

## Members Update Sheet

### Item 1 NYM/2020/0268/FL

#### Additional Background Information:

A revised location plan has been submitted which moves the house a further metre in a southerly direction. This increases the distance between the single storey blank wall to the west of no.2 to the proposed garage to be in excess of 14m. Furthermore it also increases the window to window distance between cottages 2, 3 and 4 and the proposed dwelling to be in excess of 21m. An additional plan has also been submitted which illustrates the proposed north elevation of the house as it would be seen from Grants Close illustrating the height of the existing hedge in relation to the house sited at its lower level, along with a site section which illustrates the relationship between the cottages on Grants Close and the proposal in its revised location.

**Hugh Thompson, 75 South End, Osmotherley - 2/9/2020** - Object to the revised proposal. Whilst changes have been made that are an improvement, they are an improvement to a fundamentally flawed proposal, and our objections remain.

**Director of Planning's Recommendation** We would draw the planning committee's attention to the recommendation document by the Director of Planning; this appears to support statements [in italics below] by the applicant's agent, comments that we believe to be inaccurate and very misleading:

***The applicant wishes to create a dwelling that has sustainability and low energy use as the fundamental principle.***

This statement seems to imply that the proposal is environmentally desirable; this is extremely misleading; it is massively undesirable.

- The applicant has not provided any carbon balance calculations to justify the statement ie comparing carbon emissions of the proposal with simply improving the present house.
- Rarely if ever is it justifiable on carbon emission grounds to demolish and rebuild; the emissions from demolition/rebuild are nearly always higher.
- This is even more the case when you consider that the proposal means demolishing a good size family home and replacing it with one probably 3 times the size! [Interesting that, despite criticism of the massive size of the proposed house, the applicant has never volunteered the comparative floor areas of the new/existing houses?].

***This could not be achieved through the existing dwelling due to it being poorly insulated.***

- Misleading. there are many ways in which the existing house could have its insulation, and whole environmental performance, improved. The park will have many examples of this, including some in the village.

***The existing dwelling it is not a heritage asset and the arrangement of the dwelling within its site is contrary geometrically to the surrounding dwellings and the grain of the wider village.***

- Yes, but it exists. It may not be a heritage asset, but it is “of its age”, an example of what was being built at the time. Are we losing something by demolishing it? Yes, a decent house, appropriate to the plot, a good family home. Not built to 2020 standards, but there is no suggestion that it is defective and requires demolition.
- Nor would the proposed replacement be a heritage asset.

This proposal cannot possibly be dressed up as an environmentally desirable proposal.

**Richard Gough, 2 Grant Close, Osmotherley – 1/09/2020 - *This is a supplement to my previous objections which still stand.***

**New Window Overlooking Garden of No. 2** - The latest plans show a first floor window in the Northern wall above the garage. This is a new addition that did not exist in earlier plans. The sole view from this window will be into the garden of No. 2. This is a much used garden in which we spend much time and value our privacy. A window in any of the other aspects of this part of the building would not impact anyone’s privacy. We object to the placement of this window.

**Distance to No.2** - The latest letter from the architect states “*This as shown on the plans increases the distance between the single storey blank wall to the west of no.2 to the proposed garage to be in excess of 14m*”. This may be true, but is misleading. The distance to the non-blank wall containing our front room window being less than this, the ‘blank wall’ being set back from the main body of the house.

**Need to Demolish?** - I cannot agree with the applicant’s view during the site visit that this was 1950’s architecture with no architectural value. 1950’s architecture might not be fashionable at this time, but the fact that Hannah’s Garth is a good, largely untouched, example of such architecture should be considered a merit, not a reason to demolish. I hope the planning committee members have a more enlightened view than expressed by the applicant on conserving architecture when weighing up whether demolition is appropriate to make way for a new development.

**Green Credentials?** - The applicant has promoted the development as eco friendly, but has not provided evidence to support this assertion. I feel it highly unlikely that demolishing Hannah’s Garth and building a larger property will be in any way eco friendly. The carbon footprint to demolish and rebuild will likely take very many years to recoup, if it ever is. There will inevitably be many other non-carbon environmental impacts. If the green credentials of the proposal are to be considered in the planning decision then I believe they should be backed by fact, not aspiration.

**Appropriate?** - In the past few months I’ve had the opportunity to cycle many hundreds of miles through the villages of the North Yorkshire Moors National Park. Given the circumstances, I’ve been paying attention to the new developments I see. I have found the vast majority sympathetic to their environment. This is not what I’m seeing in this proposal. This inappropriateness is certainly my main concern and appears to be that of many I have spoken to. Had the proposal been more sympathetic to its setting then I believe there would be far fewer objections. Grant Close will be best served if the current proposal is withdrawn in its current form pending a proposal appropriate to its environment.

