



**YEW TREE
ASSOCIATES**
LAND, TOWN PLANNING &
DEVELOPMENT CONSULTANTS

**SUPPORTING PLANNING STATEMENT
AND DESIGN AND ACCESS STATEMENT**

**Proposed Change of Use of Paddock to Garden
Land with Summer House (Retrospective)**

at

River View

Scrayingham

York

for

Mr and Mrs B King

22.05.18

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1.0 Introduction

- 1.1 This document is submitted in support of a planning application for the change of use of a paddock to garden land with a Summer House (retrospective) at River View, Scrayingham, York.

2.0 Site Location and Description

- 2.1 The site is located on the west side of the village street in the village of Scrayingham some 4 miles north of Stamford Bridge in the Ryedale District as shown edged red on Fig. 1 below.
- 2.2 The site measures some 1338sqm in area and comprises part of a paddock adjacent to the garden curtilage of a property known as River View. The land sits to the rear of River View, Butterfly Cottage and Honeysuckle Cottage and is bounded to the west, and north by agricultural land and to the south by a paddock, with residential development to the east.



3.0 The Planning Application Proposal

- 3.1 The proposal, which is the subject of a Retrospective Planning Application, is for the change of use of a paddock to garden land with a Summer House at River View, Scrayingham.

4.0 Planning Policy Context

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "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 plan unless material considerations indicate otherwise". The development plan for the Ryedale District comprises the policies in The Ryedale Plan – Local Plan Strategy (adopted on 5th September 2013).

Its relevant policies are as follows:-

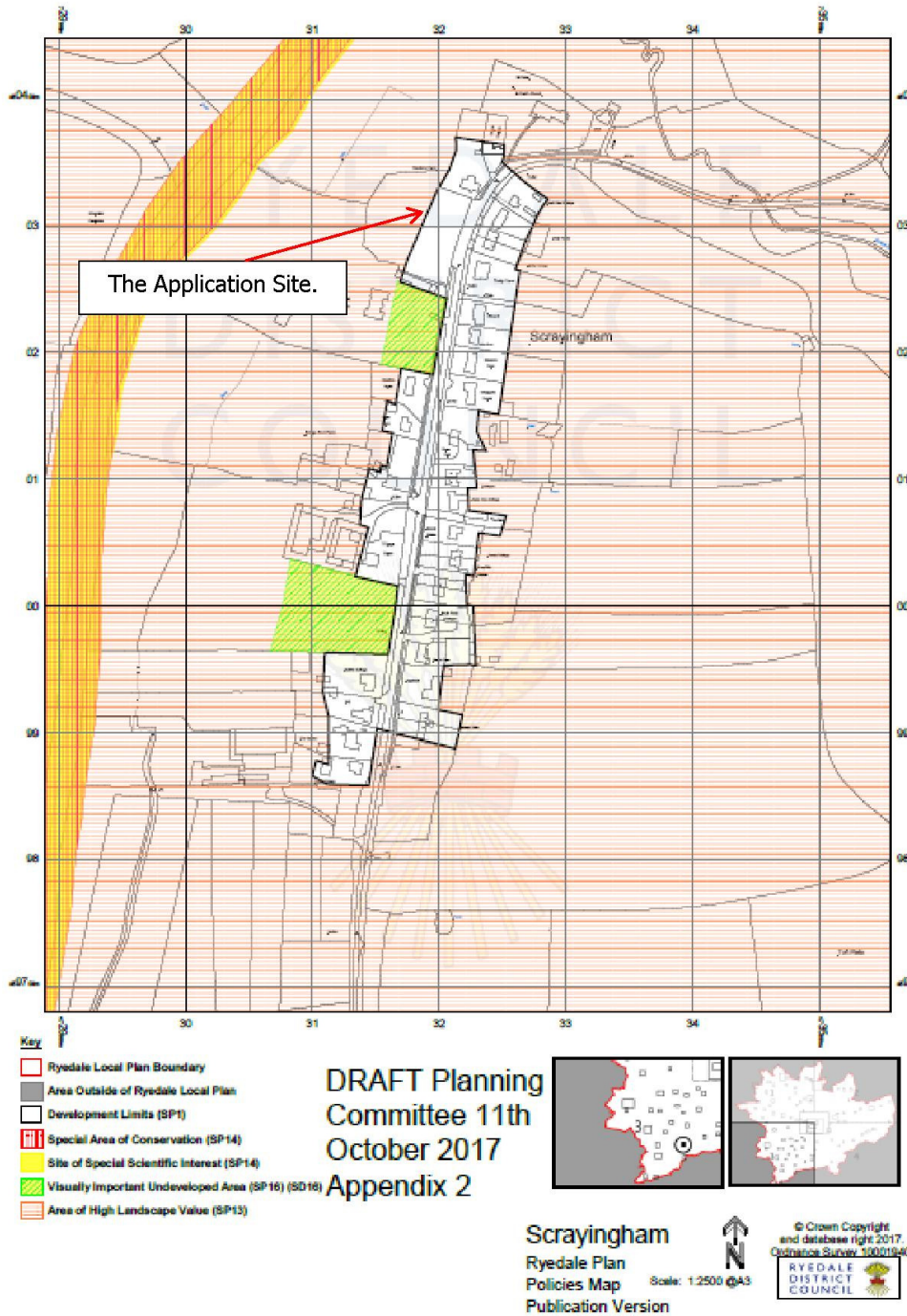
- 4.2 The Ryedale Plan – Local Plan Strategy 2013
 - Policy SP13 – Landscapes
 - Policy SP16 - Design
 - Policy SP19 - Generic Development Management Issues
- 4.3 National Planning Policy Framework
 - 4.3.1 On the 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF replaced the suite of Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) and now, along with the guidance in the Technical Guidance Note, and Policy for Traveller Sites, provides the national guidance on planning.
 - 4.3.2 The NPPF introduces, in paragraph 14, a presumption in favour of sustainable development. Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".
The relevant paragraphs are:
Paragraph 17, 56, 60, 61 and 65 Requiring Good Design.
Paragraphs 109 – 125 Conserving and Enhancing the Natural Environment

