whilst that is not wholly possible to achieve 'no net loss', the applicant is investing in the area value and **Policy SP12** (Heritage) and other strategic planning policies set out in the Ryedale Local Plan Strategy acknowledge this.

- 6.42 The development presents an opportunity to make a positive contribution to ‘local distinctiveness’ by introducing new development as well as retaining all of the traditional features which encompasses the whole new experience of Cherry Garth (the dwelling) and visual amenity by providing a clear distinction between old and new.
- 6.43 In addition, para. 208 of the NPPF requires LPA’s to assess whether the benefits of a proposal for enabling development, which may otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.
- 6.44 In this case, whilst there may be a small degree of visual harm caused and disruption when the development is in construction, that harm is justified by the public benefits of the proposal to some extent. It is also considered that the continued use of Cherry Garth in itself will assist in contributing to long term preservation and therefore proposes added public benefit.
- 6.45 In summary, the public benefits in this case are concerned with the consistency of ‘use’ of the application site and the ‘physical appearance’ to an adjacent listed structure in a designated setting.
- 6.34 The heritage asset in this case is maintained and the development is seen as a positive change.

#### Site location



Fig 1. Identifies the site location and adjacent land used for domestic purposes at Cherry Garth, Wombledon.

## 7.0 The Proposal

### Introduction

- 7.1 This Design and Access Statement is prepared by Cheryl Ward Planning and is submitted in support of this planning application.
- 7.2 The primary purpose of the development is to site a car port in the domestic curtilage in order to enhance the domestic amenities of the host building known as Cherry Garth where currently non are in existence.
- 7.3 The accompanying plans seek to show how this can be achieved on the site without harming the special qualities of the area including an adjacent listed building and Wombledon Conservation Area.
- 7.4 In essence, the whole site is designed to work in unison in finding a solution for the occupiers for the lifetime of the development.

### Car port

- 7.5 The car port is to be located in the domestic curtilage forward of the host building. The location has been specifically chosen so as not to impact on the host building, neighbouring buildings, the local streetscene, the Conservation Area and an adjacent listed building.
- 7.6 The main changes to the design of the car port post withdrawal from the replacement dwelling application are:
- A lowering of the ground level to keep the overall height down.
  - A reduction in height from the previous proposal of 300-350mm metres owing to a reduction in ground levels - meaning that the car port is no higher than that of the Village Hall (where eaves are - 2550mm, ridge - 4200mm) and thereby not competing with it.
  - Introducing a hipped roof at both ends – in order to reduce massing and views through the site.
  - Making use of double pantiles to match the house roof.
  - Rebuilding of the traditional brick front boundary wall.
  - Creation of a soft visual appearance to the corner of Flatts Lane and Page Lane.
- 7.7 The proposed car port will run with a shortened ridge running in a east/west direction similar to the lean-to extension at the Village Hall and the neighbouring garage which butts up to the back of the Village Hall although not as high.



- 7.8 The building will accommodate 2 no. front openings to the south facing elevation with a simple log store on the side (west). It will be externally finished with exposed oak pillars and horizontal boarding to the north, east and west elevations under a hipped roof clad in double pantiles to match the house. Essentially, it is a non-harmful, simple structure.
- 7.9 The car port is to have a completely open fronted aspect to create transparency through the site.
- 7.10 The juxtaposition of the car port versus the Village Hall means that the two buildings will be viewed in completely separate contexts without harm to one another, that being:
- the car port is clearly anchored to Cherry Garth and the residential context of Page Lane whereas;
  - the Village Hall remains at the forefront of views together with the red post box and yellow defibrillator housing.
- 7.11 Throughout the scheme there are suitable linkages with the garden and the host building, Cherry Garth.

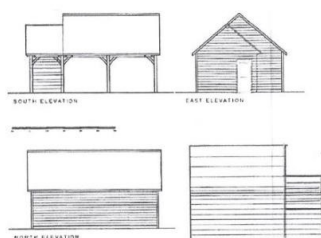


Fig 2. – Previously sought car port

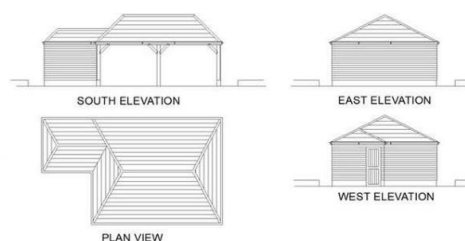


Fig 3. – Proposed car port – significant reduction in height.

#### Design and materials

- 7.12 In line with the Design Guide (Residential Extensions and Alterations SPD) the domestic car port, to be used on a daily basis, (unlike the Village Hall which presumably has only intermittent use) is designed to a high standard of detailing and is subservient in scale and massing with the host building and surrounding buildings.

7.13 The position and scale of the car port is chosen as it culminates in the least harmful loss of space in the domestic curtilage and secures a backdrop of buildings when viewed from Page Lane. Siting a building in the chosen location maintains the flow and function throughout the site's external spaces around the dwelling.

#### Appearance

7.14 In summary, the approach in terms of design is to create a modest addition to the household which is little over what is normally allowed under permitted development. Furthermore, that is both functional and operational and mimic key connections to the traditional characteristic of the locality for example:

- Matching materials compatible with the locality.
- Compatibility to the surroundings.
- Subservience to nearby structures i.e. hierarchical elements of the dwelling which diminish in height and scale so as not to over dominate.
- Stonework to window ratio - well balanced.
- Creating usable, transitional zones between existing internal and external levels spaces.



Fig 4. – Proposed car port.

#### Access

- 7.15 Vehicle access to and from the site will remain unchanged. Accessing the new car port via the existing domestic curtilage by vehicle traffic does not pose a constraint to the development or other road users.

#### Landscaping

- 7.16 The accompanying CGI illustrates new areas of planting of native species garden shrubs etc and a suitable density together with proposed areas of informal and formal landscaping in the existing front garden. This presents opportunities for conserving and enhancing the natural environment.
- 7.17 This element of the scheme promotes conservation, restoration and enhancement of priority habitat, ecological networks and the protection and recovery of priority species and presents an ideal opportunity for pursuing measurable net gains for biodiversity.

## 8.0 Landscape and Biodiversity Assessment

- 8.1 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.
- 8.2 In England, the National Planning Policy Framework (2021) states that planning should contribute to conserving nature and securing 'net gains' for biodiversity (ch. 15).
- 8.3 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).
- 8.4 In accordance with national planning and biodiversity policies and legislation this development takes account of the potential net gains for biodiversity and provides useful information about promoting biodiverse developments through planning.

### Summary of site opportunities for biodiversity through planning

- To maintain and enhance biodiversity – good quality bat and bird boxes will be erected on the site and close to the eaves of the car port. The above provides a net benefit to biodiversity.
  - To not cause significant loss of habitats.
  - Maintain and enhance all green infrastructure – brick walls, hedges and traditional boundaries will be maintained as will a grassed areas within the front garden/amenity area to the south of the dwelling, and area of trees and greenery on the northern site boundary with the neighbouring property (which falls between the application site and Village Hall).
  - The site will promote health and well-being to future occupants and neighbours as they will be exposed to a pleasant openness, light and clean air.
  - The site will promote general improvements to physical and mental health – due to exposure and improved means of accessing the site and the opportunities to live a healthy lifestyle and home working environment.
  - Nature in this case will act as a catalyst to future occupants' enjoyment of the dwelling and added amenity.
- 8.5 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 through an increase in mix of flora and fauna and lifestyle choices.



## 9.0 Planning Policy Context

### Planning and Compulsory Purchase Act 2004

- 9.1 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.
- 9.2 Under section 70(0) 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. The determination of planning proposals must be in accordance with the approved Development Plan unless material considerations indicate otherwise.

### National Planning Policy (NPPF) (2021)

- 9.3 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.
- 9.4 The NPPF is a contributing material consideration. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 9.5 Paragraph 7 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'.
- 9.6 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.
- 9.7 To fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.
- 9.8 Paragraph 9 of the NPPF states that 'planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area'.
- 9.9 Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

- 9.10 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 9.11 Paragraph 127 states that plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.
- 9.12 Paragraph 128 advises the LPA should provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.
- 9.13 Paragraph 129 advises that design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.
- 9.14 Paragraph 130 seeks to ensure that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

Continued ...

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Ryedale Local Plan Strategy (2013)

9.15 The Ryedale Plan Local Plan Strategy was adopted in September 2013 and covers the whole of the administrative area of Ryedale District (excl. the NYM National Park).

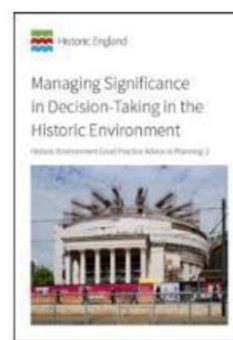
9.16 Ryedale District Council adopted its Core Strategy with modifications in September 2013 and June 2019 where Members of the District Council formally adopted the Ryedale Plan Local Plan Sites Document. This is the now the relevant Development Plan in force for consideration of applications. The following policies are considered relevant to the case.

- SP12 – Heritage
- SP13 - Landscapes
- SP16 – Design
- SP19 - Presumption in Favour of Sustainable Development
- SP20 – Generic Development Management Issues

#### Capacity for Change

9.17 From time to time it is accepted that there must be capacity for change and is one that is recognised by Historic England's advice notes and guidance. Development might include new buildings, the demolition of insignificant buildings and the opening of spaces to better reveal the significance of heritage assets in their settings.

- 9.18 It is concluded that the understanding gained from looking closely at the site and the immediate locality has in this case helped to prepare a well-balanced proposal that is capable of conserving and enhancing the significance of the area/area setting as a whole.



#### Neighbouring Amenity

- 9.19 The applicant recognises good quality development should not result in an adverse impact on the amenities of occupiers of nearby properties

## 10.0 Conclusion

- 10.1 This section brings together the information presented within this Design, Access and Heritage Statement and provides a reasoned conclusion for the approval of this application together with the accompanying supporting documentation.
- 10.2 The proposal has been developed in response to the parameters of the site and the heritage assets (Wombledon Conservation Area and listed buildings) together with the applicant's design brief and future householder needs for the site.
- 10.3 The development proposal has been designed with a level of thoroughness proportionate to the relative importance of the heritage asset/s whose fabric is to a certain extent, but by no means wholly, affected by this proposal due in part to the juxtaposition of the proposed structure.
- 10.4 In line with the NPPF, HER records have been consulted together with documentary materials and historic mapping. The assessment finds that given the minor nature of the works, a less than significant degree of harm will be caused to the significance of heritage assets identified in this Statement. Predominantly, those being, a Grade II Listed building and Wombledon Conservation Area.
- 10.5 Part of the 'significance' is derived from 'Aesthetic Value' and together with other buildings in the local streetscene and the interaction of the heritage asset with these buildings and the area of Page Lane adds to the experience of those assets. There is no reason why they should not work 'hand in hand'.
- 10.6 Historic England's 'The Setting of Heritage Assets' Good Practice Advice in Planning: 3 confirms that setting is not a heritage asset, nor a heritage designation, though land within a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset. In this case the heritage asset is firmly maintained and the development is far enough away.
- 10.7 The proposed development is unlikely to materially detract from the nearby asset's significance and will not damage its economic viability now, or in the future, thereby the proposed car port does not pose a threat to its on-going conservation.
- 10.8 The setting of heritage assets can change over time. Protection of the setting of heritage assets need not prevent change; indeed, that change may be positive as promoted by this proposal.
- 10.9 It is therefore concluded that the changes as presented represent the optimal, viable use of the application property versus the adjacent listed Village Hall as required in paragraphs 200 - 206 of the NPPF and **Policy SP12 (Heritage) and SP16 (Design)** the Ryedale Local Plan Strategy 2013.
- 10.10 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force and we would ask the LPA to support the proposal.



Up to date photographs – Cherry Garth, Page Lane



Fig 5. – Looking north up Page Lane, application site to left.



Fig 6. – Application site, Cherry Garth, Page Lane, Wombleton.

## 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

NYM Moors, Yorkshire Dales, Whitby, Scarborough, Ryedale, Hambleton, Redcar and Cleveland, Selby, Wolds, North Lincolnshire, North East

Registered business address: 24 Westfield Mews, Kirkbymoorside, York, YO62 6BA

M: 07917 194204

E: [info@cherylwardplanning.co.uk](mailto:info@cherylwardplanning.co.uk)

W: [www.cherylwardplanning.co.uk](http://www.cherylwardplanning.co.uk)

Please see comments from Wombledon PC who have come through as a contributor on application 22/00933/HOUSE

**From: Sent:** 04 November 2022 15:47

**To:** Development Management

**Subject:** Comments for Planning Application 22/00933/HOUSE

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 04/11/2022 3:46 PM from Mr Wombledon Parish Council.

### Application Summary

Address: Cherry Garth Page Lane Wombledon Kirkbymoorside North Yorkshire YO62 7SE

---

Proposal: Erection of detached open sided car port to the front of the dwelling

---

Case Officer: Ellie Thompson

---

[Click for further information](#)

### Customer Details

Name: Mr Wombledon Parish Council

---

Address: 11A Station Road, Helmsley, North Yorkshire YO62 5BZ

---

### Comments Details

Commenter Type: Neighbour

---

Stance: Customer made comments neither objecting to or supporting the Planning Application

---

Reasons for comment:



Comments:

Wombleton PC have no objections to this application.

---

Kind regards

# Agenda Item 9

**Item Number:** 9  
**Application No:** 22/00851/MFUL  
**Parish:** Scampston Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Derek Watson  
**Proposal:** Change of use of redundant agricultural building to form 1no. one bedroom holiday unit and management office, change of use of land for the siting of 5no. camping pods and 4no log cabins, relocation of 1no. log cabin for holiday use and change of use of agricultural land to form additional amenity space for existing touring caravan site  
**Location:** Wolds Way Caravan And Camping West Farm Knapton Wold Road West Knapton Malton North Yorkshire YO17 8JE

**Registration Date:** 5 August 2022  
**8/13 Wk Expiry Date:** 4 November 2022  
**Overall Expiry Date:** 6 December 2022  
**Case Officer:** Eleanor Hardie **Ext:** 43342

## CONSULTATIONS:

### *First consultation*

<b>Highways North Yorkshire</b>	No objection
<b>Scampston Parish Council</b>	No response received
<b>NYCC Natural Services</b>	Further Information required
<b>National Highways</b>	No objection
<b>Caravan (Housing)</b>	Recommend Informative
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	No objection
<b>Public Rights of Way</b>	Recommend Informative
<b>Tree &amp; Landscape Officer</b>	Revised Information Required
<b>Flood Risk</b>	Further Information Required
<b>Yorkshire Water</b>	No objection

### *Reconsultation*

<b>Highways North Yorkshire</b>	No objection
<b>Scampston Parish Council</b>	No response received
<b>NYCC Natural Services</b>	Recommend conditions
<b>National Highways</b>	No objection
<b>Caravan (Housing)</b>	No further comments provided
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	No further comments provided
<b>Public Rights of Way</b>	No further comments provided
<b>Tree &amp; Landscape Officer</b>	Recommend conditions
<b>Flood Risk</b>	Response yet to be received
<b>Yorkshire Water</b>	No further comments provided

**Representations:** None received

---

## SITE:

Wolds Way Caravan and Camping is an established caravan and camping site located on the south side of the A64 between Knapton and Heselton.

The site comprises chalet and touring caravan spaces, one log cabin, together with a number of amenity and agricultural buildings.

The site is located within an Area of High Landscape Value. A number of public footpaths and bridleways run along the access tracks adjacent to the site.

The application site is located outside of the village development limits within the 'Wider Open Countryside' and is located in Flood Zone 1.

## **PROPOSAL:**

This application seeks permission for the change of use of a redundant agricultural building to form 1no. one bedroom holiday unit and management office, the change of use of land to allow the siting of 5no. camping pods and 4no. log cabins, the relocation of 1no. log cabin for holiday use and the change of use of agricultural land to form additional amenity space for the existing touring caravan site.

The agricultural building to be converted is a traditional brick built building, measuring 13 metres in length and 6 metres in width. The building is of dual pitched roof construction measuring 3.4 metres to the eaves and 6 metres to the ridge. To facilitate the conversion it is proposed to install windows and doors to the existing archways on the northern elevation, windows and doors to the existing bricked up openings and 5no. rooflights. In addition a black painted flue would be installed on the southern elevation roofslope. The conversion would allow for the formation of 1no. two bedroom holiday let, together with a small management office.

Planning permission was granted in 2006 (06/00778/FUL) for the siting of 5no. timber chalets for holiday let purposes. One of these approved chalets has been erected on the site, with permission now sought to relocate this chalet together with the erection of 4no. additional chalets in the paddock to the east. This paddock is bounded by a mature hedge to the northern, eastern and southern boundaries. The proposal seeks to retain this hedgerow and proposes an additional landscaping scheme.

The proposed pods would each measure approximately 7 metres in length and 3.25 metres in width, with a height of 3.3 metres. Each pod would benefit from a double bed, living area, kitchenette and shower room. The pods would be sited on concrete blocks, constructed of a timber frame with feather edged timber cladding. Allocated parking would be immediately adjacent to each of the pods.

The log cabins would measure 12.7 metres in length and 7 metres in width and be of dual pitched roof construction measuring 2.4 metres to the eaves and 4.5 metres to the ridge. The lodges would be constructed using timber studwork, with vertical and horizontal timber cladding. The roof material would be dark grey composite sheeting. Allocated parking would be available adjacent to each of the lodges.

The landscaping scheme includes the planting of hedging and shrubs, along with the formation of two ponds. A mixed species hedge and tree belt would be planted to the south of the proposed pods and lodges.

In addition, it is proposed to change the use of an area of agricultural land to allow the formation of additional amenity space for the existing touring caravan site, without increasing the number of touring units on the site. The land in question is to the south of the existing caravan site and forms a strip of land measuring approximately 260 metres in length and 25 metres in width. The proposal includes the planting of a 2.5 metre high hedge and a 1.2 metre high fence to the western and southern boundary, with a 2.5 metre high hedge to the eastern boundary, together with an additional area of hardstanding.

An agricultural building currently used for caravan storage would be demolished to allow the development to take place.

This proposal is before Members solely due to the fact that this is a major planning application. There have been no letters of objection to this scheme.

## **HISTORY:**

02/00392/FUL Change of use of agricultural land to touring caravan and camp site with erection of building incorporating toilets/showers, reception, office and family room. Approved 24.07.2003

05/00509/73 Variation of Condition 04 of approval 02/00392/FUL dated 30.06.2003 to allow the number of touring caravans sited on the land at any one time to be increased from 50 to 70. Approved 23.06.2005

06/00604/FUL Change of use of agricultural building for the storage of caravans at South Farm, West Knapton. Approved 31.07.2006

06/00605/FUL Change of use of land to form extension to caravan park and variation of Condition 01 of approval 05/00509/73 dated 23.06.2005 to allow the number of touring caravans sited on the land at any one time to be increased from 70 to 80. Approved 31.07.2006

06/00778/FUL Change of use of land for the siting of 5 no. timber chalets for holiday use. Approved 19.09.2006

07/00167/FUL Erection of extension to toilet/shower block. Approved 18.04.2007

07/00610/73 Variation of condition 03 of approval 06/00778/FUL dated 19.09.2006 to authorise use of 5 number chalets between 1st March and 10th January in any one year. Approved 28.08.2007

07/00851/OUT Erection of dwelling for caravan and camp site warden (site area 0.05 ha). Refused 22.11.2007

07/00852/73 Variation of Condition 02 of approval 06/00605/FUL dated 21/07/2006 to allow the number of touring caravans sited on the land at any one time to be increased from 80 to 90. Approved 21.12.2007

21/00745/73 Variation of condition 02 of planning approval 07/00852/73 dated 21.12.2007 to allow the number of touring caravans sited on the land at any one time to be increased from 90 to 125. Approved 27.07.2021

## **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 SP8 Tourism

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 SP21 Occupancy Restrictions

### 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.

Scampston Parish Council have provided no comments on the application.

National Highways have advised that as the application only makes a modest increase to the already established business there are no objections.

The Local Highway Authority have advised that the proposed increase of 5no. holiday accommodation units is considered a nominal increase and as such have no objections to the proposed development.

The initial Ecology response requested the submission of further information regarding the ecological mitigation and enhancement measures. Following the submission of a Wildlife Enhancement Plan, the Ecologist has advised the inclusion of a compliance condition.

The Housing Officer has raised no objections, but have recommended the inclusion of an informative advising the applicant of the requirement to vary the existing caravan site licence.

The Environment Agency have advised that providing the development stays within the limits of the sites current permit, they have no objections.

NYCC Public Rights of Way have recommended an informative given the proximity of the development site to public footpaths and bridleways.

Following the receipt of a revised landscaping plan, the Tree and Landscape Officer has confirmed that they are satisfied with the submitted information and proposed landscaping.

Yorkshire Water have no observation comments.

The initial response from the LLFA requested further information, which has been provided by the Applicant's Agent. A response to this information is yet to be received, with this matter discussed further within the appraisal section of the report.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i) Principle of Development
- ii) Character, Form and Landscape Impact
- iii) Amenity, including Residential Amenity
- iv) Access and Highway Safety
- v) Drainage
- vi) Ecology

### Principle of Development

Policy SP1 (General Location of Development and Settlement Hierarchy) of the Ryedale Plan, Local Plan Strategy identifies that in the Wider Open Countryside, development will be restricted to that which *"is necessary to support a sustainable, vibrant and healthy rural economy or communities."*

Policy SP8 (Tourism) notes *"This policy supports the provision of a range of tourism accommodation across the District. The Council will support in principal within the Wider Open Countryside "New touring caravan and camping sites and static caravan and chalet self-catering accommodation and*

*extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact upon the character of the locality."*

It is therefore considered that subject to full consideration of the other sections below this proposal for the extension of an existing tourism accommodation site is broadly acceptable in principle and in line with Policy SP8 of the Ryedale Plan - Local Plan Strategy.

The new holiday let, lodges and pods have been applied for on the basis of year round occupancy and would be subject to the imposition of the time limited occupancy conditions for new holiday accommodation detailed with Policy SP21 (e) Occupancy Restrictions in the Ryedale Plan - Local Plan Strategy.

The touring caravan site is currently restricted March to October, this planning permission does not seek to alter or impact the existing conditions in relation to the occupancy of the existing touring caravan site. An informative is recommended to advise the applicants of this and that any variation to the occupancy conditions would require the submission of a further application for planning permission.

This proposal as noted above (subject to the relevant conditions) would relate to development which in principle accords with the requirements of the Ryedale Local Plan, Local Plan Strategy. This however would also be subject to full consideration of the other material planning considerations which will be undertaken in the following sections.

#### Character, Form and Landscape Impact

Policy SP13 Landscapes of the Ryedale Plan, Local Plan Strategy notes *"Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:*

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

SP16 Design of the Ryedale Plan, Local Plan Strategy notes: *Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which "Reinforce local distinctiveness and... Protect amenity and promote well-being."*

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

- *Appropriate materials and traditional construction methods and techniques are used.*
- *Topography and landforms*

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

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

The site is located within the open countryside and within the Yorkshire Wolds Area of High Landscape Value. As noted above, Policy SP13 requires a careful assessment of development proposals to protect the landscape character. Policy SP20 also requires new development to respect the character and context of immediate locality and the wider landscape/townscape character, and to ensure the proposed uses are compatible with the ambience of the surrounding locality.

Whilst this proposal would relate to encroachment into the adjoining paddock land, given the existing and proposed planting and the scale and form of the developments proposed, it is considered on balance that these proposals could be undertaken without material harm to the character and form of the site. It is also not considered that this would prejudice the landscaping to the existing northern and eastern boundary within the site.

The Council's Tree & Landscape Officer has noted in a response dated 05 December 2022:

*"I am reasonably happy with the position and quantity of hedging and tree planting. It would be helpful if they could include detail of tree/shrub/hedging sizes on planting (e.g. trees will be 'regular standards' with 8-10cm girth and approximate heights of 2.5-3m). The trees should be staked and tied in accordance with good arboricultural practice.*

*The proposed tree species are fine although I would recommend that they don't use too many Aspen as this are very vigorous and could dominate and suppress the other trees if planted too plentifully.*

*As regards hedging, Laurel is not indigenous. I would recommend that they use something such as Holly, Privet or Beech instead. Beech is not evergreen but holds its leaves until very late in the season so acts well as a screen once established.*

*Hedging plants to be planted in a double row (rows 400mm apart) at a rate of 5 plants per metre. Each plant is to be protected by tree guard and staked. The planted area will be covered in fine bark mulch to a depth of 50mm.*

*The hedge planting should be undertaken during the dormant season. Any planting that is removed, uprooted, damaged or dies within 5 years of the date of planting shall be replaced with the approved type, by the end of the first available planting season."*

A revised landscaping plan has since been provided, with the Tree & Landscape Officer confirming that the revised information is acceptable. A condition is recommended ensuring compliance with the landscaping plan.

Elevations have been provided of the proposed cabins and pods and appear generally acceptable in this well landscaped location. Nevertheless, it is considered appropriate to include a condition requiring the submission of the final external appearance of the proposed units in terms of colour finish and proposed materials.

An additional condition will be recommended to prevent additional new lighting without the submission of details to the Local Planning Authority to prevent inappropriate impacts in this rural location.

Therefore, subject to the relevant conditions, it is considered that this proposal would not result in material harm to the character or appearance of the site.

#### Amenity, including Residential Amenity

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

- *New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*
- *Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to*

## *noise*

The nearest neighbouring properties, East Farm and Barn Cottage, are located approximately 75 metres south east of the proposed camping pods and 120 metres east of the proposed extension to the touring caravan site. These properties have been consulted and no responses have been received.

The proposal seeks a modest increase to an already well established tourism business and is not considered to have a material adverse impact upon neighbouring occupiers in relation to an overbearing presence, loss of light or privacy, noise, odour or light flicker in compliance with Policy SP20.

It is therefore considered that the proposed development is in compliance with Policy SP20 in relation to neighbouring amenity.

## Access and Highway Safety

Paragraph 111 of the NPPF states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

*"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."*

The North Yorkshire Highways Officer confirmed in a consultation response dated 26 August 2022 that the proposed increase of 5no. holiday accommodation units is considered a nominal increase to the existing development and deemed unlikely to generate adverse conditions on the adjacent highway network and as such, have no objections to the proposed development.

National Highways confirmed in their response dated 15 August 2022 that they had no objection given the application only makes a modest increase to an already established business. A subsequent response on 8 September 2022 following a reconsultation maintained the no objection response.

It is not anticipated that the proposed development would result in an unacceptable increase in traffic levels or any adverse impacts on the local highway network in compliance with the relevant part of Policy SP20.

## Drainage

Foul water is drained to existing private treatment plant that serves the site and surface water to a soakaway and with Yorkshire Water advising that they have no comments.

The Lead Local Flood Authority originally responded on 13 September 2022 and provided detailed comments which concluded *"The submitted documents are limited and the LLFA recommends that the applicant provides further information before any planning permission is granted by the LPA."*

This information was passed to the Agent who provided a Drainage Impact Assessment & Flood Risk Assessment and an Infiltration Report.

This was sent to the LLFA for their review and the Local Planning Authority are currently awaiting their final comments on this document. Members will be updated on this as soon as this is received.

Therefore, as noted, Members will be fully updated of the final response received from the LLFA and any necessary updates on the proposed site drainage and associated conditions.

## Ecology

NYCC Ecology were consulted on the application and the Ecological Appraisal.



In their response dated 15 August 2022 they noted:

*"Thank you for consulting the NYCC ecology team regarding this application. It is supported by an ecological appraisal which includes a number of recommendations, e.g. 5.2.2/5.2.3 (retention of hedgerows), 5.4.2 (precautionary advice on bats & installation of 1 bat box), 5.4.3 (generic guidance on external lighting), 5.5.3 (measures to protect Badgers), 5.6.2 (timing of site clearance in relation to nesting birds), 5.6.2 (provision of replacement nesting places for Swallows) and 5.7.3 (boundaries permeable to Hedgehogs). Unfortunately some of these recommendations are worded simply suggestions to the developer rather than statements of intent, and would be difficult to condition. We recommend that the ecological appraisal is revised to:*

- *Summarise ecological mitigation and enhancement measures which the applicant is committed to undertaking in a clear table (we would then look to secure adherence via condition)*
- *Ensure that paragraph numbering is not duplicated*
- *Show how the proposed development would deliver net gains for biodiversity in line with the requirements of the NPPF, preferably using the current government Biodiversity Metric"*

This information was provided to the Applicant's Agent and a Wildlife Enhancement Plan provided.

Following receipt of this plan, the NYCC Ecologist advised the following:

*"Thank you for consulting the NYCC ecology team regarding the Wildlife Enhancement Plan which has now been submitted for this application. This helpfully clarifies the ecological enhancements that the applicant intends to deliver. We recommend a Condition to adhere to this Plan. While the balance of losses and gains for biodiversity hasn't been quantified, the Plan includes a wide range of measures which will deliver benefits for wildlife.*

*As a minor point, I would avoid planting Slender Tufted Sedge and Greater Spearwort in all but larger ponds. Both species have a tendency to become invasive. This is offered as advice, we don't require an amendment to the plan."*

It is therefore considered that subject to a condition requiring compliance with the Ecological Appraisal and Wildlife Enhancement Plan, the proposal is in compliance with Policy SP14 of the Ryedale Plan - Local Plan Strategy.

### Conclusion

The proposed additional holiday accommodation has been carefully considered and in principle, this is considered to be acceptable subject to the recommended conditions, including the occupancy conditions, further details of lighting and the final appearance of the units, in addition to the discharging of the drainage conditions.

Therefore officers are satisfied that this proposal conforms with Policies SP1 General Location of Development and Settlement Hierarchy, SP8 Tourism, 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, Presumption in Favour of Sustainable Development and SP21 Occupancy Restrictions of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework. On this basis the application is recommended for approval, subject to the final comments of the Lead Local Flood Authority which it is intended will be reported to Members prior to the meeting. Should these comments not be available prior to the meeting, Officers will seek the final decision to be delegated to Officers subject to the satisfaction of these relevant consultees.

### **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 documents/plan(s):

Location Plan, drawing number 001, scanned to file 11.08.2022

Site Plan - As Proposed, drawing number 101, Revision A scanned to file 08.12.2022

Holiday/Management Unit: Floor Plans, Roof Plan, Section, Elevations - As Proposed, drawing number 102, scanned to file 11.08.2022

Indicative Pods Design - As Proposed, drawing number 103, scanned to file 11.08.2022

Approved Logcabin Design - As Proposed, drawing number 104, scanned to file 11.08.2022

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

- 3 The development hereby permitted shall be carried out in accordance with the landscaping plan (drawing number 101, Revision A, scanned to file 08.12.2022). All planting, seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, and any trees or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP13 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 4 Prior to their installation, the construction materials and colour finish of the holiday lodges and glamping pods shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 5 Prior to its installation, full details of all new lighting within the application site shall be submitted to and agreed in writing by the Local Planning Authority. This shall include full details of types of lighting including levels of illumination.

Reason: To ensure appropriate lighting is secured within this area of wider open countryside and to prevent harm to visual amenity, in accordance with the aims of Policy SP13 Landscapes and Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 6 The one bedroom holiday unit, 5no. camping pods, 4no. log cabins and 1no. relocated log cabin shall be subject to the following occupancy condition:

- The accommodation hereby approved shall be occupied for holiday purposes only; and not as a persons sole, or main place of residence; and
- The units 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.

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

- 7 The development hereby approved shall be carried out in full accordance with the Wildlife Enhancement Plan dated October 2022.

Reason: In the interest of ecological protection and mitigation in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

## INFORMATIVE(S)

- 1 The applicant/developer is advised to contact Ryedale District Council's Housing Services regarding a Site Licence.

- 2 i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.

ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.

iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.

iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.

v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.

vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.

vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

- 3 The site currently has an Environment Agency permit. If the current permit needs to be varied to accommodate any changes, the applicant will need to apply to the National Permitting Service:

<https://www.gov.uk/guidance/change-transfer-or-cancel-your-environmental-permit#change-vary-your-permit>

- 4 This planning permission does not alter or impact the existing conditions in relation to the occupancy of the existing touring caravan site. Any variation to the occupancy of the touring caravan site will require the submission of a further application for planning permission.
  
- 5 The Applicant is advised to avoid planting Slender Tufted Sedge and Greater Spearwort given the tendency of the species to become invasive.













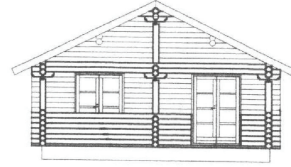
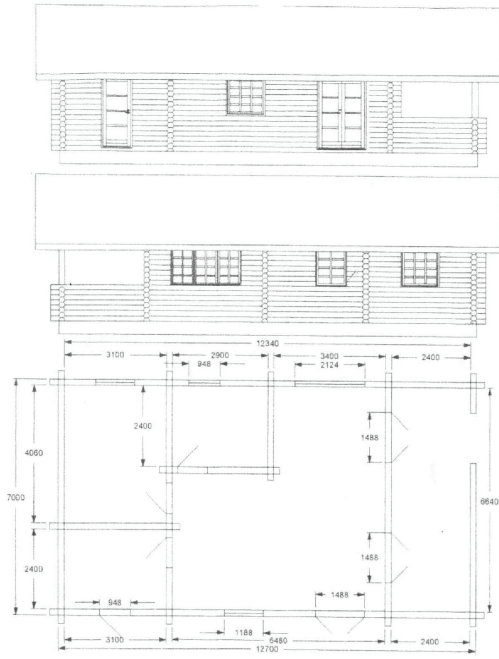




© Edwardson Associates

© Edwardson Associates

© Edwardson Associates



**NOTES**

Do not scale from this Drawing.

If the Contractor is responsible for checks of governing measures with the Engineer and client and verify all dimensions on the plans before commencing any work or making any other changes.

The drawings have been prepared in accordance with the Building Regulations where appropriate and to comply with relevant British Standards. Reference to codes with Planning Conditions. This drawing is the copyright of Edwardson Associates Limited and shall not be reproduced in whole or in part without their written permission.

- WORKS**
1. Existing site to be removed as existing.
  2. Roof to remain as existing.
  3. All landscaping works to be completed before construction or after completion of client's requirements.
  4. All electrical and plumbing work to be completed before construction or after completion of client's requirements.
  5. All drainage works to be completed before construction or after completion of client's requirements.
  6. All external works to be completed before construction or after completion of client's requirements.
  7. Proposed complete to be fitted with minimum spacing of 4 metres.
  8. The completed work should be checked before the start of the works on site.
  9. The boards and end walls are treated (stained or sealed).
  10. All work to be completed in accordance with the relevant standards and building codes.
  11. All work to be completed in accordance with the relevant standards and building codes.
  12. All work to be completed in accordance with the relevant standards and building codes.
  13. All work to be completed in accordance with the relevant standards and building codes.
  14. All work to be completed in accordance with the relevant standards and building codes.
  15. All work to be completed in accordance with the relevant standards and building codes.
  16. All work to be completed in accordance with the relevant standards and building codes.
  17. All work to be completed in accordance with the relevant standards and building codes.
  18. All work to be completed in accordance with the relevant standards and building codes.
  19. All work to be completed in accordance with the relevant standards and building codes.
  20. All work to be completed in accordance with the relevant standards and building codes.

© February 2022  
**EDWARDSON ASSOCIATES**

project: Conversion of existing building and use as holiday unit with office, removal of porch from building, change of use of land for the siting of five, serviced camping pods and relocation of five, log cabins, at Walks Way, Carleton and Carping, West Hildesheim, West Yorkshire, YO17 8JE

client: Walks Way Caravan and Camping  
 drawing title: Approved Logcabin Design - As Proposed  
 scale: 1:100  
 date: February 2022

drawn: ABR checked:  
 job no: WATD.2022.01 drawing no: 104  
 issue status: Planning revision:

Product House, 12 Hilda Street South  
 Office, 100 Hilda Street South  
 W. 100 Hilda Street, W. 100 Hilda Street  
 W. 100 Hilda Street, W. 100 Hilda Street  
 www.edwardsonassociates.com

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

Approved Logcabin Design



**Landscaping Scheme - General**

Proposed planting will take place at the next available planting season following commencement.

**Pre-Planting Treatment** (if specified in the planting work schedule)  
Ripping: If ripping is specified it should be undertaken to a depth sufficient to break up any soil/clay pan. Ripping should be spaced at the specified planting spacing and follow the proposed planting lines. Ripping should be specified to those areas to be planted and/or proposed rides, paths and open areas. Ripping should only take place in suitable dry weather and should be topped if rubble or other material is brought to the surface.  
Cross Cutting: To cut the whole area of the site to provide a weed height of approximately 5.5m in height.

**Tree/Shrub Planting - Site Preparation**  
Spot spraying: Each proposed planting station is to be treated to give a 1m diameter weed free area.  
Band spraying: At the correct spacing to create a 1m wide weed free strip along the proposed planting line.  
Treatment of noxious weeds: The area and weed species to be treated will be specified in the planting schedule.

