

Item Number: 8
Application No: 19/00450/MFUL
Parish: Gilling East Parish Council
Appn. Type: Full Application Major
Applicant: Autism Plus (Mr Simon Cale)
Proposal: Change of use of agricultural land to wildlife and horticultural garden including the erection of greenhouses and potting sheds and formation of 2no. ponds for use in association with Autism Plus day centre
Location: Park House Barns Park Farm Road Gilling East Helmsley YO62 4JA
Registration Date: 13 May 2019
8/13 Wk Expiry Date: 12 August 2019
Overall Expiry Date: 19 June 2019
Case Officer: Jill Thompson **Ext:** 43327

CONSULTATIONS:

Gilling East Parish Council	Support
Highways North Yorkshire	No objections
Paul Jackson AONB Manager	Comments

Neighbour responses:

SITE:

The Autism Plus day centre is located at Park House Barns on Pottergate, approximately one mile west of Gilling East. The charity supports adults with autism and related disabilities. The day centre at Gilling is run as a social enterprise, to provide opportunities for people to experience work and develop skills in a commercial business.

The agricultural/horticultural land to which the application relates is a rectangular field to the rear of the barn complex, covering 2.5 hectares. The field slopes gently in a northerly direction, in the valley which runs between this part of the Howardian Hills Area of Outstanding Natural Beauty and the North York Moors National Park to the north. The Ampleforth College complex is located on the opposite side of the valley to the site.

The boundaries of the site are strongly demarcated. Mature trees, woodland and a mature hawthorn hedge define the western side of the site. Mature trees and woodland run along the northern boundary of the site, following the former route of the Malton-Thirsk railway line. A young, clipped hawthorn hedge defines the eastern boundary and the barn complex, together with post and rail fencing currently define the boundary with Pottergate. The site itself is comprised of areas of mature trees, rough grassland, areas of new tree planting and some existing allotment plots. An area of hardstanding existing on the south eastern side of the site. A steel storage container is located in the far north eastern part of the site.

PLANNING HISTORY:

14/00257/FUL: Planning permission granted for the change of use and alteration of agricultural barn and land to form a day centre with associated car parking area and mini bus parking/ turning/drop off area. The permission represented Phase 1 of a wider scheme to develop the day centre facility.

15/00410/FUL: Planning permission granted for the standing of steel containers for horticultural use together with additional landscaping to the east and west boundaries of the site.

PROPOSAL:

The proposal represents a further stage in the development of the day centre/enterprise. The conversion of barn to which the Phase 1 scheme relates is now complete. Only the car park area remains to be constructed.

The proposed wildlife and horticultural garden is integral to the enterprise and the vision of the charity. Produce will be grown for use and for sale, providing opportunities for people to develop skills and work towards horticultural qualifications. The proposed garden also aims to provide a sensory and therapeutic experience, as well as opportunities to engage with nature and to provide for social interaction and collaboration, play, relaxation and exercise.

The application is accompanied by a Landscape Strategy which incorporates landscape proposals to achieve these aims, based on the following design concepts: Sustainable Landscape; Connecting with Nature; Sensory Journey. The landscape proposals include a number of distinct areas:

Allotment gardens - along the eastern side of the site, including an open sided, mono-pitched timber shelter measuring 2.4m by 4.8m and 2.6 m in height.

Woodland Walk - within the existing mature woodland and trees along the western edge of the site. The aim is to retain this woodland and to enhance it with additional native woodland planting, including coppiced hazel which would be subsequently harvested and used on-site. A new area of native woodland has already been planted to screen the car park area and to extend the woodland character of this side of the site. A circular, timber bird hide with vegetated roof is proposed at the northern end of the woodland walk, which will also function as an outdoor classroom. The building measures 6.5 m in diameter and 2.5 m in height and includes hinged observation panels and a ramp to provide disabled access. In addition, a small fully accessible waterless toilet is proposed in this area. The small, timber clad building measures 2.4 m in height.

Wetland - currently a damp, low lying area in the north western part of the site. The proposals include the creation of two wildlife ponds, one sunken bird hide and one accessible bird hide. The latter is proposed to be of timber construction with a vegetated, mono-pitched roof, measuring 4m by 2.4 m and 2.1 m in height.

Meadow and Native Scrub - the central section of the site, to include an area of open lawn, a meadow of native wildflowers and native scrub. Part of this area is proposed to be specifically managed to improve feeding and habitat potential for turtle doves and pollinators. The area will contain bee hives and some woven willow temporary structures.

