

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 19 July 2005

<b>PLAN:</b> 17	<b>CASE NUMBER:</b> 05/02319/CMA
<b>APPLICATION NO.</b> 6.40.9.D.CMA	<b>GRID REF: EAST</b> 433564 <b>NORTH</b> 470395
	<b>DATE MADE VALID:</b> 11.05.2005
	<b>TARGET DATE:</b> 08.06.2005
	<b>WARD:</b> Newby

**APPLICANT:** W Dale And Son

**AGENT:**

**PROPOSAL:** Proposed greenwaste shredding and composting site.

**LOCATION:** Riverside Farm Boroughbridge Road Bridge Hewick Ripon North Yorkshire HG4 5AA

### REPORT

This application is to be determined by North Yorkshire County Council. This Council is simply a consultee in the decision process. This application would normally be determined by the Head of Planning but has been referred to Area 2 Development Control Committee at the request of the Area Chairman.

### SITE AND PROPOSAL

The site comprises a pair of modern farm buildings, previously used as a grain store, and an area of land to the north utilising the existing access to Riverside Farm. The site area is depicted on the plan attached to this report.

The proposal is seeking permission for "greenwaste composting". The raw material will be stored on a hardstanding for a maximum of 5 days before being shredded into an existing building where it will be worked. The finished product will be stored on a hardstanding prior to removal from site. All produce will be sold off site.

It is estimated that there will be an average of four and a maximum of six 25-ton vehicles entering or leaving the site on a daily basis. Access to the site passes to the west of the Black-a-Moor Inn, a licensed public house and restaurant with letting bedrooms, a car park at the rear and planning permission granted in February this year for a garden and play area beyond the car park. There is a current application for an extension of the car park and additional access to the east of the inn which is pending determination.

### MAIN ISSUES

1. Policy
2. Amenity/Pollution

- 3. Access
- 4. Landscaping

### **RELEVANT SITE HISTORY**

6.40.9.B.FUL - Erection of first floor and single storey extension and conversion of farm buildings to form additional living accommodation: permission 19.04.2005.

Black-a-Moor Inn :- 6.40.4.E.FUL - Erection of two storey rear extension to form additional bedrooms: permission 15.09.2003.

6.40.4.F.COUC - Change of use of agricultural land to form garden and play area - permission 16.02.2005.

CONSULTATION/NOTIFICATIONS - Because this application has been made to North Yorkshire County Council, this Authority does not initiate consultations nor is it a party to any consultee responses, except for that from this Council's Environmental Health Officer which is referred to in consideration of the main issues.

### **CONSULTATIONS/NOTIFICATIONS**

#### **Environmental Health**

See Assessment of Main Issues

#### **Countryside Officer Dan McAndrew**

No comments received

### APPLICATION PUBLICITY

#### **SITE NOTICE EXPIRY:**

#### **PRESS NOTICE EXPIRY:**

### REPRESENTATIONS

A total of 5 letters have been received by this Authority, 3 letters signed by 2 different people. Most of the letters have been addressed to NYCC with copy correspondence forwarded to this Council. The letters make representations including:-

1 Concerns at proximity of houses and the Black-a-Moor Inn, including the proposed garden/play area, and concerns about potential pollution, air pollution and noise pollution.

2 Concerns about impact on the business of the public house and effect on the restaurant with 100 covers, 6 letting bedrooms, 28 full and part time staff.