**Hedges - Site Preparation**  
Tall grasses and weeds are to be cut down to 75mm and removed from the site.  
The planting site is to be treated with a suitable contact herbicide in a strip 600mm wide.  
Fully cultivate planting strip to a depth of 300mm.  
The ground is to be well firmed but not compacted around the mark to leave the plant upright.  
To suppress weed growth around the hedge bank chip mulch or other suitable should be used.

**Planting**  
All plants to be notched planted where the notch will provide a site of sufficient size to take the roots unharmed without unnecessary force being applied. If this is not possible then the plants are to be pit planted with the planting pit of adequate size to take the roots unharmed and are to be backed filled with soil from the pit will any turf placed upside down on the base of the pit. Where sites have been ripped prior to planting then the trees must not be planted in the rip line but at least 200mm to one side.  
All plants to be planted so that the top of the nursery mark is level with the final soil level. The plants to be erected so that a gap of 10mm remains between the plants from the top.  
Any surface vegetation within 10cm (4in) minimum of the planted tree/shrub to be removed.  
The appropriate shelter/protection is to be erected immediately after planting.

**New Tree and Shrub Planting - General**

Trees and shrubs are to be planted between November and March, but not when the soil is waterlogged or frozen.

Trees are to be planted in a hole 100mm wider than the root ball. The surface of the hole to be firmed over and the tree positioned on a mound of topsoil placed in the hole. So that the tree is planted at its original soil depth.  
The hole is to be backfilled with top soil, firmed layer by layer and the ground finished off with a 50mm layer of mulch.  
The trees are to be protected with spiral guards, tubes or bark shaped plastic tree shelters.

Across the whole of the proposed areas of new planting shown on plan, a random mix of species mentioned in the notes to be planted.  
The trees should be planted staked and tied in accordance with good arboricultural practice. All plants to be planted with appropriate rabbit guards.

**Tree Maintenance** (5 growing seasons)  
Water trees immediately after planting and during periods of drought including regular spraying of the crown with water in the growing period (when the sun is off their leaves in the evening).  
Perennial and annual weeds to be removed using hand or chemical means in April and June.  
Lopping up mulch as necessary.  
Water trees immediately after planting and during periods of drought including regular spraying of the crown with water in the growing period (when the sun is off their leaves in the evening).  
Perennial and annual weeds to be removed using hand or chemical means in April and June.  
Lopping up mulch as necessary.  
Where required stunts to be cut back in accordance with good horticultural practice to the first or second main stem or removal of suckers.  
Woodland to be managed as specified by good arboricultural practice.  
All failed trees to be replaced the following planting season.  
Guards and rabbit fencing to be removed when no longer needed.

**Hedge Planting - General**

Hedge plants to be planted in a double row (rows 400mm apart) at a rate of 5 plants per metre. Each plant is to be protected by tree guard and staked. The planted area will be covered in fine bark mulch to a depth of 40mm.

The hedge planting should be undertaken during the dormant season. Any planting that is removed, damaged or dies within 5 years of the date of planting shall be replaced with the approved type by the end of the first available planting season.

**Hedge Maintenance**  
(5 Growing Seasons)  
Water plants immediately after planting and during periods of drought.  
Any weed growth of the hedge to be treated with a suitable contact herbicide in April and June.  
Topping and mulching are to be maintained to ensure weed growth is minimised.  
Any weeds can be spot treated.  
All failed plants to be replaced the following planting season.  
Guards and rabbit fencing to be removed when no longer needed.  
Trim hedges in regular intervals (3 years). Mark young hedge trees and ensure they are kept and not cut during trimming.

**General**  
The grassed areas are to be sown with a "meadow" wild flower seed mix.  
Any existing trees and hedging to be retained.

**NOTES**  
1. No scale from this Drawing.  
2. It is the Contractor's responsibility to check all governing dimensions with the Engineer and liaise with the client on any discrepancies on site before commencing any work or issuing any other drawings.  
3. This drawing is to be read in conjunction with the structural, mechanical and electrical drawings provided to the client and all relevant information and any discrepancies are to be reported to the Architect/Project Manager.  
4. From date of completion to the date of commencement of the next planting season, the contractor is to comply with relevant British Standards. Materials to agree with Planning Conditions.  
5. This drawing is the copyright of Edwardson Associates Ltd and shall not be reproduced in whole or in part without their written permission.

**KEY**

- TARMAC
- INTERNAL ROAD (TARMAC FINISHINGS)
- CONCRETE
- LANDSCAPING/GRASS
- BUILDINGS
- MATURE PLANTING
- EXISTING HEDGE PLANTING
- EXISTING FENCE - 1.2m HIGH
- FF FRENCHS
- CD CHEMICAL DISPOSAL
- WW WASTE WATER DISPOSAL POINT
- EXISTING ELECTRIC HOOK UP/NO. OF SOCKETS
- EXISTING WATER TAP
- ELECTRIC HOOK UP AND WATER SUPPLY/NO. OF SOCKETS AND TAPS
- CONNECTION TO EXISTING BIOTREATMENT PLANT (FALCON 150)
- FIXINGS/SUBSTRATE FINISHES TO REMAIN IN POSITION (55 FIN)
- EXISTING TOURING PITCHES - 30 (1x1)
- 01 RECEPTION AND AMENITY BUILDING
- 02 Existing Logcabin re-positioned
- 03 Holiday/Management Cottage
- 04c Shed/Portal Frame Building - REMOVED
- 04b Shed (Granary and Workshop)



- NOTES**
1. Existing site to be retained as existing.
  2. Foot to remain on site as existing.
  3. All windows and doors to be of a substantial timber construction or UPVC at client's discretion and in deep insulation (50mm reveals).
  4. Window and door colour to be agreed upon with the area planning team.
  5. Existing timber goods to remain on existing back of pit and to be removed when new arrived. 50mm boards cut from European Larch or Douglas Fir.
  6. Roof lights to be conservatory/conservation style roof lights painted in dark grey/black.
  7. Proposed camping pods to be sited with minimum spacing of 3 metres.
  8. The camping pods is constructed from the stressed timber frame on a concrete base with a minimum of 200mm insulation and 100mm concrete base on existing ground or on a concrete base at least 100mm thick.
  9. The boards and walls are treated to prevent rot.
- Doors:**
10. All walls treated with exterior, with vertical and horizontal coat Cedar/Timber Boarding.
  11. Roof insulated to be composite metal sheet, covered dark grey.
  12. All doors to be UPVC or solid timber windows.
- General:**
13. All structures to be built on a concrete base.
  14. Surface above ground to be gravel.
  15. Existing highway entrance to be retained.
  16. Car parking for pods and trailers to be as shown.
  17. Proposed new planting to reduce the visual impact of development with indigenous species, including Hawthorn and Blackthorn as well as evergreen species.
  18. New Planting to contain the following species:  
Shrub: Elderberry, Guelder Rose, Dog Rose, Holly, Hazel, Spindle, small amount of willow and small amount of birch.  
Trees:  
- Small Tree (up to 1.5m high when established): Matthew Pine, Alder, Silver Birch, Whitebeam, English Oak, Field Maple, Oak, Grey Alder and Apple (Moss James Green), very minor quantity of Aspen (Paper Birch growth).  
- Small tree to be retained as existing.
- Hedges:**
- Hawthorn
  - Blackthorn
  - Green oak/English ivy
  - holly
  - beech
  - beech
  - Rowan (grow not screening/visually wide berries)

Landscaping details amended and added. 07/12/2022 ABR  
A:  date:  by:

© February 2022  
**EDWARDSON ASSOCIATES**

client: Wolds Way Caravan and Camping  
drawing title: Site Plan - As Proposed  
scale @ A1: 1:500 date: February 2022  
drawn: ABR checked:  
drawn by: W.A.D. 2022/01/10 drawing no: 101  
issue status: Planning revision: A

Head Office: 18 Woodland Farm, Offices, East Yorkshire, YO25 9PT  
tel: 01737 24972 fax: 01737 25932  
info@edwardsonassociates.com  
www.edwardsonassociates.com

Page 134

Site Plan - As Proposed  
1:500

# EDWARDSON ASSOCIATES

*Planning & Diversification Consultants*  
Our Ref: WAT.D 2022.01

Mr Alan Goforth  
Development Management Services  
Ryedale District Council  
Ryedale House  
Old Malton Road  
Malton  
YO17 7HH

11 July 2022

## PLANNING AND DESIGN AND ACCESS STATEMENT AND FLOOD RISK ASSESSMENT

**Proposal:** Conversion of redundant building and use as holiday unit with office, removal of portal frame building, change of use of land for the siting of 5no. serviced camping pods and relocation of 5no. log cabins, at Wolds Way Caravan and Camping, West Wold Farm, West Knapton, Malton, North Yorkshire, YO17 8JE

### 1.0 Introduction

1.1 This document comprises a planning and design and access statement in support of the application proposals described above. The proposals comprise sustainable development and accord with the Development Plan and the NPPF.

### 2.0 Application Particulars

2.1 This application supported by the following plans and particulars: -

- Drawing 001 Location Plan
- Drawing 002 Site Plan as Existing
- Drawing 002 Site Plan as Existing
- Drawing 003 Redundant Building – Floor Plans, Roof Plan, Sections, Elevations as Existing
- Drawing 004 Portal Frame Building – Floor Plan, Roof Plan, Section, Elevations as Existing
- Drawing 101 Site Plan as Proposed
- Drawing 102 Holiday/Management Unit – Floor Plans, Roof Plan, Sections, Elevations as Proposed
- Drawing 103 Indicative Pod Design as Proposed
- Drawing 104 Indicative Log Cabin Design
- Planning and Design and Access Statement
- Ecological Appraisal by Ecology & Forestry Ltd (May 2022)

### 3.0 Site Location and Description

3.1 Wolds Way Caravan and Camping is located in the open countryside to the south of the A64 Scarborough to Malton road. The site comprises a well-established existing caravan park with chalets and touring caravan pitches. The site is located in Flood Zone 1 (low risk).

[www.edwardsonassociates.com](http://www.edwardsonassociates.com)  
Email: [info@edwardsonassociates.com](mailto:info@edwardsonassociates.com)

*Specialists in Farm & Estate Diversification Tourism, Leisure & Grants*  
Trading name of Edwardson Associates Limited - Registered in England No. 4413614

---

*Paddock House*  
10 Middle Street South  
Driffield • East Yorkshire • YO25 6PT  
Tel 01377 249720 • Fax 01377 259052

---



#### 4.0 Application Proposals (Design and Access Statement)

4.1 The application includes the following elements:

- Conversion of a redundant building and use as holiday unit with office.
- Change of use of land for the siting of serviced camping pods
- Relocation of 5no. log cabins

##### Conversion of redundant building and use as management/holiday unit

4.2 This is Building 03 on the as existing and as proposed site plans. It comprises a brick and tile building (see photo below). It is proposed to convert this building to a 1-bed holiday cottage with a management office at the ground floor.



Building 03 – Proposed Conversion to Management Office/Holiday Use

4.3 The walls and roof of the building will remain as existing, except for the introduction of 5no. Conservation roof lights. Windows and doors will be of substantial timber construction, or upvc.

Change of use of land for the siting of 5no. serviced camping pods

- 4.4 The application also proposes the siting of 5no. timber camping pods. These will define as a static caravan and will be serviced pods with integrated showers/toilets and a small kitchenette. The pods are to be sited in a paddock located to the east of the existing caravan paddock. A comprehensive new planting scheme is proposed to help supplement the existing landscape screening. Please refer to Drawing 103 for indicative details of the proposed pods.

Erection of 5no. Log Cabins

- 4.5 Wolds Way Caravan and Camping has an historic planning permission for the erection of 5no. timber chalets for holiday use, reference 06/00778/FUL, and varied under 07/00610/73. One of the approved timber chalets has been erected on site – see Building 02 on Drawing 002 Existing Site Plan and Drawing 104 for details of the existing/proposed log cabin. This current application seeks permission to relocate the existing timber chalet and also erect the remaining 4 no. previously approved timber chalets in a new location in the paddock to the east.

**5.0 Relevant Planning Policies**

National Planning Policy Framework

- 5.1 The updated Framework was published in 2021 and is a material planning consideration. The Framework is supportive of sustainable development, which includes in Section 6, support for a prosperous rural economy, including sustainable rural tourism.

Ryedale Plan – Local Plan Strategy, 2013

- 5.2 The following are considered to be the policies of most relevance to this application: -

Policy SP1	General Location of Development and Settlement Hierarchy
Policy SP8	Tourism
Policy SP13	Landscapes
Policy SP16	Design
Policy SP19	The Presumption in Favour of Sustainable Development
Policy SP20	Generic Development Management Issues
Policy SP21	Occupancy Restrictions

**6.0 Key Issues**

- 6.1 The following are considered to be the key material planning considerations: -

- Planning Policy & Principle;
- Landscape Character and Visual Amenity
- Access and Highway Safety
- Flood Risk & Drainage
- Ecology

---

## 7.0 Planning Policy & Principle

- 7.1 The principle of the various developments proposed by this application is considered to be acceptable and in accordance with national and local Development Plan policies. The application relates to the expansion of an existing, well-established, popular and accessible holiday park. Policy SP8 of the Local Plan Strategy supports additional tourism accommodation development in the district. The proposals will respond positively in particular to Objectives 8, 9 and 10 of the Local Plan Strategy which seek to support existing businesses, diversify the economy and support the land-based economy. Furthermore, paragraph 3.36 of the Local Plan Strategy states that it is vital that the wider countryside is supported as a living and working place, and notes that Ryedale's countryside is integral to tourism, a significant sector of the District's economy, and therefore appropriate tourism activity will remain important in the wider countryside.
- 7.2 Policy SP1 of the Local Plan Strategy is supportive of development in the countryside which is considered necessary to support a sustainable, vibrant and healthy rural economy. Furthermore, Policy SP8 supports extensions to existing caravan sites in the wider open countryside, provided they can be accommodated without an unacceptable visual intrusion and impact on the character of the locality.
- 7.3 The 5no. timber lodges have previously been approved (06/00778/FUL, and varied under 07/00610/73), and the principle of their relocation to another part of the site is considered to accord with Policies SP1 and SP8.
- 7.4 The proposals include the re-use of an existing building on the site as a holiday cottage, with a small management office. This element finds support under Policy SP8 which supports the re-use of traditional rural buildings in the open countryside.

### Design and Landscape

- 7.5 The site is in an area of landscape value but is well screened and the application proposes additional supplementary planting. The additional pods and relocated lodges will be seen within the context of the existing caravan park. Taking account of these site characteristics it is considered that the proposals will accord with Policy SP13 of the Local Plan Strategy which seeks to protect and enhance the diverse landscapes of the district.

### Access and Highways

- 7.6 The site has a high quality existing access road served off the A64. This access was created by the Highways Agency to Trunk Road standards and thus is considered adequate to cater for the proposed development.

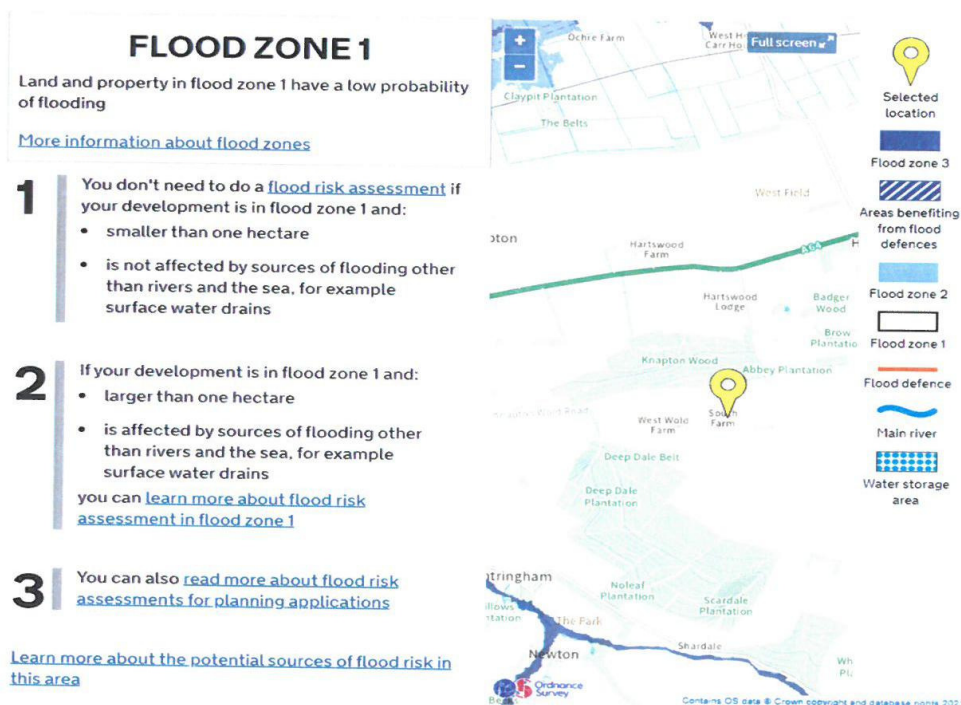
### Ecology

- 7.7 We refer you to the ecology report by Ecology & Forestry. This confirms that the development proposals can be undertaken without causing harm to protected species or their habitats. A number of ecological mitigation and enhancement measures are set out within this document.



## 8.0 Flood Risk Assessment

- 8.1 The site area exceeds 1 hectare therefore it is necessary to submit a Flood Risk Assessment.
- 8.2 The site is located in Flood Zone 1 (low risk) – see Environment Agency plan below. It is not affected by any other forms of flooding. The site is located in the Yorkshire Wolds with underlying chalk geology. There is no adjacent property which could feasibly be affected by flooding from the application site. The development will not increase the risk of flooding to other land or property. There is no requirement to undertake the sequential or exception tests.



- 8.3 Table 2: Flood Risk Vulnerability classifies sites used for holiday or short-let caravans and camping as 'More Vulnerable' development, subject to a specific warning and evacuation plan. Buildings used for storage and distribution are classed as 'Less Vulnerable'.
- 8.4 Table 3: Flood Risk Vulnerability and Flood Zone Compatibility states that more vulnerable and less vulnerable developments are appropriate in Flood Zone 1. As such, the proposed holiday cottage, timber camping pods, and log cabins are all appropriate forms of development in this location.
- 8.5 Foul water will be discharged to an existing on-site bio-treatment plan (Falcon 150). Surface water will drain to ground around the pods, cabins and the holiday cottage.

**9.0 Conclusion**

- 9.1 The proposals are considered to accord with national and local planning policies, are considered to be sustainable, and can be accommodated without causing harm to landscape character, visual amenity or highway safety. Moreover, they are not affected by flood risk and will not increase the risk of flooding to other land and property.

Yours sincerely

***Edwardson Associates Ltd***

**Item Number:** 10  
**Application No:** 22/00950/MFUL  
**Parish:** Staxton/Willerby Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Mark Alston (Blue Sky Resorts)  
**Proposal:** Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans for holiday purposes, retention of 1no. static caravan for the dual use of holiday accommodation/warden's accommodation and 1no. static caravan for use as amenity facilities (part retrospective)  
**Location:** Spring Willows Caravan Park Staxton Scarborough North Yorkshire YO12 4SB

**Registration Date:** 2 September 2022  
**8/13 Wk Expiry Date:** 2 December 2022  
**Overall Expiry Date:** 30 December 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

<b>Highways North Yorkshire</b>	No Objection
<b>Staxton/Willerby Parish Council</b>	Objection
<b>Caravan (Housing)</b>	No Objection, Recommend Informative
<b>Flood Risk</b>	Under Consultation
<b>Yorkshire Water Land Use Planning</b>	No Comments – Under Reconsultation
<b>National Highways</b>	No Objection
<b>Caravan (Housing)</b>	No Objection
<b>Archaeology Section</b>	Recommend Condition
<b>Environmental Health</b>	No Response
<b>Scarborough Borough Council</b>	No Response
<b>Tree &amp; Landscape Officer</b>	Comments

## Representations:

---

## SITE:

The application site relates to a c1.7ha parcel of land (excluding the access road) to the south of the existing Spring Willows Caravan Park, an existing holiday business with permission for both static and touring pitches.

The holiday park presently incorporates 88 static caravans and 19 touring caravan pitches, a total maximum of 107 occupied caravans on-site.

The main section of the proposed application site is an irregular rectangular form, spanning c207m from east to west and at its maximum point c100m from north to south, the vehicular access to the site is also included within the red line.

The precise application site relates to gently sloping land, which is surrounded by agricultural fields to the east and west. Beyond the application site to the south, the land levels rise very steeply and a large woodland, known as Staxton Brow Woodland is located.

The application site incorporates a partial bund, with some mature existing landscaping together with a more open element that incorporates some newly planted infill landscaping, with further open areas. To

the western boundary of the application site a very mature existing hedgerow is present, with additional recently supplementary undertaken tree planting. There is a mixed range of well-established and recently planted landscaping internally within the site.

It is noted that other holiday/caravan sites in separate ownership are located to the north west of the site (Staxton Vale) to the north of the site (Spital Farm) and to the east of the site (Flixton Caravan Park.)

The site is located in the Yorkshire Wolds Area of High Landscape Value and within an archaeologically sensitive area. The North Yorkshire County Council Mapping system shows a public footpath runs through the existing caravan site from east to west, linking the service station with the A1039 to the east. The site is located within Flood Zone 1. This site is located outside of a defined settlement limits of Staxton, therefore considered as located within the open countryside.

## **PROPOSAL:**

The application seeks planning permission for the:

*Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans for holiday purposes, retention of 1no. static caravan for the dual use of holiday accommodation/warden's accommodation and 1no. static caravan for use as amenity facilities (part retrospective)*

This description was updated in a very minor way to ensure as the original description noted “*Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans, retention of 1no. static caravan for holiday use and 1no. static caravan for use as amenity facilities (part retrospective).*”

The application was fully readvertised and the consultation period expired on the 30th November 2022.

This confirmation on the holiday use was added for the avoidance of doubt and to allow flexibility on the potential use of the single static caravan for either warden's accommodation/holiday purposes.

This application is before Members of Planning Committee due to the scale of the application site as this is classed as ‘major development.’ However there has been an objection from the Parish Council which will be outlined below.

All of the proposed development is located to the south of the existing holiday uses within the site. It is noted that the application site includes undeveloped mown grassland and a section of the site lawfully used for touring caravans. For ease of reference and orientation, it is noted that the proposed application site is subdivided relatively centrally by the access route. To the west of this access route, the scheme seeks approval for 13 touring caravan pitches, which is located to the south of existing static lodges. The western boundary of the site at this point is well landscaped with a mix of tree planting and hedging. There is also mature existing sporadic planting between the existing static lodges and this area of the site.

To the east of the access route, 17 lodge style caravans are proposed. The northernmost 9 units are proposed in an area lawfully occupied by touring caravans, which has very mature landscaping to the north and south, with the remaining 8 units proposed in a linear layout directly to the south.

These 17 caravans would be a mix of 6no. 3 bedroom units and 11no. 2 bedroom units. Indicative details have been provided. These show single storey units with the 2 bedroom units spanning c13m x c4.6m in footprint with a maximum height of c4.05m to the ridge of the pitched roof. The 3 bedroom units spanning c12.85m x c6.3m in footprint with a maximum height of c4.2m to the ridge of the pitched roof.

Along the very eastern boundary is the existing single static unit that would become the proposed holiday unit/wardens unit, incorporating a dual use. This is identified as an ‘existing static’ on the proposed plans. This is located predominantly behind a bund to the eastern site boundary, so very

limited public views of this would be available.

The proposed additional 16no. plots for touring caravans in the eastern section of the site would be sited towards the south of the proposed lodges. This area is very well landscaped directly to the west (internally within the site) with more landscaping present to the east also (along the site's eastern boundary). These pitches would be sited either side of a gravelled access track.

Retrospective consent is being sought for the amenity facilities located to the east of the central access track, centrally within the plot. This relates to a single static unit spanning c10.7m x c3.15m which provides 3no. standard shower rooms/WCs and 1no. disabled shower room/WC, together with a plant room and laundry room. This incorporates a deck to the west, with stairs and ramp access. Due to the central positioning of this unit there are no views of this from public points externally from the site.

## **REPRESENTATIONS:**

Staxton Parish Council noted on the 18th October 2022 *“the Parish Council wish to object to this application on the grounds of overdevelopment of the site and and view from the A64, they also consider additional changes have been made to the application approved previously.”*

No representations have been received from any third parties.

Scarborough District Council was consulted due to the proximity to the District Boundary and no response was received.

## **ENVIRONMENTAL IMPACT ASSESSMENT:**

The application has been considered in relation to whether a potential Environmental Impact Assessment is required under the Environmental Impact Assessment Regulations.

The screening undertaken by the Case Officer determined that the development falls within development type 12(c) and type 12 (e) of Schedule 2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended because it is would be in the dual categories of 'Holiday villages and hotel completes outside urban areas' which exceed 0.5ha and 'Permanent camp sites and caravan sites' which exceed 1 hectare. The application spans to 1.66 hectares.

Schedule 2 developments only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The proposal has been assessed against the selection criteria contained within Paragraphs 1, 2 and 3 of Schedule 3 of the Regulations. It is not considered that the characteristics of the development, nor the location of the development, nor the types and characteristics of the potential impact would result in significant impacts that would require an Environmental Impact Assessment.

## **POLICIES:**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy  
Local Plan Strategy - Policy SP8 Tourism  
Local Plan Strategy - Policy SP8 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 SP21 Occupancy Restrictions  
National Planning Policy Framework

## **HISTORY:**

There is a detailed planning history for this site and the following relates to the schemes approved since the year 2000 with the exception of particularly relevant 1995 applications.

19/00788/FUL: Change of use and conversion of existing amenity building to form 1no. two bedroom holiday let and 1no. one bedroom holiday let, relocation of children's play area and formation of additional parking. Approved.

16/01412/FUL: Change of use of land to form extension to existing caravan park for siting of 6no. additional static caravans for holiday use. Approved.

11/00079/FUL: Change of use of land to form extension to existing caravan park for siting of 19no. touring caravans (retrospective application). Approved.

07/00395/FUL: Change of use of part of caravan site for siting of 15 no. static caravans with construction of access road. Approved.

06/00444/73: Variation of Condition 04 on approval 00/01143/FUL dated 17.11.2000 to state "the accommodation hereby approved shall only be occupied during the period from 1 February to 3 January in each calendar year and shall not be used as the main. Approved.

04/01039/FUL: Change of use of existing touring caravan land to siting of static holiday caravans. Approved.

00/01143/FUL: Erection of five log cabins. Approved.

95/00560/OLD: 3/151/45N/FA Change of use of Agricultural Land to form Football pitch together with stone surfacing to existing access/drive and a stone hardstanding for parking and turning at field entrance. Refused and appeal dismissed.

95/00559/OLD 3/151/45M/FA Change of use of agricultural land to extension of existing touring caravan park including erection of toilet block, formation of picnic and family recreation areas, paths and landscaping. Refused and appeal dismissed

## **APPRAISAL:**

The main considerations in the assessment of this application are:

- i) Principle of the Development
- ii) Character, Form and Landscape Impact
- iii) Amenity, including Residential Amenity
- iv) Access and Highway Safety
- v) Drainage
- vi) Archaeology
- vii) Ecology

- i) Principle of the 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.'*

Within the adopted Ryedale Plan, Local Plan Strategy, land outside Development limits is identified as 'Wider Open Countryside.' Policy SP8 Tourism supports the principle of new touring caravan sites and extension to existing facilities in the Wider Open Countryside where they can be "*accommodated without an unacceptable visual intrusion and impact upon the character of the locality.*"

The potential effect of this proposal on the character of the locality will be considered in principle below. Policy SP8 also acknowledges the potential benefits that well designed tourism facilities can make to the economic wellbeing of the area

It is therefore considered that subject to full consideration of the other sections below this proposal for the extension of an existing tourism accommodation site is broadly acceptable in principle and in line with Policy SP8 of the Ryedale Plan, Local Plan Strategy it would not be an inappropriate location for such a development.

This would however be subject to the imposition of the time limited occupancy conditions for new holiday accommodation detailed within Policy SP21 (e) Occupancy Restrictions in the Ryedale Plan, Local Plan Strategy.

The application of the standard holiday condition is considered appropriate for the use of the 29no. touring caravan pitches.

It is however considered appropriate to include a bespoke condition for the proposed 17no. static caravan units to ensure that their occupation is for no longer than 31 consecutive days, to allow for the leasehold style model already undertaken within the site, where people visit their caravans regularly as a second home. This would only require a minor update to the standard version of the holiday condition, to note that '*no period of occupancy should exceed 31 days*' where it currently notes '*no let must exceed 31 days.*'

Individual sets of holiday conditions (the standard for the regular touring pitches and the slightly amended for the proposed static units) would safeguard that all new accommodation proposed could not be used as a sole, or main place of residence and would ensure the accommodation is available for holiday lettings for a prescribed period of the year with limitations on the duration of stay. This would ensure that across the site there would be a mix of accommodation types, with more short term and long terms lets possible, which is welcomed.

Separately to this, the proposed retention and dual use of a single static caravan, for not only tourism use, but as a Warden's facility is also considered acceptable in principle. The Agent confirmed that within the existing site, there is only a single flat to serve staff, which is occupied by bar staff for overnight accommodation. The proposal to allow staff to reside in this single unit on site is considered acceptable and commensurate with the scale of the site identified within the site description above. When in use by an associated staff member/warden, this would allow for an onsite management presence that could have wider benefits. This will be conditioned accordingly, to ensure this is not occupied permanently by persons not in employment at the site/for holiday accommodation and cannot be sold off separately from the tourism business.

The proposed retention of the existing amenity building is also considered acceptable in principle.

The points raised by Staxton Parish Council are noted and will be reviewed in further detail. It is considered that this scheme will regularise the amenity block which was constructed without planning permission and it is noted that the Agent and Applicant are proactively engaging with the LPA on compliance checks in other parts of the site, separately from this application.

This proposal as noted above (subject to the relevant conditions) would relate to development which in principle accords with the requirements of the Ryedale Local Plan, Local Plan Strategy. This however would also be subject to full consideration of the other material planning considerations which will be undertaken in the following sections.



## ii) Character, Form and Impact upon an Area of High Landscape Value

Policy SP13 Landscapes of the Ryedale Plan, Local Plan Strategy notes *“Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:*

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

Policy SP13 Landscapes also seeks to protect both national and locally designated landscapes. It states that *“The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities.”*

SP16 Design of the Ryedale Plan, Local Plan Strategy notes: *“Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which “Reinforce local distinctiveness and... Protect amenity and promote well-being.”*

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

- *Appropriate materials and traditional construction methods and techniques are used.*
- *Topography and landforms*

Policy SP20: Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

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

The site is located within the open countryside, and as noted, within the Wolds Area of High Landscape Value. The proposed scheme relates to the southern expansion of the Spring Willows Caravan Park with a mix of additional touring caravan pitches and static caravan pitches as outlined above in the ‘Proposal’ Section.

The precise application site under consideration benefits from mature existing landscaping on the western boundary (a c.2m high Hawthorn Hedge) which has recently been supplemented by additional planting, on the eastern boundary there is a landscaped bund partially obscuring the site, together with some recent tree planting and some open areas. Internally within the site there is a mixed range of well-established and recently planted landscaping.

As part of the assessment of this application and the preapplication advice request, a careful site visit was undertaken both within the site and from surrounding viewpoints and it was noted by Officer’s that the greatest public views of the main site can be achieved from the A64 highway to the north/north west of the site. The majority of the units within the site are located at low levels, with some of the existing static units at higher levels and views of these can be achieved from the north. However it is noted that this is a high speed area where users are predominantly vehicular traffic. Walking the public right of way which bisects the site, members of the public would be keenly aware of the immediately surrounding units, however these are long established.

A Landscape and Visual Impact Assessment (LVIA) (Mark S. Feather) has been submitted in support of

this scheme. This includes an overall Landscape Character Assessment , a Visual Assessment of the Proposed Development, a Landscape Impact Assessment and consideration on Mitigation, primarily New Landscape works.

The LVIA confirms the following points within Section 4.0 The Landscape Impact Assessment:

#### *4.1 Views of the site from the West*

*When traveling along the A64 from the west the site is well screened existing hedges. A glimpse of one existing unit is possible from one point in the highway, near the junction with the road into Staxton Village, as illustrated in the photograph above. However, as the photograph shows you really need to be searching for the unit, perhaps possible if walking but unlikely to be viewed when travelling in a car. No views of the proposed extension areas to the site are obtained from this point as existing hedging obscures the views*

#### *4.2 Views of the site from the west.*

*When adjacent to the petrol filling station on the A64 the views for the tops of the existing caravans and lodges are seen but no views of the proposed extension areas for the site. The boundary timber fence is the most dominant feature from this location.*

#### *4.3 Views of the site from the north.*

*When viewing from near the roundabout, the views of the existing lodges are fairly clear located on elevated ground. This view is however, at right angles to the highway and so for most people travelling in vehicles they would be unlikely look sideways. Again, from this location no views are obtained of the extension areas.*

#### *4.4 View from the North, South and East*

*The view of the site is from the north traveling south along the A64 is obscured by trees and other vegetation as illustrated on the photograph above. The extensive woodlands are most dominant feature in the view with the petrol filling station being the slightly incongruous intrusion into this scene. No public views are available from the hillside above, to the south and from the east only one small gateway has a view to the hedged eastern boundary of the site.*

#### *4.5 View from the North*

*The photograph above is very much a telephoto view of the site which shows that the top half of the mown field is visible from this location and the roof one or two units can just be made out. However, the proposed extensions to the site are still not visible and with increased growth of the trees the mown grassed area would also not be seen.*

#### *4.6 Summary*

*The landscape assessment concludes that views of the proposed extension areas of the site are obscured by existing vegetation and the land form. Views of the existing static caravans are also restricted to one main view point which is obtained from a very short section of highway on the northern edge of the site as indicated in photograph 3.*

Following the site visit undertaken by the Case Officers, the findings of the LVIA are concurred with.

A proposed planting plan is provided within the LVIA. The proposed planting plan indicates 12no. areas of new planting, including within the original established site.

The Council's Tree and Landscape Officer has noted in a response dated 8th December 2022 "I've had a look at the LVIA, it was very helpful and I think demonstrates that "views of the proposed extension areas of the site are obscured by existing vegetation and the land form". Having driven past that site many times I have never noticed anything but the entrance to the east of the site when driving to and from Filey on the A1039 so I'm inclined to agree with the view that the site is already well screened.

*I was glad to see that the arb consultant picked up on the fact that planting at P11 would screen the view of the roofs of the existing caravans on the lower level. The proposed landscaping and species selections looks good so far. I would suggest that it is possible to go further by bolstering the quantities on the southern boundaries to enclose the site with a copse and provide further screening and biodiversity benefits. I have annotated the area on the plan below to indicate where I mean. (Plan was provided.)*

*I think it would be helpful if they could provide details of the size of the trees, e.g. trees will be 'regular standards' with 8-10cm girth and approximate heights of 2.5-3m). The trees should be staked and tied in accordance with good arboricultural practice. These above points could be dealt with by ensuring there is a formal landscape condition should you be minded to approve the application.*

*Similarly, with the hedge planting, hedge plants should be planted in a double row (rows 400mm apart) at a rate of 5 plants per metre. Each plant is to be protected by tree guard and staked. The planted area should be covered in fine bark mulch to a depth of 50mm."*

This response from the TLO was conveyed to the agent and it was also noted that *"Following review with the Planning and development Manager, I believe that if you are agreeable to provide further significant screening along the southern boundary as a buffer to the end of the site, we could be supportive of this at Officer level.*

*I would however note, that if there are future applications being considered, our view at this time is that it is unlikely that these would receive Officer support as we would be concerned about the further expansion within undeveloped land topographically at a higher level. We would however assess any future application on its own merits and on the basis of a proposed site layout/LVIA etc and this would not be prejudged."*

The Agent responded to this to note *"I have read the comments received below from TLO and we are agreeable to the additional landscaping buffers suggested – via a landscaping condition. We could also provide an additional plan prior to committee if preferred."*

At this point, the standard landscaping condition has been applied to secure a full landscaping scheme to be submitted prior to the commencement of any works.

However a revised landscaping plan has been provided in advance of the meeting and can be reviewed by the Tree and Landscape Officer, this has been received on the 12th December (day which the agenda is published.) This has been provided to the TLO and included on the annexing and can be conditioned for accordance if found to be suitable. It is considered from initial review that this plan is a significant enhancement and incorporates a very strong planting belt to the southern boundary which is welcomed. The final comments of the TLO will be provided to Members.

Whilst the scale of the two unit types as indicated in the indicative details drawings appear generally acceptable, it is considered appropriate to include a condition to control the final external appearance of the proposed units in terms of maximum scale, colour finish and proposed materials, and also to ensure they are a single storey scale only. An appropriate condition will be recommended. This is considered to be a pragmatic approach and the indicative or 'typical' details submitted thus far would be considered acceptable.

An additional condition will be recommended to prevent additional new lighting without the submission of details to the Local Planning Authority will be recommended to prevent inappropriate impacts in this rural location.

Therefore, subject to the relevant conditions, it is considered that this proposal would not result in material harm to the character or appearance of the site or the wider Area of High Landscape Value in accordance with Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

### iii) Amenity, including Residential Amenity

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

- *New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*
- *Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise*

The site is located at a significant distance from neighbouring properties and the predominantly surrounding land use includes farm land and tourism complexes, mainly in the form of caravan sites.

