

**Item Number:** 11  
**Application No:** 21/00615/MFUL  
**Parish:** Norton Town Council  
**Appn. Type:** Full Application Major  
**Applicant:** Karro Food Group  
**Proposal:** Erection of extension to existing industrial unit to provide automatic continuous freezer, palletizer and loading dock  
**Location:** Karro Foods Ltd Westfield Way Norton Malton North Yorkshire YO17 9HG

**Registration Date:** 19 April 2021  
**8/13 Wk Expiry Date:** 19 July 2021  
**Overall Expiry Date:** 19 May 2021  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### CONSULTATIONS:

<b>Norton Town Council</b>	Recommend Approval
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Yorkshire Water Land Use Planning</b>	No Response
<b>Environmental Health</b>	No objection
<b>Lead Local Flood Authority</b>	Recommend conditions

#### Representations:

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#### SITE:

Karro Foods is a long established business which occupies extensive industrial premises on the Norton Industrial Estate, designated as employment land within the Ryedale Plan, Local Plan Strategy. The application site is located within the Development Limits of Norton.

To the north of the site is public highway, with further industrial units sited to the north. Beyond these, residential development is located approximately 90 metres from the proposed building site. To the east and west are industrial buildings and to the south are further buildings associated with Karro.

The site is currently accessed via an entrance on Hudgen Way to the East.

As illustrated within the submitted Flood Risk Assessment, a very minute amount of the proposed building would 'clip' Flood Zone 2. The vast majority would fall within Flood Zone 1.

#### PROPOSAL:

The proposal seeks permission for the erection of an extension to an existing industrial unit to provide an automatic continuous freezer, palletizer and loading dock.

The building would be located on what is currently used as a yard area to the north of an existing industrial building. The proposed and existing building would become linked internally by a boot wash room.

The main section of the proposed building would span approximately 34 metres x 31.45 metres in footprint at the maximum point, with a pitched roof form incorporating a maximum height of 13.76 metres and an eaves height of 11.8 metres. The building would be completed with a 'Goosewing Grey' roof with wall panels in 'Moorland Green.' Doors and guttering would also be completed in green. The

building would not be the most northerly building within the Karro Site, but would be located c19.5 metres from the northern boundary.

The proposed building would incorporate vehicle access doors within the north eastern elevation for the loading of lorries. There would also be a small lean to office/drying room and battery charging room to the north eastern elevation, completed with a black canopy roof.

As detailed in the Design and Access Statement the project will *“reorganise the product flow to separate the goods in and goods out. At present the goods in and out is handled through the same loading area and marshalling area resulting in an excessively busy inside and traffic movements within the yard. The new layout will provide dedicated one way route for collections with a dedicated exit gate onto Westfield Way.”* It is noted that the proposed exit is already formed, but presently unused. The Design and Access continues to note *“The building will house a new automatic continuous freezer and palletizer area, the new freezer will replace previous blast freezer system with a more energy efficient method of lowering product temperature. The requirement for cooling will be provided by the existing adjacent plantroom.”* The existing plantroom serving this proposed unit was approved under application 19/00879/FUL and is located to the south east.

In a supporting letter dated 24th June 2021, the Chief Engineer from Karro confirmed that “The introduction of the new freezing facility will allow Karro to freeze on site all product that are currently frozen off site by a third party. We do not currently have the ability to freeze on site.”

During the site visit, the Chief Engineer confirmed verbally that this arrangement would provide additional environmental and business efficiencies for Karro, as it would enable fully-loaded lorries to leave the site, rather than partially-loaded ones, as often occurs presently.

## **POLICY**

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 SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

## **HISTORY**

There are various planning applications that have been determined at this site. The following is the most relevant:

19/00879/FUL: Erection of refrigeration plant room building adjacent to existing refrigeration building. Approved.

It is this building to which this proposed industrial unit would extend/be attached to along the northern elevation.

## **APPRAISAL:**

The key considerations in assessing this application are;

- i. Principle of the development
- ii. Character and Form
- iii. Impact on Neighbouring Amenity
- iv. Other Matters Including Consultation Responses.