**Item 2 NYM/2019/0431/FL**

**Draft reason for refusal**

- 1) The retention of the horse rescue centre would be contrary to Policies SP C, SP G, and BL1 as it has failed to demonstrate that it can operate without:
  - i) causing a detrimental impact on the character and appearance of the local and wider landscape arising from poor winter land management leading to harmful poaching of the grazing fields.
  - ii) resulting in unacceptable harm to the amenities of nearby residents and users of the nearby public rights of way in terms of traffic movements associated with the online sales, the excessive amount of external plant, and equipment and the ancillary volunteer caravan accommodation and volunteer amenity structure.
  
- 2) Insufficient information on the horse rescue centre business model has been submitted to demonstrate that suitable mitigation could be funded/provided to resolve the impacts described above together with insufficient demonstration of intent over the last 6 months to improve the character and appearance of the site and surrounding lands reinforces the unacceptability of the proposal to take place in a protected landscape, which has the highest level of protection as set out in the National Planning Policy Framework paragraph 172 .

**Please see information below submitted by Lucas Wolfe in objection to the application:**

**From:**  
**To:** [Richard Smith](#); [Wendy Strangeway](#)  
**Subject:** NYM/2019/0431/FL Re: Private and Confidential  
**Date:** 28 August 2020 04:08:42  
**Attachments:** [Outlook-3f0npqje.png](#)

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Dear Sir





In response to your email dated 27/8/20 I wish to make the following comments in objection to the planning application;

1. I **and many other volunteers** have found the living and working conditions at the Applicants address of Silpho Brow Farm West to be unsatisfactory. I and many other volunteers have complained and subsequently, the Applicants listing has been removed from the "Workaway" site which was used to secure workers from abroad. I attach confirmation from "Workaway" dated 6th January 2020 and the Applicant has not been permitted to re-advertise on this site since this date. This is factual information and as such, I trust you will publish this.
  2. The approach to the application site is inadequate and the highways officers email dated 17<sup>th</sup> January 2020 agrees with the planning officer that the site **should not** be used for Ebay sales at all ! The last sentence on the final page of the Highway Officers report refers and confirms that she agrees the site should not be used. This is factual information and as such, I trust this will be published.
  3. The site is untidy and over-poached and weeds Cover most of the grazing land. Fencing is poor and the impact on the landscape is dreadful. This has been shown in the Planning Officers photographs and photographs from other objectors. This is photographic fact as as such, I trust my comment will be published.
  4. I have sent you photographs of the site and its untidiness; these are purely factual and as such I trust these will be published.
  5. There appears to be a fire hazard. I have sent you photographs of the electrical arrangements and also the storage of mattresses above a heating element. These are factual photographs and as such. I trust these will be published alongside this letter. The photographs show what may be viewed as a basic electrical inadequacy.
  6. The "All for Horses" charity has been removed from the Charity Commission register. This is factual information that can be viewed on the Gov.UK website and as such I trust it will be published.
8. I am also concerned that you have passed the information that I sent you directly to the Applicant without publication on your website. This has placed me in an uncomfortable position and I feel you may be in breach of GDPR.




Please note that now I am aware of some of the planning procedures I will also send this email to the local Parish Council and neighbours in order to ensure that my voice is heard. I find it deeply concerning that other volunteers will end up being collected from the railway station and been made to work in these conditions. This is fact and as such, I trust it will be published.


I call for this letter to be fully publicised as the information within it is purely factual. I also request that it is presented to the Committee in its entirety before the meeting on 3<sup>rd</sup> September 2020 as my comments have not been included in the planning meeting notes and recommendation.


Lucas Wolfe

22%    

[Email Ref: 4456312] Re:Workaway 828442453988

 workaway.info 6 Jan  
To You  



Hi 

Thanks for the message and for coming forward to reporting this, all complaints are dealt with in confidence.

I have checked the listing and can see that it is already offline due to complaints raised by workawayers. We will add your testimony to our investigation.

Thank you for reaching out and for letting us know.

Best wishes  
John  
[www.workaway.info](http://www.workaway.info)

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**Please see information below submitted by the applicant in response to the objection by Lucas Wolfe:**

We confirm that a Canadian gentleman came here in early December 2019, though that is not the name and address he gave us.

Within hours it was clear that "Lucas" had \_\_\_\_\_ problems.

\_\_\_\_\_ asked him to leave. He refused

He had told us he had relatives in Durham, and was given time to organize transport/accommodation. He was taken to Scarborough station.