The Council's Environmental Health Team have been consulted in relation to this proposal for the new holiday accommodation and no comments were made.

It is therefore considered that the proposed development would not result in a harmful material impact upon neighbouring amenity.

### iv) Access and Highway Safety

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

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.

The proposed development would utilise the existing access from the A1039 and would incorporate parking spaces beside the individual units. A Transport Statement (Local Transport Projects August 2022) has been submitted in support of the scheme. This undertakes a description of the proposal, site assessment, road casualty appraisal, traffic impact assessment, consideration of the access parking and internal layout and provides overall conclusions. This concludes in Section 6.1.7 *"It is concluded from the assessments within this TS that the proposed expansion of The Spring Willows Holiday Park would not be expected to have a significant impact in terms of sustainable travel, road safety and traffic impact."*

The North Yorkshire Highways Officer confirmed in a consultation response dated 22nd November 2022 *"There are no local highway authority objections to the proposed Development."*

Highways England who have responsibility for the A64 have also confirmed no objection in a response dated 6th October 2022 confirming *"National Highways offers no objection to this application, and on reflection have decided against the need for a Transport Plan to be imposed as a condition."*

Therefore this is considered to meet the requirements of Policy sP20 of the Ryedale Plan, Local Plan Strategy as both Highway Authorities have confirmed that the proposed development would not result in material harm in terms of access or Highway Safety.

### v) Drainage

As noted, the application site is located within Flood Zone 1. The application form originally noted that Foul Water would be drained to a septic tank and Yorkshire Water confirmed in their consultation response dated 14th September 2022 *"No observation comments are required as foul water is drained"*

*to the caravan parks existing private septic tank system”*

This was updated when the Agent advised that Foul Water would travel through the existing drainage facilities within the site to the mains drainage and consequently, it has been appropriate to consult Yorkshire Water on this for the avoidance of doubt, in case they may wish to apply specific conditions or seek additional information. Members will be updated of any forthcoming response. It is however noted that in principle, connection to mains sewers represents the most appropriate form of foul water disposal in terms of the drainage hierarchy.

It has also been considered appropriate to consult the Lead Local Flood Authority and a consultation response is awaited. It is noted that surface water would be diverted to soakaway. Again, Members will be updated of any response.

It is not considered appropriate to consult the Environment Agency as this does not meet the consultation thresholds. There is no Internal Drainage Board who cover this site, the Vale of Pickering IDB does cover land sited c360m to the north of the nearest part of the wider site but given the nature of the application, it is not considered necessary to consult them.

Therefore as noted, Members will be fully updated of the final responses received from both the LLFA and the YW if these are available. In light of this, it is considered appropriate for Officers to seek the final decision to be delegated to Officers subject to the satisfaction of these relevant drainage consultees if these are not received prior to the meeting.

#### vi) Archaeology

As noted, this site falls within an Area of Archaeological Interest. The North Yorkshire County Council Archaeologist has noted *“This area of Staxton is of archaeological interest. The existing caravan site partly sits within a former sand and gravel quarry. Archaeological excavation in the 1940s and 50s produced extensive evidence for Romano-British and Anglo-Saxon settlement. The location of the proposed new development falls outside of the former quarry. It has a high potential for the survival of archaeological finds and features including human burials which have been noted at the adjacent filling station site.”*

Consequently, a condition to secure a scheme of archaeological mitigation recording is recommended. This Archaeologist noted this *“would include an archaeological strip, map and record to be undertaken in advance of development, including site preparation works, top soil stripping, excavations for new foundations and new drainage or services, to be followed by appropriate analyses, reporting and archive preparation. This is in order to ensure that a detailed record is made of any deposits/remains that will be disturbed.”*

#### vii) Ecology

North Yorkshire Ecology were consulted on the proposal. The application is accompanied by an Ecological Appraisal (Ecology and Forestry Ltd July 2022.)

This confirms there are no statutory/non statutory sites within 1km of the site, nor any records of European protected species licencing within 1km of the site. It was noted that there is Priority Habitat Inventory in the form of deciduous woodland within 500m to the west and south of the site but this would not be affected as a result of this scheme. The site relates to closely mown grass with existing landscaping.

In a response dated 12th December, the NYCC Ecologist noted *“The Ecological Appraisal is fine as far as it goes: the purpose of a PEA report is to identify ecological constraints on a site for a prospective developer rather than to support a planning application. In this case, however, this does mean that some of the recommendations are vague (“Existing site boundary hedgerows should be retained where possible”) or generic (e.g. the guidance on lighting in section 5.3.4).*

*The only recommendations that really merit conditioning are paragraphs 5.5.2 (regarding the timing of vegetation clearance in relation to nesting birds) and 5.8.3 (hedgehog gaps in any new fencing). I'm not convinced that erecting bat boxes on telegraph poles (para 5.3.3) would be particularly efficacious, so that recommendation can be left to the applicant's discretion.*

*There is no mention of biodiversity net gain in the report but substantial new planting of native trees, shrubs and a hedge is proposed in section 5.4 of the Landscape Assessment and this is likely to deliver net gain. We would support a condition to implement the recommendations of the Landscape Assessment."*

It is noted that the existing boundary hedgerows will be retained and lighting will be fully conditioned. The landscaping plan has evolved since the review of the NYCC Ecologist to be provide substantially increased volumes of planting. The ecological condition will be attached to capture the areas recommended for compliance.

#### Conclusion:

The proposed additional accommodation has been carefully considered and in principle, this is considered to be acceptable subject to the recommended conditions, including the bespoke occupancy conditions and further details of lighting and the final appearance of the units, together with further details on proposed landscaping. In addition, if identified as necessary by the statutory consultees, drainage conditions may potentially be attached.

It is considered that the proposed physical developments are acceptable in terms of form and design and subject to the recommended conditions would not result in unacceptable harm to the character and appearance of the immediate and wider landscape and the special value of this Area of High Landscape Value.

Therefore subject to all conditions which have been detailed above, it is considered that the proposed development meets the relevant policy criteria outlined within Policies SP1, SP9, SP13, SP14, SP16, SP20 and SP21 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework.

However it is noted that further responses pertaining to drainage are needed and potentially conditions if recommended. If these are available before the December Planning Meeting, they will be provided to Members and if these are not yet available, Officers will seek the final delegation of this decision to the Planning and Development Manager for overall approval, subject to the scheme being considered satisfactory by Yorkshire Water and the Lead Local Flood Authority with the application of any recommended conditions.

#### **RECOMMENDATION:                      Approval – delegated to Officers**

- 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 documents/plan(s):

Location Plan (Drawing no. 001)

Amenity Block - As Existing/As Proposed (Drawing no. 003)

Overview Site Plan As Proposed (Drawing no. 104)

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

- 3 The 29no. touring caravan pitches hereby approved shall be occupied for holiday purposes only; and not as a persons sole, or main place of residence; and

The units 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.

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

- 4 The 17no. lodge style static caravans hereby approved shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence; and

The pitches hereby permitted shall be available for commercial let for at least 140 days a year and no period of occupancy must exceed a total of 31 days in any one calendar yea

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: To ensure that accommodation is not used for residential development in this Open Countryside location, contrary to policies SP1, SP8 and SP21 of the Ryedale Plan- Local Plan Strategy.

- 5 The 1no. static caravan hereby approved for retention for the dual use of holiday accommodation/warden's accommodation shall be operated as either;

- a) Accommodation for a person employed in a full time role within the Spring Willows Holiday Park commercial enterprise only.
- b) or holiday purposes only

The unit shall not be separated from the ownership of the Spring Willow Caravan Park site

When in use for holiday purposes, the accommodation shall be subject to the following restrictions:

- No period of occupancy must exceed a total of 31 days in any one calendar year;
- 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: to ensure that accommodation is not used for permanent residential development not associated with the operation of the existing commercial holiday business in this Open Countryside location, contrary to policies SP1, SP8 and SP21 of the Ryedale Plan- Local Plan Strategy.



- 6 Unless otherwise agreed in writing by the Local Planning Authority, prior to any above ground construction of the new development hereby approved, plans showing full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of new trees/hedging and show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all hedging plants. All planting, seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, and any trees or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Informative: The Agent's attention is drawn to the comments of the Tree and Landscape Officer dated 8th December 2022 with regards to recommended areas for significant additional planting to the south of the proposed units.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP13 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 7 A) No demolition/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. Community involvement and/or outreach proposals
  3. The programme for post investigation assessment
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) 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 (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Section 16 of the NPPF (paragraph 205) as the site is of archaeological significance and in accordance with Policy SP12 of the Ryedale Plan, Local Plan Strategy.

- 8 Prior to its installation, full details of all new lighting within the application site shall be submitted to and agreed in writing by the Local Planning Authority. This shall include full details of types of lighting including levels of illumination.

Reason: To ensure appropriate lighting is secured within this area of wider open countryside and to prevent harm to visual amenity, in accordance with the aims of Policy SP13 Landscapes and Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy

- 9 Unless otherwise agreed in writing with the Local Planning Authority, the 17no. static caravans hereby approved shall be single storey only and their final maximum footprint, colour finish and construction materials shall be agreed in writing with the Local Planning Authority prior to their installation.

Reason: To ensure a satisfactory external appearance and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

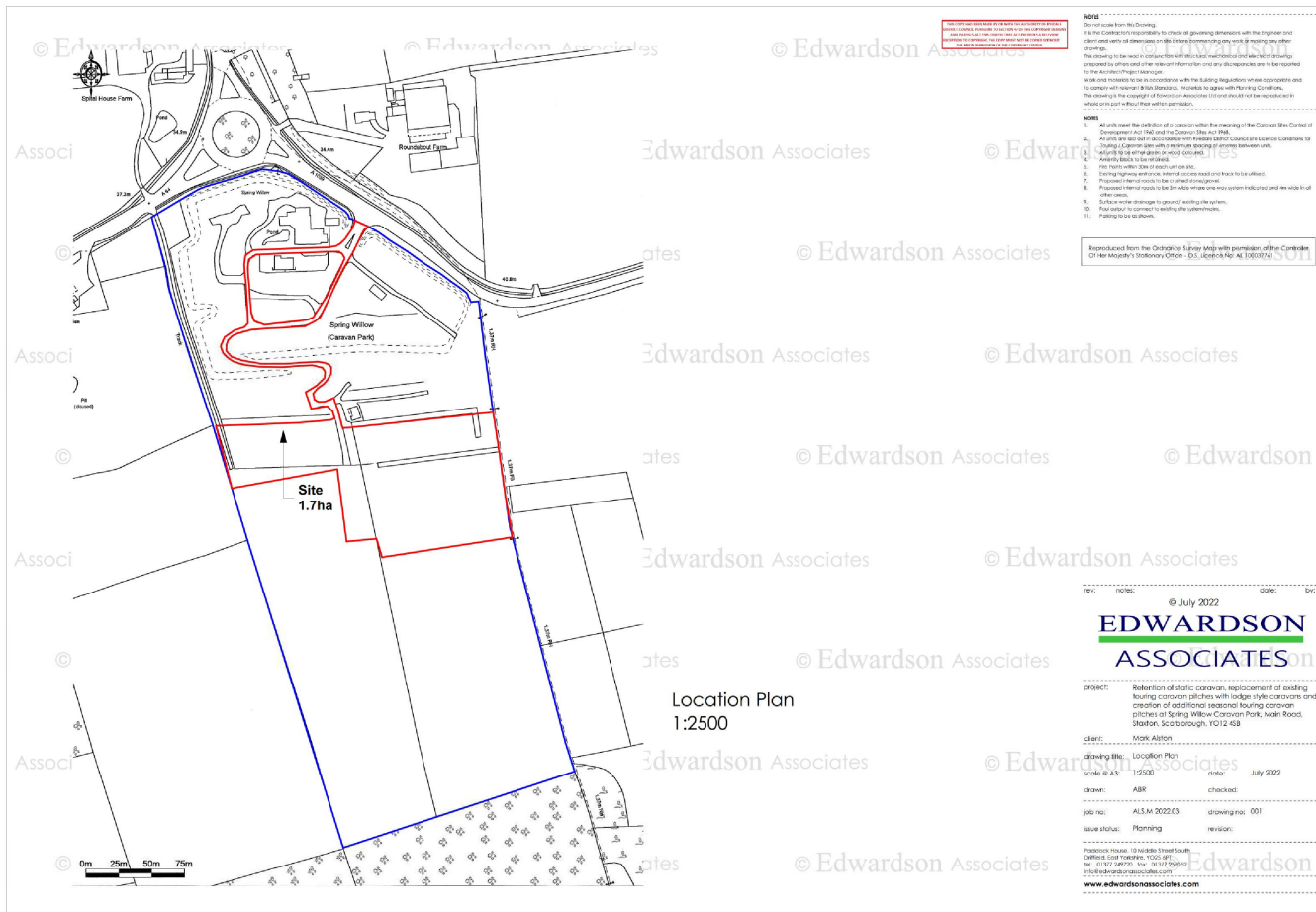
- 10 The development shall be carried out in full accordance with the following ecological measures:

- i) Sections 5.5.2 and 5.8.3 of the report ((Ecology and Forestry Ltd July 2022.))

Reason: In the interest of ecological protection and mitigation in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

### **INFORMATIVE(S)**

- 1 The applicant/developer is advised to contact Ryedale District Council's Housing Services regard a Site Licence.



© Edwardson Associates

**NOTE**  
Do not scale from this Drawing.  
If the Contractor is responsible to check all governing dimensions with the engineer and other members of the design team, the Contractor shall be responsible for any errors or omissions.  
The drawing to be used in construction shall be the latest numbered and dated drawing prepared by the design team and any amendments shall be incorporated into the drawing.  
This drawing is for information only and is not to be used for construction without the approval of the design team.  
The drawing is the property of Edwardson Associates Limited and shall not be reproduced, whole or in part, without their written permission.

- NOTES**
- All work shall be in accordance with the meaning of the Contract Documents and the Contract Documents shall be read in conjunction with the Contract Documents.
  - All work shall be in accordance with the relevant British Standards and any amendments thereto.
  - All work shall be in accordance with the relevant British Standards and any amendments thereto.
  - The work shall be done in accordance with the relevant British Standards and any amendments thereto.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.
  - Provision shall be made for the removal of any material from the site.

Reproduced from the Copyright Survey Map with permission of the Controller of Her Majesty's Stationery Office. OS Licence No. AG 10007076.

Location Plan  
1:2500

© July 2022

**EDWARDSON ASSOCIATES**

project: Relocation of static caravans, replacement of existing touring caravan pitches with lodge style caravans and creation of additional seasonal touring caravan pitches at Spring Willow Caravan Park, Mill Road, Skelton, Scarborough, YO12 6JH

client: Mark Allson

drawing title: Location Plan  
scale: 1:2500  
date: July 2022

drawn: ABR  
checked:  
file no: ALSM 202203  
drawing no: 001

issue status: Planning  
revision:

Practice Name: 12 Hedges Street South  
Office: 1000, York, YO1 1AA  
Tel: 01904 282000 Fax: 01904 282001  
Email: info@edwardsonassociates.com  
www.edwardsonassociates.com







**Hedge Planting**

- All gaps in the existing hedgerow to be planted with new, semi mature plants.
- New boundary hedge to be planted using 100/120mm tall, well rooted stock. In hedgerow 300mm apart.
- Plans are to be staggered out at a spacing of 225mm in each row. Rowspan 25E, Buckhorn 25E, Buckhorn 50E.
- Other species to be considered to enhance botanical variety, to be planted at 1m x 3m spacing in hedge line. Holly, Hazel and Wild Privet or single holly/shrub. Rabbit protection to be provided by other plant guards with con supports. Hedging tubes with con supports or hedging tubes, all at least 800mm tall. For further rabbit protection, rabbit fencing may be required. This should be set to 150mm below ground level. Boundary hedges to be allowed to grow and be maintained at a height of 3m and 1-1.5 width. Hedge to be trimmed at regular intervals every 2-3 years.

**Tree Planting / Planting Well**

- Trees and shrubs to be planted beneath Hawthorn and Honeysuckle, but where the soil is waterlogged or frozen, holes are to be large enough to accommodate the roots, the bottom of the hole to be filled over and the tree to be positioned on a mound of compost and topsoil before placed in the hole. The hole is to be filled with top soil, lined layer by layer and the ground level of with a 100mm layer of mulch.
- Trees to be protected with cut grass or tubes.
- The proposed planting well will provide a root screen as well as security.
- The proposed planting well will be made up of Pines as well as indigenous species.
- These species will include:  
Field Maple, Beech, Wild Cherry, Mountain Pine, Scots Pine, Hornbeam and English Oak.  
But one species to be dominant.
- Where possible, semi mature trees are to be planted in staggered rows to prevent direct views.  
Under planting to be implemented along the Eastern, Western and Southern boundaries.
- Species to consist of Holly, Yew, Buckhorn, Hawthorn, Elderberry and Rose Dogwood.
- All holes have to be replaced the following planting season.
- Guards and rabbit fencing to be removed when no longer required.

**NOTES**

1. See also the site plan and all other drawings for details of the proposed site plan.
2. See also the site plan and all other drawings for details of the proposed site plan.
3. See also the site plan and all other drawings for details of the proposed site plan.
4. See also the site plan and all other drawings for details of the proposed site plan.
5. See also the site plan and all other drawings for details of the proposed site plan.
6. See also the site plan and all other drawings for details of the proposed site plan.
7. See also the site plan and all other drawings for details of the proposed site plan.
8. See also the site plan and all other drawings for details of the proposed site plan.
9. See also the site plan and all other drawings for details of the proposed site plan.
10. See also the site plan and all other drawings for details of the proposed site plan.
11. See also the site plan and all other drawings for details of the proposed site plan.
12. See also the site plan and all other drawings for details of the proposed site plan.
13. See also the site plan and all other drawings for details of the proposed site plan.
14. See also the site plan and all other drawings for details of the proposed site plan.
15. See also the site plan and all other drawings for details of the proposed site plan.
16. See also the site plan and all other drawings for details of the proposed site plan.
17. See also the site plan and all other drawings for details of the proposed site plan.
18. See also the site plan and all other drawings for details of the proposed site plan.
19. See also the site plan and all other drawings for details of the proposed site plan.
20. See also the site plan and all other drawings for details of the proposed site plan.

**NOTES**

1. See also the site plan and all other drawings for details of the proposed site plan.
2. See also the site plan and all other drawings for details of the proposed site plan.
3. See also the site plan and all other drawings for details of the proposed site plan.
4. See also the site plan and all other drawings for details of the proposed site plan.
5. See also the site plan and all other drawings for details of the proposed site plan.
6. See also the site plan and all other drawings for details of the proposed site plan.
7. See also the site plan and all other drawings for details of the proposed site plan.
8. See also the site plan and all other drawings for details of the proposed site plan.
9. See also the site plan and all other drawings for details of the proposed site plan.
10. See also the site plan and all other drawings for details of the proposed site plan.
11. See also the site plan and all other drawings for details of the proposed site plan.
12. See also the site plan and all other drawings for details of the proposed site plan.
13. See also the site plan and all other drawings for details of the proposed site plan.
14. See also the site plan and all other drawings for details of the proposed site plan.
15. See also the site plan and all other drawings for details of the proposed site plan.
16. See also the site plan and all other drawings for details of the proposed site plan.
17. See also the site plan and all other drawings for details of the proposed site plan.
18. See also the site plan and all other drawings for details of the proposed site plan.
19. See also the site plan and all other drawings for details of the proposed site plan.
20. See also the site plan and all other drawings for details of the proposed site plan.



Site Plan - As Proposed  
1:500

- LEGEND**
- EXISTING
  - EXISTING CRUISED STONE GRAVEL
  - EXISTING HEDGE PLANTING
  - EXISTING HEDGES
  - EXISTING BUILDINGS
  - EXISTING DRIVEWAYS
  - WATER POINT
  - CHEMICAL DISPOSAL
  - EXISTING CARAVANS TO BE RETAINED
  - EXISTING HOOD-UP POINT
  - EXISTING HOOD-UP POINT WITH WATER TAP
  - PROPOSED CRUISED STONE GRAVEL
  - PROPOSED HEDGE PLANTING
  - PROPOSED HEDGES
  - PROPOSED HOOD-UP AND RAIL FENCE
  - PROPOSED HOOD-UP POINT (3m x 1.5m) (2P max)
  - PROPOSED HOOD-UP AND WATER TAP
  - PROPOSED EXISTING CARAVAN (4x6)
  - PROPOSED EXISTING CARAVAN (2x6)

REV: 0000 01 JULY 2022 0000 000

**EDWARDSON ASSOCIATES**

PROJECT: Residential site plan and landscape design for the proposed development of Spring Hill, located at the intersection of Spring Hill and Main Road, Spring Hill, NSW 2556.

DATE: 01 JULY 2022

SCALE: 1:500

DATE: 01 JULY 2022

BY: ASB

CHECKED: ASB

APPROVED: ASB

EDWARDSON ASSOCIATES

10/100 Spring Hill Road, Spring Hill, NSW 2556

PH: (02) 9333 1111

WWW: www.edwardsonassociates.com

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

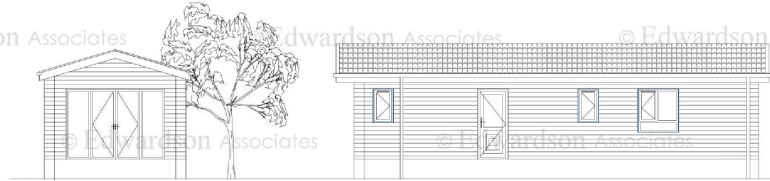
**Indicative Design Only  
2 Bed, Ensuite,  
40'x14'  
(12.192 x 4.27)**

Associates

© Edwardson Associates

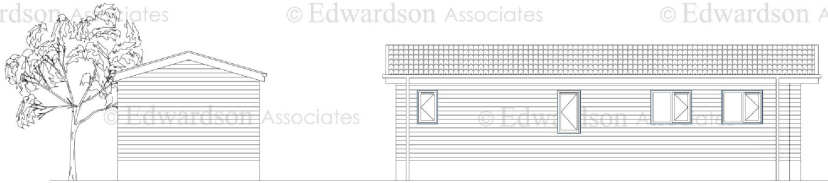
© Edwardson Associates

© Edwardson Associates



Elevations

Elevations are for illustrative purposes only.

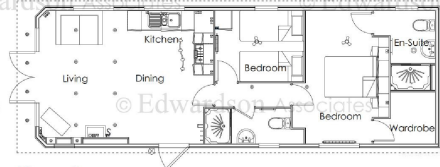


Associates

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates



Floorplan

**NOTES**

1. Do not scale from this Drawing.

2. The Contractor is responsible to check all governing dimensions with the engineer and other relevant drawings on the site before commencing any work or making any other changes.

3. The drawing to be used in conjunction with this plan must include the site location and the location of the proposed building on the site and any other relevant information to be reported to the relevant Planning Department.

4. All work must be done in accordance with the Building Regulations where appropriate and to comply with relevant British Standards. It is to be agreed with Planning Conditions.

5. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

**NOTES**

1. All work must be done in accordance with the Building Regulations where appropriate and to comply with relevant British Standards. It is to be agreed with Planning Conditions.

2. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

3. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

4. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

5. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

6. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

7. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

8. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

9. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

10. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

11. The drawing is the copyright of Edwardson Associates Limited (not to be reproduced) whole or in part without their written permission.

ref: 2022/00000000 date: 09/07/2022

© July 2022

**EDWARDSON ASSOCIATES**

project: Alterations of static caravan, replacement of existing touring caravan pitches with lodge style caravans and creation of additional seasonal touring caravan pitches at Spring Willow Caravan Park, Main Road, Skelton, Scarborough, YO12 6SR

client: Mark Atton

drawing title: 2014 Caravan Indicative Floorplan, Elevations scale: A3: 1:100 date: July 2022

drawn: ABR checked:

file no: ALSM 2022/03 drawing no: 102

issue status: Planning revision:

Project: 12 Hedges Street South  
 Offices: 100 Hedges Street, York YO1 1JG  
 Tel: 01904 279777 Fax: 01904 279778  
 info@edwardsonassociates.com  
 www.edwardsonassociates.com



© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

**NOTES**

1. Do not scale from this Drawing.

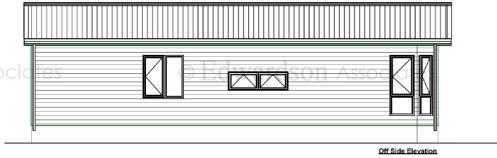
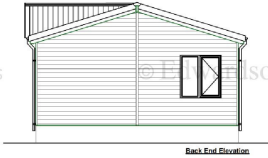
2. The Contractor is responsible to check all governing dimensions with the engineer and client and verify all dimensions on the site before commencing any work or making any other changes.

3. The drawing to be used in conjunction with this contract must be the original and the Contractor is responsible to check and verify the accuracy of the information and any discrepancies are to be reported to the Architect/Project Manager.

4. Work and materials shall be in accordance with the Building Regulations where appropriate and to comply with relevant British Standards. Materials to agree with Planning Conditions.

5. The drawing is the copyright of Edwardson Associates limited and shall not be reproduced, whole or in part without their written permission.

- WORKS**
1. All work shall be the definition of a construction within the meaning of the Contract Documents of Construction and shall include the Contractor's obligations.
  2. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  3. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  4. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  5. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  6. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  7. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  8. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  9. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  10. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.
  11. All work shall be in accordance with the relevant Building Regulations and the Contractor shall be responsible for obtaining all necessary permissions and approvals.



© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates



© Edwardson Associates

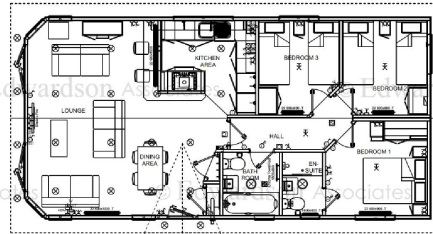
© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

Elevations - for illustrative purpose only!

**INDICATIVE DESIGN ONLY!**  
**3Bed, 40'x20' (12.192 x 6.096)**



Floorplan

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

© Edwardson Associates

ref: 102/22 date: 09/

© July 2022

**EDWARDSON ASSOCIATES**

project: Relocation of static caravan, replacement of existing lounge caravan pitches with lodge style caravans and creation of additional seasonal lounge caravan pitches at Spring Willow Caravan Park, Mill Road, Skelton, Scarborough, YO12 6SR

client: Mark Allison

drawing title: 40x20 Indicative Floorplan, Elevations  
scale: @ A3: 1:100 date: July 2022

drawn: ABR checked:

file no: AL5M 2022/03 drawing no: 103

issue status: Planning revision:

Project location: 12 Hedges Street South  
Office: 100 Hedges Street, York YO1 1JG  
Tel: 01904 289976 Fax: 01904 289976  
Email: edwardsonassociates.com  
www.edwardsonassociates.com

**Hedge Planting**

Any gaps in the existing hedges to be planted with new semi mature plants.  
New boundary hedge to be planted using 1000-1200mm tall, well rooted stock, in two rows 300mm apart.  
Plants are to be staggered and at a spacing of 250mm in each row. Hawthorn 25%, Blackthorn 25%, Buckthorn 50%.  
Other species to be considered to enhance botanical variety, to be planted at 1m - 3m spacing in hedge line: Holly, Hazel and Wild Privet as single trees/shrubs. Rabbit protection is to be provided by either spiral guards with can supports, hedging tubes with can support or hedging culls, all at least 800mm tall. For further rabbit protection, rabbit fencing may be required. This should be set to 150mm below ground level. Boundary hedges to be allowed to grow and be maintained at a height of 3m and 1.1.5 width. Hedge to be trimmed at regular intervals every 2-3 years.

**Tree Planting /Planting Bell**

Trees and shrubs to be planted between November and March, but not when the soil is waterlogged or frozen.  
Holes are to be large enough to accommodate the roots, the bottom of the hole to be forked over and the tree to be positioned on a mound of compost and topsoil before placed in the hole. The hole is to be backfilled with top soil, firm layer by layer and the ground finished off with a 50mm layer of mulch.  
Trees to be protected with spiral guards or tubes.  
The proposed planting belt will provide a visual screen as well as security.  
The proposed planting belt will be made up of Pines as well as indigenous species.  
These species will include:  
Field Maple, Beech, Wild Cherry, Maritime Pine, Scots Pine, Hornbeam and English Oak.  
Not one species to be dominant.  
Where possible, semi mature trees are to be planted in staggered rows to prevent direct views.  
Under planting to be implemented along the Eastern, Western and Southern boundaries.  
Species to consist of: Holly, Yew, Buckthorn, Hawthorn, Elderberry and Rosa Rugosa.  
Not one species to be dominant.  
Two layers of run hedging and rabbit netting to be placed along the boundaries to create an immediate screen until the planting fully grows out.  
All failed trees to be replaced the following planting season.  
Guards and rabbit fencing to be removed when no longer required.

**Landscape Scheme - General**

Proposed planting will take place at the next available planting season following commencement.

**Ripping:** If ripping is specified it should be undertaken to a depth sufficient to break up any soil/clay pan. Rip lines should be spaced at the specified planting spacing and follow the proposed planting line. Ripping should be confined to those areas to be planted and not proposed roads, paths and open areas. Ripping should only take place in suitable dry weather and should be stopped if rubble or other material is brought to the surface.  
**Grass Cutting:** To cut the whole area of the site to provide a sward height of approximately 2.5cm in height.

**Tree/Strub Planting - Site Preparation**  
Spot spraying: Each proposed planting station is to be treated to give a 1m diameter weed free area.  
Hand weeding: At the correct spacing to create a 1m wide weed free strip along the proposed planting line.  
Treatment of noxious weeds: The area and weed species to be treated will be specified in the planting schedule.

**Hedges - Site Preparation**

- Tall grasses and weeds are to be cut down to 75mm and removed from the site.
- The planting line is to be treated with a suitable contact herbicide in a strip 600mm wide.
- Fully cultivate planting strip to a depth of 300mm.
- The ground is to be well firmed but not consolidated around the roots to leave the plant upright.
- To suppress weed growth around the hedge bank chip mulch or other suitable should be used.

**Planting**

All plants to be notched/planted where the notch will provide a gift of sufficient size to hole the roots untrimmed without unnecessary force being applied. If this is not possible then the plants are to be pit planted with the planting pit of adequate size to take the roots untrimmed and one to be backed filled with soil from the pit with any left placed aside down at the base of the pit. Where sites have been ripped prior to planting then the trees must not be planted in the rip line but at least 20-25cm to one side.  
All plants to be planted so that the top of the nursery mark is level with the final soil level. The plants to be fenced in so that a gentle tug will not remove the plants from the soil.  
Any surface vegetation within 10cm (4in) minimum of the planted tree/shrub to be removed.  
The appropriate tree protection is to be selected immediately after planting.

**New Tree and Strub Planting - General**

Trees and shrubs are to be planted between November and March, but not when the soil is waterlogged or frozen.  
Holes are to be large enough to accommodate the roots, the bottom of the hole to be forked over and the tree positioned on a mound of topsoil placed in the hole, so that the tree is planted at its original soil depth. The hole is to be backfilled with top soil, firm layer by layer and the ground finished off with a 50mm layer of mulch.  
The trees are to be protected with spiral guards, tubes or box shaped plastic tree shelters.

Across the width of the proposed rows of new planting shown on plan, a maximum size of spacers maintained in the notes to be planted.  
Trees to be regular standards: with 8-10cm girth and approximate heights of 2.5-3m and set at 2.5m centres. Shrubs to be 40-60cm high with a spacing of 1.3m.  
The trees should be planted trained and headed in accordance with good arboricultural practice.  
All plants to be planted with appropriate rabbit guards.

**Tree Maintenance (5 growing seasons)**

Water trees immediately after planting and during periods of drought including regular spraying of the crown with water in the growing period (in the evening).  
Perennial and annual weeds to be removed using hand or chemical means in April and June.  
Topping up growth as necessary.  
Where required areas to be cut back in accordance with good horticultural practice to promote flowering and growth and the removal of damaged, diseased, crowded, weak or dead shoots and removal of suckers.  
Woodland to be managed as recommended by good arboricultural practice.  
All failed trees to be replaced the following planting season.  
Guards and rabbit fencing to be removed when no longer needed.

**Hedge Planting - General**

Hedging plants to be planted in a double row (rows 400mm apart) at a rate of 5 plants per metre. Each plant to be protected by tree guard and spaced. The planted area will be covered in fine bark mulch to a depth of 50mm.  
The hedge planting should be undertaken in the relevant seasons. Any planting that is removed, cannot be planted or dies within 5 years of the date of planting and be replaced with the approved type, by the end of the first available planting season.

**Hedge Maintenance**

- (5 Growing Seasons)
- Water plants immediately after planting and during periods of drought
- Any weed growth of the hedge to be treated with a suitable contact herbicide in April and June.
- Tubing and mulching are to be maintained to ensure weed growth is minimised.
- Any weeds can be spot treated.
- All failed plants to be replaced the following planting season.
- Guards and rabbit fencing to be removed when no longer needed.
- Trim hedges in regular intervals (3 years). Mark young hedge trees and ensure they are kept and not cut during trimming.

**General**

The grassed areas are to be sown with a "meadow" wild flower seed mix.  
Any existing trees and hedging to be retained.

**NOTES**  
20 scale from this Drawing.  
It is the Contractor's responsibility to check all governing dimensions with the Engineer and liaise and verify all dimensions on the above commencing any work or reading any other Drawings.  
This drawing to be kept in conjunction with structural, mechanical and electrical drawings, approved by others and other relevant information and any discrepancies are to be reported to the Architect/Project Manager.  
The Contractor shall be responsible for obtaining all necessary consents and approvals in accordance with relevant British Standards. Materials to be used shall be specified in the Bill of Materials or in part without their written permission.

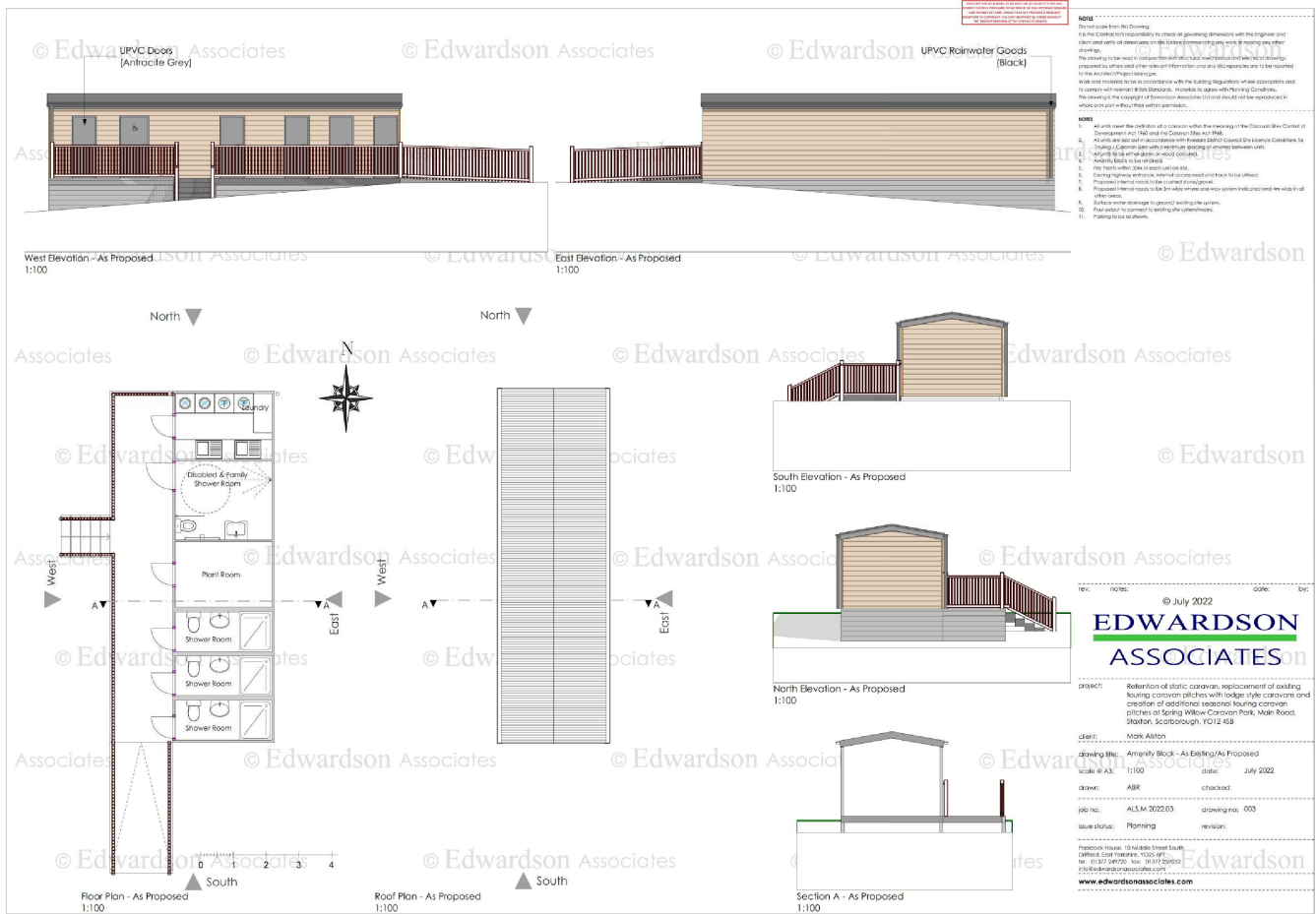
- NOTES**
- All units meet the definition of a caravan within the meaning of the Caravan Sites Control of Development Act 1968 and the Caravan Sites Act 1968.
  - All units are to be sited in accordance with British Standard Council Site Licence Conditions for touring. Caravan sites are minimum spacing or access between units.
  - All units to be either green or green coloured.
  - Anyways should be retained.
  - The Parks will be either green or green coloured.
  - Existing highway entrance, internal access road and tracks to be utilised.
  - Proposed internal roads to be of standard design.
  - Proposed internal roads to be 3m wide where one-way system indicated and 4m wide in other cases.
  - Surface water drainage to ground water table system.
  - Existing roads to be retained.
  - Existing roads to be retained.