3 Concern about wind blown litter and smell from rotting waste.

4 Concern about restricted entrance to the site and proximity of access to adjoining public house and garden/play area

5 Concern that already large amounts of soil and rubble have been delivered to the site.

6 Concern at increase in traffic on the B6265 Ripon-Boroughbridge Road and on surrounding roads.

7 Concern at danger of fly tipping if vehicles attend the site at times when the facility is closed.

8 Concern at potential increase in levels of bio aerosols and bacteria emanating from the site.

9 Concern that there will be more than green waste delivered to the site.

### **VOLUNTARY NEIGHBOUR NOTIFICATION - Unknown.**

### **RELEVANT PLANNING POLICY**

PPS1	Planning Policy Statement 1: Delivering Sustainable Communities
PPS7	Planning Policy Statement 7: Sustainable Development in Rural Areas
LPC09	Harrogate District Local Plan (2001, as altered 2004) Policy C9: Special Landscape Areas
LPC11	Harrogate District Local Plan (2001, as altered 2004) Policy C11: Landscaping of Development Sites
LPC16	Harrogate District Local Plan (2001, as altered 2004) Policy C16: The Re-use and Adaptation of Rural Buildings
LPA01	Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
LPA02	Harrogate District Local Plan (2001, as altered 2004) Policy A2: Development Sensitive to Pollution
LPE08	Harrogate District Local Plan (2001, as altered 2004) Policy E8: New Industrial and Business Development in the countryside

### **ASSESSMENT OF MAIN ISSUES**

**1. POLICY** - Policy C16 permits reuse of rural buildings providing they are capable of conversion to the new use without extensive alterations.

The site is within a Special Landscape Area where Policy C9 resists new development which would have an adverse impact on the character of the landscape or the landscape setting and, where development is permitted, high standards of design, including landscape design, and measures to mitigate the impact of the development will be required.

Policy A1 resists development which would have an unacceptable effect on residential amenity; cause significant adverse effect on environmental impact; result in detrimental effect on the visual amenity and character of the area; or cause pollution.

Policy E8 permits new industrial and business development in the countryside if it involves reuse or adaptation of an existing building and requires a countryside location for operational reasons; is either well located in relation to the road network or would not generate significant volumes of traffic; and would not have a significant adverse effect on the character, appearance or general amenity of the area.

**2. AMENITY/POLLUTION** - The case officer handling the planning application at the County Council has advised that the Environment Agency has requested a working plan describing how the site will be developed, and a risk assessment to be assured that the operations will not cause pollution of the environment, harm to human health or serious detriment to local amenities. The County Council cannot proceed until the Environment Agency have received this additional information and commented thereon. The County Council have also requested more information on what is to be composted 'greenwaste' being less than clear.

This Council's Environmental Health Officer has raised no objection in principle to the proposed development on the understanding that it is an environmentally desirable method of dealing with green waste. However, she is concerned that there may be noise disturbance caused to nearby premises from the operation and recommends conditions to control the level of noise during normal daytime and during night time periods.

The County Council should be advised that, in accordance with Local Plan policies, permission should not be granted unless they are satisfied that there would be no unreasonable risk of pollution to either the environment or neighbouring properties and their occupants.

**3. ACCESS** - When considering this application, any comments from the County Council's Highway Authority will be taken in to account by the County Council.

**4. LANDSCAPING** - The site is within an area designated as a Special Landscape Area, the character of which should be protected. Some tree planting has been proposed both adjoining the main road and in the north west corner of the site. The extent of tree planting should be directly related to the height of any waste or composted material stored outside the buildings. Provided the height of outside storage is controlled to ensure it is screened by trees, the impact on the landscape should not be significant.

**CONCLUSION** - Planning policies seek to encourage suitable alternative businesses in the rural areas provided they do not harm the amenity of neighbouring properties, cause pollution, or in this case harm the character of the Special Landscape Area. Provided these aspects can be assured, policies encourage the reuse of rural buildings and alternative businesses which require a countryside location.

