

## Planning Committee

29 November 2022

### Full Planning Permission for Staff Offices Building, Two Agricultural Buildings, Weighbridge and Surface Water Collection / Recycling Pond

Washfold Farm, Moor Road, Leyburn, North Yorkshire, DL8 5JZ

Report of the Planning Manager

**Leyburn**  
**Key Decision = N**

<b>Date Application Received:</b>	<b>19 May 2022</b>	<b>Target Date for Decision:</b>	<b>18 August 2022</b>
<b>Applicant:</b>	<b>Mr Metcalfe</b>		
<b>Agent (where applicable):</b>	<b>Mr Christopher Hodges</b>		
<b>View Application Documents, Consultation Responses, Representations Received and Other Background Papers Online:</b>	<a href="https://documents.richmondshire.gov.uk/planning/planning-documents?SDescription=22/00183/FULL&amp;viewdocs=true">https://documents.richmondshire.gov.uk/planning/planning-documents?SDescription=22/00183/FULL&amp;viewdocs=true</a>		

#### 1.0 Purpose of the Report and Decisions Sought

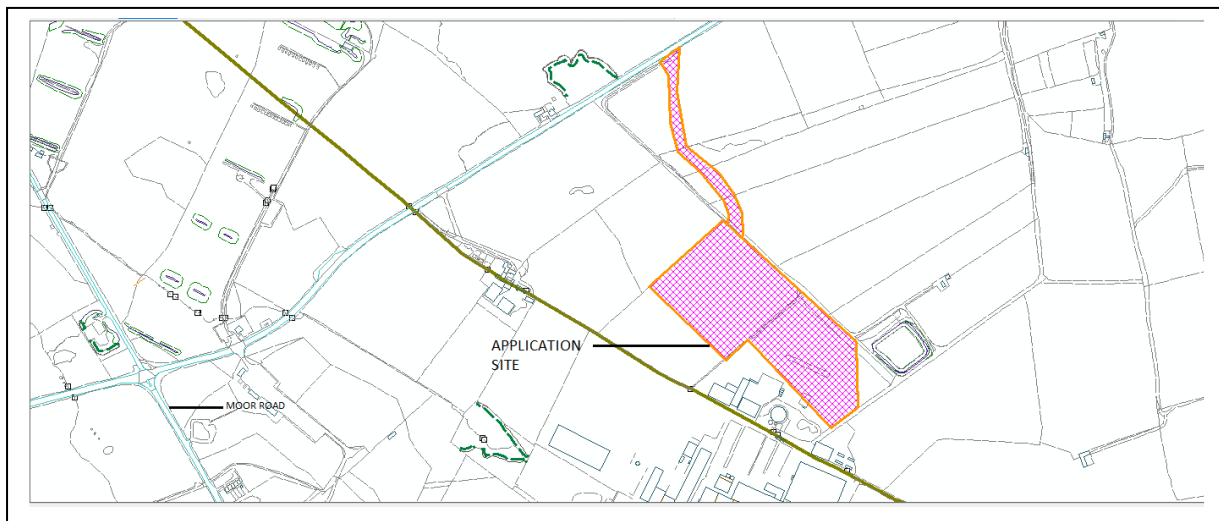
- 1.1 To set out details of the proposals, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues and a recommendation to assist the Committee in considering and determining this application for planning permission.

#### 2.0 Background and Details of the Proposal

- 2.1 Metcalfe Farms is a well-established business near Leyburn which supports over 200 employees. The proposal is to provide a new office space for their employees as well as two agricultural buildings, a weighbridge and surface water collection pond.
- 2.2 In detail the proposal is for new staff offices and museum. The office building is to be positioned in the north west corner of the farm, beyond the proposed surface water pond. The offices can be accessed via the new access track which links up to the A1608 running to the west of the site. The building is to be approximately 52 metres in length, 15 metres in width and about 5 metres in height.

- 2.3 The two identical buildings proposed on the development site are to be used for the sole purposes of agriculture, predominantly for the storage of machinery. These buildings are to be located in the north eastern part of the site.
- 2.4 The proposal includes the positioning of a second weighbridge in close proximity to the new approved access track (one already exists on the south west side of the farm). Its location is planned to enable the efficient movement and weighing of vehicles as they enter and exit the site. This will also be sited on existing agricultural land.
- 2.5 The proposal also includes a surface water pond and drainage system. A large pond is proposed to be dug in the north west corner of the farm. This will collect grey water and also be recycled to be used on the farm for washing machinery, irrigation, stock and controlling dust on site.
- 2.6 The site area is approximately 7780 square metres and therefore the proposal represents a major development and accordingly the proposal is required to be presented to committee.
- 2.7 Copies of the plans are available for Members to view at **Appendix 1**. All other documents are available to view as required through the 'Public Access' area (in the "Documents" section) of the Council's web site using the link at the beginning of this report.

