

**Parish: Scruton**  
Ward: Morton on Swale

Committee date: 12 May 2022  
Officer dealing: Mrs H Laws  
Target date: 7 April 2022

**6**

**22/00321/FUL**

**Application for the erection of a steel framed building for use as a light industrial workshop, utilising existing access**

**At: Field House Equestrian, Field House, Ham Hall Lane, Scruton**

**For: R Wright**

**This application is referred to Planning Committee at the request of a Member of the Council.**

### **1.0 Site, context and proposals**

- 1.1 The application site lies to the north of the A684 between Leeming Bar and Morton on Swale and is approximately 1km to the south of Scruton village. The site is on the western side of Ham Hall Lane, which is a single track road between Scruton and the A684.
- 1.2 The application site has been amended through the course of the application. The original site lies to the south of the Wensleydale railway line, is currently occupied by a disused horse walker with the land occasionally used as a paddock for horses. The site is bounded by the road to the east by a hedgerow and timber fencing.
- 1.3 The application has been amended in order to limit the impact on the rural landscape by relocating the proposed building to the immediate south of the existing buildings on site.
- 1.4 The site lies adjacent to farm buildings currently used as part of a livery business. To the north, across the railway line lies Gate House and Ham Hall. To the south of the access to Field House lies The Barn and two holiday units.
- 1.5 It is proposed to construct a detached building to be used as a light industrial workshop. The proposed business would be for the manufacturing of model ship and aircraft kits. The business is existing and currently operates in Worcestershire.
- 1.6 The building would have dimensions of 38.53m x 12.34m with a maximum height of 5.03m. The walls and roof would be goosewing grey plastisol coated composite panels with 24no. clear rooflights covering 20% of the roof. An area of hardstanding would be provided to connect an existing area with the roller shutter door proposed in the west elevation of the building.
- 1.7 The scheme does not include a landscaping proposal.
- 1.8 A livery business operates adjacent to the application site. The proposal is to relocate model manufacturing business, which is family run, to allow the continued operation of, and further investment in, the livery business. The applicant and other family members are involved in the livery and would also be active within the manufacturing business.

- 1.9 The business would operate from 8.30am to 5.30pm Monday to Friday and employ up to 7 full time and 2 part-time staff. Machinery would include small scale woodworking equipment, 3D printers and a small lathe.
- 1.10 Vehicle movements, other than staff, in connection with deliveries and collections would be by courier once a day; larger deliveries of raw materials would occur approximately 6 times a year with a maximum weight of vehicle being 7.5 tonnes.

## **2.0 Relevant planning history**

- 2.1 05/02520/FUL - Change of use of existing building from storage to the manufacturing of sheds. Permission granted 2/2/2006

07/03829/FUL – Change of use of existing light industrial unit to sale of equestrian goods. Permission granted 7/3/2008.

14/02518/FUL - Change of use from retail to retail, storage and distribution uses. Permission granted 10/4/2015.

## **3.0 Relevant planning policies**

- 3.1 The relevant Hambleton Local Plan policies are:

Policy S1 – Sustainable Development Principles

Policy S3 – Spatial Distribution

Policy HG2 – Delivering the Right Type of Homes

Policy HG3 – Affordable Housing Requirements

Policy HG5 – Windfall Housing Development

Policy E1 – Design

Policy E2 – Amenity

Policy E3 – The Natural Environment

Policy E7 – Hambleton's Landscapes

Policy IC2 – Transport and Accessibility

Policy IC3 – Open Space, Sport and Recreation

Policy RM3 – Surface Water and Drainage Management

Policy RM5 – Ground Contamination and Groundwater Pollution

Size, type and tenure of new homes Supplementary Planning Document (SPD)

National Planning Policy Framework

## **4.0 Consultations**

- 4.1 Scruton Parish Council – support this application and wish to see it approved
- 4.2 NYCC Highways – no objections
- 4.3 HDC Environmental Health Officer –
- 4.4 Wensleydale Railway - :The development is adjacent an automatic road and rail level crossing which is controlled by lights, any development must not result in the leakage of light which might cause confusion to train drivers; the level crossing is not designed for frequent use by large vehicles, this would be likely to cause significant maintenance issues; the development should be in keeping with the rural nature of the land adjacent the line.