Working Areas - an area in the north eastern part of the site. The proposal includes composting clamps, two single span polytunnels (17 in length, 6m in width and 2.5m in height), a timber potting shed (4.8m in length by 2.4 m in width and 2.2 m to ridge height), accessible timber clad toilet, cold frame and pitched roof wooden cabin (9.1m in length by 6.5m). Two bottle green metal storage containers are proposed to be located within woodland to the northern part of this area of the site. These structures measure 2.6 m in height, 6m in length and a width of 2.4m.

PLANNING POLICIES:

- o Local Plan Strategy - Policy SP11 Community Facilities and Services
- o Local Plan Strategy - Policy SP13 Landscapes
- o Local Plan Strategy - Policy SP14 Biodiversity
- o Local Plan Strategy - Policy SP15 Green Infrastructure Networks
- o Local Plan Strategy - Policy SP19 Presumption in favour of Sustainable Development
- o National Planning Policy Framework

APPRAISAL:

Principle of Development

Policy SP11 (Community Facilities and Services) supports in principle, the expansion of and improvements to, existing community facilities in or outside of the development limits of villages across the District. The facility is located within open countryside beyond the development limits of Gilling East and the presence of the day centre at this location is established. In principle therefore, it is considered that the proposal accords with Policy SP11 of the Local Plan Strategy.

National Planning Policy (Chapter 8 of the National Planning Policy Framework - Promoting healthy and safe communities) makes it clear that planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles especially where this would address identified local health and well-being needs. It advises that decisions should plan positively for the provision of facilities and services to enhance the sustainability of communities and to support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. It is considered that in principle, the proposal aligns well with this element of national policy.

Autism Plus is located within the Howardian Hills Area of Outstanding Natural Beauty (AONB). Objectives of the AONB Management Plan support the implementation of projects that maintain a sense of community within the AONB and support rural business, local employment, training, skills and farm diversification activities that do not have an adverse impact on the special qualities of the AONB. It is considered that these objectives of the AONB Management Plan, support the principle of the development proposed. The AONB Manager has confirmed support for the principle of creating an area for wildlife and horticultural activity that should significantly enhance the health and well-being of the service users of Autism Plus.

The other key issues which are relevant to the assessment of the proposal are as follows:

- o Landscape and Visual Effects
- o Habitats, Protected Species and Biodiversity
- o Trees and Woodland

Landscape and Visual Effects

The site is located within the Coxwold-Gilling gap, one of the vales which runs through the Howardian Hills Area of Outstanding Natural Beauty and national landscape character area. The site is a rectangular field bounded by woodland, trees and hedges which are typical features of the farmed landscape character of this part of the AONB.

The proposed wildlife and horticultural garden will result in a more formal cultivation of the site in comparison with the majority of wider agricultural, arable landscape. However as proposed, the garden will maintain the shape of the existing field with boundaries that will continue to be demarcated by mature trees and hedges. Extra tree planting on western edge of the site will strengthen this landscape feature. As such, key elements which contribute to landscape character will be retained and enhanced as part of the proposal. A combination of the retention of infield trees, undulating topography, the discreet positioning of structures and buildings within the proposed garden mean that the changes in the immediate arable landscape character resulting from the change in cultivation of the field would be mitigated.

It should also be noted that the cultivation of land to support specific uses in the landscape including monastic and stately homes is a tradition which has and which continues to influence landscape character and features of the AONB, including this part of the AONB. The orchard at Ampleforth Abbey on the opposite side of the vale is an example.

The AONB Manager is supportive of the principle of scheme and has not raised concerns over its impact on the landscape character of the AONB.

The potential for visual impact relates to the proposed buildings and structures. Some of these buildings will be visible from long distance, elevated views across the valley, although these views, together with views of the site when approaching along Pottergate are mitigated by topography, boundary woodland and hedging to the site and intervening, surrounding fields. The majority of larger buildings are located in the north eastern part of the site in the proposed 'working area'. The low profile of these buildings together with their grouping in one location, against a strong wooded backdrop to the north, helps to mitigate their visual impact. Following concerns raised by the AONB manager over the isolated siting of a potting shed on the eastern side of the site in the allotment area, the landscape plan has been amended to site this building with the buildings and structures in the 'working area'.

It is considered that the proposal will conserve and enhance the special qualities and natural beauty of the protected landscape and is in accordance with Policy SP13 (Landscapes) of the Local Plan Strategy.