5.0 Key Issues

- 5.1 The main issues to be taken into account when assessing this application are:
 - 1. Identifying the impacts of the proposal on the Wolds Area of High Landscape Value
 - 2. Layout, appearance, scale and landscaping
 - 3. Residential amenity

To take each in turn:-

- 5.1.1 The Impact of the Proposal on the Wolds Area of High Landscape Value
 - 5.1.1.1 The site lies outside the defined development limits of Scrayingham as can be seen at Fig. 2 below (Ryedale Plan Policies Map Publication Version for Scrayingham) and therefore is located in open countryside and it is also designated under Policy SP13 as within an area of The Wolds High Landscape Value.



5.1.1.2 Policy SP13 Landscapes of The Ryedale Plan – Local Plan Strategy states:-

'SP13 Landscapes

.....National landscape designations and locally valued landscapes

The natural beauty and special qualities of the Howardian Hills Area of Outstanding Natural Beauty will be conserved and enhanced and the impact of proposals on the AONB, its setting or the setting of the North York Moors National Park will be carefully considered.

Proposals will be supported where they:

- Do not detract from the natural beauty and special qualities of these nationally protected landscapes or their settings*

- Seek to facilitate the delivery of the Howardian Hills Management Plan objectives*

- Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area*

The District Council and AONB Joint Advisory Committee will resist development proposals or land management practises that would have an adverse impact on the natural beauty and special qualities of the AONB unless it can be demonstrated that the benefits of the proposal clearly outweigh any adverse impact and the proposal cannot be located elsewhere in a less damaging location.

Major development proposals within the AONB that would result in a significant adverse impact on the natural beauty and special qualities of the AONB will be considered within the context provided by national policy and only allowed in exceptional circumstances.

Outside of those landscapes protected by national landscapes designations, the Council will carefully consider the impact of development proposals on the following broad areas of landscape which are valued locally:

- The Wolds Area of High Landscape Value*

- The Fringe of the Moors Area of High landscape Value*

- The Vale of Pickering*

The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield.

The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'

(Our emphasis)

5.1.1.3 In light of the above policy we submit that the proposal is therefore considered to be acceptable in terms of Policy SP13 of The Ryedale Plan – Local Plan Strategy.

5.1.1.4 Paragraphs 109 - 125 Conserving and Enhancing the Natural Environment of NPPF are also relevant to the assessment of these proposals as they state the importance of protecting and enhancing valued landscapes.

5.2 Impacts of the Proposal

Paragraph 14 of the NPPF requires the decision taker to determine whether any adverse impact of granting planning permission significantly and demonstrably outweigh the benefits, when assessed against the policies in NPPF taken as a whole. This sections looks at the impacts arising from the proposal.

5.2.1 Layout, Appearance, Scale and Landscaping

5.2.1.1 The relevant policy in respect to design and the impacts on the character of the area include Policy SP16 Design of the Ryedale Plan Local Plan Strategy.

