

# 12

15/02803/FUL

**Fabrication workshop and associated hard standing for the manufacture of agricultural buildings  
at land on the north side of Dalton Old Airfield Industrial Estate, Dalton  
for Mr Peter Walker**

## 1.0 APPLICATION SITE AND PROPOSAL

- 1.1 The application site is located to the south of Dalton Lane opposite the buildings associated with Cod Beck Blenders, Cod Beck Estate. The site includes a range of buildings and storage facilities, a number of train carriages formerly on the land have been moved to a position off the site. The land has been used as a bus and coach depot.
- 1.2 The proposal is to construct a building measuring 117m by 18m (maximum) although a significant part of the building would be 11.5m wide. The building would be at maximum 8.38m high to the ridge and 6.096m to the eaves. Parts of the building would be 7.686m high. The application site measures 1.39 hectares.
- 1.3 The applicant's company has outgrown its existing site at Holly Farm, Kirby Sigston (approximately 13 miles from the application site). The applicant highlights that the company needs to set up a new production facility to install modern computer controlled machinery to remain competitive and be able to comply with ever increasing demands of CE marking and other legislation. The proposal would employ the equivalent of 11 full time workers.
- 1.4 The applicant clarifies that they have searched for suitable sites both inside and outside the District but have failed to find appropriate sites elsewhere, noting that those at Sowerby Gateway were not available or suitable at this time with the Gateway preferring lease not sale and the specific requirements of the building proposed also eliminating potential sites. Current sites on the market were also adjacent to the new housing developments which would raise concerns for potential viability of future operations due to noise.
- 1.5 The applicant highlights that Dalton Airfield is an ideal site for their needs with the principal reason being the supply chain, the presence of steel stockholders on Dalton Airfield, it has good access for goods vehicles, and most importantly for us it is a long narrow site well suited to the highly efficient production facility proposed and it is also further away from residential areas.

## 2.0 RELEVANT PLANNING HISTORY

- 2.1 77/1713/FUL - Use of land for the stationing of a residential caravan; Granted 26 May 1977.
- 2.2 91/0883/FUL - Extension to coach garage; Granted 8 January 1992.

## 3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development

Core Strategy Policy CP2 - Access  
 Core Strategy Policy CP4 - Settlement hierarchy  
 Core Strategy Policy CP11 - Distribution of new employment development  
 Core Strategy Policy CP12 - Priorities for employment development  
 Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
 Core Strategy Policy CP17 - Promoting high quality design  
 Core Strategy Policy CP18 - Prudent use of natural resources  
 Core Strategy Policy CP19 - Recreational facilities and amenity open space  
 Core Strategy Policy CP21 - Safe response to natural and other forces  
 Development Policies DP1 - Protecting amenity  
 Development Policies DP3 - Site accessibility  
 Development Policies DP4 - Access for all  
 Development Policies DP6 - Utilities and infrastructure  
 Development Policies DP9 - Development outside Development Limits  
 Development Policies DP16 - Specific measures to assist the economy and employment  
 Development Policies DP17 - Retention of employment sites  
 Development Policies DP30 - Protecting the character and appearance of the countryside  
 Development Policies DP32 - General design  
 Development Policies DP33 - Landscaping  
 Development Policies DP36 - Waste  
 Development Policies DP42 - Hazardous and environmentally sensitive operations  
 Development Policies DP43 - Flooding and floodplains  
 Development Policies DP44 - Very noisy activities  
 National Planning Policy Framework - published 27 March 2012  
 National Planning Practice Guidance

#### **4.0 CONSULTATIONS**

- 4.1 Parish Council - No comment received.
- 4.2 Highway Authority - No objection subject to conditions.
- 4.3 Yorkshire Water - A water supply can be provided under the terms of the Water Industry Act, 1991. For Waste Water This proposal is in an area very remote from the foul public sewerage network. The plan marked 'Drainage' quotes a distance of 640 metres to a 'mains sewer' marked brown. This is actually a pressurised foul rising main, and no connections would be allowed into this system. The public foul sewer is located further in Dalton, in excess of 700 metres away, which would involve crossing land and roads not in the applicant's ownership. In this instance, the application should be referred to the Environment Agency and the Local Authority's Environmental Health Section for comment on private treatment facilities.
- 4.4 Swale & Ure Drainage Board - No objection subject to a condition.
- 4.5 Scientific Officer (contaminated land) - No objection subject to conditions.
- 4.6 Environmental Health Officer - No objection. Based on the information provided if the recommendations of the noise report are implemented there will be no significant impact on amenity.
- 4.6 Public comment - Letters of objection have been received from two local residents raising the following points:
- Concern about the noise.
  - Impact from dust and paint fumes.