Habitats, Protected Species and Biodiversity

The application is accompanied by an Ecology Survey report. It identifies the main habitats present on the application site as Trees, Woodland and Hedges and species poor semi-improved grassland. In particular, the report notes that the trees and woodland provide important habitat for nesting birds, roosting bats and barn owls. It also notes that the semi-improved neutral rough grassland with deep thatch and in the context of a wider mixed agricultural landscape provides excellent foraging habitat for barn owls, the presence of which has been found in the wider complex of barns adjacent to the application site.

The Landscape Strategy/proposals for the site incorporate existing hedges, trees and woodland at the site. Whilst there will be a need to manage trees on the site, the proposal will not result in the loss of existing trees to any significant extent. Indeed, the landscaping proposals include additional tree planting at the site.

The proposal will result in the substantial loss of the existing rough grassland, with a potential impact for foraging barn owls. However, the Ecological Report notes that the proposed habitat creation works may serve to enhance current habitat for foraging and nesting birds including barn owls. The habitat creation works would therefore mitigate any impact associated with the loss of the existing rough grassland.

The supporting Landscape Strategy document confirms that the applicant has worked closely with ecologists and project officers at the AONB unit to include habitat creation and enhancement measures as part of the scheme. These include the creation of wetland habitat, further hedge and woodland planting to increase roosting cover, planting to support overwintering birds, open land rewilding and wildflower enhancements. Specifically, the applicant has worked closely with the AONB unit to ensure that the habitat creation measures will help to support the Turtle Dove population in the area and the AONB's Turtle Dove Project. It is considered that the proposal will result in a net gain in biodiversity on the site.

The proposals are considered to comply with Policy SP14 (Biodiversity) and SP15 (Green Infrastructure Networks) of the Local Plan Strategy and will help to address biodiversity objectives in the Howardian Hills AONB Management Plan.

Trees and Woodland

The proposal seeks to retain existing hedging, mature trees and woodland as part of the landscaping strategy and to enhance these features. A Tree Survey report submitted with the application makes it clear that some of these features on the site are in need of management and it recommends the removal of a limited number of 7 trees all of which are in the existing woodland belt on the western side of the site. These include two early/semi mature sycamores, four early/semi mature Scots Pine and one early mature European Larch in very poor condition. The tree report confirms that none of the trees on the site are recorded on the Woodland Trust's Ancient Tree Inventory but that several mature oak trees on

the site display veteran qualities.

Conditions can be used to ensure that the development takes place in accordance with the landscape strategy/ landscape proposals and to retain trees/hedges at the site. This would ensure that the trees, areas of woodland and hedges on the site are retained, whilst at the same time providing the flexibility to ensure that these features can be appropriately managed. In this respect it is considered that the proposal is in accordance with Policies SP13 (Landscapes, SP14 (Biodiversity) and SP20 (Generic Development Management Issues) of the Local Plan Strategy and objectives of the AONB Management Plan relating to biodiversity and landscape character.

Conclusion

The proposal is considered to accord with relevant policies of the development plan and national planning policy. It will also help to further some of the objectives of the Howardian Hills AONB Management Plan. Approval is therefore recommended subject to the following conditions.

RECOMMENDATION: Approval subject to conditions

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:

o Revised Site Location Plan (Ref: 1242-04 Rev A)

And substantially in accordance with the following approved plans:

- o Landscape Vision/Outline Landscape Masterplan (Received/scanned 20/6/2019)
- o Garden Structure Plan (Ref : 1242-06/B)
- o Landscape Strategy (Dated October 2018)
- o Proposed Pond Detail (Ref: 1242-05)
- o Tree Survey Report (March 2019)

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

3 All hedgerows and mature trees on the site as detailed in the Tree Survey Report, shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide effective screening and in the interest of landscape character and biodiversity to satisfy Policies SP13, SP14 and SP20 of the Local Plan Strategy.

4 No new lighting shall be erected or installed at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the landscape from light pollution and to avoid impacts on wildlife to satisfy Policies SP 13, SP14, SP15 of the Local Plan Strategy

INFORMATIVE(S)

1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under the Conservation of Habitats and Species Regulations 2017. Should any bats or evidence of bats be found prior to or during tree management works or other operations , work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried

out the work.

Contact details: Natural England, 4th Floor, Foss House, Kings Pool, 1 - 2 Peasholme Green, York, YO1 7PX Tel: 0300 060 1911.

- 2 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Additional protection is afforded to a number of birds listed on Schedule 1 of the Act. Operations likely to injure or kill any wild bird or damage its nest and operations likely to disturb a Schedule 1 species must be avoided. Therefore any work likely to affect any birds nesting on the site should be undertaken out of the bird nesting season ie no work between March and August inclusive.