



## NOTICE OF DECISION

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

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

**Application No:** ZE23/01987/FUL

**Proposal:** Erection of 2no. field shelters and installation of a stone access track for agricultural use

**at:** Land At Keldholme Kirkbymoorside York

**for:** Mr Martin Wilson

**Decision Date:** 8 December 2023

### **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 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 SP20 Generic Development Management Issues

### **CONDITIONS AND ASSOCIATED REASONS**

01 The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan dated 7th August 2023

Drawing No 2023308 A102 Rev B - Existing and Proposed Layouts

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

03 The buildings hereby approved shall not be brought into use unless and until the existing field shelter located in the north-west corner of the application site has been demolished and removed from the site.

Reason: In order that number of buildings on the site is proportional to the agricultural need of the site and in accordance with Local Policy SP9 of The Ryedale Plan - Local Plan Strategy 2013.

04 The buildings hereby approved shall only be used for housing livestock or for storing agricultural machinery, agricultural equipment and animal feed that is used only in support of the agricultural operation of the site.

Reason: To ensure the use of the buildings remains appropriate to its location in the open countryside as defined in the Ryedale Local Plan Strategy 2013 and in accordance with policy SP9 of the Ryedale Local Plan Strategy 2013.

05 Notwithstanding the provisions of Schedule 2, Part 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class Q - agricultural buildings to dwellinghouses

Reason: To ensure that the qualities of the surrounding Area of High Landscape Value and the rural character of the area are protected and in accordance with policies SP13, SP16 and SP20.

06 No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.

Reason: To ensure that any lighting installed at the site does not cause unacceptable harm to the landscape or wildlife and in accordance with policies SP13, SP14, SP16 and SP20 of The Ryedale Plan - Local Plan Strategy 2013.

07 The development hereby approved shall not be brought into use until the crossing of the highway verge has been constructed in accordance with Standard Detail number E50 Rev A and the following requirements.

i. Any gates or barriers must be erected a minimum distance of 6.5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.

ii. The final surfacing of any private access within 7 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.

iii. Measures to enable vehicles to enter and leave the site in a forward gear.

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.

- 08 The existing hedges along the boundaries of the site shall be retained and maintained. In the event of the existing hedges dying, or a part of the hedges dying, it/they shall be replaced to a specification that shall first have been approved in writing by the Local Planning Authority. Any new hedgerow plants shall be maintained for a period of five years from being planted and replaced if they die or become diseased by plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: The existing hedges are important for landscaping the approved development and should be retained.

### INFORMATIVE(S)

- 01 Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire Council as the Local Highway Authority, is available to download from the Council's web site: [https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf).

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in condition 7.

*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 Planning 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 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.

---



Trevor Watson  
Assistant Director – Planning

**Date: 8th December 2023**

Mr Martin Wilson  
C/O Mr Jonathan Wilson (JAWdesign)  
116 Westgate  
Pickering YO18 8BB

#### NOTES

This is an approval under the Town and Country Planning Act only.

**YOUR RIGHTS OF APPEAL ARE AVAILABLE AT [www.northyorks.gov.uk/planning](http://www.northyorks.gov.uk/planning)**