- Impact from the shot blaster.
- The coming, going and turning of Lorries directly to the east of the Proposed Fabrication Workshop, front of the Bungalow.

## 5.0 OBSERVATIONS

- 5.1 The key determining issues are (i) the principle of development; (ii) the impact of the proposal on the character of the area; (iii) the impact of the proposal on the amenities of nearby and neighbouring residents, particularly due to noise; (iv) servicing and access arrangements; and (v) flooding and drainage.

### The principle of development

- 5.2 Local Development Framework policy CP11 guides the distribution of new employment development and promotes most employment development in the Service Centres (and Leeming Bar and Dalton Airfield), although small scale development will be supported in Service Villages. In the Thirsk area, most development will be encouraged to locate in the Thirsk Service Centre, but if land cannot be identified in Thirsk, some development will also be supported at Dalton Airfield as will development to meet the needs of existing businesses there.
- 5.3 The proposal is not for a business already located at Dalton Airfield but one wishing to relocate. It is therefore necessary to consider whether other suitable sites are available in Thirsk.
- 5.4 The National Planning Policy Framework guides that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.
- 5.5 In this case, taking account of the size of the proposed building, combined with the land being previously developed and relocating an existing business within the District should be noted. The applicants have approached Hambleton District Council about two proposed sites in the past, the first being Moor Lane Nursery, Moor Lane, Dalton and Crossbones Farm on Skipton Airfield and were told that neither were acceptable. The applicant also confirms that they were unsuccessful in buying a site which falls under the jurisdiction of Harrogate Borough Council. The applicant has considered Sowerby Gateway amongst other sites and has found these not to be suitable for their needs as the land was for lease not sale and at there were no sites available of the size and shape required to achieve the production line layout being brought forward until later in the development programme.
- 5.6 The applicant's concern about taking a site close to housing is understood. The fabrication process involves use of steel and this would risk noise complaints if dropped or handled without extreme caution if there was housing nearby. Furthermore, in this case the presence of the applicant's supply chain, i.e. the steel stockholders, on Dalton Airfield lends support to the proposal, not only from the perspective of the applicant's convenience but also in terms of the sustainability gains in minimising transport of steel between the two.
- 5.7 The application is therefore supported in principle, subject to consideration of detailed aspects of the proposals.

### Character of the area

- 5.8 The building would be long and thin but also would be considerably lower than the buildings opposite relating to Cod Beck Estate. It would present a modern, commercial building that would be in keeping with the local landscape and would not harm the character of the area.

### Residential amenity

- 5.9 The concerns of residents are carefully considered who are located approximately 45m to the north east of the proposals fronting Dalton Lane. It is noted that the proposal is designed to eliminate openings towards the nearby local residents. In this regard therefore the proposal would reduce the impact to local residents and there would be opportunity to further mitigate any impact through controls over the movements of steel outside the building, planting and landscaping as well as noise mitigation to the building (required by planning conditions). Whilst it is noted that one of the reasons for eliminating Sowerby Gateway was the relationship to neighbouring residential properties, it is noted that the scale of residential development on Sowerby Gateway is significantly higher than at Dalton. The proposals utilise an existing commercial site, and the proposals have been able to design out and mitigate the design of the proposals to reduce the likelihood of noise impacts to neighbours. This would not necessarily be possible on the early sites at Sowerby Gateway which are close to extensive housing sites. Therefore, it is possible through planning conditions and the design to differentiate and manage the noise climate to neighbouring residential properties accordingly.
- 5.10 In the context of the existing uses at Dalton Airfield, it is considered that the proposal would not have a significant adverse impact on amenity.

### Servicing and access arrangements

- 5.11 The applicant highlights that the company's existing employees are currently based between Northallerton and Thirsk and the new proposed site would make very little change to their travel to work pattern. They note that a large percentage of their customers are based to the south of their current location at Kirby Sigston and the relocation to Dalton Airfield would considerably reduce travelling time. The applicant also states that access from the A168 for HGVs with raw materials in and finished product out is very good and the proposed upgrading of Dalton Bridge to alleviate flooding problems affecting the Industrial estate can only benefit their proposal.
- 5.12 Considering the above and the comments of the Highway Authority, it is considered that the proposal would not materially impact on highway safety.