- 5.2.1.2 Significant weight should be attached to Local Plan policy SP16 as it is consistent with the aims of the NPPF. In addition relevant paragraphs within the NPPF, which relate to design include paragraphs 56, 60, 61 and 65.
- 5.2.1.3 The application includes a location and site layout plan and drawings of the summer house which show the extent of the change of use and building.
- 5.2.1.4 In respect of the design, scale and relationship to neighbouring properties, we submit that in the surrounding context of the site, the proposals have been designed to fit within the site.
- 5.2.1.5 Having had regard to all of the above elements we submit that an appropriate design has been achieved to ensure that no significant detrimental impacts are caused to the character of the area in accordance with Policy SP16 Design of the Ryedale Plan Local Plan Strategy and the NPPF.
- 5.2.2 Residential Amenity
- 5.2.2.1 Policy SP19 Generic Development Management Issues of the Ryedale Plan Local Plan Strategy deals with the impacts on residential amenity and securing a good standard of residential amenity is provided as does Paragraph 17 of the NPPF.
- 5.2.2.2 SP19 states:-

*'SP19 Generic Development Management Issues
Character*

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

Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses.

The cumulative impact of new development on the character of an area will also be considered.

Design

The design of new development will follow the principles established in Policy SP16. Extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials.

Amenity and safety

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

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise.

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted.

All sensitive receptors will be protected from land and ground water contamination. Developers will be expected to assess the risks/potential risks posed by contamination in accordance with recognised national and international standards and guidance.'

- 5.2.2.3 The site is located to the rear of River View and extends across the rear of the adjacent properties Buttercup Cottage and Honeysuckle Cottage to the south. It terminates at its eastern boundary in line with an existing mature hedge which forms the eastern boundary of an adjacent paddock owned by the property known as Meadow House.
- 5.2.2.4 The summer house has been sited immediately to the east of the existing curtilage of River View and in line with the northern boundary of the host property. It is of modest proportions typical of garden buildings and has been positioned in complete agreement with the owner of the adjacent property to the north.
- 5.2.2.5 The location of the proposed extension to the domestic curtilage is within an area which has a feel of domestic curtilage and it is therefore considered that the development would not have a significant adverse impact on the existing amenities of any of the occupiers of the adjacent properties.
- 5.2.2.6 Whilst there could be concern over the siting of further garden buildings and paraphernalia, this could be conditioned by the removal of permitted development rights.
- 5.2.2.7 It is considered the potential impact on the existing amenity of neighbouring occupiers is not sufficient to warrant a refusal of permission and that the proposal would not cause significant detrimental impact on the residential amenities of existing adjacent occupants in accordance with Policy SP19 Generic Development Management Issues of the Ryedale Plan Local Plan Strategy and the NPPF.

6.0 Design and Access Assessment

6.1 Use

- 6.1.1 The use is for a domestic garden with the siting of a summer house. The site is located outside the defined development limit as defined in the Ryedale Plan Local Plan Strategy and is designated open countryside and is in an Area of High Landscape Value.

6.2 Amount

- 6.2.1 The proposal relates to an area of some 1338sqm and includes a summer house which measures 9.3m in length, 4.1m in width and at its highest from ground level, 3.2m.

6.3 Scale

- 6.3.1 The proposal comprises the use of land for garden with a summer house which we submit is modest in scale and appropriate for the site.

6.4 Appearance

- 6.4.1 The materials to be used in the construction of the summer house are timber and the garden has been landscaped with the use of grass and ornamental trees, all fenced by a post and rail fence, all of which we submit suits the locality.

6.5 Layout

- 6.5.1 The layout of the garden and siting of the summer house have been designed to suit the applicant's requirements, but we would submit that they have been appropriately designed to suit the locality.

6.6 Landscaping

- 6.6.1 The layout of the garden and the siting of the summer house is such that it will have minimal impact on the locality and as such no additional landscaping will be required.

6.7 Access

- 6.7.1 Access to the site and summer house are via the existing drive which currently serves River View all of which we submit is acceptable.

7.0 Conclusions

- 7.1 The retrospective planning application is for the change of use of a paddock to garden land with the siting of a summer house on land situated outside the defined development limits of Scrayingham and in an Area of High Landscape Value. We submit however that the use in principle is acceptable.
- 7.2 The drawings submitted with the application demonstrate that the proposals achieve an appropriate layout, appearance and scale so as to respect the character of the area.
- 7.3 The proposals are also considered to be acceptable in respect of the impact upon the residential amenity of adjacent properties.
- 7.4 The proposed scheme therefore accords with Policies of the Ryedale Plan Local Plan Strategy Core Strategy and the advice contained within the NPPF.
- 7.5 We respectfully suggest that there are no valid planning reasons for a refusal of permission and that the application is acceptable in all respects and should therefore be granted planning permission.