### **i) Principle of the development**

Policy SP1 (General Location of Development and Settlement Hierarchy) notes that Malton/Norton (the principal town) *“will be the focus for the majority of new development and growth, including the housing, employment and retail space.”*

Policy SP6 Delivery and Distribution of Employment Land and Premises notes that in Malton/Norton land and buildings for employment will be supported in employment land allocations (such as Norton Grove Industrial Estate) and for major employers/established businesses.

It is therefore considered that the principle of this development which relates to the expansion of an existing building, to allow the continued growth of a successful local food manufacturing business, is acceptable in accordance with Policy SP6 of the Ryedale Plan, Local Plan Strategy.

### **ii) Character and Form**

The proposed development as described in the proposal section above is considered acceptable in design terms.

It would incorporate larger proportions than the nearest adjoining buildings, however within the wider site there are some buildings which appear to be of a similar scale.

The use of metal sheeting in Moorland Green to the sides and profiled metal roof sheeting in Goosewing Grey will match the existing buildings on site, including the one approved in 2019. This is detailed on what would become the approved plans, so no additional materials information is considered necessary.

The building would be surrounded by industrial units to all sides, but there may be glimpsed views from public roads. It is considered that these are likely to only be from within the existing industrial estate and as this relates to a functional industrial style element within an established large scale meat processing site this is considered acceptable.

The Applicant has confirmed that they are however willing to accept a landscaping condition, to secure some additional screening to the north. This is welcomed and will be attached via condition.

### **iii) Impact on Neighbouring Amenity**

The Council’s Environmental Health Specialist was consulted with regard to this application and confirmed the following:

*“I have studied the submitted application, the proposed building is surrounded by other karro buildings that will afford protection to any dwellings beyond, we therefore have no objection to this application.”*

Further narrative was received in relation to the potential for noise generation as a result of this development, with the Chief Engineer noting: *“There would be no greater noise associated with the project as the new equipment is being connected to existing plant. The scheduling of transport would not change, only difference being that product that is currently despatched fresh would be despatched frozen.”*

The EHO reconfirmed their response of no objection to the proposal.

Therefore whilst there are neighbouring properties approximately 90 metres to the north of the proposed building these are located beyond large industrial buildings which will themselves continue to provide noise attenuation. It is therefore not considered that this additional building will result in a material impact beyond the present works undertaken, given this area is used as an active yard.

Neither is it considered that the proposed new exit arrangements would have any impact, as this would be commensurate with the vehicles using the existing ‘T’ Junction between Hudgen Way and Westfield Way.

It is therefore not considered that any other harm to neighbouring amenity would be experienced as a result of this proposed development and the proposal is therefore considered to be in conformity with SP16 of the Ryedale Plan - Local Plan Strategy

#### **iv) Other Matters Including Consultation Responses**

As noted, a very minimal part of the building is 'clipped' by the designated EA Flood Zone 2. The proposal is accompanied by a Flood Risk Assessment dated 28th March 2021 which illustrates that minimal portion of the building through an excerpt of the EA map. Given the minute amount of the building in Flood Zone 2, the site would have substantially less than the 250 square metres allowable in FZ2 for minor developments and as such it was not considered necessary to consult the Environment Agency. It is noted the levels of the new building would be raised by 300mm which is pragmatic and a Flood Resilience Informative will be recommended. The yard area, which is already hardsurfaced would have no significant change to facilitate the access arrangements.

Given the major size of the development, the Lead Local Flood Authority were appropriately consulted on this application. It is noted that the proposed building would be undertaken on land that is presently hardstanding and would not result in a net increase in developed land. The submitted documents note that the drainage will continue connect to the nearby existing positive drainage system. The LLFA noted *"the submitted documents demonstrate a reasonable approach to the management of surface water on the site. I recommend that the following conditions are attached to any permissions granted."* Four detailed conditions were recommended.