### 3.0 Description of the Site and Surroundings



- 3.1 The site is located to the north west of Leyburn, approximately 2.2km away from the town centre. The site is approximately 1.9ha in size and is bounded by existing agricultural buildings to the south and agricultural land to the other boundaries.
- 3.2 The site forms part of a large farm complex, with a number of agricultural buildings to the south of the application site. The farm complex is located within open countryside around the buildings. There are no residential properties located in close proximity to the site. The complex is accessed by two access points, one to the south onto Whipperdale Bank and the other is accessed to the west onto the A1608.

## 4.0 Planning Policies

Richmondshire Local Plan 2012/2028 Core Strategy

- 4.1 The following policies of the Local Plan Core Strategy are relevant in considering this application:

CP1: Planning Positively  
CP2: Responding to Climate Change  
CP3: Achieving Sustainable Development  
CP7: Promoting a Sustainable Economy  
CP8: Achieving Rural Sustainability

National Planning Policy Framework (As Revised – July 21021)

- 4.2 As a means of achieving sustainable development and alongside the presumption in favour of sustainable development, the following specific sections of the document are relevant in considering this proposal:

- Achieving Sustainable Development
- Decision-Making
- Building a Strong, Competitive Economy
- Achieving Well-Designed Places
- Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

- 4.3 The nPPG complements the aforementioned National Planning Policy Framework in terms of how the NPPF should be implemented in practice. The nPPG can be a material consideration in the decision-making process. The following categories of the nPPG are considered relevant in the consideration of the proposal(s):

- Climate Change
- Design: Process & Tools
- Determining a Planning Application
- Use of Planning Conditions

## 5.0 Planning History

- 5.1 There have been a number of planning permissions granted over the years for development at Washfold Farm including buildings to house dairy cows for milking, a biodigester, slurry lagoon, conversion of existing building to flats for farm workers, farm office, and large agricultural buildings for parking farm machinery and vehicles. The following planning history is particularly relevant to the consideration of the current application in that the proposed development will be served by the approved access and the approved yard area includes part of the current application site.

- 5.2 Application Reference: 19/00246/FULL

Application Description: Full planning permission for the construction of a new service road access, comprising the re-positioning, improved layout and surfacing of an existing access off the C34 Redmire to Catterick road

Decision: **Approved**

Determination Date: 1<sup>st</sup> July 2020.

- 5.3 Application Reference: 21/00326/FULL  
Application Description: Full Planning Permission for the Extension of an Existing Yard Area to Create Additional Parking for Machinery  
Decision: **Approved**  
Determination Date: 8<sup>th</sup> June 2021

## 6.0 Consultations Undertaken and Representations Received

The application has been publicised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015. All representations submitted in relation to the consultation (and any required reconsultation) are available to view in full within the "Documents" section of the application on Public Access. A summary of all representations received (where comments made are material planning considerations) are provided below:

- 6.1 **Parish/Town Council**: No objections, Councillors are supportive of this application and feel it will encourage wagons to use the tank road.
- 6.2 **Ward Member(s)**: No response
- 6.3 **Highway Authority**: No objections
- 6.4 **North Yorkshire Lead Local Flood Authority**: The submitted documents demonstrate a reasonable approach to the management of surface water on the site. I recommend that the following conditions are attached to any permissions granted. LLFA C10 - Built in accordance with submitted design (for when detail design has been approved).
- 6.5 **Environment Agency**: The applicant has now provided adequate information to demonstrate that the risks of pollution to surface water quality will be safely managed, and so we are able to withdraw our former objection on these grounds.
- 6.6 **Environmental Health**: I have considered the potential impact on amenity, and likelihood of the development to be affected by, or cause, a nuisance and consider that overall, the impact will be low. The application introduces a vulnerable end use (office use) onto the application site which may have an historic use as agricultural/open land which has the potential to have caused contamination and as such any risks to the future occupants of the site in relation to contamination need to be assessed. A condition in respect of contaminated land is suggested.
- 6.7 **North Yorkshire Ecology**: Thank you for consulting the NYCC ecology team regarding this application, which is supported by a Preliminary Ecological Appraisal (PEA) by MAB Environment & Ecology Ltd, dated May 2022. The PEA concludes that the application site is predominantly bare ground which has previously been in agricultural use and has negligible ecological value. The site is sufficiently distant from the North Pennine Moors SPA/SAC, and separated from it by intensive agricultural land, to assume there would be no adverse effects. These seem to be reasonable conclusions. A young shelter belt adjoining the access track and existing boundary walls would be retained. Section 9 of the PEA recommends the installation of 2 Barn Owl boxes as ecological enhancement along with the repair and retention of drystone walls. We support this recommendation, though I would note that nesting boxes would not qualify as Biodiversity Net Gain once use of the government Biodiversity Metric becomes mandatory.

