

Kirkbymoorside Town Council

Information for the Planning Committee meeting on Monday 18 November 2024

3. Minutes and Matters Arising

b. To consider matters arising

Pursuant to Minute P24031 of the Planning Committee meeting held on Monday 21 October 2024, to note the submission to the Planning Authority, North Yorkshire Council in respect of concerns associated with Planning Application ZE24/00418/FUL and response from the Principal Enforcement Officer.

Minute P24031 of the Planning Committee meeting held on Monday 21 October 2024

Questions to the Chair

Cllr Dowie asked if it would be possible to make representation to the Planning Authority, on behalf of affected residents of Keldholme and ongoing concerns in respect of the activities at Deepdale Farm associated with Planning Application ZE24/00418/FUL. There has been a catalogue of unauthorised activity and repeated breaches of planning conditions at the venue and it is feared that despite the withdrawal of the application these contraventions will continue in the absence of any enforcement by the Planning Authority.

Submission to the Planning Authority, North Yorkshire Council dated 11 November 2024

Dear Sir/Madam,

On behalf of affected residents of Keldholme, the Town Council Planning Committee would like to raise concern about the impact on local residents of unauthorised development, specifically the lack of planning enforcement associated with Deepdale Farm, Keldholme.

This site has a history of business expansion and operations being carried out in the absence of planning consent. When planning permission has been applied, there have been a catalogue of unauthorised activities and repeated breaches of planning conditions at the venue. In the absence of any evident planning enforcement by the Planning Authority there is no assurance that the business will not continue to operate, despite withdrawal of the latest application (ZE24/00418/FUL | Use of site for wedding venue with a temporary alternative access and access arrangements (Cond 05 and Cond 06 of planning permission 17/01455/FUL) for a maximum of 13no. weddings in 2024 only from May 2024 through to September 2024 | Deep Dale Farm House Village Street Keldholme Kirkbymoorside North Yorkshire YO62 6LE)

For ease of reference herewith a timeline of retrospective applications:

17/01430/CLEUD

January 2018 17/01430/CLEUD | Certificate of Lawfulness in respect of the building works for erection of 3no. agricultural buildings and a horse walker and formation of a manege were **completed more than four years before the date of this application** | Deep Dale Farm House Village Street Keldholme Kirkbymoorside YO62 6LE Retrospectively, a certificate of lawfulness was granted to regularise a number of structures at Deepdale Farm which had been erected without planning consent including three large agricultural buildings, a horse walker and a horse manege. Unauthorised development continued with **retrospective** applications made for a chalet, 2-bedroom static caravan, Dutch Barn, timber yurt / BBQ hut, shepherd's hut, raised decking, car parking and campsite.

17/01455/FUL

November 2017 17/01455/FUL | Change of use of farmstead to form part livery stables and part wedding venue, to include erection of a 1 bedroom timber chalet, a timber yurt/BBQ hut and raised decking, siting of a 2 bedroom static caravan and a shepherds hut and use of field for camping and parking (**retrospective application**). | Deep Dale Farm House Village Street Keldholme Kirkbymoorside YO62 6LE

In response to this, the first of three retrospective applications, the Town Council Planning Committee raised concern with the Planning Authority that the development had been afforded the opportunity to be established in the absence of permission and that application 17/01455/FUL had been submitted retrospectively.

January 2018 17/01455/FUL | 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 and raised decking, siting of a 2 bedroom static caravan and a shepherds hut and use of field for camping and parking (**retrospective application**) Access amended | Deep Dale Farm House Village Street Keldholme Kirkbymoorside YO62 6LE

April 2018 17/01455/FUL 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**)

Breach of Planning Conditions:

It is understood that a breach of the Conditions specific to access arrangements associated with approval of application 17/01455/FUL necessitated submission a subsequent planning application in 2024, ZE24/00418/FUL for use of the site for wedding venue with temporary alternative access and access arrangements (Cond 05 and Cond 06 of planning permission 17/01455/FUL) for a maximum of 13no. weddings in 2024 only from May 2024 through to September 2024 | Deep Dale Farm House Village Street Keldholme Kirkbymoorside North Yorkshire YO62 6LE. In the absence of planning permission, business continued throughout the period of administration of application ZE24/00418/FUL, from May 2024 through to September 2024. The lack of planning enforcement offers no assurance that, despite withdrawal of the application, operations will be not ongoing at this site in 2025, much to the detriment of, and contrary to objections raised by neighbours and the Town Council.

It would be appreciated if a response would be forthcoming to explain the absence of planning enforcement locally and why/how developments are permitted to breach Conditions of Agreement with no evident consequence. In the absence of any enforcement the validity of planning permission is called into question and it would be helpful to understand and be provided with reassurance that the planning process is valid.

The date of the next Town Council Planning Committee meeting is Monday 18 November. It would be greatly appreciated if a response could be made available by this date.

Yours sincerely,

Lisa Bolland

Town Clerk to Kirkbymoorside Town Council

Response from North Yorkshire Council Planning department received 14 November 2024:

Dear Ms Bolland,

Thank you for your e-mail and apologies for the slight delay in coming back to you on this.

As you will be aware the site is subject of a live enforcement investigation and Niamh Bonner (Planning Officer) was dealing with the recently withdrawn application (ZE24/00418/FUL) and we have been in communication regarding this site prior to her going off on maternity leave and throughout the application process.

Following the withdrawal of the planning application (ZE24/00418/FUL) the Local Planning Authority (LPA) sent correspondence to the relevant parties regarding the use of the original access for weddings/livery/holiday use at Deepdale setting out that if the use recommenced without appropriate planning permission, that the LPA would look to proceed and take formal enforcement action.

The LPA has set out to the relevant parties that the LPA recommends that they take no future bookings in the this regard for next summer or in the future unless there is the required planning permissions in place and as detailed above the relevant parties have been informed of the next steps from a planning enforcement perspective if this was to occur.

The LPA earlier in the year had been in communication with the relevant parties regarding the alleged breaches of planning control and set out that any livery/holiday accommodation to be used going forward cannot use the original access unless a relevant planning permission in place to this effect to vary/amend condition 06 of 17/01455/FUL. In response the LPA were advised that there is no livery in place which I understand was set out in supporting information for the withdrawn application and it was also confirmed that Airbnb cabin will also be removed from the live listing.

This is a brief overview as to where the LPA is at with this as I wanted to get a response to you and update you prior to the committee meeting on 18th November 2024. I would also add that from a planning enforcement perspective should residents feel that a potential breach of planning control is occurring to please let me know providing as much information as possible on the alleged breach (s) and I can investigate the matter going forward.

Regards,

Martin MacBeth

Principal Enforcement Officer

North Yorkshire Council

Planning Department

Website: <https://www.northyorks.gov.uk/>