### Flooding and drainage

- 5.13 The entire site, including the access, falls within flood zone 1, which is at the lowest risk of flooding with the site being previously developed and containing existing areas of buildings and hard surfacing. The new fabrication workshop would be constructed slightly above existing ground levels; this would reduce the already small risk of flooding and means that water can drain away from the building. The proposed industrial use is not of high vulnerability to flooding. Runoff from the roof is shown to be drained away by means of downpipes to a below ground surface water sewer and is proposed to be discharged via a soakaway of adequate capacity. The scheme proposes the use of a package treatment plant for treatment of foul sewage and ultimate discharge to soakaways. The report notes that percolation tests are yet to be carried out. As such it is considered that the proposals could provide appropriate drainage to the site in accordance with planning policy guidance and criteria.

## 6.0 RECOMMENDATION

6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans and drawings reference G(1), G(2), G(3), G(4), and G(5) received by Hambleton District Council on 16 December 2016.
3. Prior to the commencement of development a schedule of materials to be used in the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
4. There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority: a. vehicular and cycle parking; b. vehicular turning arrangements; c. manoeuvring arrangements ; and d. loading and unloading arrangements. No part of the development shall be brought into use until the approved vehicle and cycle parking, manoeuvring and turning areas have been constructed in accordance with the submitted details. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
5. Prior to the commencement of development, drainage plans, including details of the proposed swales, balancing ponds and geocellular/modular systems, including the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. Any surface water discharge to a watercourse should be restricted to 1.4 l/s/ha with a 5 l/s de-minimis value. The development shall be carried out in accordance with the approved details. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development.
6. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal
7. There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; and b. on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

8. No development shall be commenced until an assessment of risks posed by unexploded ordnance has been carried out by an unexploded ordnance (UXO) risk assessment specialist and has been submitted to and approved in writing by the local planning authority. Where risk mitigation is necessary a scheme for the mitigation of the UXO shall be submitted and approved by the local planning authority before any further development occurs. The development shall not be occupied until the approved risk mitigation scheme has been implemented and a verification report and clearance certificate has been submitted to and approved in writing by the local planning authority.
9. Notwithstanding the landscape information submitted in support of this planning application no development or site clearance shall commence until full details of landscaping is submitted to the Local Planning Authority and approved in writing. Information is required for the entire application site and shall provide full details of: proportions (%) of plant species within each proposed plant mix; how the plants will be introduced, for example as: seeds, plugs, whips, standards, through natural colonisation and how the land will be prepared; specification of trees and shrubs; plant numbers, weights of seed, density of sowing/ planting; locations of all planting; details of hard landscaping/ lighting and drainage; and details of access and circulation. The development shall be carried out in accordance with the approved landscaping scheme.
10. Prior to the commencement of development details of noise attenuation and acoustic cladding including the acoustic specification with reference to background noise levels at the nearest noise sensitive receptors shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
11. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the local planning authority. A scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.
12. 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.
13. No additional opening windows or doors (with exception of emergency escape doors) shall be installed in the façade of the building facing the properties on Dalton Lane (northern elevation)
14. Emergency escape doors shall be kept closed except for emergency use.
15. No speakers or public address facilities shall be installed externally.
16. No construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08.00 to 18.00 weekdays and Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

17. There shall be no outdoor moving of steel outside the hours of 08.00 to 18.00 weekdays and Saturdays and the shot blaster shall be operated only between the hours of 08.00 to 18.00 weekdays and Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

The reasons are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure satisfactory development of the site and ensure that the development is in keeping with the character of the area.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
4. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development
5. To ensure satisfactory development of the site and to ensure that satisfactory drainage of the site is maintained.
6. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
7. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
8. The proposed development is on the site of a former World War Two airfield and therefore there is the potential for unexploded ordnance to exist on site. In order to protect the site workers during the development phase and site occupants post development.
9. To ensure satisfactory development of the application site and to enhance the appearance of the area.
10. To safeguard the amenities of nearby residents.
11. In the interests of human health and the environment.
12. To safeguard the amenities of nearby residents and to prevent unnecessary light pollution
13. To safeguard the amenities of nearby residents
14. To safeguard the amenities of nearby residents
15. To safeguard the amenities of nearby residents
16. To safeguard the amenities of nearby residents
17. To safeguard the amenities of nearby residents and in accordance with the recommendations of the submitted noise assessment.