6.8 **North Yorkshire Planning Department:** Please note that the County Planning Authority has no comments in this particular instance as the proposed development falls under the following exemption criteria -Agricultural buildings adjacent to existing farmstead.

6.9 **Breedon Quarry:** comments awaited.

6.10 **Neighbours/Local Residents:** A total of one representation has been received following consultation on the application: one supporting.

A summary of the representations received in relation to the application(s) are provided below, where relevant to the consideration of the proposals. All representations are available to view in full within the "Documents" section of the application on Public Access.

As a tenant with a long standing association with the applicant, I personally and we as a company fully support the proposed development as it will reduce flooding to the surrounding area, improve vehicle access to the site and also help to provide even more employment in the local area.

6.11 **Publicity:** A site notice was posted

## 7.0 Planning Issues

### Policy Considerations

7.1 The full list of relevant policies is set out in Section 4 above. The key Spatial Principles (SP) and/or Core Policies (CP) of the Local Plan Core Strategy that have the greatest bearing on the consideration of the proposal(s) are Policy CP7: Promoting a Sustainable Economy and Policy CP8: Achieving Rural Sustainability.

7.2 Other SPs and/or CPs of the Local Plan Core Strategy that need to be noted at this point are:

- CP1 (Planning Positively): Planning applications that accord with the policies in the Local Plan Core Strategy will be approved without delay unless material considerations indicate otherwise.
- CP3 (Achieving Sustainable Development): Support will be given for sustainable development which promotes (amongst other things): the health, economic and social well-being, amenity and safety of the population; the character and quality of local landscapes and the wider countryside; the distinctive, character, townscape and setting of settlements, and the historic, environmental and cultural features of acknowledged importance.
- CP13 (Promoting High Quality Design): High quality design of both buildings and landscaping is a priority in all development proposals. Support will be given for proposals that (amongst other things):
  - a) Provide a visually attractive, functional, accessible and low maintenance development
  - b) Respect and enhance the local context and its special qualities, including its design features, landscape, social activities, historic environment and national and locally recognised designations

## Policy Context

- 7.3 Leyburn falls within the Lower Wensleydale Sub Area which is an area of modest growth, reflecting the location of Leyburn within the sub area, which has a substantial capacity to support its rural hinterland. The scale of development in this sub area is also expected to reflect its role in supporting and providing for the needs of the adjacent part of Richmondshire which lies within the Yorkshire Dales National Park
- 7.4 Spatial Principle SP2: Settlement Hierarchy allocates Leyburn as a Local Service Centre and explains that although Local Service Centres are smaller than the Principle Towns of Richmond and Catterick Garrison which are the main local focus for housing and employment, they are important hubs for a range of local housing, employment and services.
- 7.5 Spatial Principle SP3: Rural Sustainability advises that priority will be given to supporting the rural sustainability of the whole plan area, protecting and enhancing its environmental assets and character, and sustaining the social and economic fabric of its communities by promoting inter alia a sustainable rural economy, social and economic regeneration, and conservation or improvement of the rural environment.
- 7.6 Spatial Principle SP5: The Scale and Distribution of Economic Development advises that sustainable communities need a thriving economy and the Core Strategy aims to support the local economy ensuring continued access to local work opportunities. In Lower Wensleydale local employment is mainly in agriculture, construction and the horse racing industry and tourism.
- 7.7 Core Policy CP7: Promoting a Sustainable Economy supports inter alia the development of employment activities that support the sustainable growth of key economic sections including agriculture, and sustaining small and medium sized enterprises.
- 7.8 Core Policy CP8: Achieving Rural Sustainability supports inter alia expansion of rural businesses and diversification of the agricultural economy and development will be supported by the policy where it is necessary to meet the needs of farming and other enterprises with an essential requirement to locate in the countryside and where it would support the social and economic regeneration of rural areas. In all cases, development should respond to climate change and be designed to be sustainable, consistent with the requirements of Core Policies CP2 and CP3; should not conflict with landscape character, amenity, environmental protection or nature conservation policies of the plan but should seek to enhance the environment; and should provide any necessary mitigating or compensatory measures to address harmful implications.