If "Lucas" had travelling issues they do not arise from us -

\_\_\_\_\_ We have no need to use "social media" or other sites to cause problems for people.

We are happy for people to make their own judgements about this letter, and don't feel it is helpful to respond to the statements he has made, other than to confirm that all the farm electrics are recent and installed by a qualified electrician.

**Please find below circulated information received from Jacqui Shipman in objection of the application**

Q
Find charities

[Find charities](#)  
[Charity overview](#)  
[Contact & trustees](#)  
[Charity framework](#)  
[View accounts](#)  
[Print charity details](#)  
[Advanced Search](#)

Q
Charity search

[Advanced Search](#)

**1001513 -**  
**THE ANIMAL HOSTEL TRUST**

DOCUMENTS OVERDUE

Accounts for 30 Jun 2018:  
490 days overdue

Annual Return for 30 Jun 2018:  
490 days overdue

Activities

THE OBJECTS OF THE TRUST IS TO PROVIDE

Where it operates  
 THROUGHOUT ENGLAND AND WALES

Financial history *6 months past due date*

Compliance history

Financial summary

Financial year end (FYE)	Income	Spending	Accounts received	Annual Return/Annual Update received	View
30 Jun 2019			Not received (124 days overdue)	Not received (124 days overdue)	
30 Jun 2018			Not received (490 days overdue)	Not received (490 days overdue)	

Prepared for Committee 11/9/20

Accounts 490 days overdue from 10 month due date of 30/4/19.

In most cases the charity will be deemed to be no longer trading when ie. 30/10/19.

Pre-Covid Pandemic

30 Jun 2017	£53,238	£64,943	17 Jan 2019 (262 days late)	17 Jan 2019 (262 days late)	Accounts
30 Jun 2016	£178,271	£90,903	15 May 2018 (380 days late)	15 May 2018 (380 days late)	Accounts
30 Jun 2015	£21,840	£126,030	Not Required	26 Jun 2017 (422 days late)	



**Charities 4 months overdue**

If, despite reminders, a charity's accounts and Annual Return or its Annual Update have not been received 4 months after the end of the 10 month period in which they are required to submit the documents, it is a strong indication that they are no longer operating. The charity is notified at this point that if we do not receive their due documents in the following 2 months they may be removed from the Register or subject to further action.

**Charities 6 months or more overdue**

If, despite reminders, a charity's accounts and Annual Return or its Annual Update have not been received 6 months after the end of the 10 month period in which they are required to submit their documents, it is deemed to indicate that they are no longer operating. In most cases the charity will be removed from the Register at this point but in some cases the Commission will need to be satisfied that there are no continuing risks to donors or beneficiaries and that the charity's resources have been properly applied. In such cases the charity will remain on the Register until the risk has been addressed.

Where the Commission is actively working with a charity to resolve serious administrative difficulties it may, at any stage, under the direct supervision of a case officer, be temporarily excluded from the normal reminder and notice programme.

10 month date = 30/4/19

6 month date after 10 month date = 31/10/19

Income in the Update	Annual Return - basic	Reporting Serious Incidents	Financial Information	Summary Annual Return and accounts	Trustees
Greater than £1m	Yes	Yes	Yes	Yes	Yes
£500k - £1m	Yes	Yes	Yes	Yes	Yes
£25k - £500k	Yes	Yes	Yes	Yes	Yes
£10k - £25k	Yes	Yes	Yes	Yes	Yes
£10k or less	Yes	Yes	Yes	Yes	Yes

If documents are overdue the banner on the charity overview page is outlined in red and shows:

- the financial period ending date of the first overdue document since the last submitted document
- the number of days that have elapsed since the submission deadline for each due document

Non-company charities with income less than £100,000 can prepare receipts and payments accounts instead of full accounts. For financial periods ending on or after 1st April 2009 this threshold changed to include charities with income less than £250,000.

Charities with income of £10,000 or less

For financial periods ending on or before 31 March 2008, charities with income £10,000 or less are not required to submit either an Annual Return or accounts. However, they are required to keep the details we hold about them on the Register up to date. To keep these details up to date we ask charities with income of £10,000 or less to submit an Annual Update. We expect charities to report changes, or confirm that there have been no changes, within 10 months of the end of their financial period, the same time allowed for the preparation of their accounts.

Changes for 2008 onwards

Charities with a financial period ending on or after 1st April 2009 are not invited to send their Trustees' Annual Report and Accounts to the Commission if the charity's income for the financial period was £25,000 or less. Charities with an income of £25,000 or less will have the message 'not required for their accounts submission. Charities with income between £10,001 and £25,000 are still required to send an Annual Return.