**KEY**

- TARMAC
- EXISTING CRUSHED STONE/GRAVEL
- EXISTING HEDGING PLANTING
- EXISTING TREES
- EXISTING FENCE
- EXISTING BUILDINGS
- EXISTING CARAVANS
- REPOINT
- WATER POINT
- CHEMICAL DISPOSAL
- EXISTING CARAVAN TO BE RETAINED
- ELECTRIC HOOK-UP POINT
- EPT
- ELECTRIC HOOK-UP POINT WITH WATER TAP
- PROPOSED CRUSHED STONE/GRAVEL
- PROPOSED TREE PLANTING
- PROPOSED HEDGE PLANTING
- PROPOSED POST AND RAIL FENCE
- PROPOSED TOURING 'SUPER FRONT' 5m x 9.5m (29 no.) (WITH ELECTRIC HOOK-UP AND WATER TAP)
- PROPOSED STATIC CARAVAN (6 no.)
- PROPOSED STATIC CARAVAN (11 no.)

rev: notes: date: by:  
© July 2022  
**EDWARDSON ASSOCIATES**  
project: Retention of static caravan, replacement of existing touring caravan pitches with lodge style caravans and creation of additional seasonal touring caravan pitches at Spring Willow Caravan Park, Main Road, Stanton, Scarborough, YO12 4JB, Mark Aitton  
client:  
drawing title: Site Plan - As Proposed - Landscaping Scheme  
scale @ A1: 1:500 date: July 2022  
drawn: ABR checked:  
drawing no: ALS M 2022.03 drawing no: 105  
sheet status: Planning revision:





Head of Planning  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

Our Ref: ALS. M 2022.03

8 August 2022

## FULL PLANNING

### PLANNING AND DESIGN AND ACCESS STATEMENT

Dear Sir/Madam,

**Proposal:** Retention of 1no. static caravan for holiday use and 1 no. caravan for use as amenity facility (retrospective), and change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans, at Spring Willows Leisure Park, Main Road, Staxton, Scarborough, YO12 4SB

#### 1.0 Introduction

- 1.1 This document comprises a Planning and Design and Access Statement in connection with the full planning application described above. The application is for the sustainable expansion of Spring Willows Leisure Park at Staxton.
- 1.2 This application has been the subject of pre-application enquiry with the local planning authority, Reference 21/01100/PREAPP, dated 24 November 2021.
- 1.3 Policy SP8 of The Ryedale Plan – Local Plan Strategy supports and encourages sustainable tourism in the open countryside, including extensions to existing touring and static caravan parks where they can be accommodated without an unacceptable visual intrusion and impact on the character of the locality.
- 1.4 At a national level, Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, including sustainable rural tourism and leisure developments which respect the character of the countryside.

- 1.5 The application proposals comprise a medium scale tourism accommodation proposal, comprising a modest expansion of the existing holiday park. This will deliver positive benefits to the local economy and will also be acceptable in terms of its impacts on the local environment, in accordance with the requirements of relevant national and local plan policy.
- 1.6 The park has seen progressive investment in additional facilities, including a swimming pool and sports facilities. Furthermore, the park operators have invested £10,000 on a quality additional tree planting scheme. Like many similar holiday parks, the business has been forced to close its doors to customers for many months because of the Covid-19 pandemic. The expansion proposals will help the business to recover and compensate for lost income and expenditure on the provision of improved facilities for customers and the investment in improved landscaping of the park.

## **2.0 Application Particulars**

2.1 The following plans and particulars accompany this planning application:

- 001 Location Plan
- 002 Site Plan as Existing
- 003 Amenity Block – As Existing / As Proposed
- 101 Site Plan – As Proposed
- 102 40x14 Lodge Style Caravan – Indicative Floor Plans and Elevations
- 103 40x20 Lodge Style Caravan – Indicative Floor Plans and Elevations
- 104 Overview Site Plan as Proposed
  
- Planning and Design and Access Statement (This document).
  
- Transport Statement by Local Transport Partnerships
  
- Landscape Assessment by Mark S Feather
  
- Ecological Appraisal prepared by Rod Strawson of Ecology and Forestry Ltd

## **3.0 Site Location and Description**

- 3.1 The existing leisure park is well established and comprises a mixture of static caravans, seasonal touring pitches and casual touring and tent pitches. The existing caravan park is located to the east of Staxton/Willerby settlement adjacent to the Staxton Roundabout (A64) and is accessed from the A1039.
- 3.2 For the purposes of planning, the site is located in the open countryside.

- 3.3 The site is located in Flood Zone 1 (low risk). Furthermore, the site does not suffer from any known surface water drainage problems.
- 3.4 The existing park and the development areas proposed by this planning application are located within a Policy SP13 Area of High landscape Value – The Yorkshire Wolds. That said, the park and the proposed development areas benefit from good levels of screening, increased as a consequence of £10,000 worth of recent additional tree planting.
- 3.5 The proposed reorganisation and expansion proposals are located to the south side of the existing park, including in an existing area of the park developed with touring caravan pitches.

#### **4.0 The Proposals (Design and Access Statement)**

- 4.1 The application comprises a full planning application for the following proposals: -
- (a) Retention of 1no. static caravan for holiday occupancy (retrospective);
  - (b) Change of use of land for the retained siting of a caravan for use as an amenity; facility (toilets, showers, laundry and plant room) (retrospective);
  - (c) Change of use of land for the proposed siting of touring caravans (29no.), and
  - (d) Change of use of land for the proposed siting of lodge style static caravans (17no.).
- 4.2 Please note that although the total number of proposed holiday units is 47no. (29no. touring caravans + 18no. static caravans), the net increase is only 28(no.), because we are locating 19 pitches which already benefit from planning permission under reference 11/00079/FUL.
- 4.3 All caravan units will meet the statutory definition of a caravan and will be laid out in accordance with Ryedale District Council's site licence conditions for touring and static caravan sites.
- 4.4 The new development will be located in the fields located directly to the south of the existing caravan park. There are some existing touring caravan pitches in one of these fields. These will be relocated to a new area and will be replaced with static caravans – Please refer to drawing 101 for details of the proposed site layout.
- 4.5 Access will be from the A1039 using the existing established access serving the park.
- 4.6 Foul and surface water will discharge to existing site systems.



- 4.7 There is a significant amount of existing tree and hedge planting in place already which helps to screen the new areas of land proposed for development. This will be supplemented by additional tree and hedge planting. Please refer to Drawings 101 and 104 and the Landscape and Visual Impact Assessment by Mark S Feather for details of the existing and proposed landscaping scheme.
- 4.8 The roads, caravan pitches and car parking spaces will be constructed of a crushed stone material.

## 5.0 Planning Statement

- 5.1 Applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### The Development Plan

- 5.2 The existing Development Plan comprises of The Ryedale Plan –Local Plan Strategy (2013), the Sites Document (2019) and the Proposals Maps 2019.

### The Ryedale Plan – Local Plan Strategy (2013)

- SP1 General Location of Development and Settlement Hierarchy
- SP8 Tourism
- SP9 The Land-Based and Rural Economy
- SP12 Heritage
- SP13 Area of High Landscape Value
- SP16 Design
- SP19 Presumption in Favour of Sustainable Development
- SP20 Generic Development Management Issues
- SP21 Occupancy Restrictions

### National Planning Policy Framework, 2019

- 5.3 The updated Framework was updated in 2021 and is a material planning consideration.
- 5.4 Paragraph 8 of the NPPF sets out that there are 3 dimensions to sustainable development: economic, social and environmental, 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). The proposals are considered to comprise sustainable development in relation to all 3 dimensions. They will enable an existing, well-established holiday park to offer an additional number of units of holiday and visitor accommodation, without harm to the local environment (natural and built) and without causing adverse effects on local residents. Additional holidaymakers would be likely to spend money in the



local area with positive multiplier effects for other local businesses. The proposals will have no significant impacts on protected species or their habitats, or on heritage assets.

- 5.5 The proposals accord in particular with Paragraph 84 of the NPPF, which states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, including sustainable rural tourism and leisure developments which respect the character of the countryside.

## **6.0 Key Issues**

- 6.1 The keys issues in relation to this application proposal are considered to be as follows: -

1. Planning Policy and Principle (Including Location, Accessibility and Sustainability).
2. Design and Landscape Character / Visual Amenity
3. Neighbour Amenity
4. Access, Parking and Highway Safety

## **7.0 Planning Policy and Principle (Including Location, Accessibility, Sustainability and Scale of Development).**

- 7.1 The proposals comprise the change of use of land for the siting of holiday caravans (touring and static caravan pitches), and an associated amenity block. One of the static caravans and the amenity block have already been developed and so these elements of the application are retrospective. The principle of the development accords with Policy SP8 of the Local Plan Strategy which support a wider choice of tourist accommodation available in the District.

- 7.2 The application site is located in the open countryside, outside of the defined developments of any settlement. The site does however comprise an existing, well-established and well-screened holiday park located close to Staxton/Willerby settlement. There are several services and facilities in the immediate locality, including a filling station with shop and a fish and chip restaurant (150-200m), The Spital Inn (190m), and the Hare and Hounds at Staxton/Willerby (850m). There are also a larger number of services and facilities at Seamer/Crossgates (4km), including a railway station and a supermarket. The site is therefore sustainable and has good accessibility and so the proposals are considered to be acceptable in relation to Policies SP1 and SP19 of the Local Plan Strategy, which seek to direct development to sustainable locations.

- 7.3 The scale of the development is considered to be acceptable. The red line area includes part of the site which already has consent for the siting of 19no. touring caravans (Planning Ref: 11/00079/FUL), so the overall net gain is 28no. units. The

proposed mix of touring and static caravan pitches will be in keeping with the character of the park.

## **8.0 Design and Landscape Character/Visual Amenity**

8.1 The park expansion proposals are located in the Policy SP13 Area of High Landscape Value (The Yorkshire Wolds). Whilst there is a slope up to the proposal site, there are good amounts of hedgerow and tree planting in place. These work to soften the impact of built form when the site is viewed within the wider landscape. There are no public rights of way in close proximity to the site other than a footpath which runs directly through the existing developed northern part of the park. Any views of the expansion area from this point would most likely be screened by the presence of the existing caravan park and the within site trees and hedgerows. Views of the proposed expansion area are likely to be restricted to much longer distance views from the frontage highways located to the north. Any views from the high ground to the south are likely to be filtered and screened by the large scale Staxton Brow plantation. The park operators have invested £10,000 in additional landscape planting and additional supplementary planting is also proposed by this application – see Drawings 101 and 104 for details. Taking account of the topography and existing and proposed screen planting it is considered that the proposals can be satisfactorily accommodated within the Yorkshire Wolds Area of High Landscape Value, in accordance with Policy SP13. The application is supported by a Landscape and Visual Impact Assessment by Mark S Feather which confirms that the application site is in fact well screened by a combination of topography and existing landscape planting. This report sets out proposals for additional planting and this has been incorporated onto the proposed layout plan.

## **9.0 Neighbour Amenity**

9.1 There are no third party neighbours within close proximity of the application site to be affected by the application proposals, so whilst there will be some increase in traffic movements and activity within the park, this would be unlikely to have any harmful effects on local residential amenity.

## **10.0 Access, Parking and Highway safety**

10.1 There is a good quality existing vehicular access serving the site from the A1039 Main Road to the North, which has acceptable visibility in both directions, inclusive of a right-hand turning lane into the park. The application proposals are for an additional 47no. units (net gain of 28 given the presence of the existing / approved touring pitches – Ref: 11/00079/FUL). This scale of development would not be expected to generate significant amounts of traffic by any means. The proposals include the provision of an off-street car parking spaces to serve each of the pitches and pods and there is safe space within the site to turn and manoeuvre.

10.2 In its pre-application response the local planning authority provided a response from National Highways. They have advised the submission of a Transport Assessment or Transport Statement to accompany the planning application. We refer you to the accompanying report by Local Transport Partnerships.

#### **11.0 Conclusion**

11.1 The proposals comprise a modest scale expansion (net gain of 28no. caravan pitches) of the existing well-established leisure park, the principle of which is acceptable and supported by the Local Plan Strategy and the NPPF, providing additional accommodation for visitors to the area at a sustainable and accessible location.

11.2 The finer details of the proposals are also acceptable, notably design, landscape impact and access and highway safety, as confirmed by the supporting Transport Statement and Landscape Assessment.

11.3 It is hoped that officers will support this planning application. Please do not hesitate to contact us should you require any additional information or clarification on any matters.

Yours sincerely

**EDWARDSON ASSOCIATES**





Please see comments from Willerby PC on application 22/00950/MFUL.

**From:** Willerby Parish Council  
**Sent:** 18 October 2022 17:23  
**To:** Development Management  
**Subject:** APPLICATION NO: 22/00950/MFUL APPLICANT

Apologies for the delay the Parish Council wish to object to this application on the grounds of overdevelopment of the site and view from the A64, they also consider additional changes have been made to the application approved previously.

APPLICATION NO: 22/00950/MFUL APPLICANT: Mr Mark Alston (Blue Sky Resorts) DESCRIPTION: Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans, retention of 1no. static caravan for holiday use and 1no. static caravan for use as amenity facilities (part retrospective). LOCATION: Spring Willows Caravan Park Staxton Scarborough North Yorkshire YO12 4S

# Agenda Item 11

**Item Number:** 11  
**Application No:** 22/01070/MFUL  
**Parish:** Normanby Parish Meeting  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Johnathan Bulmer (J R, J & A J Bulmer)  
**Proposal:** Erection of 2no. agricultural buildings for the rearing of up to 2,000 pigs (1,000 per building) with associated 2no. feed silos, area of concrete hardstanding and section of new farm track  
**Location:** Normanby Manor Whitecarr Lane To Wandale Lane Riseborough Pickering North Yorkshire YO18 8LU

**Registration Date:** 22 September 2022  
**8/13 Wk Expiry Date:** 22 December 2022  
**Overall Expiry Date:** 20 December 2022  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

### *Initial consultation*

<b>Vale of Pickering Internal Drainage Board</b>	Objection- further information requested in relation to drainage system
<b>Sustainable Places Team (Environment Agency)</b>	No objection- informative advice provided
<b>Flood Risk (LLFA)</b>	No comments to make
<b>Environmental Health</b>	No objection
<b>Highways North Yorkshire</b>	No objection
<b>NYCC Natural Services</b>	No concerns
<b>Natural England</b>	Requested further information in relation to air quality impacts
<b>Public Rights Of Way</b>	Request informative
<b>Normanby Parish Meeting</b>	No response received

### *Re-consultation (Drainage report & air quality info)*

<b>Vale of Pickering Internal Drainage Board</b>	No objection
<b>Sustainable Places Team (Environment Agency)</b>	No further comments to make. Previous comments still apply.
<b>Flood Risk (LLFA)</b>	
<b>Environmental Health</b>	
<b>Highways North Yorkshire</b>	
<b>NYCC Natural Services</b>	
<b>Natural England</b>	No comments to make
<b>Public Rights Of Way</b>	
<b>Normanby Parish Meeting</b>	

### *Further re-consultation (Revised siting of buildings and updated site plans)*

<b>Vale of Pickering Internal Drainage Board</b>	No objection
<b>Sustainable Places Team (Environment Agency)</b>	No further comments to make. Previous comments still apply.
<b>Flood Risk (LLFA)</b>	
<b>Environmental Health</b>	
<b>Highways North Yorkshire</b>	
<b>NYCC Natural Services</b>	
<b>Natural England</b>	

**Public Rights Of Way  
Normanby Parish Meeting**

**Representations:**

---

**BACKGROUND:**

The application is to be determined by Planning Committee as a major development because the floor area of the proposed buildings exceed 1,000 square metres.

As required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the application has been screened in accordance with Schedule 2 of the Regulations and the Local Planning Authority has determined that the proposal does not constitute EIA development and need not be accompanied by an Environmental Statement.

**SITE:**

The application site is located within open countryside approximately 2km east of Normanby, 3km north of Great Barugh and 4.2 km southwest of Pickering. The site is accessed from Wandale Lane which is west of the farm. A track approximately 500 metres in length connects the farm to the public highway.

Normanby Manor is a mixed arable and livestock farm, amounting to approximately 354 acres. The proposed buildings would be to the east of the existing farm house and farm yard containing a range of traditional building and more modern sheds which provide workshop facilities, livestock housing, machinery and produce storage.

The application site is flat agricultural land in arable use. There are agricultural drainage ditches along to the north and south of the site. The proposed buildings would be within Flood Zone 1 and Costa Beck is approximately 820 metres east of the site and the River Seven approximately 2.1km west of the site.

The closest residential receptor is Normanby Lodge approximately 520 metres south west of the site. There are two residential properties at Rise Farm approximately 950 metres west of the site and Orchard House is approximately 930 metres north west of the site. Riseborough Hall is approximately 1km north west of the site.

There are several public footpaths that intersect at the farm. Public footpath number 25.68/21/1 cross a field north of the proposed buildings at a distance of approximately 170 metres. Public footpath number 25.68/13/2 runs along the field edge close to the access track and approximately 240 metres west of the proposed buildings.

**PROPOSAL:**

Planning permission is sought for the erection of 2no. agricultural buildings for the rearing of up to 2,000 pigs (1,000 per building) with associated 2no. feed silos, area of concrete hardstanding and section of new farm track.

The proposed buildings would accommodate a total of 2,000 pigs from 40kg through to finished weight of 110kg on a straw based system.

The proposed buildings would be sited approximately 270 metres east of the existing farm yard. During the course of processing the application the proposed location of the buildings was amended to re-position the buildings further east in the part of the field falling within Flood Zone 1.



The two buildings would be of steel portal framed construction each measuring 48.77 metres in length by 30.48 metres in width with an eaves height of 5.2 metres and a ridge height of 9.2 metres. The ridgelines would run northeast-southwest. Externally the buildings would be natural grey concrete panels forming the lower walls with Yorkshire boarding cladding above on the northern, southern and eastern elevations and space boarding to the western elevation. There would be a corrugated fibre cement sheet covering (coloured natural grey) to the shallow pitched roof.

There would be three Yorkshire boarding clad sliding doors for ventilation on the northern elevation and three in the southern elevation. An area of concrete hardstanding would span the area between the two buildings (6 metre gap between buildings) and there would be a concrete aprons on the western and eastern ends of the buildings. The hardstanding areas would assist with loading/unloading of pigs and mucking out.

The washout water and any potential slurry will be managed by a 15,000 litre underground tank, to comply with Silage, Slurry and Agricultural Fuel Oil (SSAFO) regulations. The applicant has confirmed that the buildings will only be washed out approximately once a year, and any washings will be collected in the tank as the yard drains will be covered. From there, the washings will be pumped into a tanker and spread on the Applicant's land during the spreading season. All of the straw based manure produced by the pigs on the holding will be retained for on-farm use as a fertiliser.

Two feed silos would be installed adjacent to the west gable end elevation. Each silo would have a diameter of 3.3 metres and overall height of 8.6 metres and the exterior would have a pale khaki green (BS 12B21) colour finish.

The buildings will be serviced by an automated auger fed feeding system and non-drip nipple drinker system. Ventilation will be achieved via a protected open ridge and series of sliding doors above concrete panel walls and gates. The site manager would reside at the adjacent farm house.

The proposed traffic movements created by the 2,000 pig places are summarised below:

- 4 no. 16.5m articulated livestock transporters to deliver the 40kg piglets (500 per load) for each batch.
- Feed deliveries will be 1 no. articulated HGV per week during the 14 week batch.
- 10 no. 16.5m articulated livestock transporters to remove the finished pigs at approximately 110kg (200 per load).

Each of the above will require one movement onto the holding and one movement off.

The proposal includes the installation of a section of new farm track approximately 200 metres in length which will divert vehicle movements along the south of the existing farmstead, rather than through the unmade yard area. The proposed works would require the excavation of topsoil and installation of hardcore substrate and crushed stone surface material.

The proposal also involves that creation of a surface water attenuation pond adjacent to the site to service the proposed buildings and assist with land drainage and ensure that there is no significant increase from greenfield run-off rates into the ditches/land drains as a result of this development.

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

### Material Considerations

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

## **APPRAISAL:**

### Principle of the development

The site is within the open countryside, however, the principle of the development aligns with local policies SP1 and SP9 and paragraph 84 (*‘Supporting a prosperous rural economy’*) of the NPPF (2021) as the new buildings would support land based activity and the local economy. The proposed buildings would be used for pig rearing and finishing and the development represents investment in the UK food production sector that would expand the existing farm operation.

### Design, appearance and impact upon the open countryside

The proposed buildings have a substantial footprint and, within this rural context, can be regarded as major development. The size of the buildings is a functional requirement for the pig rearing and finishing operation. Generally, pig units are developed in relatively remote locations due to potential odour and noise impacts which is the case in this instance. The proposed buildings would be an expansion of the existing farm business and would be located adjacent to the existing agricultural buildings to the east of the farm house and yard. The proposed buildings would be served by the same existing infrastructure and services albeit the access track would be improved and extended to serve the buildings.

The proposed buildings and associated feed bins would be constructed from materials with colours finishes appropriate for such buildings within an agricultural setting. The proposed buildings has a significant footprint, however, it would have a linear form that follows the field boundary and access road and would be set against an existing woodland belt on its eastern side when viewed from the nearby public footpaths. The proposed buildings and feed bins would be located in the open countryside in a position detached from the nearest settlement but would be physically well-related to the existing buildings at Normanby Manor Farm. The existing planting provides a degree of enclosure and soften views towards the buildings and ancillary structures.

The extended access would divert HGVs from the farm yard along a route to the south which is lined with hedgerows and trees on the northern side of the track. As a result HGVs associated with the pig unit would not travel along part of the route shared with the public footpath. The vehicle movements would be intermittent and given the screening provided by the existing farm buildings and landscaping and the backdrop of existing planting along the access route the vehicle movements would not give rise to unacceptable landscape character or visual impacts.

It is considered that the siting, scale, and design is acceptable and would ensure that the proposed development would not be visually prominent in the open countryside and would not have a materially adverse effect on the character of the agricultural landscape in compliance with Policies SP16 and SP20.

### Local amenity and environmental impact

Policy SP20 states that *'New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence'*.

The proposed buildings would be constructed on agricultural land in a relatively remote setting in the open countryside. Beyond the farm house within the agricultural unit the nearest residential property is a farm house in excess of 500 metres south west of the site.

The applicant states that the site selected benefits from the prevailing south-south-easterly wind direction which will carry any noise and odour away from the site, whilst not affecting the nearest residential properties located over 1.5km in this direction.

With regard to odour impact it is reasonable to consider the site as being isolated and at a significant distance from residential receptors. Similarly, in light of the remote location in relation to nearby residents it is considered that any noise from pigs would not be audible over these distances and would not have an adverse impact upon the existing levels of amenity of occupants of the nearest dwellings.

The Council's Environmental Health Officer notes the remoteness of the site and the proposals for the management of waste and has confirmed no objections.

The Environment Agency have no objection and an Environmental Permit is not required in this instance (the number of pigs does not exceed 2,000). The Environment Agency have provided advice in relation to the storage and management of slurry and the relevant regulations which will be included as an informative on the decision notice.

The site occupies a relatively isolated location in relation to sensitive receptors. The site benefits from a degree of natural screening from hedgerow and tree lined boundaries and no visual intrusion or loss of visual amenity is anticipated. It is considered prudent, given the scale of the building proposed and the open countryside location, to impose a condition that requires any details of lighting to be submitted for approval by the LPA prior to installation. This would ensure the night sky is preserved from unnecessary light spill as well as contributing and preserving the amenity of the area.

The proposed buildings are compatible with the established land use and it is not anticipated that the pig rearing and finishing operation would give rise to any unacceptable visual intrusion, pollution or disturbance and as a result there would not be an adverse impact upon local amenity or environment in compliance with the relevant parts of Policies SP17 and SP20.

### Natural Environment

The site is not within or immediately adjacent to any nationally or locally designated nature conservation sites. The County Ecologist notes that the application site is agricultural land of low nature conservation value and has confirmed no concerns.

Manure stores, slurry lagoons and livestock sheds are a source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens). The site is within the Impact Risk Zone for one or more Sites of Special Scientific Interest (SSSIs) which may be sensitive to impacts from aerial pollutants, such as those emitted from the proposed development. Natural England initially requested further information in relation to air quality impacts (e.g. emissions of ammonia).

The applicant has provided Natural England with the relevant data and confirmed that the prevailing wind direction carries any aerial pollutants towards the south east and away from the closest SSSIs.

Natural England have confirmed no further comments and it is concluded that there are no significant risks to any statutory nature conservation sites from emissions in compliance with Policy SP14 and the NPPF.

### Highway impacts

Policy SP20 of the RPLPS states 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. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads”*.

Paragraph 111 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

The proposed development would utilise the existing access which connects to the public highway to the west of the farm. The farm access track would be partially diverted, improved and extended to serve the pig unit. The access track is straight and the land is relatively flat and there is good visibility along the route. There are no highway safety implications arising from this the extended/diverted track and it would result in HGVs avoiding part of the existing route shared with the public footpath which crosses the farm yard.

The traffic generation associated with the proposed development is relatively small scale and movements predominately occur at the end of each batch (14 week cycle). Feed delivery involves 1 HGV movement per week.

The highways officer has confirmed that the increase in vehicular activity associated with the proposal is deemed acceptable and there are no objections from the LHA. The PRoW officer has requested the standard informative to require that the public footpaths which share part of the access are protected and kept clear of any obstruction.

It is considered that the associated vehicle movements can be satisfactorily accommodated by the local highway network and would not have a detrimental impact, individually or cumulatively, on road safety or capacity in accordance with Policy SP20 and the NPPF.

### Flood risk and drainage

The proposed development site comprises land within Flood Zones 1 and 2 and the application is accompanied by a site specific Flood Risk Assessment. The proposed agricultural buildings are classified as a ‘less vulnerable’ land use as defined by Planning Practice Guidance.

It was initially proposed to locate the proposed buildings wholly within Flood Zone 2. However, the NPPF and Policy SP17 of the RPLPS require the LPA to direct development to areas with lowest probability of flooding (a risk based sequential approach). The sequential test should demonstrate that there are no reasonably available sites in the area with a lower probability of flooding that would be appropriate for this type of development. Planning policy makes it clear that even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied.

The sequential test process identified adjacent land within Flood Zone 1 (Low Probability) which was available and suitable for the proposed development. The application was subsequently amended to confirm the alternative location for the proposed buildings which is approximately 200 metres east of the initial location. As a result the proposed development does not conflict with the requirements of Policy SP17 of the Local Plan Strategy and paragraph 162 of the NPPF.

The proposed development involves new buildings and areas of hardstanding which increase the

amount of impermeable surfaces (approximately 0.33 ha) at the site. As a result an appropriate surface water drainage strategy is required.

The initial response from the Vale of Pickering Internal Drainage Board (IDB) raised an objection due to the lack of information in relation to the proposed drainage strategy. That information has been provided and consulted upon and the detail confirms that the drainage strategy would utilise an existing land drain located close to the site (to the north) due to on-site ground conditions being unsuitable for soakaways or infiltration methods. The applicant acknowledges that they would require land drainage consent from Vale of Pickering Internal Drainage Board to implement the proposed drainage scheme and an informative will be imposed on any planning permission granted.

In order to ensure that surface water run-off to the watercourse is controlled appropriately to mitigate any potential impact from flood risk by surface water an acceptable discharge rate needs to be achieved.

To address this the applicant proposes pump and control equipment to be installed alongside an attenuation pond on the eastern side of the buildings which would restrict the surface water discharge rate to 2l/s. The attenuation pond would accommodate 203m<sup>3</sup> of water in total, with a maximum depth of 1.28 metres. The capacity of the pond is proposed to be able to deal with a 1 in 100 year storm event with an additional allowance of 30% for climate change calculations. The submitted drainage strategy explains that these measures would ensure that impact on the receiving watercourse is acceptable.

The Environment Agency have no objection and, following consideration of the further information, the IDB have confirmed no objections to the drainage strategy.

Slurry and waste water is to be dealt with by an underground tank, which is drained to directly from the building and emptied by tanker as required for appropriate disposal. The underground tank would be sunk into the concrete apron at the eastern side of the buildings. It is noted that this would be maintained and managed to Silage, Slurry and Agricultural Fuel Oil (SSAFO) regulations.

It is considered that the proposal would not increase flood risk at the development site or elsewhere and suitable surface water drainage arrangements can be provided in compliance with Policy SP17.

### Conclusion

The principle of the development is in line with national and local planning policy and represents development that supports the land-based, rural economy through the expansion of an established farm enterprise. The proposed development would not have an unacceptable impact on the open countryside, local amenity, flood risk or highway safety. In light of the above assessment, it is considered that the proposal is acceptable and complies with Policies SP1, SP9, SP14, SP16, SP17, SP19 and SP20 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 plans:

Site Location Plan (revised), received 6 December 2022  
Site Layout Plan (revised), received 6 December 2022

Elevations  
Floor Plans

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

- 3 Unless otherwise agreed 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 within the planning application and as shown on the approved drawings.

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

- 4 Unless otherwise approved in writing by the Local Planning Authority the surface water drainage for the development hereby approved shall be installed and subsequently maintained in accordance with the scheme set out in the Drainage Feasibility Report ref. JAG/AD/JR/48095-Rp001, dated November 2022.

Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

- 5 Prior to the installation of any external lighting within the application site, including lighting for site security purposes, full details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution and to protect local amenity in compliance with Policy SP20.

## INFORMATIVES

1

- i. There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii. If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii. If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v. It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi. If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii. Where public access is to be retained during the development period, it shall be kept free

from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

- 2 It is a requirement of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013, that the Environment Agency is notified at least 14 days before construction commences.

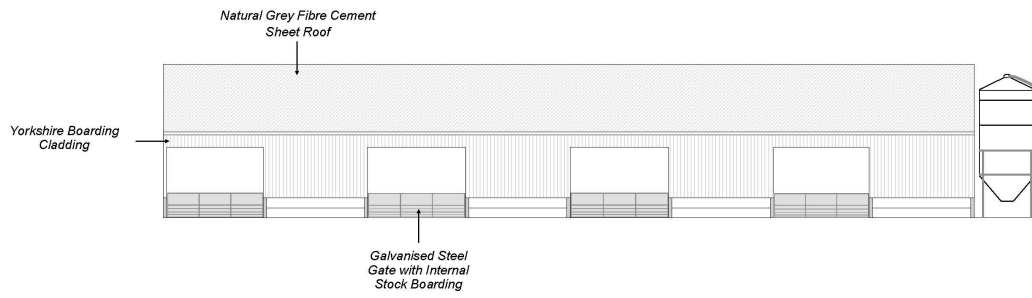
You must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed, we will ask you to send us a completed WQE3 notification form before you start using the facility.

All farm sites should be constructed and operated in accordance with the advice contained in DEFRA's Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers

If the site expands in the future and the number of pigs exceeds 2000 an Environmental Permit will be needed in order to operate. For further guidance please contact our National Customer Contact Centre by email at [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) or by phone on 03708 506 506.

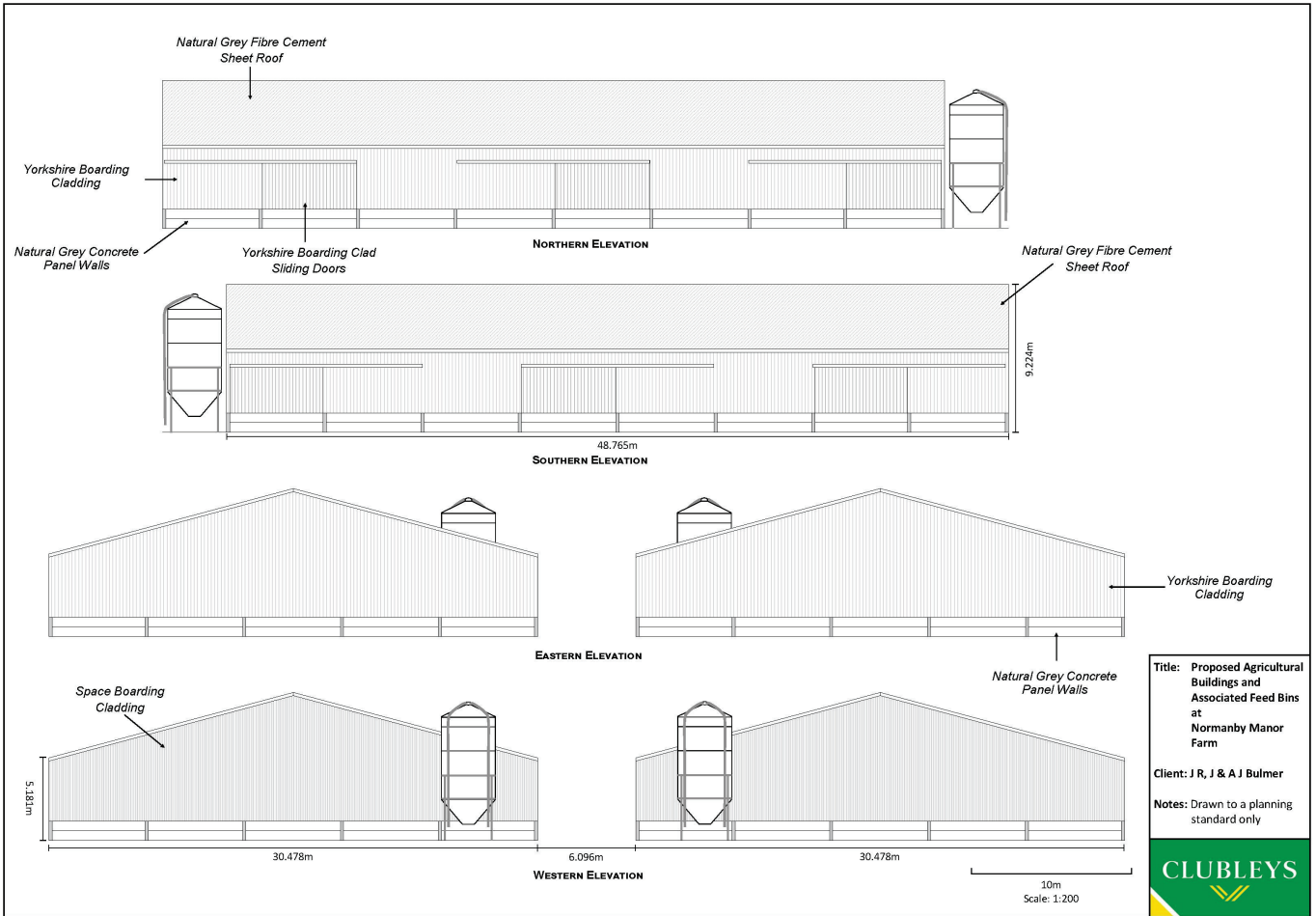
- 3 The proposed development is in or may have an impact on an Internal Drainage District. To comply with local land drainage bylaws, all or part of the development may require Land Drainage Consent(s), this is separate permission from planning consent. You are advised to contact the relevant Internal Drainage Board before works commence on site.



