

Hi

Please see comments from Flaxton PC for application number 21/01505/FUL

## 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 20/12/2021 3:46 PM from Mr Derek Leetham on behalf of Flaxton Parish Council.

### Application Summary

Reference: 21/01505/FUL

Address: Land At OS Field No 0067 York Lane Flaxton North Yorkshire

Proposal: Change of use of agricultural barn to office (Use Class E) including the installation of 4no. windows, 1no. door and installation of packaged treatment plant

Case Officer: Niamh Bonner

[Click for further information](#)

### Comments Details

This application relates to change of use of a building that is already present on site to offices. It is described as a 'Change of use of (Agricultural) barn to Office and alterations adding 4 windows, rear door, and installation of packaged treatment plant.'

Comments: However, the building does not appear to have been erected lawfully, as its construction did not comply with the Schedule of Conditions set by the Inspector in the Appeal Decision on APP/Y2736/A/12/2187916.

The Schedule of Conditions attached to the granting of the appeal were not complied with by the appellant. In particular:

Condition 4. Development shall not begin until details of the surfacing of the junction between the access and the highway have been submitted to and approved in writing

by the local planning authority. Development shall be carried out in accordance with the approved details prior to the occupation or use of building hereby approved.

Comment - This related to the Highway Authority Recommendation about changes to the access to the site and parking spaces, along with an informative that as the proposals affect Registered Common Land that no works should be carried out until such time as consent has been granted (by The Planning Inspectorate).

Condition 5. Prior to the occupation or use of the building hereby approved the existing storage containers situated within the site shall be permanently removed from the site.

Comment – The storage containers were not removed from site until 2021 but there is no evidence that the building was ever occupied or used for agricultural purposes.

Condition 6. The building hereby approved shall not be occupied or used until space has been laid out within the site in accordance with drawing No GW5 for vehicles to turn so that they may enter and leave the site in forward gear and that area shall not thereafter be used for any purpose other than the turning of vehicles.

Comment – A storage container in the space identified in drawing GW5 prevented vehicles from entering and leaving the site in forward gear. The same would apply if 6 vehicles were to be parked in this space.

Conclusion - Since this building was constructed unlawfully and never brought into agricultural use, the application for change of use should not be allowed.

Since the agricultural building was constructed, a large-scale campsite has been opened on the opposite side of York Lane at Flaxton Meadows. The campsite is accessed by caravans, motorhomes, and other vehicles along a single-track. Additional vehicles entering and leaving the applicant's building would create an extra hazard along this stretch of busy, unrestricted speed road, which is used as a 'rat run' for local vehicles and also for drivers avoiding traffic issues on the single carriageway section of the nearby A64 that runs parallel to York Lane.

---

Kind regards