North Yorkshire County Council Highways were consulted in regard to this proposal. They noted in their response dated 14th May 2021 that *"The development will be accessed from the established entrance off Hudgen Way which already serves the larger site. Vehicles will exit onto Westfield Way. These access arrangements are considered satisfactory. The internal site layout will allow vehicles to exit in a forward gear. There are no local highway authority objections."* Three conditions were recommended including improvements to the proposed exit, construction of the parking/manoeuvring areas and exit and the submission of a construction management plan.

Norton Town Council responded to recommend approval of the scheme and no further responses were received from any third parties.

In light of the above assessment, it is considered the proposal is acceptable and complies with Policies SP1 General Location of Development and Settlement Hierarchy, SP6 Delivery and Distributing of Employment Land and Premises, SP16 Design, SP17 Managing Air Quality, Land and Water Resources, SP19 Presumption in Favour of Sustainable Development and SP20 Generic Development Management Issues of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. Therefore the recommendation 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 documents/plan(s):  
Block and Location Plan (Drawing no. DC/547G/200B)  
Proposed Elevation and Section (Drawing no. DC/547G/202B)  
Proposed Site and Drainage Plan (Drawing no. DC/547G/203A)  
Proposed Plan and Section (Drawing no. DC/547G/204B)

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

- 3 Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the building hereby approved, plans showing details of a landscaping and planting scheme focused on the northern boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of any trees/shrubs. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs. 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, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

- 4 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in accordance with Policies SP17 and SP19 of the Ryedale Plan, Local Plan Strategy.

- 5 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 1.4 litres per second per hectare (1.4l/s/a) for up to the 1 in 100 year event or a reduction of a minimum of 30% if proven to be a brownfield site. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with Policies SP17 and SP19 of the Ryedale Plan, Local Plan Strategy.

- 6 Development shall not commence until a scheme for the accommodation of additional flows impacting upon the watercourse network have been submitted to and approved in writing by the Local Planning Authority. The scheme shall cater for the impact resulting from the minimum 1 in 100 year return period storm event including a 30% allowance for climate change effects and a further 10% for urban creep for the lifetime of the development. No part of the development shall be brought into use until the works comprising the scheme approved under this condition have been completed.

Reason: To accommodate flows in storm events and allow for future maintenance in accordance with Policies SP17 and SP19 of the Ryedale Plan, Local Plan Strategy.

- 7 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site in accordance with Policies SP17 and SP19 of the Ryedale Plan, Local Plan Strategy.

- 8 The development must not be brought into use until the proposed exit from the site at Westfield Way has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

That part of the access road extending 10 metres into the site must be constructed in accordance with the following requirements.

- Any gates or barriers must not be able to swing over the existing highway.
- That part of the access extending 10 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 30.
- Provision to prevent surface water from the site/plot discharging onto the existing highway must be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 10 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works must accord with the approved details.

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

- 9 No part of the development must be brought into use until the exit, parking, manoeuvring and turning areas for all users 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 appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy

- 10 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;

2. Wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. The parking of contractors' site operatives and visitor's vehicles;
4. Areas for storage of plant and materials used in constructing the development clear of the highway;
5. Details of site working hours;

Reason: In the interest of public safety and amenity in accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy

### **INFORMATIVE(S)**

- 1 It is strongly advised that the application considers a range of flood resilient / flood proof construction techniques. Examples of these include;
  - Using solid floor construction e.g. continuous concrete ground floor slab (minimum 150mm thickness and reinforced with mesh on lapped and topped 1200 gauge visqueen damp proof membrane)
  - Ensuring that electricity supply cables enter building from roof level and are wired downwards; electric sockets should be positioned at least 600mm above floor level
  - Raising flood sensitive equipment to 600mm above floor level
  - Tanking external walls to 600mm above proposed floor level and continuous with floor damp proof membrane
  - Fitting anti-flood valves on internal building drainage
  - Using water-tight external door construction to a minimum of 600mm above proposed floor level
  - Using ceramic tiles or lime based plaster on the internal face of external walls at ground floor level
  - Considering water resilient ground floor coverings, such as clay tiles
  - Fitting a waterproof seal between cladding and floor slab