

North Yorkshire County Council**Business and Environmental Services****Planning and Regulatory Functions Committee****7 February 2017****C6/16/03119/CMA - Planning Application for the Purposes of the Erection of a Steel Storage Container (8 Sq. Metres) On Land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on Behalf Of Willow Tree CP School (Harrogate District) (Harrogate Central Electoral Division)****Report of the Corporate Director – Business and Environmental Services****1.0 Purpose of the report**

- 1.1 To determine a planning application for the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on behalf of Willow Tree CP School.
- 1.2 This application is subject to an objection from the local planning authority (Harrogate Borough Council) on the grounds of design and the cumulative impact of multiple units on site and is, therefore, reported to this Committee for determination.

2.0 Background

- 2.1 A plan showing the application site is attached to this report (Appendix A)

Site Description

- 2.2 Willow Tree Community Primary School is located to the east of Harrogate. The school occupies a site that has numerous residential properties and adjacent to Wetherby Road, which is to the south, a main public highway into Harrogate itself. St Nicholas Road is to the west and Fairfax Avenue is to the north. Between the public highway and the school is the school building formerly known as Wedderburn Infant and Nursery School which shares vehicular and pedestrian access into the school site.
- 2.3 The school was formerly known as Woodlands County Junior School prior to its amalgamation with Willow Tree Community Primary School and this building is now known as the 'Jepson' block. The 'Jepson' block is a red brick built structure which incorporates a pitched roof. To the immediate south of this building is a paved area. This is where the proposed storage container would be located

- 2.4 The school's main building is a single storey, red brick structure which incorporates a mixture of flat and pitched roofs. It is known as the 'Drummond' block. To the east of the main school building are two temporary classroom units which were permitted by planning permission ref. C6/79/923/R/CMA (granted on the 29 July 2010). These units (no's 1315 and 1316) were subject to a further application to retain them on site for a further 6 years (ref. C6/16/03169/CMA). This was granted planning permission on the 15 September 2016.
- 2.5 To the east the boundary treatment consists of an approximately 1.2 metre high wooden picket fence with several deciduous trees of varying age. The nearest residential property is also located to the east, this is number 105 Wetherby Road and this property is approximately 28 metres from the application site. To the south the school campus is screened by a mixture of mature, intermittently planted trees and a mature, approximately 1.4 metre high hedgerow. Due to the land sloping slightly from the nearby Wetherby Road into the site, the hedgerow occupies a more elevated position in relation to the main school site.
- 2.6 There are no planning constraints applicable to the application site.

Planning History

- 2.7 There following planning history relating to the proposed development site is considered relevant to the determination of this application;
- C6/07/04676/CMA - Granted planning permission on 16th January 2008 with the description 'the erection of a storage container'. This was a double storage unit being 4m by 4.2m. This permission expired on 16 January 2011.
 - C6/07/01398/CMA - Granted planning permission on 13th June 2007 with the description 'the erection of a new steel container for storage of play equipment'. Although the description of this application states a new steel storage container this application is only an amendment to permission ref. C6/79/923/J/CMA moving the container south onto the hardstanding north of the primary school building and west of the Sure Start of the boundary of the site. This permission expired on 10 June 2010.
 - C6/06/06273/CMA – Granted planning permission on 25th January 2007 with the description 'the erection of a new steel container for storage of play equipment'. The location of the unit was east of the main school building north the primary schools hardstanding. This permission expired on 24 January 2010 but was superseded by permission C6/79/923/K/CMA.
 - C6/04/02604/CMA – Granted planning permission on 13 July 2004 for the erection of a metal storage shed. This permission expired on 12 July 2009. This unit has since been taken off site.

