

**Item Number:** 10  
**Application No:** 22/00595/MFUL  
**Parish:** Edstone Parish Meeting  
**Appn. Type:** Major Full  
**Applicant:** Mrs Hellowell (N & J Hellowell)  
**Proposal:** Erection of an extension to existing cattle shed to facilitate for the installation of robotic milking equipment (no increase in livestock proposed)

**Location:** Wandles Farm, Great Edstone, Kirkbymoorside, North Yorkshire, YO62 6PE

**Registration Date:** 20<sup>th</sup> May 2022  
**8/13 Wk Expiry Date:** 19<sup>h</sup> August 2022  
**Overall Expiry Date:** 19<sup>th</sup> August 2022  
**Ext of Time:** 30<sup>th</sup> September 2022

**Case Officer:** Tom O'Connor **Ext:**

**CONSULTATIONS:**

**Overall Expiry Date: 15 April 2022**

<b>Parish (Edstone)</b>	No observations received
<b>Environmental Health (Pollution Control)</b>	No observations received
<b>Highways</b>	Responded by email 1 June 2022

**Neighbour responses:** In accordance with the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 Section 15(4) which state that the following notice shall be given by a Local Planning Authority: a) by site display in at least one place on or near the land to which the application relates; or b) by serving the notice on any adjoining owner or occupier. In this case 2 site notices were erected in the vicinity of the site on the 31<sup>st</sup> May 2022 (major Development) and 1<sup>st</sup> June 2022 (Planning Application). Additionally, Press Notice published in the Gazette and Herald on 1st June 2022.

No neighbour notifications were made given the isolated location of the site.

No observations were generated from the general public by the press advertisement or by the site notices posted near the site. The complete response from statutory consultees can be viewed on the public access system.

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**BACKGROUND:**

The application is to be determined by Planning Committee, in accordance with our scheme of delegation, as the scale of the proposal is considered to be a major development. As an agricultural building of over 500sqm in area a screening exercise was undertaken on 7<sup>th</sup> September 2022 under the Town and Country Planning (Environmental Impact Assessment Regulations 2017. The conclusion was that the level of impact was sufficiently low not to necessitate an Environmental Statement (ES).

## **SITE:**

The site is located within open countryside to the south of Great Edstone and consists of a long established agricultural business. The site is also approximately 150m to the south of the Area of High Landscape Value.

Wandles Farm extends to 261 acres (106 hectares) and is operated as a predominantly dairy farming business. The cropping on the farm is split into 207 acres of grassland, and 54 acres of arable cropping, totalling 261 acres.

The main enterprise on the farm is dairy farming, with a herd of 160 milking cows together with 100 young stock.

## **PROPOSAL:**

This proposal seeks full planning consent for the erection of an extension to an existing dairy unit, to facilitate the installation of robotic milking system, thus upgrading the existing facilities resulting in an overall increase of efficiency on the farm and a reconfiguration of current space for the benefit of the functional needs of the business.

The proposed extension measures 50.28m x 30.47m, with an eaves height of 4.87m and an overall ridge of 7.89m, matching the height of the existing unit. The proposed extension would have a net floor space of 1532sqm bringing the overall area of the cattle sheds to a total of 3325sqm. Construction of the shed would employ a gabled double pitch roof to match the apex and eaves of the existing building with concrete panelled walls and roof and Yorkshire boarding at the upper level.

The proposed location of the building is to be sited on land within the existing farmyard, immediately south of and abutting the existing livestock units.

To the south would be located the existing slurry bed which drains into the farm's slurry lagoon.

No additional livestock are proposed.

## **HISTORY:**

(Most Recent)

21/01620/OUT – Erection of a 1 bed single storey workers dwelling, all matters reserved, Granted 29/04/2022

20/00366/AGNOT- Erection of a roof over a manure store – Determined 18/05/2020

10/00334/FUL – Erection of an extension to an existing livestock building - Approved 13/05/2010

09/00858/AGNOT – Extension to an existing agricultural building to house livestock – Determined 21/08/2019

09/00881/AGNOT – Construction of a slurry storage lagoon – Determined 28/08/09

## **POLICIES:**

### **The Ryedale Plan- Local Plan Strategy (2013)**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy;  
Local Plan Strategy – Policy SP9 Land Based Rural Economy

Local Plan Strategy – Policy SP12 Heritage;  
Local Plan Strategy – Policy SP13 Landscapes;  
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.

### **Other Material Considerations**

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

Paragraph 84 & 85 – Supporting a prosperous rural economy

### **Main Considerations**

The following considerations are considered to be key in relation to this application:

1. The principle of the development
2. Design and Landscape Considerations
3. Amenity
4. Drainage
5. Access
6. Other Matters

### **APPRAISAL:**

#### **Principle of the development**

Policy SP1 of the Ryedale Local Plan, entitled ‘General Location of Development and Settlement Hierarchy’ confirms the Council’s approach to the type of development considered appropriate for locations across the district. It identifies 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.'

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy is supportive of new buildings that are necessary to support land-based activity and a working countryside, including farming.

Furthermore, Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

The formation of this sizable building which will enhance the efficiency of operations at the established farm is considered to be a use and structure which is very much appropriate for this Open Countryside location. It therefore is considered to be a proposal which complies with spatial principles established by Policy SP1 and is in accordance with Policy SP9 as it is associated with an established farming operation. No responses have been received from the Parish Council in relation to this proposal nor from any third parties. There are other planning considerations which are discussed in the following sections.

#### **Design and Landscape considerations**

Policy SP13 entitled ‘Landscapes’ requires that proposed development “*protects and enhances the quality, character and value of Ryedale’s diverse landscapes*”. It is recognised that in this case, the site is not located in an area with any landscape designation. It is proposed to be located within an existing farmstead in open countryside.