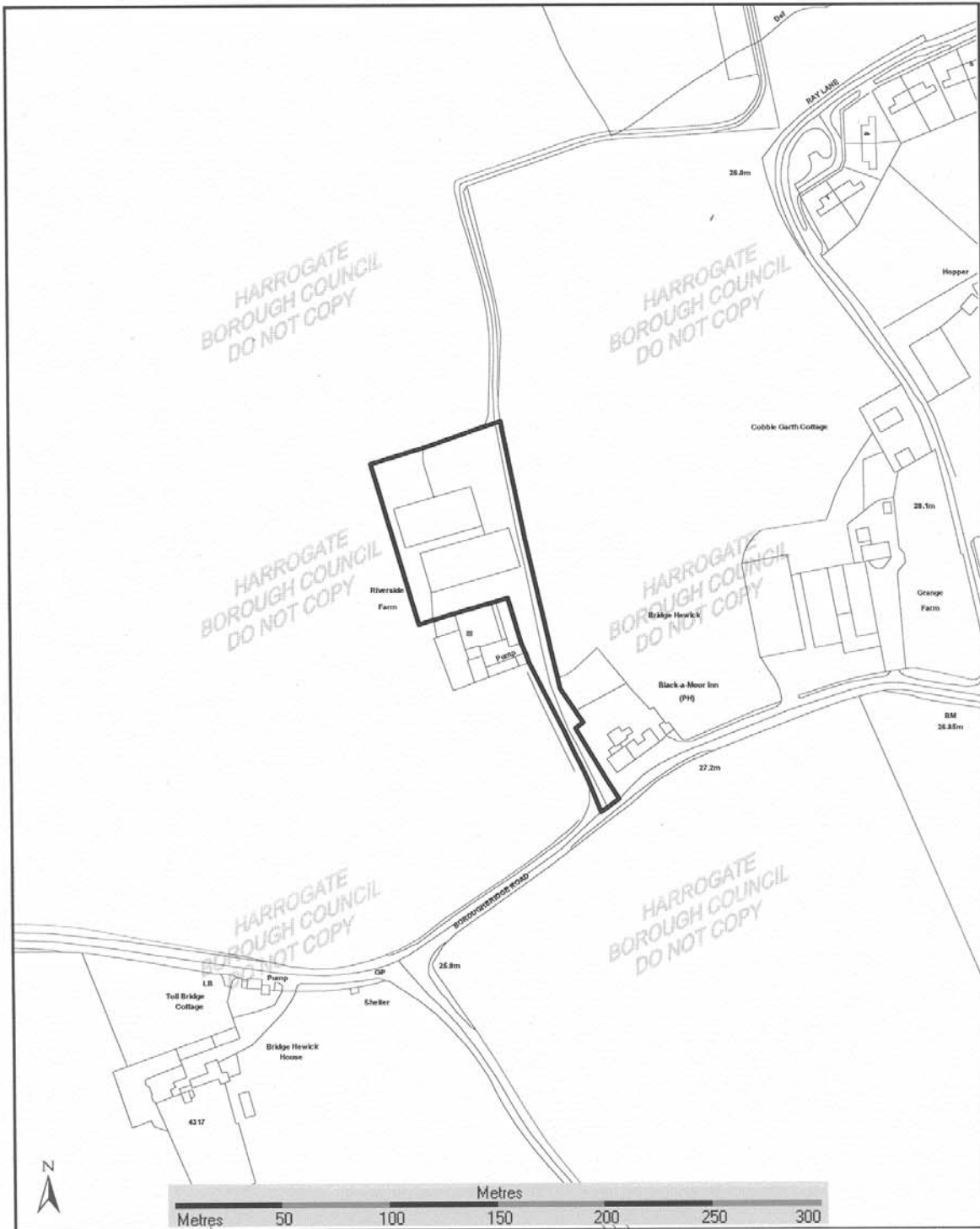
Provided the County Council is assured that there will be no harm to neighbouring properties, the environment, or the character of the area it is recommended that they be advised that this Council has no objections.

**CASE OFFICER:** Mr M A Warden

## RECOMMENDATION

That the application be Subject to NO OBJECTIONS with OBSERVATIONS as follows:-

1. The County Council should be assured that there will be no unreasonable harm to the amenity of neighbouring properties and their occupants.
2. That there will be no unreasonable risk of pollution.
3. That the height and extent of any external storage of green waste or composted material is suitably screened by trees to protect the Special Landscape Area.



**Department of Development Services**

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Harrogate Borough Council 1000 19628 2005.

**AREA 2 DC COMMITTEE**

Item No. 17

App No./Case No. 6.40.9.D.CMA 05/02319/CMA

Scale (at A4 size) 1:2500

Site area 0.58 ha

Site boundary

Drawn MDTT

Date 19/07/2005