## Principle of Development

- 7.9 The proposal is to create a new office space for employees of Metcalfe Farms as well as two agricultural buildings, a weighbridge and surface water collection pond. With regard to the offices the applicant states that previously the offices have been spread over the site and have grown organically as the business demands increased. This has created office spaces that are spread out with inefficient flow and poor access, and they are also crowded. The applicant wants to provide offices for their intended use with capacity to support future growth. They also wish to provide a museum, which will set out the history and development of the farm and

the business, which can be used by visitors and employees to understand the history of the business and its evolution. The proposal also includes two agricultural buildings to be used for storage purposes, a weighbridge to be located adjacent to the recently approved access road and a surface water pond to be located in the north western part of the site.

- 7.10 Core Policy CP7 supports sustainable growth of agricultural businesses and Core Policy CP8 supports expansion of rural businesses where it meets the needs of farming. The policy also states that the proposal should not conflict with landscape character, amenity, environmental protection or nature conservation policies of the plan. These issues are discussed further in the report, however the proposal does support the sustainable expansion of the business and meets the needs of the business. Therefore, the proposal is acceptable in principle and accords with Policy CP7 and part of CP8.

#### Design of the development

- 7.11 Policy CP13 requires that high quality design of both buildings and landscaping is a priority in all development proposals. The style of the office building is designed so that it is low profile. The materials comprise of random coursed stone and timber cladding on the walls, which will create an agricultural tone. The roof is made from fibre cement sheets and a steel frame will support the structure. Large, glazed openings have been used on the building, which again will create an agricultural feel and also allow light into the large open plan internal spaces. The space is single storey, and the ceilings are mostly vaulted internally to create the feeling of space. The office capacity is considered sufficient to accommodate the current employees at the farm and also enable expansion should it be required.
- 7.12 The agricultural buildings have a box profile roof. The sides have concrete panels at the base with box profile sheets above. There is a large roller door on each gable end to be used for access. The two buildings sit alongside each other and parallel to other farm buildings and agricultural land on the site. There is an existing hard standing/yard area where the buildings will be positioned. The buildings will be used for storing equipment. Overall the buildings are considered to be of an acceptable design and the proposal accords with Policy CP13.
- #### Impact of the proposal on the rural landscape
- 7.13 The application site is set well away from public roads. The north west boundary is approximately 300 metres from the A1608 to the west of the site and approximately 650 metres to Whipperdale Bank located to the south west. There are no public footpaths in closer proximity to the site.
- 7.14 When viewed from the A1608 the site sits to the east of rising land, which is located between the application site and the road. Therefore, the proposal, given its relatively low profile and is some distance from the road, would only be partially visible. The proposal includes a landscaping belt along the north west and north eastern boundaries and in time would mitigate against the visibility of the buildings in the rural landscape.
- 7.15 When viewed from Whipperdale Bank the existing buildings are visible, however there is rising ground to the north east. The proposed development would be largely concealed behind the existing buildings. Any buildings that would be visible would be some distance from the road and not particularly visible. Additionally, the provision of limestone dry stone walling to the roadside boundaries would provide

continuity of the walls around the field boundaries, which would further mitigate against the visual impact the buildings may have. It is considered that the proposed landscaping, the low profile of the buildings and the distance from the public vantage points, mean that the proposal would not significantly harm the character of the landscape. It therefore complies with Policies CP3 and CP12.

#### Highway issues

- 7.16 The proposed development can utilise the previously approved access route which links up to A1608. Therefore, any additional traffic will be dispersed by the choice of two access points. The Highway Authority have no objections to the proposal and therefore it is acceptable from a highway safety aspect.