4.4 Public comments – objections have been received from 5 local residents, which are summarised as follows:

1. Not an activity that should be located in a rural area
2. Would create unacceptable noise and air pollution
3. Damage would be caused to the single-track road as a result of vehicle movements
4. Use of Ham Hall Lane would be dangerous of other road users such as pedestrians and horse riders
5. Would be better located on an industrial estate
6. Holiday cottage business directly adjacent to the entrance to the application site would be severely impacted by the development in respect of noise
7. Visually incongruous with prevailing character of the area
8. Lighting would be visible through the translucent roof panels
9. The site is not served by public transport and is not therefore a sustainable location
10. There is no genuine need for the development
11. The application requests a general Class E use, which would allow permission for a wide-ranging set of uses
12. No noise assessment submitted
13. No ecological assessment

Following the re-siting of the development further representation has been received concerned that the development will have a detrimental impact on the adjacent holiday cottages.

## **5.0 Analysis**

5.1 The main issues to consider are (i) the principle of development; (ii) the impact on the character and appearance of the surrounding countryside; (iii) the effect on residential amenity; and (iv) highway safety.

The principle of the development

5.2 National planning policy is supportive of the planning system's role to promote the development of businesses and contribute to a strong, responsive and competitive economy. This is reflected at local level through Local Plan Policy, which aims to provide a range of employment opportunities and recognises the contribution of the rural economy. Policy EG7 is specific to business in rural locations such as the proposal and supports employment generating development in locations outside the main built form of a defined settlement such as this, where it complies with the following criteria:

a. the expansion of an existing business where it is demonstrated that there is an operational need for the proposal that cannot physically or reasonably be accommodated within the curtilage of the existing site; or

b. the re-use of an existing building of permanent, structurally sound construction that is capable of conversion without the need for substantial extension, alteration or reconstruction and can accommodate the functional needs of the proposed use including appropriate parking provision; or

c. a new building provided that it is well-related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location; or

d. other proposals specifically requiring a countryside location.

- 5.3 A new business would only be supported in this location where there is a genuine need for it to be located in the countryside. The applicant's case is that the proposed business would allow additional financial support for the livery business, which has been run down for several years and requires further investment. It would also allow the family that is living on site to manage the new business whilst supervising the livery.
- 5.4 It does not appear that the proposed development requires a countryside location and could be located within a settlement or an employment site. The livery business is established but clearly not running successfully and there are no guarantees that subsidising it with a model making business would allow it to flourish. It is therefore considered that the functional need for the development in this location can only be given limited weight. Although the applicant has been investigating alternative locations, no evidence has been provided that there are no suitable sites available in any settlements, or on existing or allocated employment sites. From discussion with the applicant it is clear that the scale of the operation it would be unlikely to be able to locate to an existing employment site, owing to the cost. The applicant is clear that they wish to develop the equestrian use, but in the absence of the model business would not be able to afford to invest in this part of the business.
- 5.5 The site has had a variety of uses over the years, with storage and distribution in part of the site, which would continue to be used for the proposed business, although not of itself needing planning permission as part of this application. As such it is considered that parts of the site can already be used for employment purposes, through existing permissions. This fact can be offered some weight in favour of the proposals.
- 5.5 The proposal would be contrary to Local Plan Policy EG7 owing to the countryside location. However, a case is considered to have been made in terms of the existing uses of the site, along with the financial synergy between the proposed use and the existing equestrian operation.