3.0 The Proposal

- 3.1 Planning permission is sought for the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on behalf of Willow Tree CP School.
- 3.2 The storage container would be 4 metres in length and 2 metres in width and be 2metres in height. It would be constructed of corrugated metal and finished in green paint.
- 3.3 The proposed storage container would be located on a paved area, to the south of the 'Jepson' block, which forms part of the Willow Tree school campus. The attached location plan, gives a visual indication as to where the proposed storage container would be located.
- 3.4 The applicant has advised that the reason for the proposal is due to an existing internal store being converted into an intervention area. This means the school requires further storage space, hence the application. During the determination process of this application, the applicant has also confirmed that the costs associated with a possible permanent (brick built solution) are too high at this time and that previous timber sheds have been subject to arson attack. Therefore, a storage container constructed of metal is considered by the applicant to be the most economical solution to their storage space requirements.

4.0 Consultations

- 4.1 The consultees responses summarised within this section of the report relate to responses to the consultation on the 25 July 2016 (response to which expired on the 22 August 2016);
- 4.2 **Harrogate Borough Council (Planning)** – Responded on the 22 August 2016 and confirmed an objection to the proposal. The Local Planning Authority stated that they had considered the proposed design and materials of the storage container and considered that it was not acceptable and the cumulative effect of the containers would have a negative impact on the visual amenity of the area, contrary to the NPPF, policy EQ2 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate Borough Local Plan. It is also noted that the local planning authority suggested that a pitched roof would alter the appearance of the container to a more 'shed like' structure, more in-keeping with the residential area the school is located in, making it more acceptable.
- 4.3 **Highway Authority** – Responded on the 10 August 2016 and confirmed no objections in relation to the proposal.

Notifications

- 4.4 **County Councillor Jean Butterfield** – Was notified of the proposal on the 25 July 2016.

5.0 Advertisement and representations

5.1 The proposal has been advertised by means of Site Notices posted on the 29 July 2016 (responses to which expired on the 19 August 2016). The Site Notices were posted in the following locations:

- One on a metal pole off Wetherby Road, near the school access road;
- One on a tree, off Wetherby Road, outside of the school; and
- One on a lamp post, off Wetherby Road.

5.2 With respect to Neighbour Notification, in accordance with the County Council's adopted Statement of Community Involvement, it has been considered that the posting of a Site Notice, rather than wider neighbour notification has been an effective means of drawing the attention of local residents to the existence of the planning application due to the small-scale nature of the proposal.

5.3 No representations have been received in response to the abovementioned advertisement of the application.

6.0 Planning policy and guidance

National Planning Policy

6.1 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:

- National Planning Policy Framework (NPPF) (published March 2012)

National Planning Policy Framework (NPPF)

6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

6.3 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government has set down its intention with respect to sustainable development stating its approach as "*making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same*". The Government defines sustainable development as that which fulfils the following three roles:

- **An economic role** – development should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation;

- **A social role** – development supporting strong, vibrant and healthy communities; and,
 - **An environmental role** – development that contributes to protecting and enhancing the natural, built and historic environment and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4 The NPPF advises that when making decisions, development proposals should be approved that accord with the Development Plan and when the Development Plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this framework indicate development should be restricted.
- 6.5 This national policy seeks to ensure that there are positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.6 Paragraph 17 within the Core Planning Principles of the NPPF states factors which should underpin planning decisions. The relevant policies for this proposed development include:
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
 - *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.*
- 6.7 In addition, Section 7, entitled ‘*Requiring Good Design*’, states that ‘*good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*’ paragraph 56.
- 6.8 Paragraph 58 within Section 7 (Requiring Good Design) of the NPPF also states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and

- other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
 - and are visually attractive as a result of good architecture and appropriate landscaping.
- 6.9 Paragraph 60 states that *‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness’* and paragraph 61 states that *‘Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’*.
- 6.10 Paragraph 64 states that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’*
- 6.11 Paragraph 70 within Section 8 (Promoting healthy communities) of the NPPF states that planning policies and decisions should *“plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments”*.
- 6.12 The NPPF emphasises the importance of ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. To this end, within Paragraph 72 it states that *“Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- *give great weight to the need to create, expand or alter schools; and*
 - *work with school’s promoters to identify and resolve key planning issues before applications are submitted”*.