#### Drainage Issues

- 7.17 The site is shown to be located entirely within Flood Zone 1 (Low Probability) therefore the site is considered to be at low risk of flooding. The applicant has submitted a flood risk assessment and it concludes that the risk of flooding posed to the proposed development is low. This is because there is only one watercourse near the site that can pose a threat. However, the watercourse is 75m away from the site and is at a lower level. The report demonstrates that the proposed development is not at significant flood risk and simple mitigation measures have been recommended to address any residual risks that may remain. The mitigation measures are the submission of a strategic surface water drainage strategy prepared for wider development and will ensure a sustainable approach to surface water management. The drainage strategy has been submitted and is considered acceptable by North Yorkshire Lead Local Flood Authority. The implementation of the drainage strategy is secured by condition.
- 7.18 With regard to foul sewerage, the drainage strategy document submitted to the local authority now indicates that the sewage effluent from the new Klargester package treatment plant will discharge to a new drainage field, rather than to the existing irrigation pond. This method of dealing with foul waste is considered acceptable by the Environment Agency. As above the implementation of the drainage strategy is secured by condition.

#### The Public Sector Equality Duty

- 7.19 There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment ; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no reason why the proposed development would prejudice anyone with the protected characteristics as described within this paragraph.

## **8.0 Conclusions**

- 8.1 The proposal is justified in this countryside location to support the needs of an existing and expanding farm and associated businesses at Washfold Farm. The proposal will not significantly harm the character of the countryside, and any harm will be minimised through significant tree planting and landscaping. The proposal will not compromise highway safety, and will be designed not to flood or cause flooding elsewhere. Surface water drainage from the site will be dealt with



sustainably in accordance with SuDS principles. The proposal will not harm protected habitats or ecology. The proposal will not result in significant harm to neighbours' amenity, will achieve carbon savings and will not result in light pollution. The proposal therefore complies with Policy CP8.

- 8.2 Overall, the proposals accord with the requirements and expectations of the relevant Spatial Principles and Core Policies of the Richmondshire Local Plan Core Strategy, and with the relevant sections of the National Planning Policy Framework and the national Planning Practice Guidance.

## 9.0 Recommendation

- 9.1 That delegated authority be given to the Planning Manager to issue a conditional planning permission for the reasons stated within section 8 above, provided no objections are received as a result of the current period of additional consultation.
- 9.2 Should the Committee resolve to conditionally approve planning permission, delegated authority to officers is sought for the imposition of any other conditions in addition to the following list of recommended planning conditions within Section 10 below, and/or any minor amendments to the wording of the recommended planning conditions listed below. In any of these situations, the planning permission would then only be issued after agreement with either the Chair or Vice Chair of the Planning Committee regarding the proposed additional and/or amended planning conditions.

## 10.0 Recommended Planning Conditions

- 10.1 Should Members resolve to approve planning permission, the following planning conditions (with reasons) and informatives are recommended to be imposed:

**Condition 1:** The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

- a) application form and certificates
- b) Location Plan
- c) Site Layout Plan
- d) Proposed Agricultural Building Plans
- e) Proposed office building plans
- f) Construction Environmental Management Plan
- g) Design and Access Statement
- h) 22389-DR-C-0100 P5 Drainage Strategy, July 2022
- i) 22389 SW Attenuation, 19th July 2022
- j) FLOOD RISK ASSESSMENT by Topping Engineers 22389-FRA-001 Rev A
- k) Surface Water Drainage Maintenance and Management Schedule
- l) Construction Drainage Strategy 22389 DR-C-0101 P1
- m) Preliminary Ecological Appraisal (PEA) by MAB Environment & Ecology Ltd, dated May 2022.

### Reason for Condition

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Condition 2:** The Development shall be built in accordance with the following submitted designs, as mentioned in the documents above.

The flowrate from the site shall be restricted to a maximum flowrate of 1.6 litres per second. A 40% allowance shall be included for climate change for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. Principles of sustainable urban drainage shall be employed wherever possible.

### Reason for Condition

To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity

**Condition 3:** If contamination is found or suspected at any time during development that was not previously identified all works shall cease and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land Contamination: Risk Management (LCRM), has been submitted to and approved in writing by the local planning authority. Where remediation is necessary, a scheme for the remediation of any contamination shall be submitted and approved by the LPA before any further 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.

### Reason for Condition

In order to protect the amenity of construction workers and future occupants of the development

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## 11.0 Further Information

11.1 **File Reference:** 22/00183/FULL

11.2 **Appendices:** Appendix 1: Plans

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