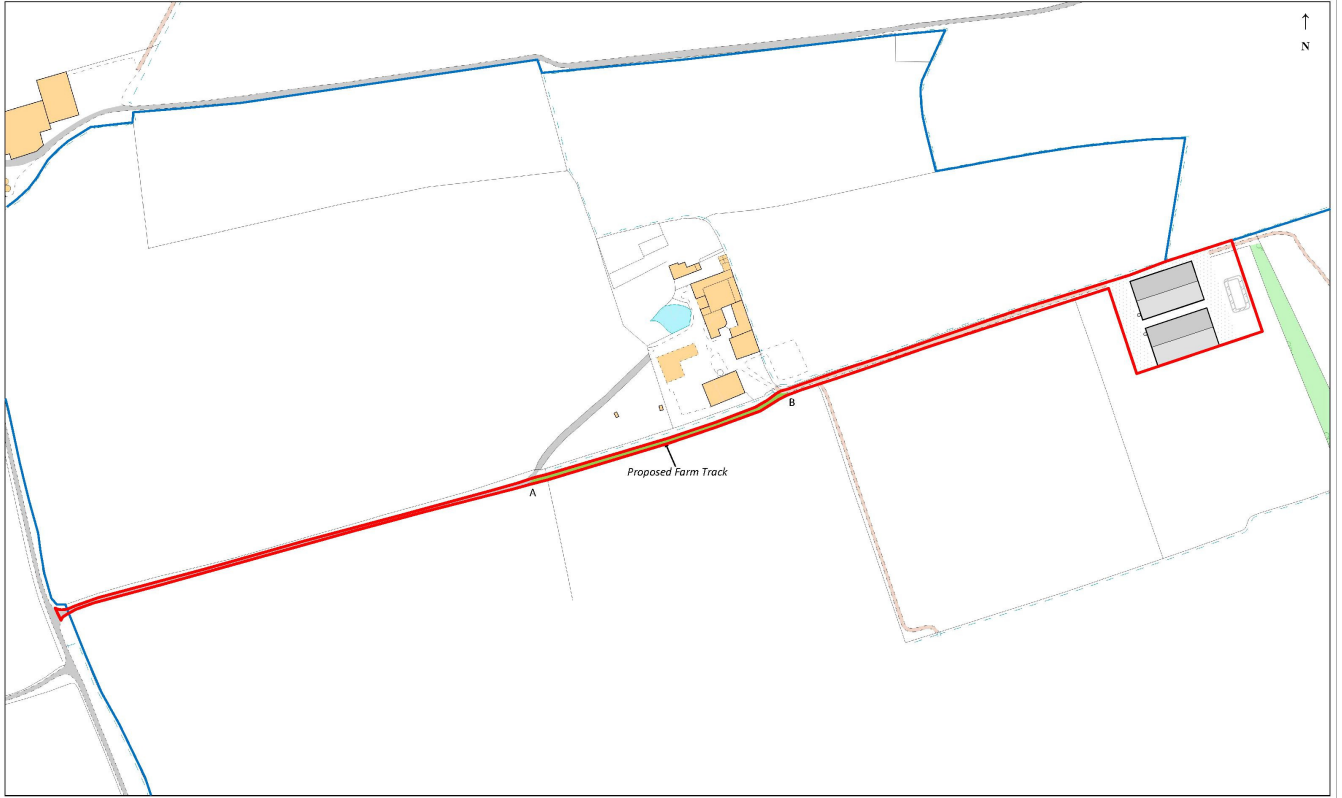


**Title:** Proposed Agricultural Buildings and Associated Feed Bins at Normanby Manor Farm  
**Client:** J R, J & A J Bulmer  
**Notes:** Drawn to a planning standard only





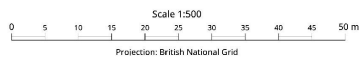
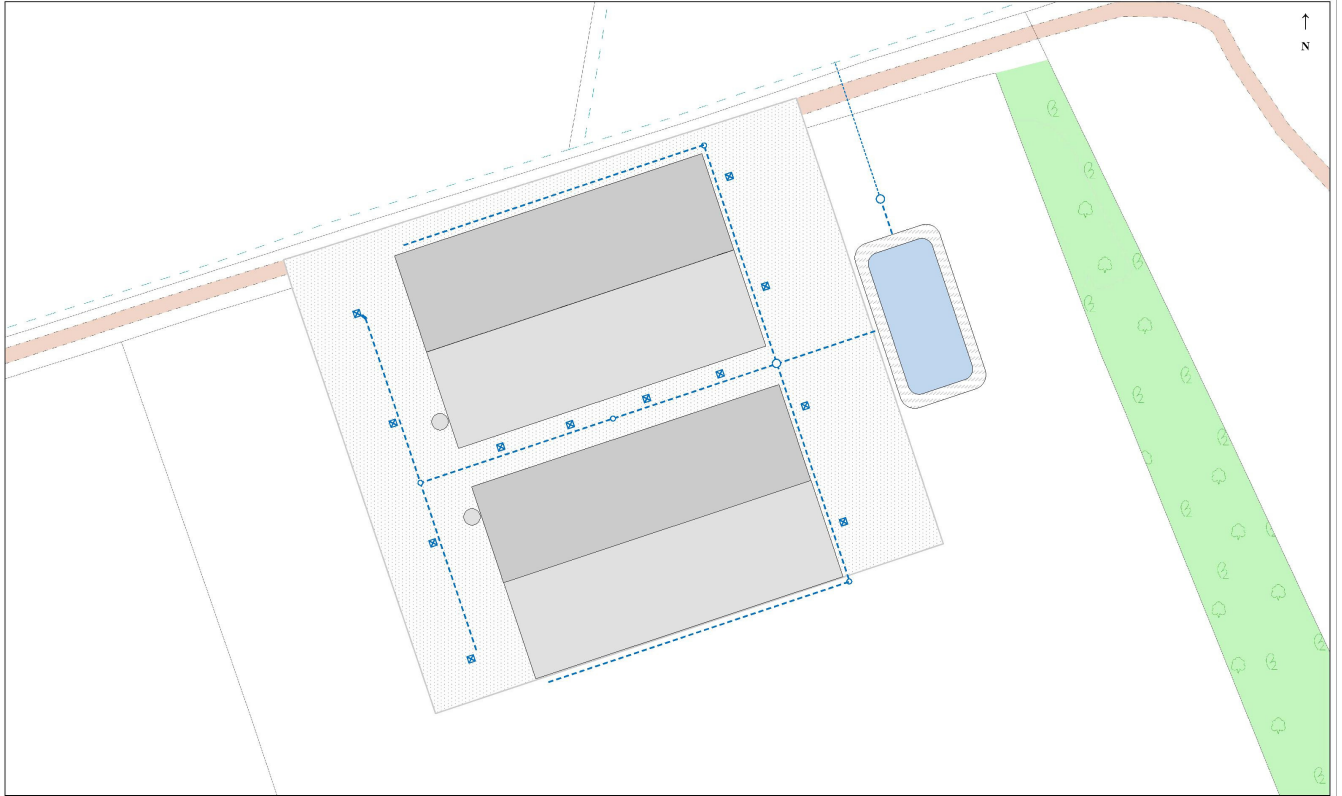
Proposed Agricultural Buildings and Associated Feed Bins at Normanby Manor,  
Riseborough, Pickering YO18 8LU



Scale 1:2500  
0 20 40 60 80 100 120 140 160 180 200 m  
Projection: British National Grid



Proposed Agricultural Buildings and Associated Feed Bins at Normanby Manor,  
Riseborough, Pickering YO18 8LU





# **DESIGN, ACCESS AND PLANNING STATEMENT**

*in support of an application for*

**The Erection of 2 N<sup>o</sup> Agricultural Buildings  
and Associated Feed Silos**

*at*

**Normanby Manor, Riseborough, Pickering,  
North Yorkshire YO18 8LU**

*on behalf of*

**J R, J & A J Bulmer**

**September 2022**

*Prepared by*

**Oliver Fargher BSc (Hons) MRICS FAAV**

**CLUBLEYS**

**60-64 Market Place**

**Market Weighton**

**York**

**YO43 3AL**

**01430 874000**

**[o.fargher@clubleys.com](mailto:o.fargher@clubleys.com)**

## **Introduction**

This statement has been produced on behalf of Mr Johnathan Bulmer of J R, J & A J Bulmer, Coultas Farm, Great Habton, Malton, North Yorkshire YO17 6TY.

The applicant and his family own and operate a mixed farming enterprise extending to approximately 620 acres in total, comprising arable cropping, grassland management and a livestock enterprise which includes an established suckler herd, a flock of commercial sheep and a contract pig rearing operation.

The applicant currently runs the farming business from Coultas Farm, Great Habton and this holding is the site of all of the livestock buildings and other agricultural buildings utilised by the farming business.

The applicant has recently purchased Normanby Manor, Riseborough comprising approximately 354 acres of ring-fenced arable and grassland, with a range of stone built traditional farm buildings, produce and machinery storage buildings and cattle housing. The applicant plans to make significant investment in Normanby Manor to improve the holding and ensure the viability of the farming business as a whole, through expansion and improved efficiencies which hope to be achieved by the development of the farm's infrastructure and buildings.

## **The Proposed Development**

This application seeks full planning consent for the erection 2 N<sup>o</sup> agricultural buildings for the finishing of pigs, together with associated feed silos at Normanby Manor, which will accommodate up to 2,000 pig places.

## **Amount**

The proposed development consists of the erection of a two steel portal framed agricultural buildings, which will each measure 48.765m x 30.478m with an eaves height of 5.181m and a ridge height of 9.224m.

The application also seeks consent for the installation of two feed silos to service the buildings, which will be situated adjacent to the proposed buildings on the western elevations and will extend to 8.59m in height. Further detail is shown on the attached Elevations Drawings.

The proposal also includes an area of concrete hardstanding to assist with mucking out and loading/unloading of pigs, which will span the area between the two buildings.

## Use

The proposed buildings will accommodate up to 1,000 pig places each, reared from approximately 40kg liveweight through to 110kg, on a high-welfare enriched indoor straw based system.

The buildings will be serviced by an automated auger fed feeding system and non-drip nipple drinker system.

Ventilation will be achieved via a protected open ridge and series of sliding doors above concrete panel walls and gates.

## Manure Management

All of the manure produced by the pigs on the holding will be retained for on-farm use as a sustainable fertiliser on the land at Normanby Manor and on the Applicant's other land located at Great Edstone\*. The land requirement for the spreading of manure produced by 2,000 finisher places requires approximately 100 Ha of land, based on the calculations below:

Proposed Pig Places	<b>2,000</b>	
Growers (8-12 weeks)	0.037	Kg/Ha
Finishers (12+ weeks)	0.062	Kg/Ha
Average	0.050	Kg/Ha
<b>Required Area</b>	<b>100</b>	<b>Ha</b>
Available Area*	<b>200</b>	<b>Ha</b>

The site and land at Normanby Manor is not located within a Nitrate Vulnerable Zone the Nitrate Pollution Prevention Regulations 2015 do not apply.

## Layout

The proposed buildings are to be located to the south east of the existing farmstead at Normanby Manor Farm within field SE7851 7097, as shown on the attached Location Plan.

This location is the most appropriate location for the business and makes best use of the holding's topography, while utilising natural ventilation through prevailing winds and natural screening from hedgerow boundaries. The buildings will be situated over 400m from any neighbouring dwellings, and the prevailing south-south-easterly wind direction will carry any noise and sound away from the site, whilst not affecting the nearest properties located over 1.5km in this direction.



## **Scale**

The scale of the proposed buildings is considered to be appropriate for the proposed use and for the siting within the context of the local farmed area. The proposed buildings each have a length of 48.765m and a width of 30.478m, with a gross external area of 2,973m<sup>2</sup>. The building will have an eaves height of 5.181m and a ridge height of 9.224m, together with 2 no. feed silos which is to be 8.59m in height, all as shown on the attached Elevations, Cross Section and Floorplan Drawings.

## **Appearance**

The proposed building comprises two steel portal frame agricultural buildings with natural grey concrete panel walls with Yorkshire Boarding cladding above on the Northern, Southern and Eastern elevations and space boarding to the Western elevation. The roof covering is natural grey corrugated fibre cement sheet. The buildings are designed to mirror each other and will have Yorkshire Boarding clad sliding doors for ventilation on the Northern elevation of the northern building and to the Southern elevation of the Southern elevation. A concrete pad between the two buildings will be used as a handling race and will be used for the loading and unloading of pigs, which will access the buildings through stockboarded galvanised steel gates. Further detail is shown on the Elevations and Cross Section Drawings.

The building materials are considered to be of low visual impact due to the unobtrusive tones, while being commonly found on agricultural buildings within the local farmed environment.

## **Landscaping**

The proposed buildings are to be located to the south east of the existing farmstead at Normanby Manor Farm within field SE7851 7097, as shown on the attached Location Plan.

This location will require the least amount of remedial groundworks due to the site topography and the site is screened to the North, East and West by mature hedgerow boundaries.

This application includes the installation of a section of new farm track which will divert vehicle movements along the south of the existing farmstead, rather than through the unmade yard area. This length of track is shown between points A and B on the attached Location Plan and is also shown coloured green. This will require the excavation of topsoil and installation of hardcore substrate and crushed stone surface material.

## **Access**

Access to the site is taken from Wandale Lane along the existing farm track, to point A on the attached Site Plan, from which a new farm track as detailed above will be constructed

through to point B, to enable the access and egress of agricultural vehicles and HGVs without the requirement to navigate through the unmade farmyard.

The proposed development is of a low traffic generating use. The proposed traffic movements created by the 2,000 pig places are summarised below:

- 4 No. 16.5m articulated livestock transporters to deliver the 40kg piglets (500 per load) for each batch.
- Feed deliveries will be 1 No. articulated HGV per week during the 14 week batch.
- 10 No. 16.5m articulated livestock transporters to remove the finished pigs at approximately 110kg (200 per load).

Each of the above will require one movement onto the holding and one movement off.

Manure removal will be mostly undertaken within the Applicant's owned land and therefore will not greatly impact on public highways, however there may be some agricultural vehicle movements from Normanby Manor to the Applicant's land at Great Edstone in preparation for muck applications after some of the batches.

## **Planning Policy**

The relevant Planning Policy is contained within The Ryedale Local Plan Strategy, adopted September 2013 and within the National Planning Policy Framework 2021.

### The Ryedale Local Plan Strategy

Policy SP9 of The Ryedale Local Plan Strategy document concerns development in the Land-based and Rural Economy in Ryedale.

Policy SP9 states that :-

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

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

Policy SP9 therefore provides support in principle for agricultural development in the countryside such as this.

### National Planning Policy Framework

The National Planning Policy Framework states that the purpose of the planning system is to contribute towards the achievement of sustainable development.

Paragraph 84 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.*

Paragraph 84 provides direction on ‘supporting a prosperous rural economy’, showing support for the ‘sustainable growth and expansion of all types of business in rural areas’ through the erection of well-designed new buildings. The proposal therefore clearly complies with Paragraph 84 as the proposed development demonstrates sustainable growth and expansion of an existing rural business.

### **Conclusion**

The proposed development is necessary for the growth and expansion of the Applicant’s farming business and demonstrates continued investment into the family’s agricultural holdings while contributing to the secure supply of domestically produced pig meat.

The siting and appearance of the building will not adversely affect the local area and is of a scale and design commonly found on agricultural holdings in the locality.

The proposed development is also considered to be compliant with both national and local planning policy.

**Oliver Fargher BSc (Hons) MRICS FAAV**

A handwritten signature in black ink, appearing to read "Oliver Fargher", with a horizontal line underneath.

**September 2022**

**Item Number:** 12  
**Application No:** 22/01133/MREM  
**Parish:** Pickering Town Council  
**Appn. Type:** Approval of Reserved Matters Major  
**Applicant:** Mr Andrew Gardner (Lindum Developments Ltd)  
**Proposal:** Construction of road infrastructure, 2no. substations and pumping station (outline approval 16/00346/MOUTE dated 08.02.2022 refers)  
**Location:** Land North Of Outgang Lane Pickering North Yorkshire

**Registration Date:** 7 October 2022  
**8/13 Wk Expiry Date:** 6 January 2023  
**Overall Expiry Date:** 30 November 2022  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

<b>Yorkshire Water Land Use Planning</b>	No objections
<b>Pickering Town Council</b>	No objections
<b>Highways North Yorkshire</b>	
<b>Flood Risk (LLFA)</b>	

## Representations:

---

## BACKGROUND:

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

## SITE:

The application site comprises 6.6 hectares of land to the south of Thornton Road Industrial Estate, Pickering. The application site benefits from an extant planning permission for business and industrial use and is an employment land allocation as identified in the Ryedale Plan -Local Plan Sites Document (Policy SD12).

The site is currently grassland and used for grazing. The eastern boundary comprises mature tree planting with open countryside beyond. Existing industrial/business units adjoin the northern boundary with some landscaping between them and the application site. To the west is a gas processing plant and associated operations, with Outgang Road beyond that to the west. The uses on Thornton Road Industrial estate contain a mixture of mainly offices, light and general industry and storage uses. The uses on Outgang Road contain a mixture of small business and industrial units alongside a few residential properties. A former railway line ran along the southern boundary with open countryside further to the south. The majority of the site is within Flood Zone 1. However a small area is within Flood Zone 3 on the south eastern side. There is a pond on the north eastern side of the site together with a pond to the south east beyond the application site. Together with other ponds to the west, these ponds form a network of ponds, known to contain a population of Great Crested Newts.

The access to the site is from a turning head between two existing industrial units to the south east of Thornton Road Industrial Estate. The development would use the existing access from Thornton Road onto the A170.

## **HISTORY:**

22/01134/COND- Discharge of Conditions 02, 05 and 18 of planning approval 16/00346/MOUTE dated 01.03.2016. APPROVED 30.11.2022.

22/00335/COND- Discharge of conditions 2, 5, 10, 12, 13, 16, 18, 19, 20, 23, 24 and 27 of planning approval 16/00346/MOUTE dated 08.02.2022. APPROVED 08.08.2022.

22/00332/AMEND- Non-material minor amendment to planning approval 16/00346/MOUTE dated 08.02.2022 to allow the car parking court adjacent to the main access road to be moved north to be closer to the main access point for the site (connection to Thornton Road). APPROVED 01.06.2022

16/00346/MOUTE- Hybrid Planning Application comprising 1) application for full planning permission for a 5,127 sq m purpose built production unit (E1(g)Use) on the eastern area of land to the South of Thornton Road Industrial Estate with associated infrastructure comprising construction of access road from Thornton Road Industrial Estate, car parking, servicing, drainage works and landscaping 2) application for outline planning permission for the erection of 5,900 m2 of Business Units (E1(g) Use) and 5,990 sq m of Industrial Units (B2 Use) on land to South of Thornton Road Industrial Estate (western portion of the site) - site area 6.60 ha. APPROVED 08.02.2022.

## **PROPOSAL:**

This application is for the approval of reserved matters for the road infrastructure, 2no. substations and pumping station associated with the erection of 5,900 m2 of Business Units (E1(g) Use) and 5,990 sq m of Industrial Units (B2 Use) on land to South of Thornton Road Industrial Estate.

## **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 SP6 Delivery and Distributing of Employment Land and Premises

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

Local Plan Strategy -Policy SP10 Physical Infrastructure

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP15 Green Infrastructure Networks

Local Plan Strategy - Policy SP16 Design

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

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 SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

## Material Considerations

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

### Local Plan Sites Document (LPSD)

Policy SD12- New Employment Land Provision

Employment Land Allocations:-

Land to the south of Thornton Road Industrial Estate, Pickering 6.6 ha (B1 and B2 Uses)

### **APPRAISAL:**

The principle of development has already been established by the grant of outline planning permission set out in the planning history section above.

The site has the benefit of outline planning permission for the erection of 5,900 m<sup>2</sup> of Business Units (E1(g) Use) and 5,990 sq m of Industrial Units (B2 Use) and the various pre-commencement conditions have been discharged as listed in the planning history section above.

This application is the first of the reserved matters applications to be submitted in relation to outline planning permission and solely relates to the construction of road infrastructure, 2no. substations and pumping station as detailed on the accompanying plans.

The plans show the access from the existing spur off Enterprise Way and the route of the roadways and footways within the site. The layout of the road accords with the indicative details previously provided and the highway specification secured by details approved under condition.

The plans provide details of the position, size and appearance of the 2no. sub stations and also the pumping station kiosks (foul and surface water).

The proposed infrastructure is considered commensurate with the development and does not depart from the details approved at outline stage. The details demonstrate that acceptable access arrangements can be achieved and that substation and kiosk structures are of appropriate design, scale and appearance and do not give rise to any adverse visual impact. Overall the submitted details comply with the requirements of Policies SP16 and SP20.

All reserved matters (appearance, landscaping, layout and scale) relating to the principal development phase for the business and industrial units will be the subject of future reserved matter application(s).

At the time of writing the report consultation responses from the Local Highway Authority and the Lead Local Flood Authority are awaited and will be made available prior to the consideration at the Planning Committee meeting.

In light of the above the application is recommended for approval.

**RECOMMENDATION:** **Approval** subject to no adverse comments being received from the Local Highway Authority or the Lead Local Flood Authority

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

Site Plan ref. 1905L 12, dated March 2022

Proposed Enabling Works Plan ref. 1905PL 101C, dated February 2022  
Proposed Substation Plan ref. 1905PL 102B, dated March 2022  
Proposed Pump Station Plan ref. 1905PL 103C, dated March 2022

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

## **INFORMATIVE**

Your attention is drawn to the conditions attached to planning permission reference 16/00346/MOUTE dated 08.02.2022 and also to the discharge of conditions applications references 22/01134/COND & 22/00335/COND and also the non-material minor amendment approval ref. 22/00332/AMEND.





The drawings in the portfolio of this building are the property of Ellis Healey Architecture and are not to be used for any other purpose without the prior written consent of Ellis Healey Architecture.



**ellis healey**  
 architecture  
 LEGAL

---

PROJECT: PROPOSED DEVELOPMENT  
 FOSTERS ROAD

---

TITLE: SITE PLAN

---

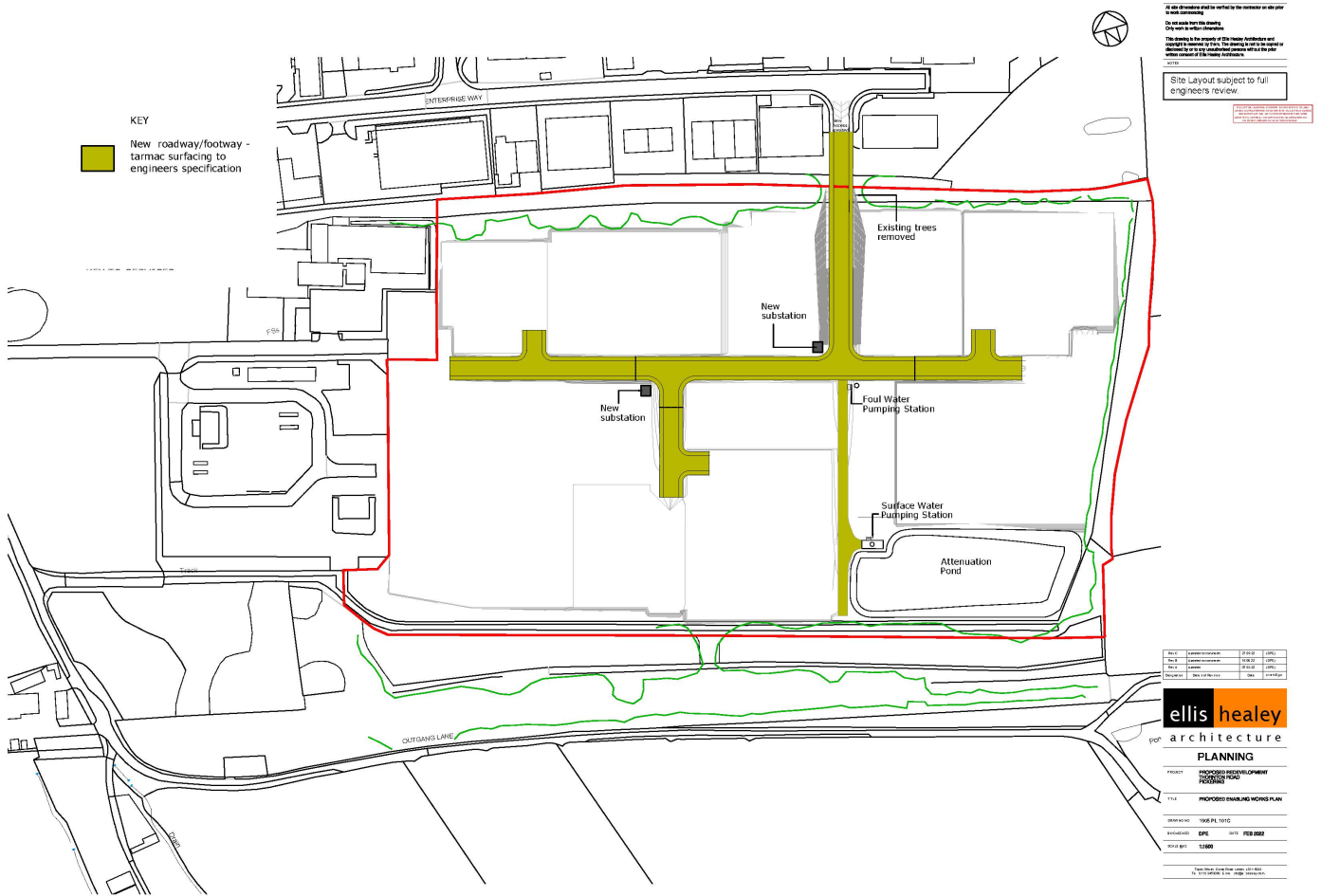
DATE: 18th JULY 2011

---

SCALE: 1:200

---

Drawn by: [Name]  
 Checked by: [Name]



All site dimensions shall be verified by the contractor on site prior to work commencing.  
 Do not build over the boundary.  
 Do not build over the boundary.  
 This drawing is the property of Ellis Healey Architecture and should not be used for any other project without the prior written consent of Ellis Healey Architecture.  
 10/1/2018

Rev 1	Issue for approval	21/01/18	CHC
Rev 2	Issue for approval	21/01/18	CHC
Rev 3	Issue for approval	21/01/18	CHC
Rev 4	Issue for approval	21/01/18	CHC

**ellis healey**  
 architecture

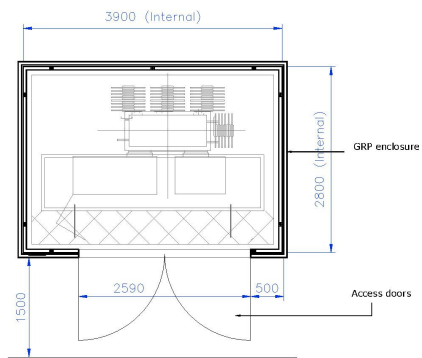
**PLANNING**

PROJECT: PROPOSED REDEVELOPMENT  
 PROPOSED ROAD

T1.4 PROPOSED DRAINAGE WORKS PLAN

DATE: 21/01/18  
 DRAWN BY: PDS/2018  
 CHECKED BY: CHC

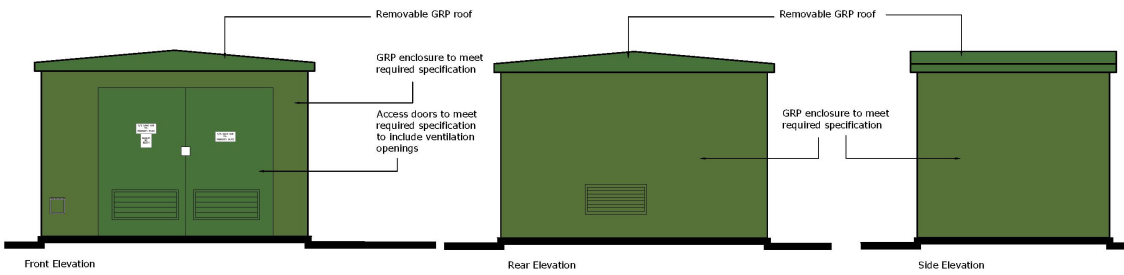
10/1/2018



Sub Station Plan 1:50



All site dimensions shall be verified by the contractor on site prior to construction.  
 Do not scale from this drawing.  
 This drawing is the property of Ellis Healey Architecture and should not be used for any other project without the prior written consent of Ellis Healey Architecture.  
 Site Layout subject to full engineer's review.



Sub Station Elevations 1:50

Rev	Number	Description	Date
1	1	Issue for RFP	10/08/2023
2	2	Issue for RFP	10/08/2023
3	3	Issue for RFP	10/08/2023

**ellis healey**  
architecture

**PLANNING**

PROJECT: PROPOSED WOODMILKWAY ROAD  
ROOFTOP

TITLE: PROPOSED SUB STATION PLAN

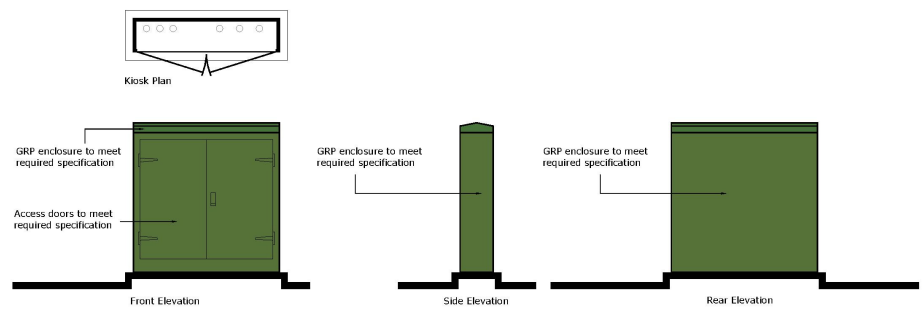
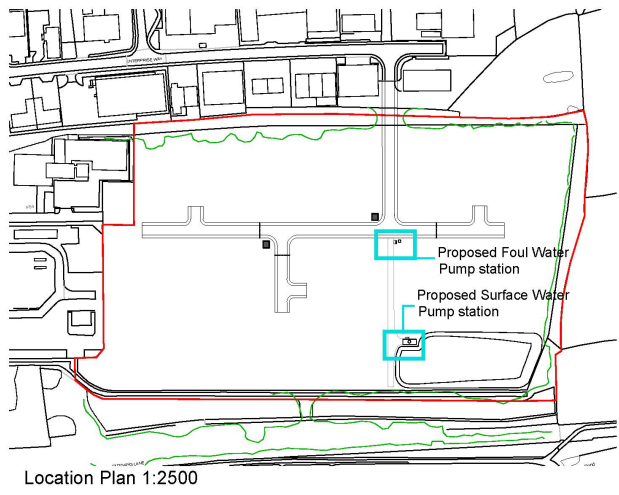
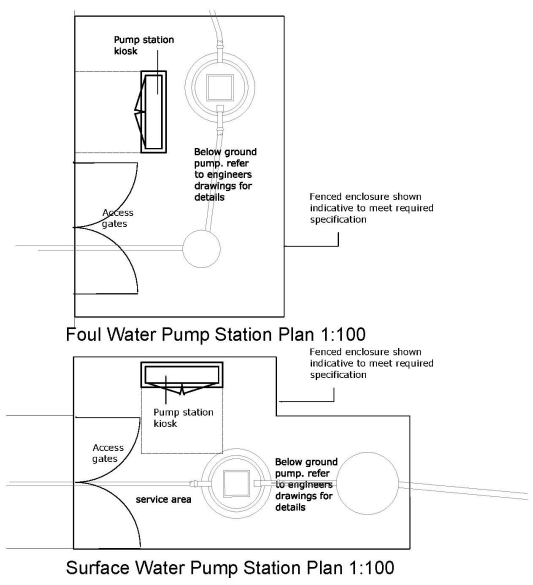
DATE: 10/08/2023

SCALE: 1:50

STATUS: APPROVED

Author: [Name]

All site dimensions shall be verified by the contractor on site prior to construction.  
 Do not scale from this drawing.  
 This drawing is the property of Ellis Healey Architecture and should not be used for any other project without the prior written consent of Ellis Healey Architecture.  
 10/2023  
 Site Layout subject to full engineers review.



Rev	Number	Description	Date
Rev 1	1.0000	Issue for RFP	10/2023
Rev 2	1.0000	Issue for RFP	10/2023
Rev 3	1.0000	Issue for RFP	10/2023
Rev 4	1.0000	Issue for RFP	10/2023

**ellis healey**  
 architecture

**PLANNING**

PROJECT: PROPOSED REDEVELOPMENT  
 PROPOSED ROAD

TITLE: PROPOSED PUMP STATION PLAN

ISSUE NO: 1000.PL.1000

APPROVED: EHT DATE: 10/2023

SCALE: AS NOTED

10/2023 (Date of Issue) 10/2023 (Date of Issue)

Hi,

Please can you scan to 22/01133/MREM as no objection from Pickering Town Council.

#### Consultee comments

Dear Sir/Madam,

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

Comments were submitted at 08/11/2022 8:53 AM from Mrs Angela Dawson on behalf of Pickering Town Council.

#### Application Summary

Reference: 22/01133/MREM

---

Address: Land North Of Outgang Lane Pickering North Yorkshire

---

Proposal: Construction of road infrastructure, 2no. substations and pumping station (outline approval 16/00346/MOUTE dated 08.02.2022 refers)

---

Case Officer: Alan Goforth

---

[Click for further information](#)

#### Comments Details

Comments: The council have no objections to this application.

---

Kind regards

# Agenda Item 13

**Item Number:** 13  
**Application No:** 22/01052/73  
**Parish:** Claxton Parish Council  
**Appn. Type:** Material Amendment  
**Applicant:** Claxton Grange Venture LLP  
**Proposal:** Removal of condition 02 of planning approval 15/00014/MFUL dated 10.09.2015 to allow the removal of local needs occupancy condition to dwellings 03, 08, 11, 12 and 14  
**Location:** Claxton Grange Malton Road Claxton Malton North Yorkshire YO60 7RE

**Registration Date:** 15 September 2022  
**8/13 Wk Expiry Date:** 10 November 2022  
**Overall Expiry Date:** 26 October 2022  
**Case Officer:** Alan Goforth **Ext:** 43332

## CONSULTATIONS:

**Claxton Parish Council** Objects to this application, as it does not support young people living in the area

**Representations (1):** Mr Mark Groves (objection)

---

## BACKGROUND:

The application is to be determined by Planning Committee as it is subject to an objection from the Parish Council and a local resident.

## SITE:

The application site comprises a farmhouse and 13 cottages located within the Parish of Claxton. The site is outside the development limits of the settlement and within the open countryside. The site is 7 miles from York and 11 miles from Malton. The site is on the northern side of the A64 and is served by a separate unclassified road from the A64. This unclassified roadway has two separate access points onto the A64 to the east and west of the application site. The existing complex is served by a shared swimming pool and open spaces. There are dedicated parking areas for the units.

The site was previously operated as a complex of 13no. holiday cottages associated with planning permissions originally approved in 1981 and subsequently amended in 1983 and 1996. The most recent planning permission from 2015 allowing the cottages to be used permanently as dwellings (see planning history) has been implemented.

The dwellings are a mixture of single and two storey cottages of brick and pantile construction. The application relates to the dwellings numbered 03, 08, 11, 12 and 14 (No property is numbered 13) which are summarised as follows:-

- Number 03, also known as Chippendale, is a two storey three bedroom mid terrace cottage with a floor area of 76.8m<sup>2</sup> and private garden and allocated parking. Marketed for sale at £161,600.
- Number 08, also known as Moore, is a single storey two bedroom mid terrace cottage with a floor area of 62.4m<sup>2</sup> and private garden and allocated parking. Marketed for sale at £135,200.
- Number 11, also known as Rowntree, is a two storey four bedroom end of terrace cottage with a

floor area of 136.8m<sup>2</sup> and private garden and allocated parking. Marketed for sale at £239,200.

- Number 12, also known as Trueman, is a single storey two bedroom mid terrace cottage with a floor area of 49.4m<sup>2</sup> and outdoor patio area and allocated parking. Marketed for sale at £114,400.
- Number 14, also known as Hockney, is a single storey two bedroom end of terrace cottage with a floor area of 69.6m<sup>2</sup> and private garden and allocated parking. Marketed for sale at £135,200.

## **HISTORY:**

18/00786/COND- Discharge of Conditions 03, 04, 05, 06, 07, 08, 09, 10 and 11 of approval 15/00014/MFUL dated 10.09.2015. APPROVED 03.09.2018.

15/00014/MFUL- Change of use with alterations of 13no. holiday cottages to form 1no. four bedroom dwelling, 4no. three bedroom dwellings, 7no. two bedroom dwellings and 1no. one bedroom dwellings with parking and amenity areas and communal facilities. APPROVED 10.09.2015.

## **PROPOSAL:**

Planning permission is sought for the removal of condition 02 of planning approval 15/00014/MFUL dated 10.09.2015 to allow the removal of local needs occupancy condition to dwellings 03, 08, 11, 12 and 14.

Condition 2 states:-

*'The 13 no. dwellings hereby approved shall only be occupied by a person(s) together with his/her spouse and dependants, or a widow/widower of such a person, who:*

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

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

It is proposed that the existing condition is replaced with a condition worded as follows:-

*'Of the 13no. dwellings hereby approved, those 8no. dwellings numbered Nos. 1, 2, 4, 5, 6, 7, 9 and 10 on Drawing Y-SB-BSP-08448-20-300-15-F shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:*

- *Have permanently resided in the Parish, or adjoining parish, for at least 3 years and are now in need of new accommodation, which cannot be met from the existing housing stock; or*
- *Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the parish after leaving military service; or*
- *Are taking up full time permanent employment in an already established business which has been*



- located within the parish, or adjoining parish, for at least the previous three years; or*
- *Have an essential need arising from the 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 application is accompanied by a Supporting Statement and a marketing report produced by estate agents Churchills copies of which are appended to this report.