National Planning Practice Guidance (PPG) (2014)

- 6.13 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Design:

- 6.14 This states how good design is essential to sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also “*reflect an areas function, history, culture and its potential need for change*’. Ensuring a development can:
- deliver a wide range of planning objectives.
 - enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.
 - address the need for different uses sympathetically.
- 6.15 It is noted within the guidance that good quality design is considered to be ‘*an integral part of sustainable development*’. To assist in the assessment of the design of a new development, it is noted that the following considerations be taken into account:
- ‘*Layout – the way in which buildings and spaces relate to each other;*
 - *Form – the shape of buildings;*
 - *Scale – the size of buildings;*
 - *Detailing – the important smaller elements of building and spaces*
 - *Materials – what a building is made from*’.

The Development Plan

- 6.16 Notwithstanding that the abovementioned national planning policy is a significant material consideration, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the Development Plan consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils ‘saved’ under direction of the Secretary of State; and,
 - any planning policies contained within Development Plan Documents adopted under the Local Development Framework regime.
- 6.17 The Development Plan for the determination of this particular application comprises the following:
- The extant policies of the Harrogate District Core Strategy (2009);
The ‘saved’ policies of the Harrogate Borough Local Plan (2001);
- 6.18 The Harrogate District Core Strategy (2009) has particular relevance in the determination of this application and the policy most relevant include:
- Policy SG4 (entitled ‘Design and Impact’)

- 6.19 Policy SG4, entitled 'Design and Impact' advises that all development proposals should ensure that *'the scale, density, layout and design should make the most efficient use of land'*, and that the *'visual, residential and general amenity should be protected and where possible enhanced'*. This policy is considered partially consistent with the NPPF's objectives of presumption in favour of sustainable development. Specifically as outlined in paragraph 17 of the Framework, which relates to the importance of achieving a good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Paragraph 60 of the NPPF states that *'Planning policies and decisions should not attempt to impose architectural styles or particular tastes'*. Furthermore, paragraph 61 states that design goes beyond 'aesthetic considerations'. Therefore, it is considered that partial weight can be given to this policy in the determination of this application.
- 6.20 In addition to the Harrogate District Core Strategy (2009) the Harrogate District Local Plan (2001) also warrants consideration in relation to this proposal. The policy most relevant include:
- 'Saved' Policy HD20 (entitled 'Design of New Development and Redevelopment')
- 6.21 'Saved' Policy HD20, entitled 'Design of New Development and Redevelopment', advises that proposals must take into account the following design principles:
- *'The use and application of building materials should respect materials of neighbouring and the local area;*
 - *New development should be designed with suitable landscaping as an integral part of the scheme;*
 - *Special consideration will be given to the needs of disabled and other inconvenienced persons, particularly in proposed developments to which there will be public access;*
 - *New development should respect the privacy and amenity of nearby residents and occupiers of adjacent buildings;*
 - *New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment'.*
- 6.22 This Policy is considered partially consistent with the NPPF's objectives of achieving sustainable development through good design, as outlined in Chapter 7, in particular as detailed in paragraphs 56 and 58, which relate to development respecting the character of the area. It is noted, that the NPPF states that *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation'*. Paragraph 61 states *'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'*.

- 6.23 Furthermore, paragraph 64 states that '*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*'. In terms of the design aims of Policy HD20, it is therefore considered that the policy is broadly consistent with the aims of the National Planning Policy Framework (2012) and, therefore, partial weight should be afforded Policy HD20 in relation to the determination of this application.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are the principle of the development, location and cumulative impacts, design, landscape and visual impact and residential amenity.