Impact on the rural landscape

- 5.6 The NPPF requires the protection of the natural landscape and the Hambleton Local Plan Policy E7 requires development to protect and enhance the distinctive landscapes of the district and take into account its openness.
- 5.7 The site originally proposed site for the building whilst adjacent to an existing group of buildings, would have significantly reduced the gap between the existing buildings and the railway line adding to the built-up nature of this particular area and detracting from the openness of the surrounding landscape.

- 5.8 The revised location to the south of the existing buildings, allows the structure to sit within the built form and the resultant development is considered to have little impact on the landscape character of the area as a result. It is considered that the revised development would not be in conflict with Policy E7, which states that the openness and special character of the District's landscape will be protected and where possible enhanced.

#### Residential amenity

- 5.9 Local Plan Policy E2 requires all proposals to provide and maintain a high standard of amenity for all users and occupiers, including future occupants, as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 5.10 The proposed use would require vehicle movements and the operation of machinery, which could give rise to noise. The locality is a relatively quiet rural location, albeit quite close to the A684. The development needs to be understood against the background of the former uses of the site, including the storage and distribution elements.
- 5.11 The operator of the adjacent holiday letting units has written raising concerns about the impact on the occupiers of the cottages, in particular through noise disturbance.
- 5.12 Had the cottages been in the control of the applicant, this would not have been considered an issue owing to the holiday nature of the occupation. However, the NPPF sets out the principle of the Agent of Change, whereby a new development should not have a detrimental impact on an existing lawful use, in this case being the idea of a harmful impact on the holiday business.
- 5.13 The proposed building is located approximately 10m to the south west of the cottages and as such has the potential to impact on the holiday use.
- 5.14 Concerns have been raised by the Environmental Health Officer, about the potential to create noise disturbance and they have requested an acoustic report to be prepared. In response, the applicant has stated that their operation is not noisy, owing to the size and form of equipment used. Photographs of the existing equipment and products have been supplied. These illustrate the micro parts that are produced by the equipment and the small scale of the equipment that is used. A condition could be used to control the nature of and noise produced by this equipment. However, at the time of writing further discussion is on-going with the Environmental Health Officer.

#### Highway safety

- 5.15 Ham Hall Lane is a single track road with limited passing opportunities. Local Plan Policy IC2 requires development to be located where the highway network can satisfactorily accommodate the traffic generated by the development. The details submitted indicate that there would be minimal vehicle movements associated with the business and the Highway Authority has no objections. It is not considered that the numbers of vehicles associated with the proposed use would adversely affect highway safety.

## Planning balance

- 5.16 The principle of the development is not supported by policy in this location. However, the development would provide some benefits including the provision of a new business providing local employment and helping to financially support an existing business. The financial and to some extent functional synergy between the existing business and the proposed development is given some weight in the planning balance. The change to the location of the building significantly reduces the impact of the development on the character of the countryside. These benefits are acknowledged and are welcomed.
- 5.17 Overall, on balance it is considered the harmful impacts of the development on this site are outweighed by the benefits identified.

## 6.0 Recommendation

- 6.1 That subject to any outstanding consultations permission 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 permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered YSB 3932-1 and 2 and location and block plan; received by Hambleton District Council on 11 April 2022; unless otherwise approved in writing by the Local Planning Authority.
  3. Prior to occupancy of the development hereby approved, full details of all manufacturing equipment shall be provided to and agreed by the Local Planning Authority. The development shall be implemented in accordance with the approved details. Should any new or replacement equipment be installed, details shall first be submitted to and agreed by the Local Planning Authority.
  4. Prior to the installation of any ventilation or extraction equipment, full details of this equipment shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
  5. The manufacturing elements of the development hereby approved shall not be operated other than between 0830 and 1700 Monday to Friday. There shall be no manufacturing on Weekends or Bank Holidays.

## Reasons

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. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

3. In order to allow full assessment of the noise impacts of any equipment installed within the development.
4. In order to allow full assessment of the noise impacts of any equipment installed within the development.
5. In order to protect local amenity.