The applicant states that *“The marketing strategy has clearly demonstrated that, whilst there was demand for 8no. of the 13no. properties to be purchased and occupied in accordance with the restrictive LNO condition, there was insufficient demand for all 13no properties to be purchased in this respect, despite the marketing exercise extending for over 50% longer than agreed with the LPA. This is representative of a demonstration of circumstances that align with the provisions Criterion (g) of Policy SP21 (Occupancy Restrictions) of the Ryedale Local Plan – Local Plan Strategy and with the properties in question being equally physically capable to be occupied as LNO dwellings, as currently approved, as they are to be occupied as open market dwellings without such restrictions, as proposed”.*

## **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 SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP21 Occupancy Restrictions

### Material Considerations

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

## **REPRESENTATIONS:**

The LPA has received 1 representation from the occupant of Claxton Lodge, Flaxton. The objection states the following:-

- *“The properties were on right move for no longer than a month and I also believe a number of offers from local people have been rejected by the Helmsley Group to secure sufficient time for this application to be submitted and approved.*
- *Ryedale needs these opportunities now more than ever with house prices so I would request that the properties are re-marketed and you have some audit or transparency to assess which offers are been rejected and for what reason”.*

## **APPRAISAL:**

This application is made under Section 73 of the Town and Country Planning Act 1990 to remove condition 2 of planning approval 15/00014/MFUL dated 10.09.2015 insofar as it relates to dwellings 03, 08, 11, 12 and 14. The 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 5no. dwellings listed above from the Local Needs Occupancy Condition (LNOC). If the LNOC is lifted the properties will be sold on the open market without any eligibility criteria. This section of the report shall set out and consider:

- i. The reason for the application of the LNOC through Policies SP1, SP2 and SP21; and
- ii. The circumstances around the lifting of such conditions through Policy SP21.

#### The reason for the application of the LNOC

The application site is outside of development limits and within the open countryside. Policy SP1 (General Location of Development and Settlement Hierarchy) of the Ryedale Plan-Local Plan Strategy (RPLPS) makes it clear open countryside locations are areas of housing restraint where 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.

Accordingly, Policy SP2 (Delivery and Distribution of New Housing) of the RPLPS sets out the limited scenarios where new residential development in the open countryside will be permitted which includes the *'Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate and restricted to Local Needs Occupancy'*.

In assessing the proposed development the subject of permission ref. 15/00014/MFUL the Officer report states that the applicant *"accepted the requirement for the Local Needs Occupancy condition"* and it was noted by the Case Officer that *"a major employer is located within the adjoining Parish which is also likely to create some degree of housing need. Officers consider that these 13 units are capable of being occupied on this basis and that there is a potential need for such accommodation"*.

The Case Officer is aware that the Council has commenced a review of the Ryedale Plan-Local Plan Strategy and has consulted on options for the future of the LNOC. However, the consultation exercise has no bearing on the current status of the policies contained within the Ryedale Plan-Local Plan Strategy and as stated in 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.

Policy SP21(a) of the RPLPS, in relation to local needs occupancy, 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 adjacent parishes to Claxton are Harton, Buttercrambe with Bossall, Sand Hutton, Stockton on the Forest.

The application of the LNOC is intended to fulfil two functions in relation to the spatial approach of residential development: firstly, to provide housing to meet identified, locally derived needs and not meeting externally-driven demand. Secondly, it acts to restrict the supply of housing in the less sustainable settlements, so residential development is focused on the Market Towns and Service Villages. It is not imposed to deliver affordable housing.

However, after the dwelling has been constructed, there can be instances where, in time, the condition is no longer relevant or reasonable to apply.

#### Circumstances around the lifting of Occupancy Conditions

Policy SP21(g)(i) of the RPLPS relates to the lifting of occupancy restrictions and states:

*‘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’.*

Policy SP21(g)(i) sets out the situation where in time, there may come a point where the LNOC 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. The policy does, however, require a rigorous approach to assessing applications to lift occupancy conditions.

The policy does not prescribe any specific requirements of any marketing exercise for properties subject to the LNOC in terms of the length of the marketing period or the percentage reduction below open market value but it is generally accepted as being in the range of 15-20%.

The marketing of the properties commenced on 14 December 2020 in accordance with the agreed marketing strategy and ran until 3 March 2022. The marketing period extended to almost 15 months which is 6 months beyond the 9 month marketing period agreed with the LPA during the pre-application process.

Each of the 13 properties were marketed at a price which reflected the LNOC (20% reduction on open market valuations) and at a price which was agreed with the LPA following independent valuations.

The properties have been marketed in the estate agent’s three local offices in York city centre; Bishopthorpe Road and Acomb; on their website; and also on major online property portals. The estate agent also utilised their social media accounts to market the properties. All the sales particulars make it clear that each property is subject to the local occupancy clause.

The estate agent’s schedule of enquiries details the interest in all 13 properties and those who have had viewings, made offers and those which have been completed. A total of 8 of the 13 properties have been sold to purchasers meeting the LNOC criteria.

The estate agent’s marketing records show that a sale was agreed at the asking price for each of the five properties but in each case the offer was later withdrawn.

The applicant has explained that *“As per the Marketing Report, the properties initially attracted a large amount of interest but with this mostly from parties that did not meet the local needs occupancy condition. Interested parties were provided with the planning officers contact details so that the occupancy condition could be discussed – this being at the request of the LPA during the pre-application process. The lower pricing due to the local needs occupancy condition attracted a number of young buyers who met the criteria but who subsequently decided that the properties were not for them, principally due to their isolated location”.*

The LPA also kept a log of contact from interested parties during the marketing period. The log

indicates a good level of interest although the majority from potential buyers who did not comply with the LNOC eligibility criteria. This corresponds with the records kept by the estate agent.

The marketing exercise illustrates that there has been demand for a number of the dwellings to be occupied by those meeting the LNOC criteria and that latent local need has been met. However, there has been insufficient demand for all 13 LNOC properties despite the extended marketing period.

It is noted that Claxton Grange is not a common-place scenario for selling properties subject to the LNOC. The site is in a relatively isolated location in relation to York, or indeed any settlement, which may not appeal to younger people in the locality despite their size and price. The complex of properties is compact with the dwellings arranged very much 'cheek by jowl'. Nevertheless, the dwellings have been deemed capable of permanent residential occupation.

Whilst there is clear interest in the properties to be occupied on a permanent basis the evidence suggests that the local demand has been met and there are difficulties in disposing of the remainder to parties complying with the LNOC. The large number of LNOC properties in a relatively constrained geographical area has potentially oversaturated the market.

The comments of the Parish Council are noted, however, the application does not seek to alter the occupancy condition with regards the age of people who might wish to live in the properties. Likewise the comment from the member of the public is noted, however, no evidence has been provided to substantiate the allegations made. The evidence available to the LPA does not indicate that offers at or near to the asking price from eligible buyers were rejected.

The Case Officer is aware that there have been circumstances where the LPA has agreed to the variation of the wording of the standard LNOC condition to include a 'mortgagee in possession' clause to overcome specific lenders concerns. That is a scenario which is very much driven by the lender.

Whilst Officers would not dispute that in certain circumstances the 'mortgagee in possession' clause is beneficial to the buyer and the lender this is not applicable in this case in the absence of such a request from a buyer or lender and is a matter beyond the scope of what the Local Planning Authority is being asked to consider in the current application. Officers can only consider the application on its own merits, based on the facts and evidence provided.

The LPA is satisfied with the approach to marketing of the property and the documentary evidence submitted in support of the applicant demonstrates a robust marketing exercise has been conducted. The properties have been marketed at a price which reflects the presence of the LNOC for a reasonable period of time in order to test the market and local demand.

The applicant has provided sufficient justification and up to date and compelling evidence to warrant the lifting of the a occupancy condition from the dwellings numbered 03, 08, 11, 12 and 14 in compliance with the requirements of Policy SP21(g) of the adopted Ryedale Plan- Local Plan Strategy 2013. It is considered that in this instance the local need has been met and that it is not reasonable, given the pricing and marketing that had been undertaken, to continue to impose the condition in relation to the five remaining properties.

### Conclusion

Policy SP21(g) allows consideration to be given to lifting of occupancy conditions on a case by case basis.

It is evident that the dwellings are capable of permanent residential occupancy. The Local Planning Authority does not want to prevent the ability of the dwellings to be occupied.

In this case it is considered that based on the information provided the properties have been advertised at a price which fairly reflects the presence of the LNOC and marketed for a sufficient period of time to robustly test the market. It is therefore considered that there is sufficient evidence and justification to

demonstrate that the local occupancy condition associated with these five properties should be removed as there is no locally-derived need.

In light of the above the application is recommended for approval.

**RECOMMENDATION:                      Approval**

- 1            Of the 13no. dwellings hereby approved, those 8no. dwellings numbered Nos. 1, 2, 4, 5, 6, 7, 9 and 10 on Drawing Y-SB-BSP-08448-20-300-15-F shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:
- Have permanently resided in the Parish, or adjoining parish, for at least 3 years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
  - Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the parish after leaving military service; or
  - Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
  - Have an essential need arising from the age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.

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

- 2            Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in accordance with the details approved under the discharge of planning conditions reference 18/00786/COND.

Reason: For the avoidance of doubt and to comply with Policies SP16 & SP20 of the Ryedale Plan Local Plan Strategy.

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

- Class A: Enlargement, improvement or alteration of a dwellinghouse
- Class B: Roof alteration to enlarge a dwellinghouse
- Class C: Any other alteration to the roof of a dwellinghouse
- Class D: Erection or construction of a domestic external porch
- Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

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

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

Site location plan;

Drawing No. M02/985/01;

Drawing No. M02/985/02;

Drawing No. M02/985/03;

Drawing No. M02/985/04;

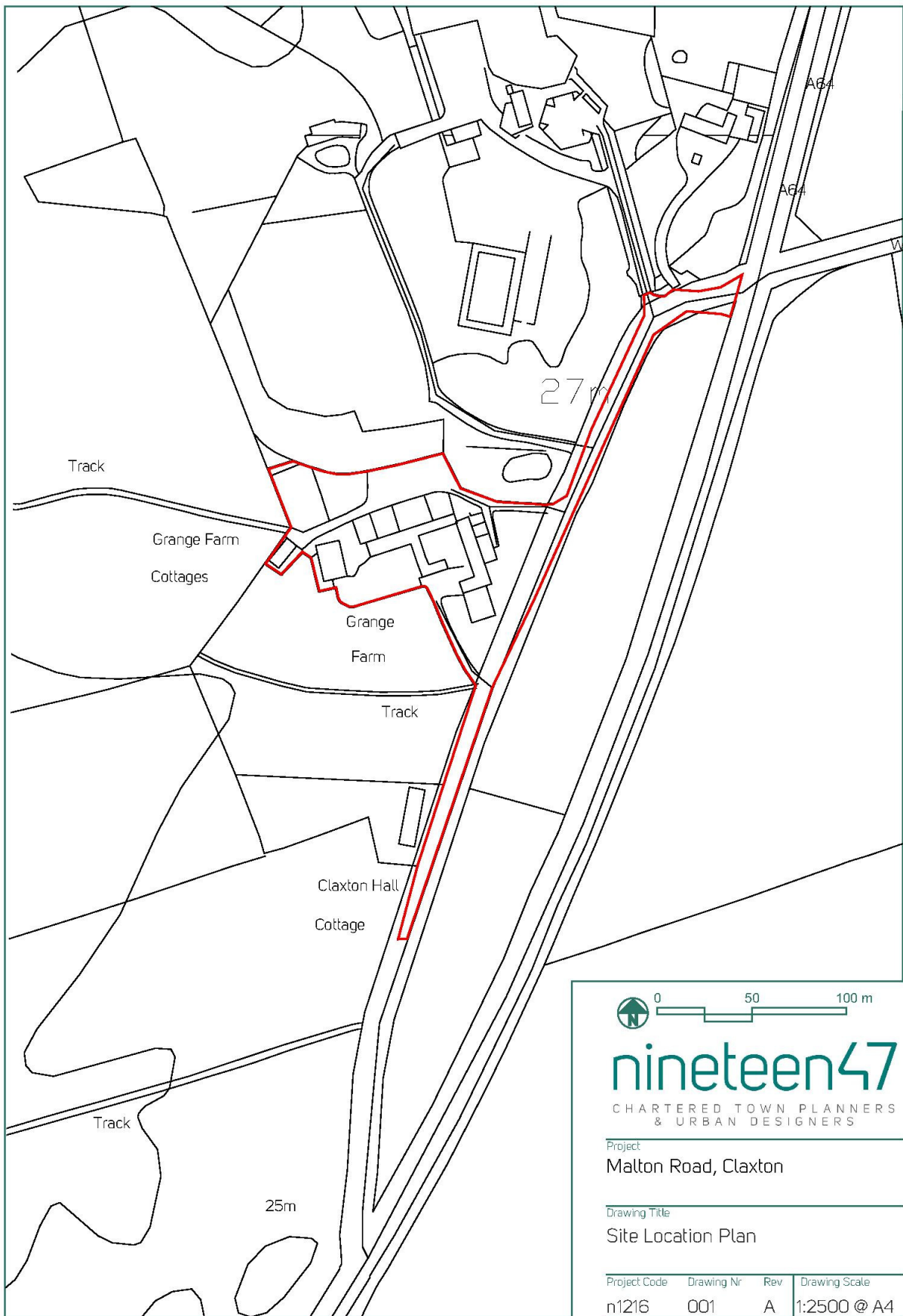
Drawing No. M02/985/06; and

Conveyancing Plans Drawing no. Y-SB-BSP-08448-20-300-15-F, dated 03.03.2022

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

## **INFORMATIVE**

Clean roof water may be discharged to ground provided that all roof water downpipes are sealed against pollutants entering the system from surface run-off, effluent or other forms of discharge. The method of discharge must not create new pathways or pollutants to groundwater.







**From:** Claxton & Sand Hutton Parish Council

**Sent:** 28 October 2022 15:05

**To:** Development Management

**Subject:** Planning Notification 22/01052/73 Please see attached Letter

Claxton and Sand Hutton Parish Council Objects to this application, as it does not support young people living in the area.



3a Bishopthorpe Road, York YO23 1NA  
Tel: 01904 646611  
Email: [info@churchillsyork.com](mailto:info@churchillsyork.com)  
[www.churchillsestateagents.co.uk](http://www.churchillsestateagents.co.uk)

12<sup>th</sup> September 2022

Mr C Stott  
nineteen 47 Ltd  
Unit B, Ryedale House  
58 – 60 Piccadilly  
York , YO1 9AX

Dear Mr Stott

### **Marketing Report, Claxton Grange Cottages**

Further to your instructions we are writing with a marketing report for the properties at Claxton Grange, Malton Road, York.

As one of York's leading estate agents, established in 1985, and the local agent for the Guild of Professional estate agents and members of Propertymark, we have an in-depth knowledge of the local property market.

We carried out market appraisals in March 2020 for the cottages subject of the Local Needs Occupancy (LNO) restriction at Claxton Grange and with our valuations reflecting a 20% discount from their open market valuation to account for that restriction (see Appendix 1).

Following your ensuing discussions with Ryedale District Council and its advisors, Savills, it was agreed to market the properties based on the following lower valuations:

- No. 1 (Fawkes): £164,000
- No. 2 (Cooke): £172,000
- No. 3 (Chippendale): £161,600
- No. 4 (Delius): £156,000
- No. 5 (Bronte): £140,800
- No. 6 (Wilberfoss): £140,800
- No 7. (Bennett): £114,400
- No. 8 (Moore): £135,200
- No. 9 (Priestly): £179,200
- No. 10 (Hutton): £161,600
- No. 11 ( Rowntree): £239,200
- No. 12 (Trueman): £114,400
- No. 14 (Hockney): £135,200

Please note that no property is numbered No.13.

The marketing of the properties commenced on 14<sup>th</sup> December 2020 in accordance with the methodology you had previously agreed with the Council (see Appendix 1). As per the agreed methodology, all properties were marketed on the basis they would have private gardens and 2 allocated parking spaces. The marketing of the properties continued beyond the 9 months you agreed with the Council and ended on 3<sup>rd</sup> March 2022 – a period of over 14 months

During the first few weeks of marketing, a healthy number of initial enquires were received, though with relatively few of these from potential purchasers that would satisfy the LNO restriction on the properties – the contact details for the Council’s planning officer having been included on the marketing particulars for each property so the appropriate enquires could be made.

A number of viewings were arranged for the properties, as per the following table, which also details whether offers were made and whether sales were subsequently agreed and completed. No viewings were requested during the final 4 months of marketing.

Property	Viewings	Offers	Status
No.1 (£164,000)	<ul style="list-style-type: none"> <li>Initially interested but decided not to offer.</li> <li>No response for feedback.</li> <li>: No response for feedback.</li> <li>: Offered.</li> </ul>	: Agreed at £164,000.	Completed.
No.2 (£172,000)	<ul style="list-style-type: none"> <li>No feedback.</li> <li>Offered.</li> </ul>	: Agreed at £172,000.	Completed.
No.3 (£161,600)	<ul style="list-style-type: none"> <li>Offered.</li> <li>Initially interested but decided not to offer.</li> <li>No feedback.</li> </ul>	: Agreed at £161,600 but later withdrew.	Available.
No.4 (£156,000)	<ul style="list-style-type: none"> <li>Offered.</li> <li>No feedback.</li> <li>Offered.</li> </ul>	Agreed £156,000 but later withdrew.  Agreed at £156,000.	Completed.
No.5 (£140,800)	<ul style="list-style-type: none"> <li>Offered</li> </ul>	Agreed at £140,800.	Completed.

No.6 (£140,800)	<ul style="list-style-type: none"> <li>• Offered.</li> <li>• No feedback.</li> <li>• No feedback.</li> <li>• No feedback.</li> </ul>	Agreed at £140,800	Completed.
No.7 (£114,400)	<ul style="list-style-type: none"> <li>•</li> </ul>	Agreed at £114,400.	Completed.
No.8 (£135,200)	<ul style="list-style-type: none"> <li>• Offered.</li> <li>• Not for him.</li> <li>• No feedback.</li> <li>• No feedback.</li> <li>• No feedback.</li> <li>• No feedback.</li> </ul>	Agreed at £135,200 but withdrew later.	Available.
No.9 (£179,200)	<ul style="list-style-type: none"> <li>• - Offered.</li> </ul>	Agreed at £179,200.	Completed.
No.10 (£161,600)	<ul style="list-style-type: none"> <li>• Offered.</li> </ul>	Agreed at £161,600.	Completed.
No.11 (£239,200)	<ul style="list-style-type: none"> <li>• Offered.</li> <li>• No feedback.</li> <li>• No feedback.</li> <li>• Purchased a property elsewhere.</li> </ul>	Agreed at £239,200 but withdrew later.	Available.
No.12 (£114,400)	<ul style="list-style-type: none"> <li>• Purchased a property elsewhere.</li> <li>• No feedback.</li> <li>• Offered.</li> <li>• No feedback.</li> <li>• No feedback.</li> </ul>	Agreed £114,400 but withdrew later.	Available.
No.14 (£135,200)	<ul style="list-style-type: none"> <li>• Offered.</li> <li>• No feedback.</li> <li>• No feedback.</li> <li>• Did not progress interest.</li> </ul>	Agreed but withdrew later.	Available.

During the marketing of the properties, there was only limited demand from potential purchasers that satisfied the LNO restriction – this ultimately resulting in the sale of the properties numbered 1, 2, 4, 5, 6, 7, 9 and 10 but with there being no demand for the remaining LNO properties numbered 3, 8, 11, 12 and 14.



3a Bishopthorpe Road, York YO23 1NA

Tel: 01904 646611

Email: [info@churchillsyork.com](mailto:info@churchillsyork.com)

[www.churchillsestateagents.co.uk](http://www.churchillsestateagents.co.uk)

The properties have been marketed for over 14 months in a very busy property market at agreed below-market valuations and we would conclude that interest from potential purchasers that would satisfy the LNO restriction has been exhausted.

If you require any further information to the above, then please do not hesitate to contact us.

Yours sincerely

Kevin Webb MNAEA MARLA  
Managing Director  
Churchills Estate Agents

LS/CS/01/n1910

Head of Planning  
Development Management  
Ryedale District Council  
Ryedale House  
Malton,  
YO17 7HH

FAO Mrs. Rachael Balmer

14<sup>th</sup> September 2022

Dear Sir/ Madam

**s.73 APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION 15/00014/MFUL  
CLAXTON GRANGE, MALTON ROAD, CLAXTON, YO60 7RE**

nineteen47 is instructed by Claxton Grange Venture LLP [the "Applicant"] to prepare and submit an application ["the Application"] to Ryedale District Council ["the LPA"] under s.73 of the Town and Country Planning Act to vary Condition 2 of planning permission 15/00014/MFUL ["the 2015 Permission"] so as to remove the Local Needs Occupancy ["LNO"] restriction for 5 no. of the 13no. properties it relates to ["the Proposed Development"] within the complex known as Claxton Grange, off Malton Road (the A64) in Claxton, YO60 7RE ["the Site" or the "Application Site"]. A copy of the decision notice for the 2015 Permission is included in Appendix 1.

In support of this Application, the following information is submitted alongside this supporting letter:

- Application Forms and Certificates;
- Site Location Plan (n1216 001 Rev A)
- Drawing (Y-SB-BSP-08448-20-300-15-F)
- Marketing Report by Churchills Estate Agent.

The application fee of £234 plus the Planning Portal's administration fee has been paid via the Planning Portal.

### Background

The Site comprises a farmhouse and 13no. residential dwellinghouses located within the Claxton Grange complex, situated approximately 10km to the north-east of York. The Site is situated on the northern side of the A64, outside the development limits of Claxton.

Access to the Site is achieved via an unclassified road accessed off the A64. The unclassified road has two separate access points onto the A64 via the east and west of the Site. Bus stops are located either



side of the A64 in the vicinity of the Site at the junction with Whinny Lane and with these providing a good level of service to Malton and Scarborough to the east and York and Leeds to the west.

The site has a varied planning history and has formerly operated as a complex of 13no. holiday cottages associated with planning permissions originally approved in 1981 and subsequently amended through permissions granted in 1983 and 1996.

More recently, planning permission was granted in 2015 (15/00014/MFUL) ["the 2015 Permission"] for the change of use of the 13no. holiday cottages to form 1no. four-bedroom, 4no. three-bedroom, 7no. two-bedroom and 1no. one-bedroom dwellings with parking and amenity areas and communal facilities. The LPA has confirmed in a letter from its planning officer, Alan Hunter, dated 6<sup>th</sup> September 2018 that the 2015 Permission has been lawfully implemented on site.

The 2015 Permission sought to restrict the occupancy of the 13no. dwellings to those persons that satisfied the requirements of a LNO condition (Condition 2) in order to meet the requirements of Policies SP2 and SP21 of the Ryedale Local Plan – Local Plan Strategy (adopted 2013). The farmhouse within the Site is not the subject of the restrictive LNO condition.

A pre-application enquiry was submitted in April 2019 to obtain the LPA's advice on removing the LNO condition from the 2015 Permission and any associated implications this could result in. A formal pre-application response was received on 21<sup>st</sup> June 2019 (ref: 19/00484/PREAPP), with the LPA advising that it would be necessary for a comprehensive marketing exercise to be carried out for a reasonable period of time in order to gauge if there was any local interest in the properties in their lawful use as dwellings subject to a LNO condition, before a s.73 application to vary Condition 2 of the 2015 Permission could be supported.

A proposed marketing strategy, prepared by Churchills Estate Agent of York, was subsequently submitted to the LPA on 9<sup>th</sup> March 2020, seeking agreement to the general scope of a marketing exercise and agreement to the prices that the individual properties should be marketed at as part of that strategy (to include a 20% reduction to account for the LNO restriction) – a copy of this information being included in Appendix 2. In response, the LPA obtained independent valuations for the properties from Savills and, after further discussions, the scope of a marketing strategy, including the prices the individual properties should be marketed at, were agreed with the LPA in December 2020 – a copy of these communications being included in Appendix 3.

The marketing of the properties commenced on 14<sup>th</sup> December 2020 in accordance with the approved marketing appraisal and ran until 3<sup>rd</sup> March 2022.

### Assessment of the Proposed Development

As is evident from the Site's planning history and the LPA's pre-application advice, the main issue associated with the variation of the LNO condition (Condition 2 of the 2015 Permission) is the need to demonstrate that there is no demand for LNO housing in this particular location and, subject to this, with the condition in question then varied such that it relates only to specific numbered properties within the complex which would continue to be subject to the LNO restriction.

In this respect, Policy SP21 (g) of the Ryedale Local Plan – Local Plan Strategy states that the lifting of occupancy conditions will be considered on a case-by-case basis. The policy provides that the capability and suitability of the units being occupied as permanent residential units, together with any

changes in circumstances which mean the occupancy restriction is no longer applicable, will be considered as part of any such application to remove the condition.

The Site has been marketed dating as far back as September 2011, though, following pre-application discussions with the LPA in 2019 and 2020, a detailed and focused marketing strategy was subsequently agreed, which commenced in December 2020 and ended on 3<sup>rd</sup> March 2022.

Following the completion of the marketing exercise, a Marketing Report was prepared by Churchills Estate Agent. A copy of this Marketing Report accompanies the Application and its findings are summarised below.

The Marketing Report found that, whilst a healthy number of initial queries were received in respect of the properties during the first few weeks of the marketing exercise, there was only limited demand from potential purchasers that satisfied the requirements of the restrictive LNO condition.

As a direct result of the marketing strategy – which extended significantly beyond the 9no. months the LPA was agreeable to - a total of 8no. of the 13no. properties the subject of the 2015 Permission have been sold to purchasers meeting the LNO requirements secured by Condition 2 of the 2015 Permission – Nos. 1, 2, 4, 5, 6, 7, 9 and 10. However, 5no. of the 13no. properties remain unsold following the completion of the marketing strategy - Nos. 3, 8, 11, 12 & 14.

The marketing strategy has clearly demonstrated that, whilst there was demand for 8no. of the 13no. properties to be purchased and occupied in accordance with the restrictive LNO condition, there was insufficient demand for all 13no properties to be purchased in this respect, despite the marketing exercise extending for over 50% longer than agreed with the LPA. This is representative of a demonstration of circumstances that align with the provisions Criterion (g) of Policy SP21 (Occupancy Restrictions) of the Ryedale Local Plan – Local Plan Strategy and with the properties in question being equally physically capable to be occupied as LNO dwellings, as currently approved, as they are to be occupied as open market dwellings without such restrictions, as proposed.

### Proposed Variation to Condition 2 of the 2015 Permission

It is therefore proposed that the wording of Condition 2 of the 2015 Permission is varied to the following:

As referenced above, the Applicant seeks to vary the LNO condition such that for 5 no. properties.

In order to undertake the aforementioned revision, it is necessary to vary Condition 2. The revised Condition 2 should, therefore, read as follows:

Of the 13no. dwellings hereby approved, those 8no. dwellings numbered Nos. 1, 2, 4, 5, 6, 7, 9 and 10 on Drawing Y-SB-BSP-08448-20-300-15-F shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:

- Have permanently resided in the Parish, or adjoining parish, for at least 3 years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
- Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the

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

## Summary

This Application seeks to amend the 2015 Permission in order to vary the LNO restriction imposed by Condition 2, such that it does not apply to the 5no. properties, numbered 3, 8, 11, 12 and 14, as detailed by drawing no. Y-SB-BSP-08448-20-300-15-F.

An agreed marketing strategy has demonstrated that there is no demand for these 5no. properties to be purchased and occupied as LNO dwellings and with the properties in question being equally physically capable to be occupied as LNO dwellings, as currently approved, as they are to be occupied as open market dwellings without such restrictions, as proposed.

The proposed variation to Condition 2 of the 2015 Permission is therefore in accordance with the relevant policies of the Development Plan and it is respectfully requested that permission be granted accordingly.

We look forward to discussing the Application with you in due course but, in the first instance, would be grateful for confirmation of its validation. If you have an queries or otherwise require clarification on any matter, please do not hesitate to get in touch.

Yours faithfully

**Carl Stott**

Director

carl.stott@nineteen47.co.uk

- Enc.    Appendix 1: Decision Notice (15/000/MFUL)  
          Appendix 2: Marketing Strategy (March 2020)  
          Appendix 3: LPA Agreement to Marketing Strategy/Values

**Item Number:** 14  
**Application No:** 22/01080/FUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr and Mrs Mike and Cheryl Potter  
**Proposal:** Change of use of residential annex/holiday let to form a one-bedroom dwelling (Use Class C3)  
**Location:** The Limes 33 Undercliffe Pickering North Yorkshire YO18 7BB

**Registration Date:** 10 October 2022  
**8/13 Wk Expiry Date:** 5 December 2022  
**Overall Expiry Date:** 16 November 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

## CONSULTATIONS:

**Pickering Town Council** No Objection

**Highways North Yorkshire** No Objection

## Representations:

---

## SITE:

The application site relates to the annex/holiday let associated with 34 Undercliffe Pickering, sited c5.8m to the west of the residential dwelling. This is known as 'The Limes' and has a postal address of no. 33 Undercliffe Pickering. Within the same ownership lies High Mill to the south of the site.

The site is located within Pickering Conservation Area and within the Town Development Limits. The site is located to the east of the Area of High Landscape Value and a public footpath runs to the north of the site. Mill Leat (Pickering Beck) flows through the site. The original dwelling benefits from two separate accesses, one to the north along Newbridge Road and one to the east, directly off Undercliffe.

The building comprises a bedroom, bathroom, kitchen and living room, with attached garage to the south.

## PROPOSAL:

This application seeks approval for the change of use of residential annex/holiday let to form a one-bedroom dwelling (Use Class C3)

The application form notes that permission is sought for this to be a C3 dwelling to allow use as a rental property. It has however been confirmed that the Applicant would prefer the dwelling not to be subject to a formal condition tying this to the same ownership as the original dwelling and the scheme will be assessed on the basis that the ownership could be formally split.

This building would be accessed via the northern access along Newbridge Road and would incorporate 2no. parking spaces and a small patio forming private amenity space.

This application is before Members of Planning Committee solely as one of the applicants is Cllr Mike Potter.

## **HISTORY:**

05/00360/FUL: Erection of 3-bedroom dwelling and separate one-bedroom annex. Approved.  
20/00395/73A: Variation of condition 14 of planning approval 05/00360/FUL dated 31.05.2005 to allow a mixed use as residential annexe and holiday let (retrospective) Approved.

## **POLICIES:**

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing  
Local Plan Strategy - Policy SP8 Tourism  
Local Plan Strategy - Policy SP12 Heritage  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
Local Plan Strategy - Policy SP21 Occupancy Restrictions  
National Planning Policy Framework  
National Planning Practice Guidance

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Principle of the Development
- ii. Form, Character and Impact upon the Conservation Area
- iii. Impact upon neighbouring amenity
- iv. Flood Risk
- v. Access and Highway Safety
- vi. Other matters, including consultation responses.

- i. Principle of the development

This application seeks approval for the change of use of residential annex/holiday let to form a one-bedroom dwelling (Use Class C3)

The principle of the annex accommodation has been previously approved within the 2005 application, and the proposed dual annex/holiday let use was approved in 2020.

Pickering is a Market Town and Policy SP2 notes sources of new housing in Market Towns that can be supported include the “Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate” and the “Sub-division of existing dwellings.”

It is considered that the building which has a dual use of annex associated with no. 34 Undercliffe (essentially forming additional living space to this property) and as a holiday let, that in principle, this proposed change of use is considered acceptable. There are no specific associated occupancy restrictions required for such a change of use in the Market Towns.

It is also considered that there is a benefit to the wider housing mix/rental market in Pickering with the addition of a one bedroom bungalow, a housing type that is sought after.

This is therefore considered to be in accordance with the requirements of Policy SP2 of the Ryedale Plan, Local Plan Strategy but will be assessed against the other material planning considerations below.

ii. Form, Character and Impact upon the Conservation Area

The proposal seeks permission for the change of use of the one bedroom building to form a separate residential dwelling.

Revised plans have been sought during the determination period to clearly illustrate the position of the proposed parking spaces and to identify an area which would form a private amenity space for future residents. The private amenity space would be sited to the north of the site, adjoining the existing patio doors. This would be a commensurate space for the scale of the 1 bedroom property.

The proposed scheme would not result in any physical changes to the existing property, with the exception of the aforementioned small section of new fencing at 1.8m high. This could be erected under permitted development rights.

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy notes: *“Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset or to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset.”*

The Council also has a duty to assess whether a development proposal enhances or preserves the character of the designated Conservation Area (S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) or affects a Listed Building or its Setting (S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.)

It is concluded that this proposal will have a neutral impact upon the form and character of the site and the streetscene. There will be no Conservation Area impact as a result of the building being occupied differently, given it has a lawful use as an annex/holiday let.

It is however considered appropriate to remove certain householder permitted development rights from this one bedroom property, given there is a relatively low level of available amenity space which should be retained in the future and due to the close proximity to no. 34 Undercliffe.

iii. Impact upon neighbouring amenity

Given the positioning of this building, its use as a dwellinghouse would not result in material harm to the amenity of the nearest neighbouring properties in separate ownership to the north or east.

Careful consideration has been given to the amenity of future occupiers and existing occupiers within the property of no. 34 Undercliffe as it is possible that these buildings could be in separate ownership in the future.

It is noted that the amendments made to the original scheme in the form of new fencing would secure the provision of private outdoor amenity space for future occupiers of the one bedroom dwelling and it is noted that this would not be directly overlooked by any ground floor/first floor level windows associated with no. 34 Undercliffe due to the design of this original property and the positioning of openings. A small section of garden land would remain in the ownership of no. 34 to the north of the two parking spaces associated with no. 33, but this parking would itself be a intervening block to direct views of the patio and further fencing could be erected under permitted development rights if found to be necessary.

No. 34 Undercliffe Pickering would retain the area to the south of their building, the area to the north through which Mill Leat flows and the aforementioned small additional grassed area to the north of the proposed car parking for no. 33 as amenity space which is considered sufficient.

The proposed building for conversion has on the eastern elevation facing no. 34 a bedroom window, a door opening into a hallway and a secondary living room window, as this room is also served by a large patio door on the northern elevation. On the western elevation facing the proposed building for conversion no. 34 incorporates one of two windows serving a kitchen/diner, a hallway and one of two windows serving a study. It is not considered that these relates to openings serving habitable rooms facing each other, as the bedroom is the sole 'habitable' room present. It is acknowledged that these two buildings occupy a closer relationship than many properties, however it is considered that this could be occupied without material amenity impacts upon either property.

Any future resident would also be fully aware of the relatively low amenity space site layout in advance of occupation and it is considered that this may potentially suit a future occupier. The proposed property would also benefit from an attached garage for their own use.

#### iv. Flood Risk

The application site is located in Flood Zone 2 and in proximity to Mill Leat/Pickering Beck noted as a main river, which was also the case when the original dwelling and annex were approved in 2005. The Environment Agency were consulted on that application and a Flood Risk Assessment was submitted.

A condition relating to floor levels was previously recommended by the Environment Agency, to set these to at least 33.55m metres above ordnance datum (OD) which was 600mm above the highest recorded flood level.

The Applicant was asked for further information in terms of flood risk and provided the following response on the 4th December 2022 *“Please find attached FRA from our original planning application in 2005, including topographic survey details with levels AoD, which concludes that there appears to be no risk of flooding within the property, even in times of extreme weather. The levels quoted for the northern part of the site refer mainly to the previous garage and workshop, long since replaced.*

*As an addendum, the highest flood level at High Mill from 2007 is now 31.71 AoD, so FFLs would be required at 32.31m or more if the planning conditions remained the same (600mm above highest recorded flood level).*

*The FFL at 33 Undercliffe is 32.49m and 34 Undercliffe 33.09m.*

*For interest, using Babbie's levels during surveys for proposed flood defences (subsequently refused due to cost-benefit analysis, then superseded by the Slowing the Flow measures), the modelled level for a major 1:100 flood at Ropery Bridge would be 32.20m. Another 290mm of flood water would cause significant flooding throughout Pickering and spread over a wide area before it reached 33 Undercliffe.”*

Following previous informal discussion about flood risk information, The Environment Agency in an email dated 5th December 2022 noted that as the site is within Flood Zone 2, it would come under standing advice which is for the LPA to assess. It was confirmed that they could not provide comments as it would not meet their consultation threshold.

The LPA has considered whether it is appropriate to apply the sequential/exception tests on this proposal. A dwellinghouse is considered to be a 'more vulnerable' use.

The EA guidance confirms you do not need to do a sequential test if *“your development involves a change of use (eg from commercial to residential) unless your development is a caravan, camping chalet, mobile home or park home site.”* This is considered to be the case for this application and it would not be appropriate to apply the sequential test. The EA guidance also confirms that an exception test is not required for a 'more vulnerable' use in Flood Zone 2. As such, it is appropriate to apply the EA Standing Advice.