Policy SP20 entitled ‘Generic Development Management Issues’ requires that new development “*respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses*”. The extension proposed is to be integrated within the existing group of farmstead buildings located some distance to the east from the A64 highway where the boundary of the farm benefits from an existing considerable boundary screening of trees and hedges. Farm buildings, per se, are not out of character within the context of the local countryside and, given this, only fleeting views of the development would be seen from the highway resulting in a limited impact upon the character of the area and its setting.

Accordingly, there is no concerns in terms of potential landscape impact and the development proposed is considered to accord with Policies SP13 and SP20 of the Ryedale Plan- Local Plan Strategy.

Policy SP16 entitled ‘Design’ 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’*. It makes specific reference to extensions and alterations and states, *‘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’*.

The extension to the milking sheds is substantial but it is set within the context of the existing farmstead, and those buildings within that farmstead.

The design of the shed is of generic in form and materials like many agricultural buildings, but it would be constructed in similar materials to the existing building consisting of concrete profile walls and roof sections with Yorkshire Boarding located on the upper levels. In addition, the height and scale of the existing building would be matched. No details of external finish to the building have been provided with the application, and so it is recommended that details of the materials of the roof finish are conditioned if Members are minded to approve this application.

The proposal would match the overall character of the adjoining buildings and would not appear discordant with the character and scale of the farmstead, and on that basis it complies with Policy SP16 in relation to its design principles, and its extension to an existing agricultural building.

### **Amenity**

The nearest sensitive receptors (residential properties) to the site (Edstone Hill and Church Hill Farm) are approximately 100 metres to the North and at a sufficient distance across existing intervening boundary treatment of substantial and mature planting to avoid any discernible impact upon the existing amenity of these dwellings in terms of physical effects of the building’s siting and activity within the building. Some 200m to the Southeast is the dwelling at Seven Oaks Farm being positioned some 200m distant across the A64 Highway. These separation distances therefore allow the proposal to comfortably comply with Policy SP20 of the adopted Ryedale Plan- Local Plan Strategy which is concerned with the protection of residential amenity for existing and future residences.

### **Drainage**

The site is in Flood Risk level 1, and so is within the area identified as being in the lowest level of flood risk. It therefore satisfies policy SP17 of the Ryedale Plan- Local Plan Strategy, and the NPPF which seeks to ensure that a sequential approach is taken to ensuring that new development is sited where possible in areas of least flood risk.

A building of this size has the capacity to generate significant run-off- particularly in the event of heavy rain. Therefore the matter of agreeing a scheme for the management of surface water is needed. Information provided to support the application identifies that the application site is of a free draining nature and, as such, the proposal will utilise soakaways for the disposal of surface water.

Any foul water will be drained to the existing slurry lagoon to the south. The proposal does not indicate an increase in the numbers of stock, and so will not increase the amount of slurry being generated. The description of development prescribes no increase in stock numbers and so therefore it is not considered necessary to impose a condition on the amount of stock at the site.

It is important that these drainage systems are kept separate, so to avoid over-capacity issues with the existing slurry lagoon.

No specific response was received from Yorkshire Water, but it remains appropriate to attach a condition to ensure that systems of foul and surface water are kept separate, and since agricultural buildings are not subject to approval via Building Control Inspectors the precise details of the methods of disposal of foul and source water will be sought as a condition.

Due to the position of the proposed site within a working farmstead a condition relating to unexpected contamination will be recommended.

### **Access**

The proposed development will utilise the existing, established highway access and internal access tracks. The building is not to facilitate the increase in livestock, and so it will not result in a material increase in the number or frequency of vehicular movements. The proposed building will not impact on traffic movements, and so is considered to comply with Policy SP20 on that basis.

NYCC Highways confirmed no objection to the proposal noting *“It is not considered that the proposal will have a detrimental impact on the highway network and as such there are no local highway authority objections to the proposed development.”*

### **Conclusion**

It is considered in principle that essential need to justify a further building to support this family run business is appropriate and in accordance with Policies SP1 and SP9 of the Ryedale Plan, Local Plan Strategy.

It is considered that a further extension to the milking sheds could be effectively accommodated within this location without undue harm to the surrounding locality. It is considered that this would be an appropriate and logical location to satisfy the requirement for additional farm buildings within the wider site, and that as a proposal it satisfies the policies of the Ryedale Plan- Local Plan Strategy. With the recommended conditions this application is recommended for approval.

**RECOMMENDATION:**                      **Approval** subject to the following 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(s):

Site Location Plan dated May 2022  
Elevation Drawing dated May 202  
Plans received 31<sup>st</sup> May 2022

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

3. Prior to the above ground construction of the development hereby approved, details of external finishes to be used on the exterior of the building that is the subject of this permission 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 SP13, SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy.

4. Land contamination:

a) Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites.

b) Remediation

Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

c) Verification

Unless otherwise agreed in writing by the local planning authority, none of the dwellings shall be occupied (or the site shall not be brought into use) until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

d) Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors. This is in accordance with Policy SP20 of the adopted Ryedale Plan Local Plan Strategy.

5. Separate systems of disposal of foul and surface water shall be imposed on the site. Prior to their construction the details of those systems shall be submitted to and approved in writing by the Local Planning Authority, and thereafter so implemented.

Reason: To ensure satisfactory drainage of site as a result of the building and the secure disposal of foul water from the operations undertaken within the building in a manner which reduces risk of water pollution, in accordance with Policy SP17 of the adopted Ryedale Plan-Local Plan Strategy