Principle of the proposed development

- 7.2 The applicant has confirmed that the purpose of the development is a requirement for additional storage space following the conversion of the original, internal store, into an intervention area. It is acknowledged that paragraph 72 of the NPPF seeks to ensure that proposals for development on schools is considered positively and should be given great weight when being determined so that the needs of the school can be met. It is also compliant with Paragraph 17 and 70 of the NPPF through planning positively for community assets.
- 7.3 The objection raised by the Local Planning Authority is noted. However, it is considered that this proposal is more than simply a consideration of design. In the assessment made by the local planning authority, no consideration has been given to any other aspect of either the development plan or the NPPF. Only design policies have been considered. Whilst the Local Planning Authority cites 'saved' Policy HD20 as a part of the policy reason to refuse the proposal, the County Council in this report has already considered that this policy is not fully consistent with the NPPF as the NPPF goes into further detail on how these design aspects can-not be dealt with in isolation. The NPPF states in paragraphs 60 and 61 that although design is an important '*securing high quality and inclusive design goes beyond aesthetic considerations*', therefore in this instance the design principles are still important and this policy relevant however the proposal needs also to be looked at from other perspectives.
- 7.4 One of the reasons cited by the applicant for choosing a metal storage container is that previous wooden storage sheds have been targeted by arsonists. One of the relevant criteria of 'saved' Policy HD20, is '*New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment*', which is consistent with

Paragraph 58 of the NPPF also which states proposals should create ‘*safe environments*’ where the fear of crime does not affect the area. It could be considered that the proposed steel container would help provide a safer environment considering the fires the previous wooden ones have been subject to.

- 7.5 This application must be determined with more than recognition of design based policies. The NPPF paragraph 72 states that applications for educational establishments should be supported and given ‘great weight’. Given this is an application, for such an establishment, this must be given serious consideration and weight in the determination of this proposal, notwithstanding the aforementioned design considerations.
- 7.6 Harrogate Borough Councils (Planning) consultation response is though acknowledged and therefore, it is considered that it would be appropriate that the granting of permission should be temporary for a 6 years. This would afford the school enough time to consider alternative storage solutions for the longer term. It is therefore considered that the principle of the development is accepted and in accordance with paragraph 17, 70 and 72 of the NPPF, notwithstanding the deliberation of all other material considerations relative to the determination of this application.

Location and Cumulative Impacts

- 7.7 A need has been identified by the school and currently, this is their most effective location to meet that need. This application is, ultimately, a balanced consideration between design and the needs of the school. Paragraph 72 of the NPPF says that proposals for educational establishments should be ‘supported’ and afforded ‘great weight’. In order to recommend refusal for this unit, it would need to be demonstrated that the proposed design was ‘bad’ and there were significant cumulative impacts on the landscape in the proposed location. It is not considered that this has been demonstrated regardless of the simplicity of design.
- 7.8 Accordingly, it is considered that the need of the school is greater than the potential impacts (in terms of design) that an 8 square metre metal container would have on the locality. The school is bounded by a hedgerow and intermittently planted mature trees off Wetherby Road. Whilst this would not totally prevent views of the container if installed on site, it would prevent uninterrupted views and would offer a good visual screen.
- 7.9 A concern for the local planning authority has been the other units located upon the site. Stating a further permission for another similar type of unit would contribute in a negative way to the local visual amenity of the area due to a ‘cumulative effect’. Whilst it is acknowledged that other units are located upon the site, for the reasons already given it is considered existing landscaping and topography does afford these units an effective screen.

Design

- 7.10 The proposed container is a very simple design, offering little in terms of architectural 'merit', however it is not visually unattractive and the robust and fire proof design provides good functionality for the school, being fit for purpose in design terms. The storage container does not significantly detract from the appearance of the area in which it is located and its scale and design is similar to storage units previously approved on site. The proposed building is very small in scale and would be a lower height, at 2 metres high than the raised fencing and hedge to the south of the proposal, it would also be coloured green to help fit in within its surroundings. The proposal is therefore in line with Policy SG4 of the Harrogate Borough Core Strategy and 'saved' policy HD20 of the Harrogate Local Plan which seek to ensure design respects the setting of the area. The proposal complies with this and does not cause significant harm to the character of the area.
- 7.11 The concerns regarding design from the Local Planning Authority are noted and understood. However, this educational establishment also has a requirement for a secure storage space. It is acknowledged that the proposed design of the storage unit is of limited architectural merit however it is not considered poor design. The NPPF though also indicates that the consideration of design goes beyond simple aesthetic considerations. Furthermore, whilst design is important, the NPPF also confirms in paragraph 60 that planning decisions should not simply look to impose an architectural 'style'. Therefore this application is considered to be acceptable in regards to design as it is consistent with the NPPF Policy 58 "*Requiring Good Design*" by optimising the use of the site and Planning Practice Guidance for design by being an appropriate form, scale and function for the site.