The previous FRA has been resubmitted, together with the further information outlined above. It is



noted that this relates solely to a change of use, and the LPA have sufficient information to process the Flood Risk Assessment as per the standing advice. The requirement includes the following:

- your site address
- a description of your development
- an assessment of the flood risk from all sources of flooding for your development, plus an allowance for climate change
- the estimated flood level for your development, taking into account the impacts of climate change over its lifetime
- details of the finished floor levels
- details of your flood resistance and resilience plans
- any supporting plans and drawings
- any other information the relevant standing advice tells you to include

In order to formally adhere to the requirements of the standing advice, a further addendum to the FRA was requested. This was received on the 8th December 2022 and noted the following:

*“Addendum to the 2005 FRA, which includes topographic survey details with levels AoD, and which concludes that there appears to be no risk of flooding within the property, even in times of extreme weather.*

*The levels quoted for the northern part of the site refer mainly to the previous garage and workshop, long since replaced. The highest flood level at High Mill from 2007 is now 31.71 AoD, so FFLs would be required at 32.31m or more if the planning conditions remained the same (600mm above highest recorded flood level). The FFL at 33 Undercliffe is 32.49m and 34 Undercliffe 33.09m.*

*EA levels at nearby Ropery Bridge, which is at 29.68m AoD gives the highest recorded flood level on 25 Jun 2007 of 1.98m (31.66m AoD). Extrapolating Babbie’s modelled difference in flood levels between a 1:75 and 1:100 of 0.19m to give an uplift of 20% to take account of climate change adds 0.15m (31.81m AoD). When added to the measured highest flood level at High Mill, this would give an uplifted figure of 31.86m AoD. As the FFL at 33 Undercliffe is 32.49m, which is 630mm (or 0.63m) above the highest recorded flood level, uplifted by 20% to take account of climate change, there is very little risk of fluvial flooding to the property.*

*The risk of surface water flooding is even less, given the drop in level of around 0.5m to the railway on one side and with the mill leat to the other side, which has approx 1.0m head above the level of the tail race and therefore the level of Pickering Beck. Surface water from the property drains directly to the adjacent watercourse, as does a drainage channel along the full length of the property. Given the extremely low flood risk, further flood resistance or resilience measures were not considered necessary during construction, other than permeable parking and driveway surfaces, solid floors and electric sockets at a standard 500mm above FFL, wired from above.*

*The separate annexe to 34 Undercliffe (33 Undercliffe) was built as per the approval of 05/00360/FUL to accommodate my elderly mother in 2006. Since her death in 2017, it has been used as part of our holiday accommodation business. However, due to retirement from that business, the annexe will lie empty other than rare family use, so it would appear economically and socially preferable to rent the house out on a long-term basis, which requires planning permission to consider this as a separate dwelling (class C3). This will include land ownership for access as shown on the red line plan, along with two parking spaces, small patio area and shared right of access to the driveway for manoeuvring of vehicles.”*

It is now considered that the requirements of the standing advice of the FRA have been met and the relevant information considered. The LPA are satisfied with the conclusions made in the submitted Flood Risk Information.

The adherence to the advice identified within the EA’s ‘Standing advice for vulnerable developments – Floor levels’ has been confirmed.

Due to the site specific proposal there is no requirement to submit further information on ‘Standing

advice for vulnerable developments – Extra flood resistance and resilience measures/Surface Water Management’ as the finished floor levels are suitable and there is no alteration to the surface water drainage.

Due to the finished floor levels, there is no requirement to submit further information on ‘Standing advice for vulnerable developments – Access and escape.’

It is therefore considered that this proposal is acceptable in terms of potential flood risk in accordance with Policy SP18 of the Ryedale Plan, Local Plan Strategy and National Guidance.

v. Access and Highway Safety

North Yorkshire County Council Highways had confirmed no objection to the proposal in their original consultation response dated 2nd November 2022.

Following receipt of the aforementioned revised plans to outline the location of the parking and amenity spaces, the Highways Officer reconfirmed no objection to the scheme. This revised plan indicated the position of 2 car parking spaces for no. 33 and no. 34 each, totalling 4 demarcated spaces within the site, although there would be further room available if necessary.

The provision of 2 parking spaces for the 1 bedroom property proposed is in excess of the NYCC Parking standards. The plans also indicated that the central driveway would have a shared right of access for vehicle movements.

vi. Other Matters including Consultation Response:

The Town Council noted no objection to the scheme in a response dated 8th November. No responses have been received from the occupiers of neighbouring properties.

It is therefore considered this proposal, which involves no physical changes to the property with the exception of limited fencing, can be undertaken without material harm to access and highway safety, with an acceptable level of off street parking provision being retained. It is considered that this is suitable in terms of meeting the policy requirements on flood risk and the character of Pickering Conservation Area will be preserved. It is furthermore concluded that the existing and proposed dwelling at 33 and 34 Undercliffe can be secured with a suitable level of residential amenity for the occupier of each property should these be subdivided in the future.

Therefore, subject to the recommended conditions, we can be satisfied that this proposal conforms with Policies SP1, SP2, SP3, SP12, SP16, SP18 and SP20 Generic Development Management Issues of the Ryedale Local 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 (No drawing number, scanned by the LPA on the 12th October 2022)

Site Block Plan (No drawing number, scanned by the LPA on the 12th October 2022)

Proposed Block Plan and Parking Plan (No drawing number, scanned by the LPA on the 12th

December 2022)

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

- 3 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 2015 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

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

Class D: Erection or construction of a domestic external porch

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

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



DATE FOR SALE  
NYK257627

NORTH YORKSHIRE : RYEDALE

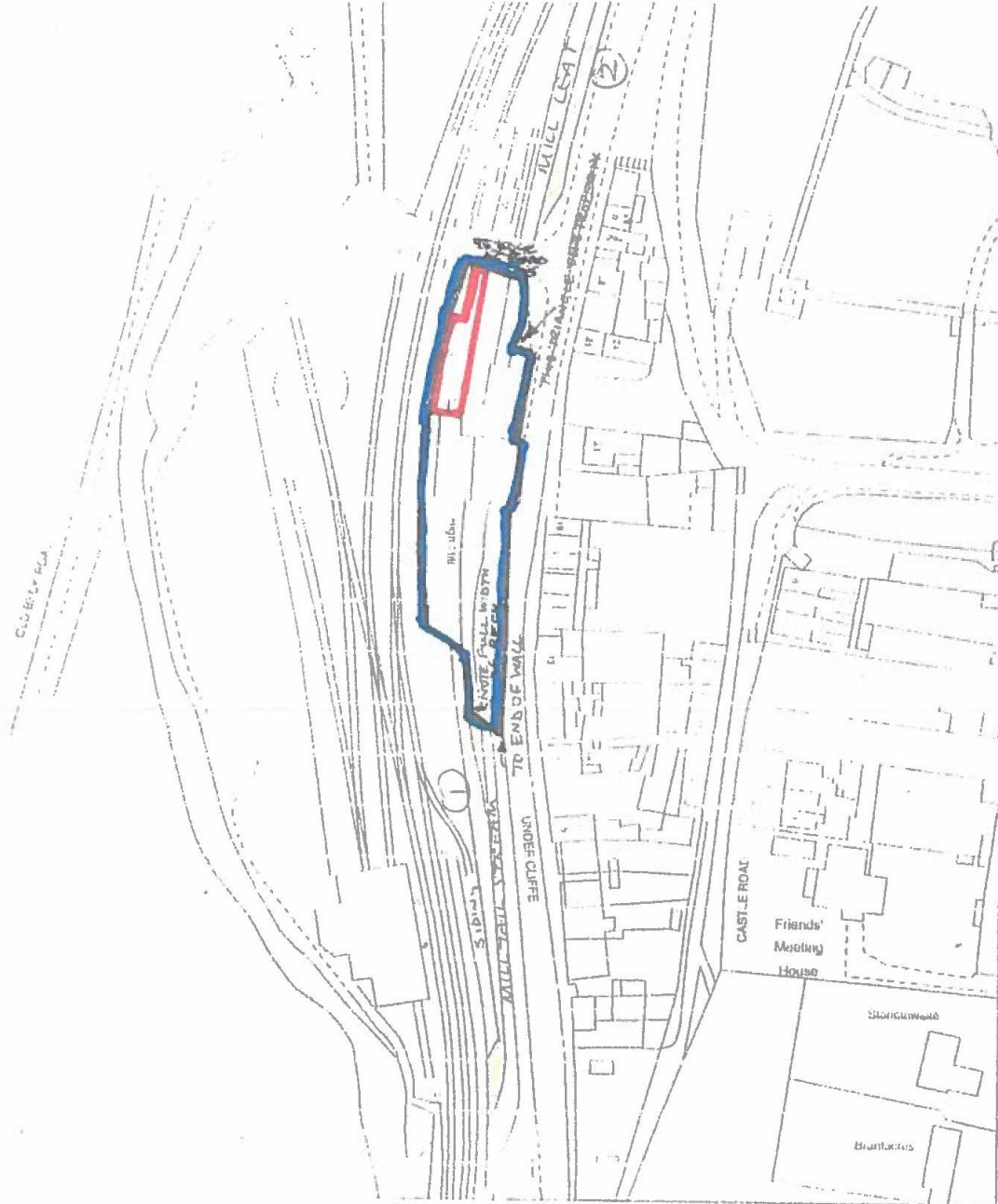


THE SALES MAP REFERENCE

ON THE

SCALE 1:1250 Enlarged from 1:2500

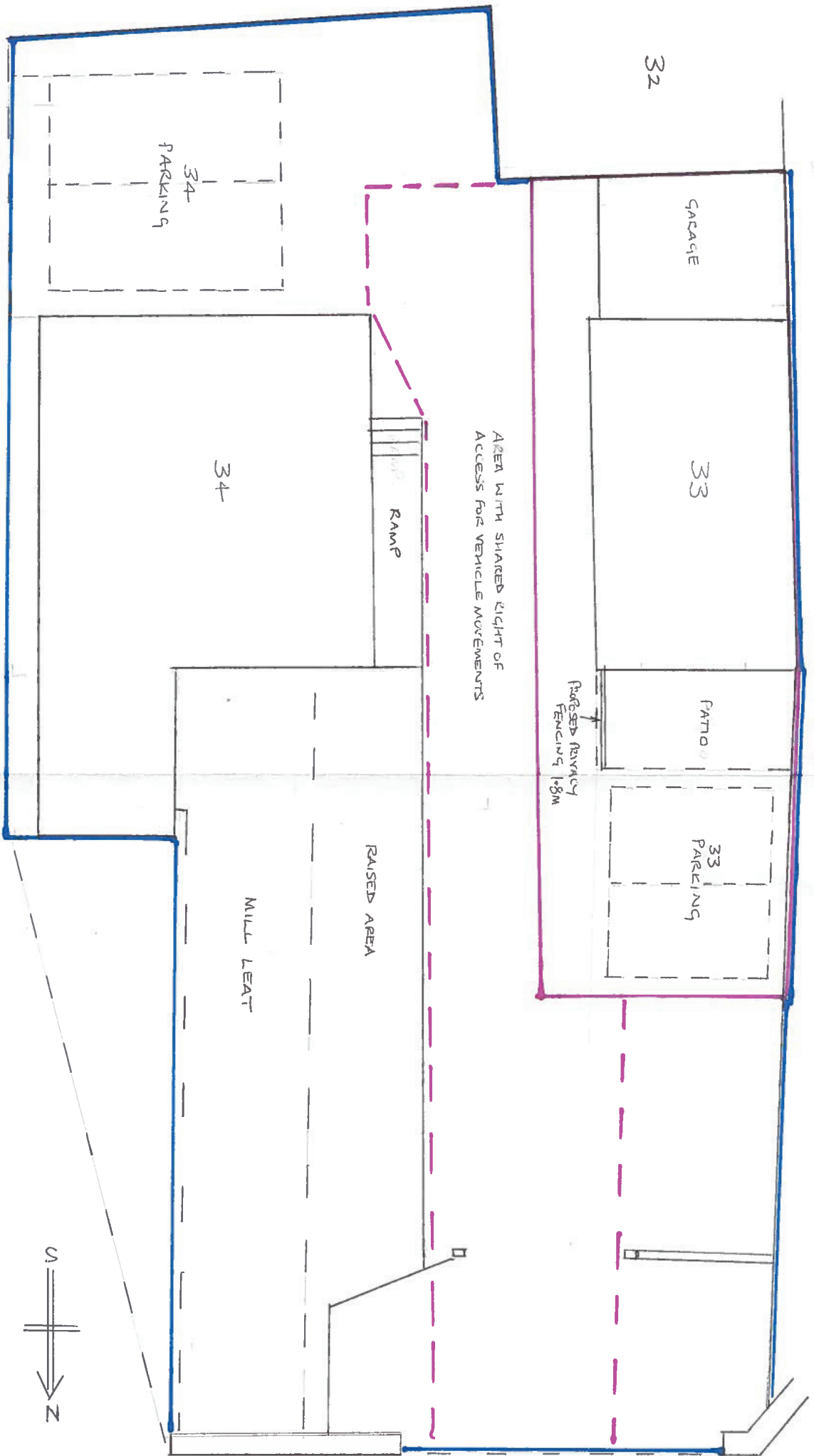
Scale 1:1250 Enlarged from 1:2500











UNDERCLIFFE

22/01080/FULL

SCALE 1:100

HIGH MILL PICKETING



## Consultee comments

Dear Sir/Madam,

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

Comments were submitted at 08/11/2022 8:54 AM from Mrs Angela Dawson) on behalf of Pickering Town Council.

### Application Summary

Reference:	22/01080/FUL
Address:	The Limes 33 Undercliffe Pickering North Yorkshire YO18 7BB
Proposal:	Change of use of residential annex/holiday let to form a one-bedroom dwelling (Use Class C3)
Case Officer:	Niamh Bonner

[Click for further information](#)

### Comments Details

Comments:	The council have no objections to this application.
-----------	---

Kind regards

**Item Number:** 15  
**Application No:** 22/01117/HOUSE  
**Parish:** Pickering Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr David Birch  
**Proposal:** Alterations to front elevation roofslope to extend rafters and roof tiles over existing bay windows  
**Location:** The Oaks 110 Outgang Road Pickering North Yorkshire YO18 7EL

**Registration Date:** 17 October 2022  
**8/13 Wk Expiry Date:** 12 December 2022  
**Overall Expiry Date:** 28 November 2022  
**Case Officer:** Eleanor Hardie **Ext:** 43342

## CONSULTATIONS:

**Pickering Town Council** No objection

**Representations:** Peter & Heather Smith,

---

## SITE:

The Oaks is a detached bungalow, located on the south side of Outgang Road.

The dwelling is of brick construction under a concrete pantile roof. To the front elevation, the property features two flat roof, canted bay windows, with the front entrance door positioned centrally, within an arched, recessed porch.

The property benefits from a front lawn and hardstanding area, with driveway to the side of the dwelling leading to the attached garage, granted planning permission in 2019.

The application site is located within the Pickering Development Limits.

## PROPOSAL:

This application seeks permission for alterations to the front elevation roofslope to allow an extension to the rafters and roof tiles to cover the existing flat roof bay windows.

As existing, the flat roof bay windows extend 0.6 metres from the front wall of the dwellinghouse with a height of 2.4 metres.

The proposal will extend the roofslope by approximately 0.4 metres, with one additional row of pantiles and a repositioning of the guttering.

## HISTORY:

There is a detailed planning history associated with the land directly to the south of the application site, which was once associated with the application site but is now separately owned.

The following history is relevant to the application site:

3/102/604/PA Erection of a bungalow. Approved 05.09.83

19/00526/HOUSE Erection of attached garage together with extension and alteration of existing attached garage to form a garden room (part retrospective application). Approved 19.06.2019

## **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 SP16 Design

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

### 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.

An objection was received to the scheme from the occupiers of the neighbouring property, Givendale, 108 Outgang Road, raising the following:

*"In reply to the above application we do oppose this as it will make our lounge and kitchen darker.*

*Retrospective planning was given to the above for a garage sometime ago. This has never been a garage it is a workshop. This is being run as business as building materials are frequently delivered and noise is going on well into the evening, and also there is an employee there.*

*In 2010/2012 we attended a meeting at Ryedale House in which an inspector from Bristol who visited the premises turned down all planning applications from this area which is next to our property."*

Pickering Town Council have advised that they have no objections to the proposal.

No responses have been received from any other third party or neighbouring property.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Design, form and character
- ii. Impact on neighbouring amenity
- iii. Other matters

### Design, form and character

The property currently benefits from two canted bay windows of flat roof form, extending beyond the

front wall of the dwelling by 0.6 metres.

The entrance door is set back from the front wall of the dwelling, located within a recessed porch.

The proposal seeks to extend the rafters and roofslope to cover the bay windows, along with relocating the entrance door to the position of the existing archway.

The proposed alterations are minimal and will not significantly alter the frontage of the dwelling.

It is considered that the overall form of the works will reflect the form and character of the existing dwelling and on this basis, the form of the development is considered to be acceptable.

The use of a timber door and timber glazed side panel frame, together with the use of matching roof tiles are considered to be appropriate, reflecting the character and appearance of the principal dwelling, and the surrounding area.

On this basis, the proposed development is considered to comply with Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy.

#### Impact on neighbouring amenity

It is not considered that the proposed extension to the roofslope would result in any detrimental impact on neighbouring amenity, in terms of loss of light, loss of privacy or overbearing effects, over and above what is currently experienced at the site.

As detailed previously, the occupier of 108 Outgang Road has raised concerns that the proposed development would result in a loss of light to their living room and kitchen windows.

Consideration has been given to the material issue of whether the proposal would contribute to potential overshadowing that could lead to harmful impacts upon residential amenity being experienced by the occupiers of 108 Outgang Road.

The extension of the roofslope by 0.4 metres is considered to be very minimal, in addition there is a distance of approximately 9 metres between the front elevation roofslope and the neighbouring properties windows, with two driveways between.

Therefore, it is not considered that the proposed development would result in an unacceptable loss of light to the side windows of the neighbouring property.

The neighbouring property to the east, 112 Outgang Road, is located slightly further north than the application site, with no windows in the western elevation, therefore the proposal is not considered to have any impact on the amenity of the occupiers of this property.

On this basis, the proposed development is considered to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy.

#### Other matters

The occupiers of the neighbouring property have also raised concerns in their objection regarding the use of the existing garage. This matter is outside the remit of this planning application, but clarification has been sought from the applicant regarding the use of the garage. The applicant has confirmed that the garage is used as an occasional hobby workshop, with no commercial entity being run from the site and as such, it is not considered that there is a breach of planning control.

The proposal is not considered to have any impact on highways safety or access.

## Conclusion

The proposed development is considered to be of a proportionate and acceptable design, and it is not considered that it would give rise to a significant detrimental impact on neighbouring amenity. The proposed development is considered to meet the relevant policy criteria set out in Policies SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy and the NPPF. On this basis approval is recommended subject to the following conditions.

### **RECOMMENDATION:                      Approval**

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

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

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

Site and Block Plans, drawing No 01, scanned to file 28.10.2022  
North Elevations, drawing No 03, scanned to file 28.10.2022  
West Elevations, drawing No 02, scanned to file 28.10.2022  
North Elevation Plan, scanned to file 28.10.2022  
Sections, scanned to file 28.10.2022

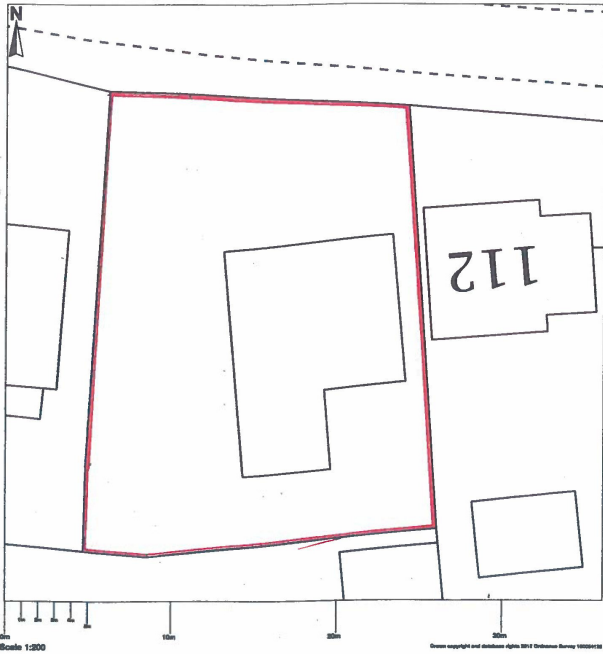
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3            The materials of the development hereby approved shall be in accordance with the details included on the planning application form/plans unless otherwise agreed in writing by the Local Planning Authority.

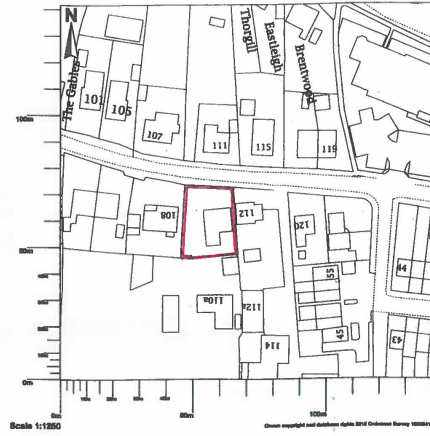
Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

THIS DOCUMENT IS UNCLASSIFIED AND IS THE PROPERTY OF PICKERING CITY COUNCIL. IT IS TO BE KEPT UNDER LOCK AND KEY AND NOT TO BE RELEASED TO ANY OTHER PARTY WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE AUTHORITY.

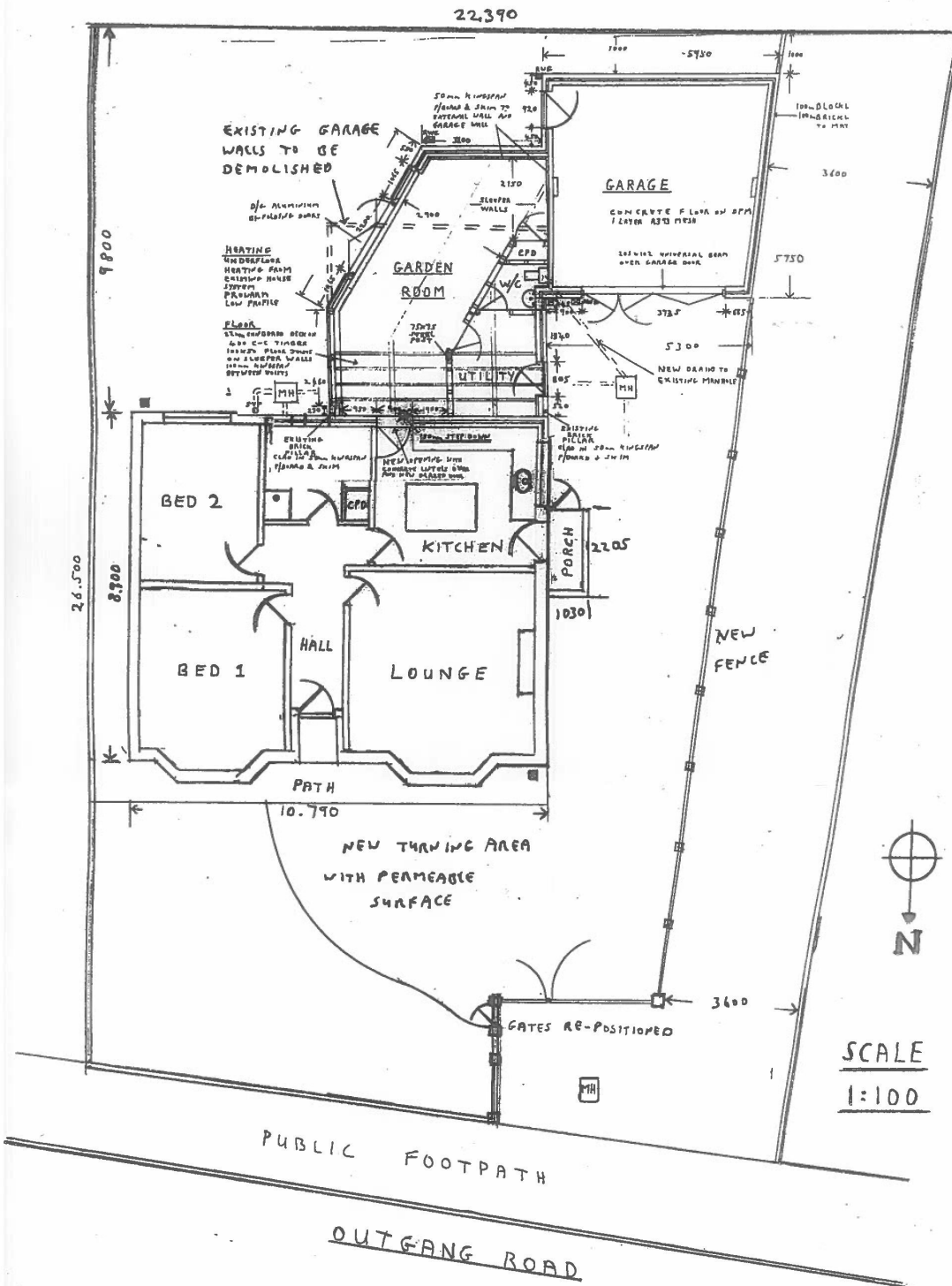
**110 Outgang Road, Pickering, YO18 7EL**



**110 Outgang Road, Pickering, YO18 7EL**



<b>PROJECT.</b> Hallway / Door Alteration and Roof Projection to Form Open Cover.
<b>ADDRESS.</b> Mr D Birch. 110 Outgang Road Pickering. YO18 7EL
<b>DRAWING.</b> Site and Block plans
<b>SCALE.</b> 1 / 200 1 / 1250
<b>DATE.</b> 24/06/2022
<b>DRAWING No 01</b>

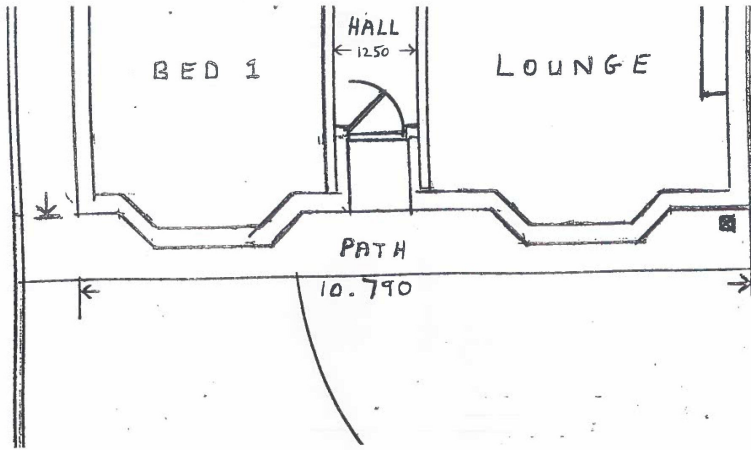


PROJECT.	Hallway / Door Alteration and Roof Projection to Form Open Cover.
ADDRESS.	Mr D Birch, 110 Outgang Road Pickering, YO18 7EL
DRAWING.	Plan as Existing
SCALE.	1 / 100
DATE.	24/06/2022
DRAWING No.	06



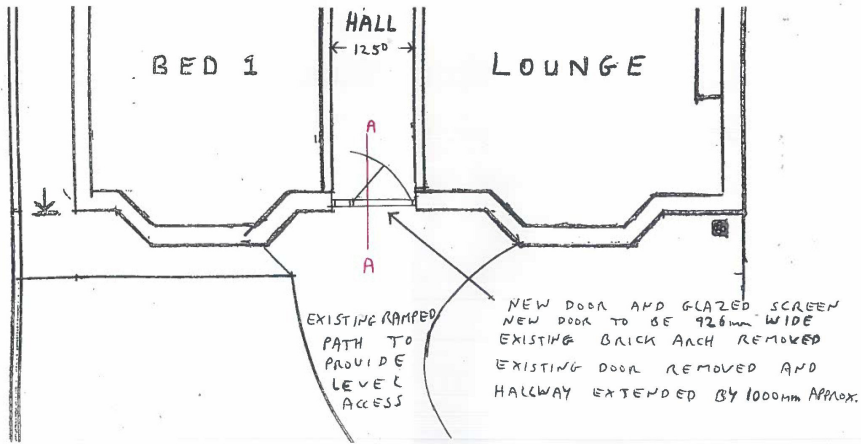
THIS DRAWING IS MADE TO THE BEST OF MY BELIEF AND I AM NOT RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM ITS USE. I AM NOT A REGISTERED ARCHITECT AND I AM NOT A REGISTERED PLANNING OFFICER.

PLAN OF  
NORTH ELEVATION  
AS EXISTING



SCALE 1:50

PLAN OF  
NORTH ELEVATION  
AS PROPOSED



PROJECT.  
Hallway / Door  
Alteration and  
Roof Projection to  
Form Open  
Cover.

ADDRESS.  
Mr D Birch.  
110 Outgang  
Road Pickering.  
YO18 7EL

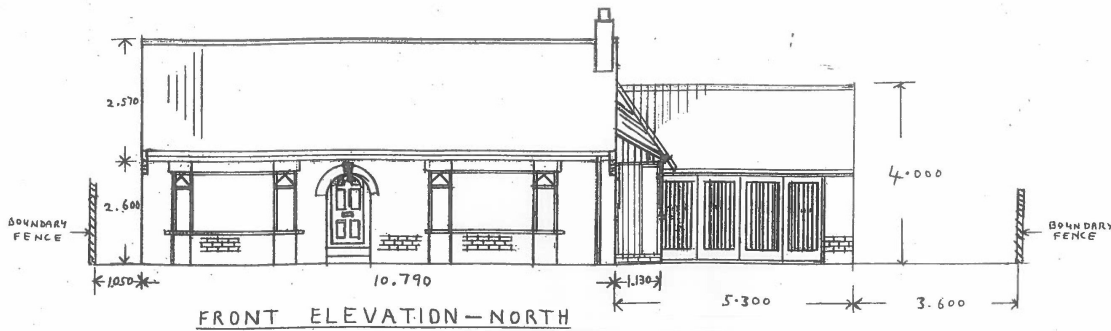
DRAWING.  
North Elevation  
Plan

SCALE.  
1 / 75

DATE.  
24/06/2022

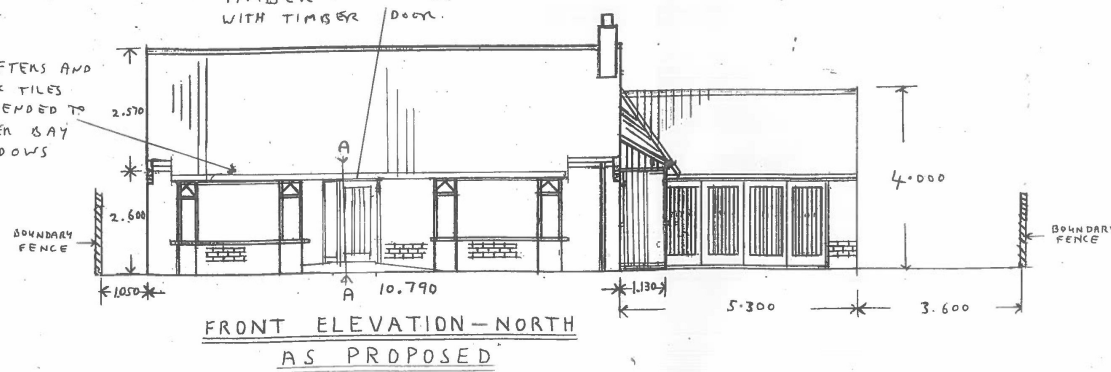
THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ARCHITECT. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING.

SCALE 1:75



FRONT DOOR BROUGHT FORWARD APPROX. 1000mm TO FACE OF BUILDING. TIMBER GLAZED SIDE PANEL FRAME WITH TIMBER DOOR.

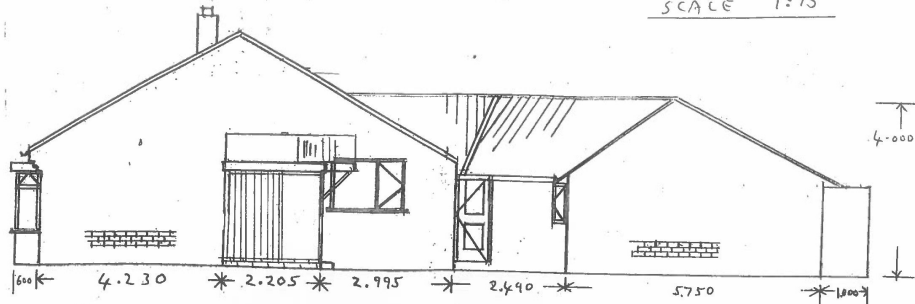
RAFTERS AND ROOF TILES EXTENDED TO COVER BAY WINDOWS



<b>PROJECT.</b>	Hallway / Door Alteration and Roof Projection to Form Open Cover.
<b>ADDRESS.</b>	Mr D Birch, 110 Outgang Road Pickering, YO18 7EL
<b>DRAWING.</b>	North Elevations
<b>SCALE.</b>	1 / 75
<b>DATE.</b>	24/06/2022
<b>DRAWING No</b>	03

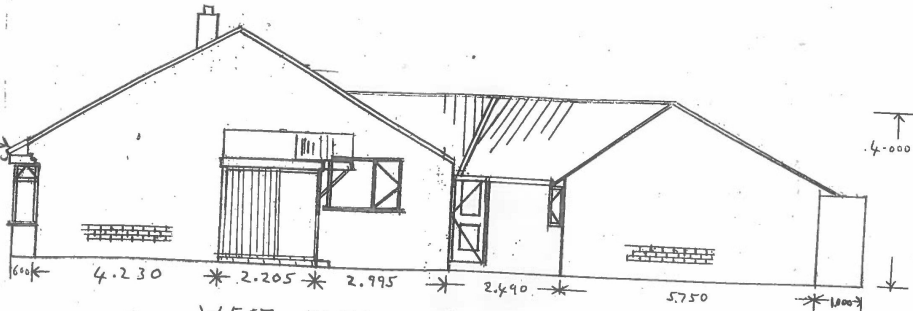
THIS DRAWING IS THE PROPERTY OF ARCHITECTS  
AND ENGINEERS AND IS NOT TO BE REPRODUCED  
OR COPIED IN ANY MANNER WITHOUT THE WRITTEN  
CONSENT OF THE ARCHITECTS AND ENGINEERS  
AND IS NOT TO BE USED FOR ANY OTHER PURPOSE  
WITHOUT THE WRITTEN CONSENT OF THE ARCHITECTS  
AND ENGINEERS.

SCALE 1:75



WEST ELEVATION - AS EXISTING

RAFTERS AND  
ROOF TILES  
EXTENDED TO  
COVER BAY  
WINDOWS  
ROOF TILES TO MATCH  
EXISTING MARLEY  
MENDIP MASSBOROUGH RED



WEST ELEVATION - AS PROPOSED

PROJECT.  
Hallway / Door  
Alteration and  
Roof Projection  
to Form Open  
Cover.

ADDRESS.  
Mr D Birch.  
110 Outgang  
Road Pickering.  
YO18 7EL

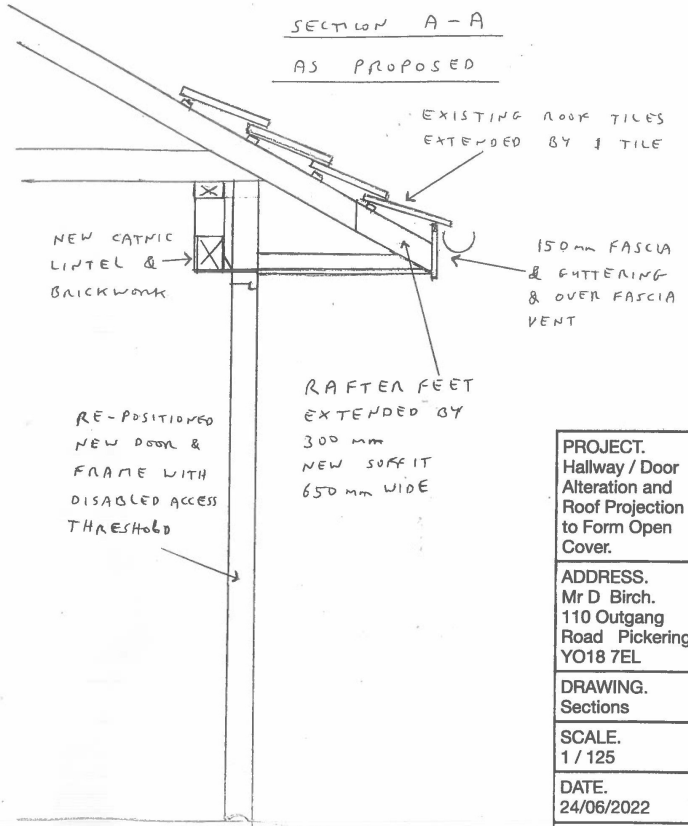
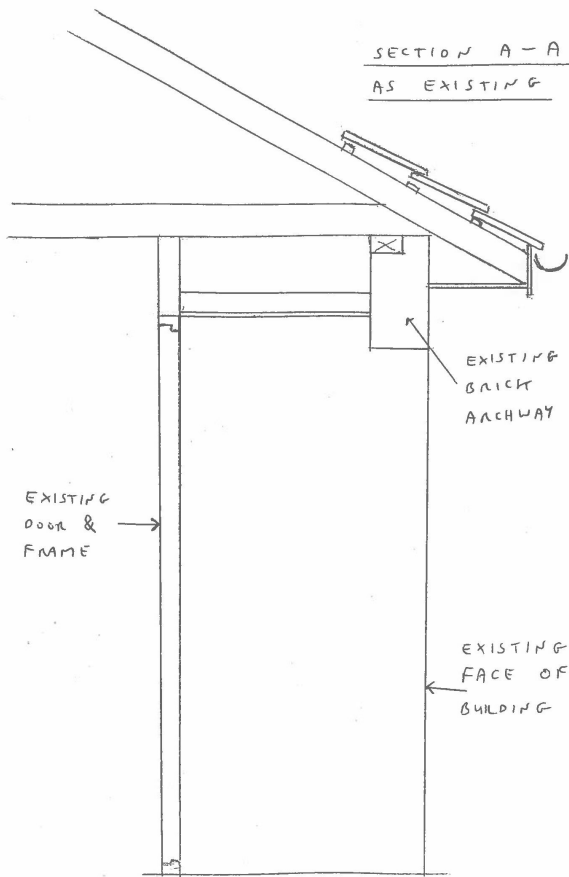
DRAWING.  
West Elevations

SCALE.  
1 / 75

DATE.  
24/06/2022

DRAWING No 02

SCALE 1:125



<p><b>PROJECT.</b> Hallway / Door Alteration and Roof Projection to Form Open Cover.</p>
<p><b>ADDRESS.</b> Mr D Birch, 110 Outgang Road Pickering, YO18 7EL</p>
<p><b>DRAWING.</b> Sections</p>
<p><b>SCALE.</b> 1 / 125</p>
<p><b>DATE.</b> 24/06/2022</p>

**Item Number:** 16  
**Application No:** 22/01195/HOUSE  
**Parish:** Malton Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr & Mrs Oxley  
**Proposal:** Erection of single storey rear extension following demolition of garage and alteration to roof of previous single storey rear extension  
**Location:** 1 Russett Road Malton North Yorkshire YO17 7YS

**Registration Date:** 24 October 2022  
**8/13 Wk Expiry Date:** 19 December 2022  
**Overall Expiry Date:** 15 December 2022  
**Case Officer:** Lucy Toolan **Ext:** 43317

## CONSULTATIONS:

**Malton Town Council** Recommend Approval

**Representations:** None

---

## SITE:

1 Russett Road is a double fronted detached property located within the Malton Development Limits. The property is constructed of brick under a pantile roof and features white uPVC windows. There is a small gravelled area to the front which is currently used as a driveway and a garden area with detached garage and previous extension to the rear. There is a white portico style porch to the front elevation, which currently serves as the main entrance point for the property. The application has been referred to the Committee for determination because one of the applicant's is a member of the District Council.

