

RYEDALE DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS
CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED
SUBJECT TO THE CONDITIONS STATED BELOW:**

Application No: 17/01455/FUL

Proposal: Change of use of farmstead to form part livery stables, part holiday accommodation and part wedding venue, to include erection of a 1 bedroom timber chalet, a timber yurt/BBQ hut, Dutch Barn and raised decking, siting of a 2 bedroom static caravan and a shepherds hut and use of field for camping and parking and the creation of a new access road from within Bogg Hall Farm for wedding traffic (retrospective application)

at: Deep Dale Farm House Village Street Keldholme Kirkbymoorside YO62 6LE

for: Mrs Charlotte Lawson

Decision Date: 21 December 2018

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

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 SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
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

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

Site Plan as Existing (Drawing no. H79-1-EX7)

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Dutch Hay Barn as Existing (Drawing no. H79-1-EX6)
Yurt Structure Building as Existing (Drawing no. H79-1-EX1)
Raised Decking Structure as Existing (Drawing no. H79-1-EX2)
Shepherd Cart as Existing (Drawing no. H79-1-EX3)
Static Caravan as Existing (Drawing no. H79-1-EX5)
Timber Chalet as Existing (Drawing no. H79-1-EX4)
Plan Showing Sections of Potential Access Road (Drawing no. 20155-SK-004-02)
Potential alignment of a new access road from farm with passing places (Drawing no. 20155-SK-004-01)
Proposed improvements to Bogg Hall Farm Access (Drawing no. 20155-SK-004-03)
Revised Site Location Plan (Robin Hall Associates) dated 10.05.2018.
Plan indicating proposed signage locations (Robin Hall Associates) dated 13.09.2018
Signage Details (Robin Hall Associates) dated June 2018

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

- 02 The wedding venue business, hereby approved shall operate only between the months of May-September. No event may extend beyond 12.30am.

Reason: In the interests of neighbouring amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 03 No additional external lighting shall be installed within the camping/parking areas hereby approved without the prior approval of the Local Planning Authority.

Reason: Lighting in this exposed location within this Area of High Landscape Value and to prevent harm to neighbouring amenity, in accordance with the aims of Policy SP13 Landscapes and Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 04 The development hereby approved shall be operated in accordance with the approved noise management plan produced by YES Consultancy, dated October 2018. In addition, a noise limiting device shall be used to limit the noise levels inside the barn to 95 dB at source (with readings taken from the middle of the barn.) The noise management plan shall be reviewed after a year from the date of this planning permission (or earlier at the request of the local planning authority, following receipt by either the Local Authority or the venue of a verified and justified complaint(s)), to ensure that measures to limit noise and other disturbance, in relation to agreed noise levels at the boundary of the application site, are maintained.

Reason: In the interests of neighbouring amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 05 Unless otherwise approved in writing by the Local Planning Authority, there shall be no further use of the site for the wedding venue business until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

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c.(i) The existing access and verge crossing at Bogg Hall Farm shall be improved by widening as shown on Drawing Number 20155-SK-003 and upgrading of construction specification as shown on Standard Detail Drawing Number E2.

c.(ii) The private access between Bogg Hall Farm and Deep Dale Farm House shall be constructed and/or improved in accordance with the details shown on Drawing Numbers 20155-SK-004-01 & 02.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

HI-07 INFORMATIVE

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

Reason: In accordance with Policy SP20 Generic Development Management Issues and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

- 06 There shall be no access or egress between the highway and the application site by any vehicles associated with the wedding venue business, livery business or holiday accommodation business other than via the existing improved access with the public highway at Bogg Hall Farm and the constructed private access track as conditioned at 1.c.(ii) (above) thereafter to Deep Dale Farm House. The access and private track shall be maintained in a safe manner which shall include the repair of any subsequent damage.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

- 07 The wedding venue activities shall not be carried out otherwise than in accordance with the access management arrangements as noted on Drawing Number 20155-SK-004-02 and advanced signage arrangements in place to the size and content as shown on Plan no. H79-1-Signs1 and accompanying location plan dated 13th September 2018, being maintained as such and for the duration as notified from the applicant's agent in the e-mail dated 17 October 2018 to the local planning authority and removed from being placed in the public highway at all other times when such events are not being held.

Reason: In accordance with SP20 of the Ryedale Plan- Local Plan Strategy and to provide appropriate operational management and advanced signage provision in the interests of highway safety and the general amenity of the development.

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- 08 The accommodation hereby permitted (Shepherd's Hut and Chalet Only) shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 09 The holiday accommodation hereby permitted (Shepherd's Hut and Chalet Only) shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days in any one calendar year.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 10 The owners/operators of the holiday accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising (relating to the Shepherd's Hut and Chalet only) will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:

- the main address(es) of all the occupiers of the accommodation hereby permitted
- the start date of every one of the letting/occupations and of all the occupiers of the accommodation hereby permitted
- supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 11 The accommodation hereby permitted (Static caravan for visiting workers) shall be occupied for holiday purposes only; and not as a person's sole or main place of residence and no occupation must exceed a total of 31 days in any one calendar year.

The owners/operators of the holiday accommodation hereby permitted (Static caravan for visiting workers) shall maintain an up-to-date register of occupation. This will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:

- the main address(es) of all the occupiers of the accommodation hereby permitted

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- the start date of every one of the occupations and of all the occupiers of the accommodation hereby permitted
- supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 12 The field to the west of the farmstead to be used for camping shall only be used by guests visiting in association with a wedding event at Deepdale Farm. This shall not be operated as a separate commercial camping site. Guests may arrive no earlier than one day before the event and must have vacated the site by the day following the event.

Reason: In the interests of neighbouring amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 13 No amplified, recorded or acoustic music shall be played in the camping field.

Reason: In the interests of neighbouring amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 14 Within 3 months of the date of the approval hereby issued, a manure management plan shall be submitted in writing for approval to the Local Planning Authority. This shall detail the measures to be taken to minimise odour and fly problems through the correct collection and storage of manure. It shall detail the methods of animal bedding and area cleaning. Such a plan shall be reviewed whenever there are significant changes, and implemented.

Reason:- In order to protect the surface and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 15 Within 2 months of the date of the approval hereby issued, details of the final proposed surfacing of the new access road through Bogg Hall Farm shall be submitted in writing for approval to the Local Planning Authority. The approved details shall be implemented by 30th April 2019 in advance of the first wedding season. Unless otherwise agreed in writing with the Local Planning Authority the surface shall subsequently be maintained at an appropriate standard to retain an acceptable means of access to the site.

Reason: In order to ensure a safe and appropriate access to the site, to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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INFORMATIVE(S)

- 01 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development.

Applicants are advised to contact the County Council's Access and Public Rights of Way Manager at County Hall, Northallerton on 0845 8727374 to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

Footnote :

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE DISTRICT COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.


HEAD OF PLANNING

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