Landscape and visual impact

- 7.12 The views of the storage unit would be obstructed to a large extent from members of the public either walking or driving along Wetherby Road, to the south. This is due to the boundary treatment of the school being raised from the unit with a 2 metre high hedge and fencing. It is therefore considered that it is not reasonable to conclude that this proposed storage unit in combination with existing on site containers would have a significantly detrimental impact upon the locality under these circumstances. It is therefore concluded that the proposal would not have a significantly detrimental visual impact upon the area and is consistent with the Paragraph 58 of the NPPF in terms of minimising the impact upon the local character and history and in compliance with Policy SG4 of the Harrogate Borough Core Strategy and 'saved' policy HD20 of the Harrogate Local Plan.
- 7.13 It is noted that the Local Planning Authority suggested that a pitched roof would alter the appearance of the container to a more 'shed like' structure, more in-keeping with the residential area the school is located in. However, it is considered this would be counter-productive, making it more visually noticeable; which is a concern of the Local Planning Authority. The storage

unit would have minimal impact upon local visual amenity, not creating any conditions that would affect or result in any adverse impacts upon the character of the area. On balance, the proposal is considered worthy of support but with a condition that restricts the length of time the proposed container can be retained upon the school site for a 6 year period. This should afford the school enough time to consider alternative storage solutions for the longer term.

Residential Amenity

- 7.14 The nearest residential property is located to the east and is approximately 28 metres from the application site. However, this property has no direct, overlooking views of the application site and the proposed unit is a small scale development, only 2 metres in height, 2 metres wide and 4 metres in length. In addition, the existing boundary treatment which consists of several trees, some of which are mature offer additional screening obscuring direct views into the site. To the south, the site is well screened from traffic using Wetherby Road through a mixture of mature trees which are intermittently located along this boundary and a mature hedgerow, approximately 2 metres in height.
- 7.15 Therefore, the proposed development is considered to be in compliance with Policy SG4 of the Harrogate Core Strategy (adopted 2009) and consistent with NPPF Paragraph 17 because the residential amenity of current or future occupants would not be significantly detrimentally affected with the existing hedgerow affording a sufficient screening barrier to prevent this proposed unit from having a significantly detrimental impact upon the local visual amenity of the area. This is supported through there having been no material planning objections received from any members of the public.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this application for the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School.
- 8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

9.1 For the following reason(s):

- i) The principle of the development improves the amenity of the school;

- ii) The proposed development would not have a significantly detrimental impact upon the character of the local area or any cumulative impacts;
- iii) The proposed development would not have any or any cumulative impacts or be significantly detrimental visual impact;
- iv) The proposed development is considered consistent with the National Planning Policy Framework, Planning Practice Guidance for design and is in compliance with Policy SG4 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan.

9.2 it is recommended that **PLANNING PERMISSION BE GRANTED** for the purposes of the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG subject to the conditions below:

Conditions

1. The permission hereby permitted shall be begun not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the application details dated 7th July 2016 and the following approved plans;
 - Location Plan (ref. 262 (2) 04) – dated July 2016;
 - Block Plan (ref. 262 (2) 05) – dated July 2016;
 - Elevation Plan (ref. 262 (2) 06) – dated July 2016;
 - Design and Access Statement.
3. The hereby approved container shall be maintained in a good state of repair for the duration of its retention on the site.
4. The hereby approved unit shall be permitted to be retained upon the site for no longer than 6 years from the date of this decision.

Reasons:

1. To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the development is carried out in accordance with the application details.
3. In the interests of visual amenity and the character of the area.
4. In the interests of the amenity and the character of the area.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

D BOWE

Corporate Director, Business and Environmental Services

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Background Documents to this Report:

1. Planning Application Ref Number: **C6/16/03119/CMA** (NY/2016/0129/FUL) registered as valid on 13 July 2016. Application documents can be found on the County Council's Online Planning Register by using the following web link: <https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