## PROPOSAL:

Planning approval is sought for the erection of a single storey rear extension following the demolition of the existing garage and alteration to roof of previous single storey rear extension.

The single storey extension will have a footprint of 5.2 metres x 3.8 metres so that it will be flush with the existing rear extension. It is proposed to have a GRP (or similar material) flat roof with a height of 3.4 metres and an overhang of 1.8 metres. Two rooflights are proposed on the new extension and one the existing rear extension roof. The exterior is proposed to be rendered, and window and door frames are proposed to be white upvc.

## HISTORY:

22/00099/HOUSE: Erection of new entrance porch. Approved

## 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 SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

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.

Malton Town Council have confirmed they recommend approval for the proposed scheme.

No responses have been received from any neighbouring property or third party.

**APPRAISAL:**

The main considerations within the determination of this application are:

- i. Design
- ii. Impact upon neighbouring amenity
- iii. Other matters, including consultation responses.

Design

The proposed rear extension will not be visible from the principal elevation, and will be small and subservient in scale. It will incorporate a flat roof form and rendered exterior, which at this location will be appropriate as it will integrate well with the modern properties in the locality and the existing rear extension. The overhang will unify the proposed and existing rear extensions so they are viewed as one, which will aid in the integration of the development.

It is necessary to impose a separate materials condition, as the approved drawing does not annotate the intended materials for the extension. Details of the render colour will be additionally conditioned. In view of this, the proposals are considered acceptable in relation to SP16 (Design) of the Ryedale Local Plan Strategy.

Impact upon neighbouring amenity

In relation to impact on neighbouring amenity, the proposed extension will be situated to the rear of the applicant's garden. There glazing proposed rear which ultimately faces the applicants own private garden, therefore it is not considered that the extension will result in any detrimental impact on neighbouring amenity in terms of loss of lights, loss of privacy or overbearing effects. On this basis, the proposal is considered to comply with Policy SP20 of the Ryedale Local Plan Strategy.

Other matters

The Malton Town Council have recommended approval. No formal responses have been received from the occupiers of any neighbouring dwellings. This proposal is not considered to have any impact on highways safety or access.

In light of the above assessment, it is considered the proposed development is acceptable in terms of

scale, materials and positioning and will not negatively impact on neighbouring amenity or the character of the host dwelling.

It is considered that this proposal conforms with Policies SP16 Design and SP20 Generic Development Management Issues of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework. On this basis, approval is recommended subject to the following conditions.

**RECOMMENDATION:                      Approval**

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

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

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

- Proposed X Section - Drawing Number 190 521 03
- Proposed - Drawing Number 2177-401 Revision A dated 18.10.2022
- Proposed Section - Drawing Number 2177-402 Revision A dated 18.10.2022
- Proposed Site Plan - Drawing Number 2177-403 Revision A dated 18.10.2022
- Location Plan - Drawing Number 2177-LP dated 23.10.2022

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

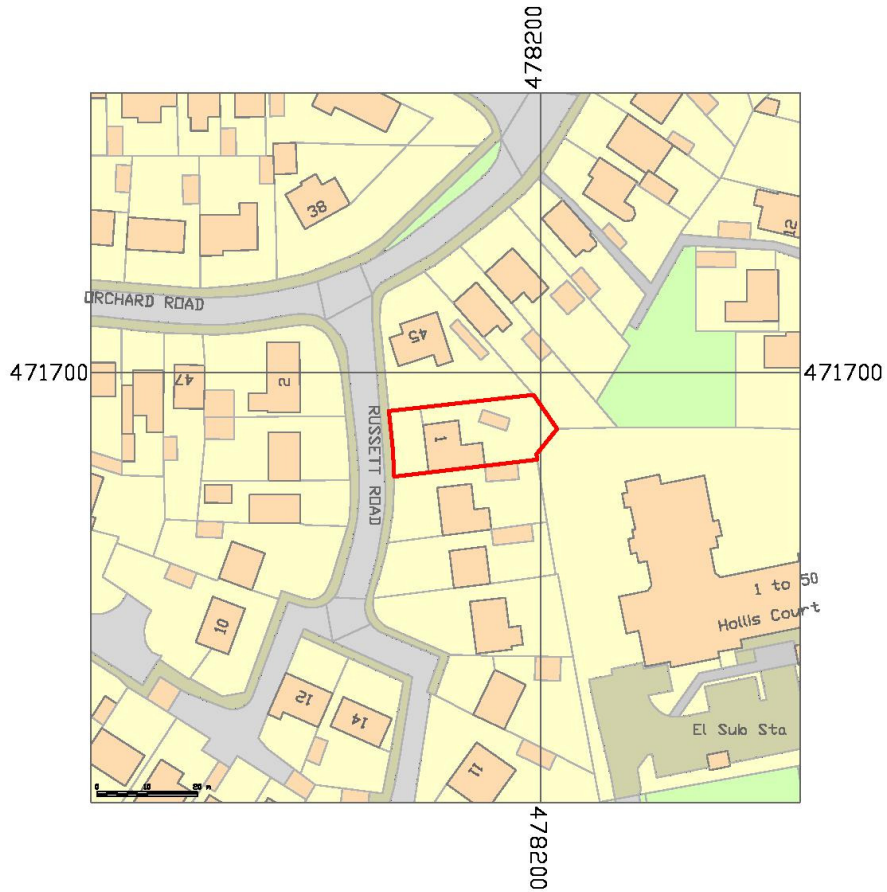
3            The materials of the development hereby approved shall be in accordance with the details included in the Planning Application Form (scanned to file on 03.11.2022) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

4            Prior to works of above ground construction, details and samples of the render (including colour reference) to be used on the exterior of the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.





- site boundary
- additional land
- buildings

© Crown Copyright and database rights 2022 OS 100047474.

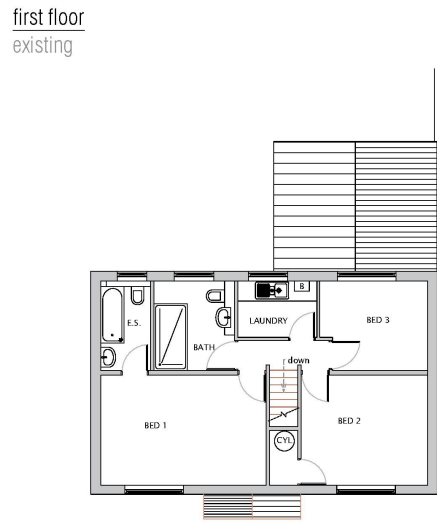
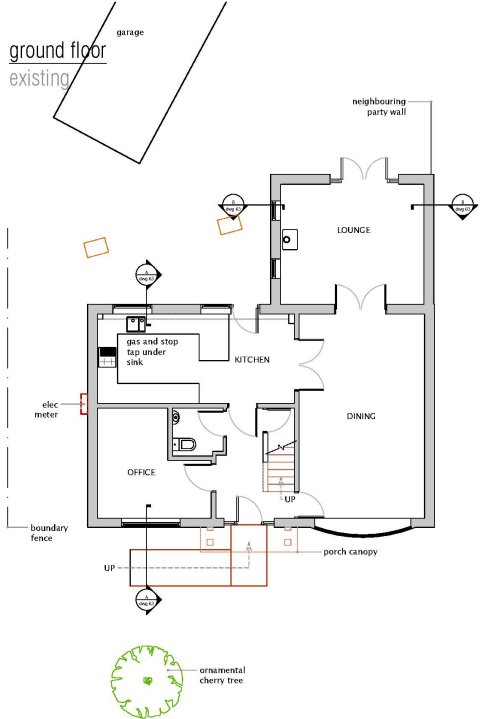


# PETER RAYMENT design

Architectural Designers • Peter Rayment • Richard Waller

title:	LOCATION PLAN	dwg No:	2177-LP	rev:	
project:	1 Russett Road,	scale:	1:1250 @ A4		
client:	Mr & Mrs Oxley	date:	23.10.2022		

Peter Rayment Design Ltd. Woodbine Cottage, Westgate, Thornton le Dale, Pickering YO18 7SG  
 01751 472541 | studio@peterraymentdesign.com | www.peterraymentdesign.com



amendments	
rev	description

**notes**  
 all dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from the drawings.

**CDM 2015**  
 In accordance with CDM regulations 8, 9, and 11, any significant risks relating to the design features shown on this drawing have been identified with .  
 no significant risks have been identified.  
 significant risks have been identified, see notes on drawing.  
 refer to the current design risk register for further information

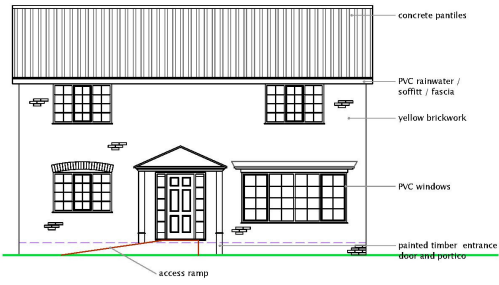


**PETER RAYMENT design**  
 Architectural Designers • Peter Rayment • Richard Waller

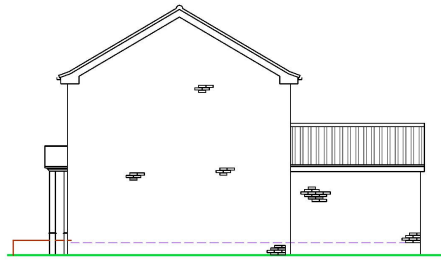
title:	SURVEY – FLOOR PLANS	dwg No:	190 521   01
project:	alteration and extension to: 1 Russett Road	scale:	1:50 @ A3
client:	Mr & Mrs Oxley		

Peter Rayment Design Ltd, Uppang, Westgate, Thornton Le Dale, Pickingey YO18 7SC 101751 472541 e:raymentdesign@gmail.com

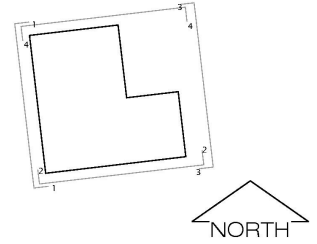
elevation 1  
west



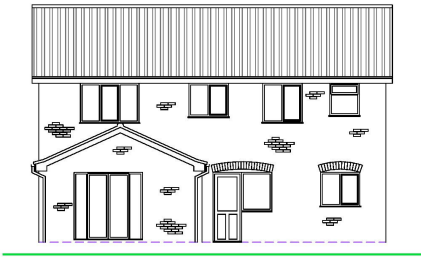
elevation 2  
south



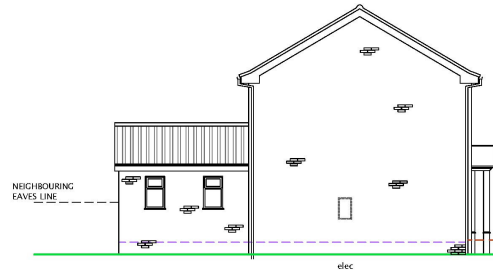
elevation key  
1:250



elevation 3  
east



elevation 4  
north



amendments		date	notes	CDM 2015
rev	description			
			all dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from the drawings.	<p>In accordance with CDM regulations 8, 9, and 11, any significant risks relating to the design features shown on this drawing have been identified with .</p> <p><input type="checkbox"/> No significant risks have been identified.</p> <p><input type="checkbox"/> Significant risks have been identified, see notes on drawing.</p> <p>refer to the current design risk register for further information</p>



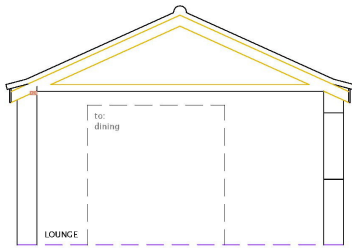
**PETER RAYMENT design**

Architectural Designers • Peter Rayment • Richard Waller

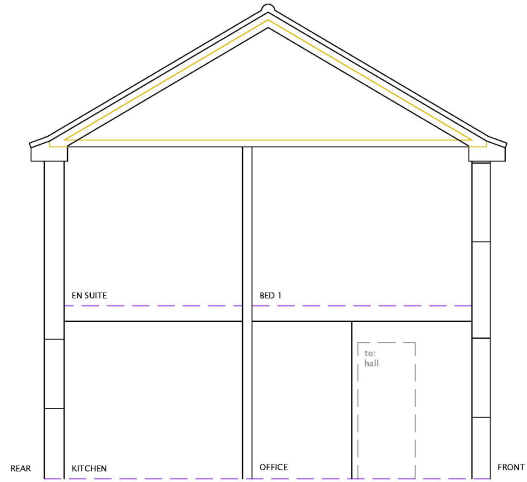
title:	SURVEY – ELEVATIONS	dwg No:	190 521   02
project:	alteration and extension to: 1 Russett Road	scale:	1:100 @ A3
client:	Mr & Mrs Oxley		

Peter Rayment Design Ltd, Uppings, Westgate, Thornton Le Dale, Pickingey YO18 7SC 101751 472541 e RaymondDesign@gmail.com

x-section B-B



x-section A-A



amendments		date	notes
rev	description		

all dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from the drawings.

CDM 2015  
 In accordance with CDM regulations 8, 9, and 11, any significant risks relating to the design features shown on this drawing have been identified with

no significant risks have been identified.
  significant risks have been identified, see notes on drawing.

refer to the current design risk register for further information

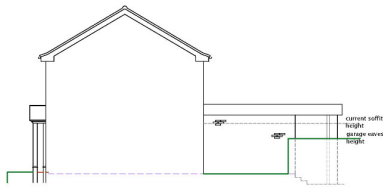
0 1 2 (m)

**PETER RAYMENT design**

Architectural Designers • Peter Rayment • Richard Waller

title:	PROPOSED- X-SECTIONS	dwg No:	190 521   03
project:	alteration and extension to: 1 Russett Road	scale:	1:50 @ A3
client:	Mr & Mrs Oxley		

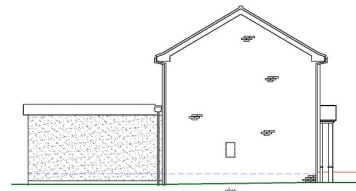
Peter Rayment Design Ltd, Upping, Westgate, Thornton Le Dale, Pickingey YO18 7SC 01751 472541 [eraymentdesign@gmail.com](mailto:eraymentdesign@gmail.com)



ELEVATION-1  
south

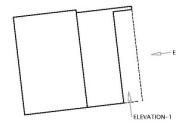


ELEVATION-2  
east



ELEVATION-3  
north

ELEVATION KEY  
1:250



amendments	description	date

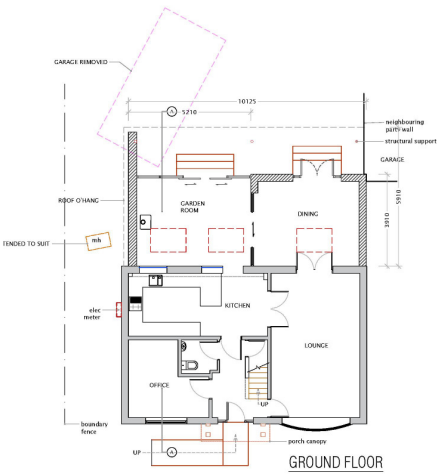
CDM 2015

In accordance with CDM regulations 4, 9, and 11, any significant work relating to the design features shown on this drawing have been identified as such.

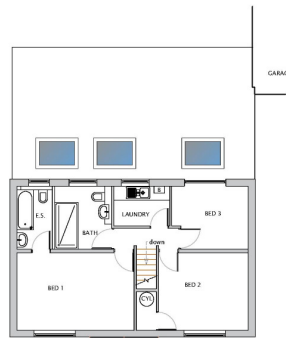
Refer to the current design risk register for further information.

notes

All dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from this drawing.



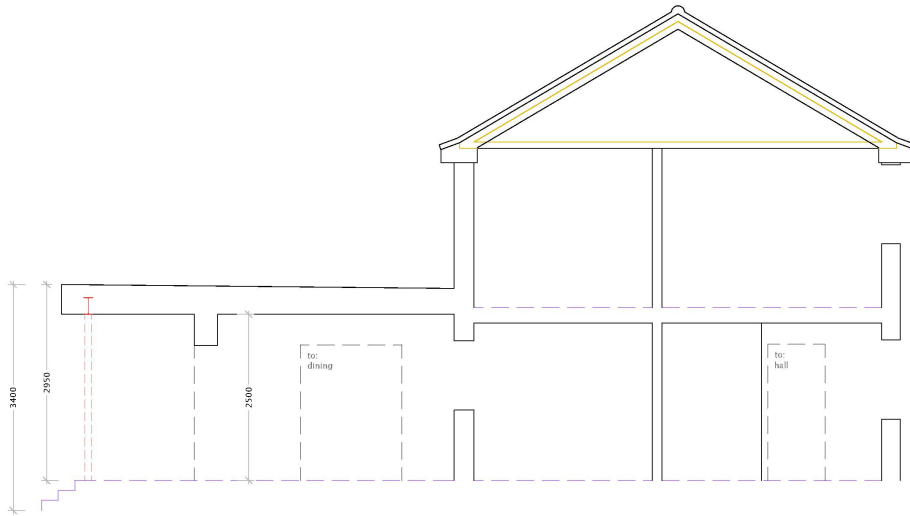
GROUND FLOOR



FIRST FLOOR

PETER RAYMENT **design** PLANNING

title:	PROPOSED	drawn by:	2177-401	sheet:	A
project:	1 Russett Road, Malton Rear Extension	scale:	1:100 @ A2	date:	18.10.2022
client:	Mr & Mrs Oxley	Peter Rayment Design Ltd, Woodbine Cottage, Westgate, Thornton le Dale, Pickering YO18 7SG 01751 472541   studio@peteraymentdesign.com   www.peteraymentdesign.com			



**PETER RAYMENT** design **PLANNING**  
 Architectural Designers • Peter Rayment • Richard Waller

**amendments**

rev	description

date	CDM 2015
	<p>In accordance with CDM regulations 8, 9, and 11, any significant risk relating to the design features shown on this drawing have been identified with .</p> <p><input checked="" type="checkbox"/> No significant risks have been identified. <input type="checkbox"/> Significant risks have been identified, see notes on drawing.</p> <p>refer to the current design risk register for further information</p>

**notes**  
 all dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from the drawings.

<b>title:</b>	PROPOSED   SECTION	<b>dwg No:</b>	2177-402	<b>rev:</b>	A
<b>project:</b>	1 Russett Road, Malton Rear Extension	<b>scale:</b>	1:50 @ A3	<b>date:</b>	18.10.2022
<b>client:</b>	Mr & Mrs Oxley	Peter Rayment Design Ltd. Woodbine Cottage, Westgate, Thornton le Dale, Pickering YO18 7SG 01751 472541   studio@peterraymentdesign.com   www.peterraymentdesign.com			



**PETER RAYMENT** design **PLANNING**  
 Architectural Designers • Peter Rayment • Richard Waller

title:	PROPOSED   SITE PLAN	dwg No:	2177-403	rev:	A
project:	1 Russett Road, Malton Rear Extension	scale:	1:250 @ A3		
client:	Mr & Mrs Oxley	date:	18.10.2022		
Peter Rayment Design Ltd. Woodbine Cottage, Westgate, Thornton le Dale, Pickering YO18 7SG 01751 472541   studio@peterraymentdesign.com   www.peterraymentdesign.com					

**amendments**

rev	description

date

**CDM 2015**

In accordance with CDM regulations 8, 9, and 11, any significant risk relating to the design features shown on this drawing have been identified with

- No significant risks have been identified.  
 Significant risks have been identified, see notes on drawing.  
 refer to the current design risk register for further information

**notes**

all dimensions, levels and co-ordinates should be verified on site before commencing any work. Do not scale from the drawings.





Please scan PARISH response on 22/01195/HOUSE

**From:**

**Sent:** 01 December 2022 10:29

**To:** Development Management

**Subject:** Consultee Comments for Planning Application 22/01195/HOUSE

Consultee comments

Dear Sir/Madam,

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

Comments were submitted at 01/12/2022 10:29 AM from Mrs Gail Cook on behalf of Malton Town Council.

**Application Summary**

Reference: 22/01195/HOUSE

---

Address: 1 Russett Road Malton North Yorkshire YO17 7YS

---

Proposal: Erection of single storey rear extension following demolition of garage and alteration to roof of previous single storey rear extension

---

Case Officer: Lucy Toolan

---

[Click for further information](#)

**Comments Details**

Comments: Approval

---

Kind regards

# Agenda Item 18

## RYEDALE DISTRICT COUNCIL

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

---

1.

**Application No:** 22/00533/HOUSE **Decision: Approval**  
**Parish:** Allerston Parish Council  
**Applicant:** Mr Chad Smith  
**Location:** Cravenarth Main Street Allerston Pickering North Yorkshire YO18 7PG  
**Proposal:** Formation of additional off road parking by the removal of a section of boundary wall to make a driveway

---

2.

**Application No:** 22/00702/REM **Decision: Approval**  
**Parish:** Staxton/Willerby Parish Council  
**Applicant:** Mr Thomas Link  
**Location:** Land Adjacent To The Old Vicarage Wains Lane Staxton Scarborough North Yorkshire  
**Proposal:** Erection of a 2no. bedroom single-storey dwelling (outline approval 21/01395/OUT dated 28.01.2022 refers)

---

3.

**Application No:** 22/00713/FUL **Decision: Approval**  
**Parish:** Harome Parish Council  
**Applicant:** Miss J Bulmer  
**Location:** Nawton Grange Gale Lane Nawton Helmsley YO62 7SD  
**Proposal:** Change of use of agricultural land to form 8 touring caravan pitches (with touring caravans to be sited for holiday purposes on an year round basis) together with the formation of 6 touring caravan pitches (to be used for short term lets no greater than 31 days) and camping field, with erection of service building, electrical substation building and associated parking and landscaping, erection of a covered yard area between existing agricultural buildings for the storage of bedding/feed and the housing of pigs approved under planning approval 20/00941/FUL dated 01.12.2020 to also include the housing of livestock (revised details to approval 21/01598/FUL dated 03.03.2022)

---

4.

**Application No:** 22/00752/HOUSE **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Shaw & Jagger  
**Location:** 9 Ryegate Helmsley North Yorkshire YO62 5AA  
**Proposal:** Erection of single-storey extension, and installation of 4no. rooflight to rear following demolition of 2no. outbuildings

---

5.

**Application No:** 22/00753/LBC **Decision: Approval**  
**Parish:** Helmsley Town Council  
**Applicant:** Shaw & Jagger  
**Location:** 9 Ryegate Helmsley North Yorkshire YO62 5AA  
**Proposal:** Internal and external alterations to include new corridor on first-floor, erection of a single-storey extension and installation of 4no. rooflight to rear elevation following demolition of 2no. outbuildings

---

6.  
**Application No:** 22/00797/FUL **Decision: Approval**  
**Parish:** Amotherby Parish Council  
**Applicant:** Mr Jack Reynard (Brickyard Leisure Ltd)  
**Location:** Brickyard Farm Lakes Amotherby Lane Amotherby Malton North Yorkshire YO17 6UP  
**Proposal:** Change of use of recreational land to allow formation of 6no. pitches for holiday static caravans within the existing Caravan Park

---

7.  
**Application No:** 22/00843/HOUSE **Decision: Approval**  
**Parish:** Sheriff Hutton Parish Council  
**Applicant:** Mr Nick Boyle  
**Location:** 2 Terrington View Sheriff Hutton North Yorkshire YO60 6QS  
**Proposal:** Erection of single storey side extension, conversion of existing garage to additional living accommodation and erection of porch to front elevation

---

8.  
**Application No:** 22/00850/FUL **Decision: Approval**  
**Parish:** Staxton/Willerby Parish Council  
**Applicant:** Mr Edward Wrigley  
**Location:** Ganton Dale Farm House Staxton Scarborough North Yorkshire YO12 4TQ  
**Proposal:** Change of use and alteration of adjoining Barns 1 and 2 to form additional residential accommodation, stable and shed for the existing dwelling together with alterations to the existing dwelling and parking and amenity areas

---

9.  
**Application No:** 22/00845/FUL **Decision: Approval**  
**Parish:** Foxholes Parish Council  
**Applicant:** Mr J Fisher  
**Location:** Land To South Of Cottage Farm Main Street Foxholes Driffield North Yorkshire  
**Proposal:** Erection of a 4 bedroom detached dwelling with attached single garage/utility/pantry/WC/boot room together with formation of vehicular access (revised details to approval 21/01232/FUL dated 22.12.2021)

---

10.  
**Application No:** 22/01021/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr & Mrs Rory & Rachel Gormley  
**Location:** 10 Town Street Old Malton Malton North Yorkshire YO17 7HB  
**Proposal:** Demolition of existing rear extension and erection of a single storey extension to the rear and first floor extension to the east elevation

---

11.  
**Application No:** 22/01039/TPO **Decision: Approval**  
**Parish:** Pickering Town Council  
**Applicant:** Mr Adrian Hornby  
**Location:** 1 Bursary Court Pickering North Yorkshire YO18 8BF  
**Proposal:** T2 Lime - crown reduction by approx. 2.75m and crown lift to 2m within TPO No. 330/2012

---

**12.**  
**Application No:** 22/01048/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr and Mrs Rimell  
**Location:** Beechwood 68 Middlecave Road Malton North Yorkshire YO17 7NE  
**Proposal:** Erection of part two storey/part single storey extension to north elevation following the removal of existing extension with associated landscaping

---

**13.**  
**Application No:** 22/01068/HOUSE **Decision: Approval**  
**Parish:** Gate Helmsley Parish Council  
**Applicant:** Mr & Mrs Marshall  
**Location:** Gate Helmsley House York To Driffield Road Gate Helmsley North Yorkshire YO41 1JS  
**Proposal:** Erection of single-storey extension to rear following demolition of existing external store/utility room

---

**14.**  
**Application No:** 22/01071/FUL **Decision: Approval**  
**Parish:** Allerston Parish Council  
**Applicant:** Mr & Mrs Brett  
**Location:** North View 11 Main Street Allerston Pickering North Yorkshire YO18 7PG  
**Proposal:** Change of use of land from agricultural to additional domestic amenity space , erection of two storey side extension and single storey rear extension, alterations to the fenestration, erection of an oak porch and timber cladding of the existing extension together with the part demolition and rebuilding of the domestic outbuilding with installation of PV panels to both roof slopes

---

**15.**  
**Application No:** 22/01079/HOUSE **Decision: Approval**  
**Parish:** Oswaldkirk Parish Meeting  
**Applicant:** Mr And Mrs P Stone  
**Location:** St Oswalds Orchard Main Street Oswaldkirk Helmsley YO62 5XT  
**Proposal:** Erection of garden room following demolition of existing conservatory and rebuilding of the raised terrace with garden storage below

---

**16.**  
**Application No:** 22/01085/TPO **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mr Donald Low  
**Location:** Sandreith 37 Middlecave Road Malton North Yorkshire YO17 7NE  
**Proposal:** Minor pruning of overhanging branches to Orchard Gardens and crown lifting of T2 and T3 (Common Beech) within TPO No. 319A/2009

---

17.

**Application No:** 22/01092/FUL **Decision: Approval**  
**Parish:** Foxholes Parish Council  
**Applicant:** Mr Ravis (Allison Wold Power)  
**Location:** Boythorpe Farm Butterwick To Foxholes Butterwick Malton North Yorkshire YO17 8HF  
**Proposal:** Erection of 2no. wind turbines with a hub height of 45m to replace the existing turbines with the relocation of 1no. turbine (revised details to approval 22/00602/FUL dated 05.08.2022)

---

18.

**Application No:** 22/01095/HOUSE **Decision: Approval**  
**Parish:** Sproxton Parish Meeting  
**Applicant:** Mr And Mrs S Burgess  
**Location:** Whitestone Lodge Main Street Sproxton Helmsley YO62 5EF  
**Proposal:** Erection of detached double garage/carport

---

19.

**Application No:** 22/01097/FUL **Decision: Approval**  
**Parish:** Swinton Parish Council  
**Applicant:** Mr and Mrs Milburn  
**Location:** Land East Of Swinton Lane Swinton Malton North Yorkshire YO17 6QR  
**Proposal:** Erection of building to form hay store with foaling boxes and formation of new vehicular access to the existing stable and menage

---

20.

**Application No:** 22/01102/TPO **Decision: Approval**  
**Parish:** Ampleforth Parish Council  
**Applicant:** Mr Ian Craggs  
**Location:** Honeysuckle Lodge Mill Lane Ampleforth North Yorkshire YO62 4DJ  
**Proposal:** T1 - Sycamore of TPO 85/1986 - lateral spread on the eastern side reduced by 1.5 metres, lateral spread on western side reduced by 1.2 metres, canopy lift by 3 metres on the eastern side to better match the lower canopy with the western side

---

21.

**Application No:** 22/01104/HOUSE **Decision: Approval**  
**Parish:** Terrington Parish Council  
**Applicant:** N Lubben  
**Location:** Beechcroft New Road Terrington North Yorkshire YO60 6NT  
**Proposal:** Erection of a garden home office

---

22.

**Application No:** 22/01105/HOUSE **Decision: Approval**  
**Parish:** Broughton Parish Meeting  
**Applicant:** Dr Katherine Diggory  
**Location:** Inglenook Moor Lane Broughton Malton North Yorkshire YO17 6QJ  
**Proposal:** Erection of a timber structure to form a caravan store.

---

**23.**  
**Application No:** 22/01111/HOUSE **Decision: Approval**  
**Parish:** Malton Town Council  
**Applicant:** Mrs Amelia Mann  
**Location:** 42 Acre Way Malton North Yorkshire YO17 7AG  
**Proposal:** Erection of a single storey rear extension

---

**24.**  
**Application No:** 22/01112/HOUSE **Decision: Approval**  
**Parish:** Huttons Ambo Parish Council  
**Applicant:** Mr & Mrs Cosgrove  
**Location:** Forge Cottage Village Street High Hutton Malton North Yorkshire YO60 7HW  
**Proposal:** Erection of rear single storey lean-to extension and first floor extension

---

**25.**  
**Application No:** 22/01116/HOUSE **Decision: Approval**  
**Parish:** Thornton-le-Dale Parish Council  
**Applicant:** Mr Peter Greenaway  
**Location:** The Orchard Wilton Road Thornton-Le-Dale Pickering North Yorkshire YO18 7QP  
**Proposal:** Erection of detached flat roof double garage to front elevation

---

**26.**  
**Application No:** 22/01122/HOUSE **Decision: Approval**  
**Parish:** Thixendale Parish Council  
**Applicant:** Mr Richard Gibson  
**Location:** Honeytop Waterdale Main Street Thixendale Malton North Yorkshire YO17 9TG  
**Proposal:** Erection of attached garage to side of dwelling

---

**27.**  
**Application No:** 22/01137/FUL **Decision: Approval**  
**Parish:** Foxholes Parish Council  
**Applicant:** Mr Jason Ireland  
**Location:** Grange Farm Butterwick To Fosters Wold Plantation Butterwick Malton North Yorkshire YO17 8HF  
**Proposal:** Installation of a ground mounted 143 kWp solar PV array consisting of 286no. JA Solar black panels in five rows for applicants use within the farmstead with surplus exported back into the grid

---

**28.**  
**Application No:** 22/01149/HOUSE **Decision: Approval**  
**Parish:** Nawton Parish Council  
**Applicant:** Mr D Smith  
**Location:** Beckett House School Lane Nawton Helmsley North Yorkshire YO62 7SF  
**Proposal:** Erection of single-storey rear extension

---

**29.**  
**Application No:** 22/01159/HOUSE **Decision: Approval**  
**Parish:** Norton Town Council  
**Applicant:** Mr And Mrs P Nicholson  
**Location:** 19 Eastfield Avenue Norton Malton North Yorkshire YO17 9JW  
**Proposal:** Erection of single-storey rear extension

---

30.

**Application No:** 22/01161/HOUSE **Decision: Approval**  
**Parish:** Burythorpe Parish Council  
**Applicant:** Mr & Mrs R Webster  
**Location:** Manor Farm Main Street Burythorpe Malton North Yorkshire YO17 9LH  
**Proposal:** Erection of part two-storey/part single storey extension to rear

---

31.

**Application No:** 22/01184/FUL **Decision: Approval**  
**Parish:** Ampleforth Parish Council  
**Applicant:** Ampleforth Abbey Trust (Reg Charity No: 1026493)  
**Location:** Alban Roe House Ampleforth YO62 4EY  
**Proposal:** Works to Alban Roe House to include location of all visitor facilities within the building by relocation of the Abbey Tea Room (Use Class E(b) from the Abbey to the refectory within the ground floor of the house (served by a relocatable modular commercial kitchen subject of a separate application) and incorporation of an adjacent retail element (Use Class E(a) within the transition/gallery space selling wares of the monastery, repurposing of other ground floor areas as "Story" and "Activity" spaces and reconfiguration of the existing car park incorporating the installation of EV Charging infrastructure

---

32.

**Application No:** 22/01192/HOUSE **Decision: Approval**  
**Parish:** Scrayingham Parish Council  
**Applicant:** Mr & Mrs Phillips  
**Location:** Westgarth House Main Street Scrayingham Malton North Yorkshire YO41 1JD  
**Proposal:** Erection of single storey rear extension and porch, glazed front porch and alterations to windows and doors

---

33.

**Application No:** 22/01200/HOUSE **Decision: Approval**  
**Parish:** Rillington Parish Council  
**Applicant:** Mr Stephen Ellis  
**Location:** 18 Buckton Close Rillington Malton North Yorkshire YO17 8FB  
**Proposal:** Conversion of a section of the integral garage to form additional living accommodation

---

34.

**Application No:** 22/01227/FUL **Decision: Approval**  
**Parish:** Ganton Parish Council  
**Applicant:** Mrs Helen Sixsmith (Mr DA & Mrs HE Sixsmith)  
**Location:** Haybridge Farm Station Road Ganton Scarborough North Yorkshire YO12 4PD  
**Proposal:** Installation of a ground-mounted 20 kWp Solar PV array consisting of 44 no. panels on disused access track to generate electricity for use within the residential dwelling and farm buildings

---

**35.**

**Application No:** 22/01228/CLOPUD **Decision: Approval**  
**Parish:** Lillings Ambo Parish Council  
**Applicant:** Mrs Sarah Edwards  
**Location:** Rose Villa Goose Track Lane West Lilling North Yorkshire YO60 6RP  
**Proposal:** Certificate of Lawfulness for a proposed use or development in respect of the construction of a dormer window to the rear elevation roofslope, installation of rooflights and alterations to fenestrations

---

**36.**

**Application No:** 22/01240/DNO **Decision: Approval**  
**Parish:** Wrelton Parish Council  
**Applicant:** Charles Saggars (Brooke-Saggars Ltd)  
**Location:** Vinery Farm High Street To Bypass Wrelton Pickering North Yorkshire YO18 8PF  
**Proposal:** Demolition of 3no. agricultural barns

---