Notes

# Charity Commission

## THE REGISTER OF CHARITIES - NOTES FOR USERS

### Documents overdue

Charities are required to submit documents to the Charity Commission as follows:

#### For financial periods ending on or before 31 March 2009:

Income in the financial period being reported	Update Register Information	Annual Return - basic Register information	Reporting Serious Incidents	Financial Information	Summary Information Return	Trustees' Annual Report and accounts
£10k or less	Yes	-	-	-	-	No
£10-£25k	-	Yes	-	-	-	Yes
£25k - £500k	-	Yes	Yes	-	-	Yes
£500k - £1m	-	Yes	Yes	Yes	-	Yes
Greater than £1m	-	Yes	Yes	Yes	Yes	Yes

#### For financial periods ending on or after 1 April 2009:

Income in the financial period being reported	Update Register Information	Annual Return - basic Register information	Reporting Serious Incidents	Financial Information	Summary Information Return	Trustees' Annual Report and accounts
£10k or less	Yes	-	-	-	-	No
£10-£25k	-	Yes	-	-	-	No
£25k - £500k	-	Yes	Yes	-	-	Yes
£500k - £1m	-	Yes	Yes	Yes	-	Yes
Greater than £1m	-	Yes	Yes	Yes	Yes	Yes

If documents are overdue the banner on the charity overview page is outlined in red and shows:

- the financial period ending date of the first overdue document since the last submitted document
- the number of days that have elapsed since the submission deadline for each due document.

NB non-company charities with income less than £100,000 can prepare receipts and payments accounts instead of full accrual accounts. For financial periods ending on or after 1st April 2009 this threshold changed to include charities with income less than £250,000.

#### Charities with income of £10,000 or less

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#### Notes

## Find charities

Find charities

Charity overview

Print charity details

Advanced Search

## Charity search

Enter name or number

Advanced Search

### 1153649 - ALL FOR HORSES

REMOVED CHARITY

#### Other names

NONE

#### Governing document

NO INFORMATION RECORDED

#### Area of benefit

NO INFORMATION RECORDED

#### Organisation type

STANDARD REGISTRATION

#### Registration history

09 September 2015 **Removed - DOES NOT OPERATE**

03 September 2013 Registered

#### Charitable objects

1 FOR THE BENEFIT OF THE PUBLIC TO RELIEVE THE SUFFERING OF ANIMALS IN NEED OF CARE AND ATTENTION, PARTICULARLY BUT NOT EXCLUSIVELY HORSES AND PONIES AND, IN PARTICULAR TO PROVIDE AND MAINTAIN RESCUE HOMES OR OTHER FACILITIES FOR THE RECEPTION, CARE AND TREATMENT OF SUCH ANIMALS. 2 TO PROMOTE HUMANE BEHAVIOUR TOWARDS ANIMALS BY PROVIDING APPROPRIATE CARE, PROTECTION, TREATMENT AND SECURITY FOR ANIMALS THAT ARE IN NEED OF CARE AND ATTENTION BY REASON OF SICKNESS, MALTREATMENT, POOR CIRCUMSTANCES OR ILL USAGE AND TO EDUCATE THE PUBLIC IN MATTERS PERTAINING TO ANIMAL WELFARE IN GENERAL AND THE PREVENTION OF CRUELTY AND SUFFERING AMONG ANIMALS IN SUCH WAYS AS THE TRUSTEES SHALL THINK FIT.

#### Where it operated

NORTH YORKSHIRE

#### Classification

##### What

- EDUCATION / TRAINING
- ANIMALS
- ECONOMIC / COMMUNITY DEVELOPMENT / EMPLOYMENT

##### Who

- CHILDREN / YOUNG PEOPLE
- ELDERLY / OLD PEOPLE
- PEOPLE WITH DISABILITIES
- PEOPLE OF A PARTICULAR ETHNIC OR RACIAL ORIGIN
- THE GENERAL PUBLIC / MANKIND

##### How

- PROVIDES SERVICES
- PROVIDES ADVOCACY / ADVICE / INFORMATION



[Email Ref: 4456312] Re: Workaway 828442453988



workaway.info

To You

6 Jan



Hi

Thanks for the message and for coming forward to reporting this, all complaints are dealt with in confidence.

I have checked the listing and can see that it is already offline due to complaints raised by workawayers. We will add your testimony to our investigation.

Thank you for reaching out and for letting us know.

Best wishes

### **Applicant additional information – 21/8/2020**

The applicant has submitted a hand drawn plan & some details of how they intend to operate a 'pasture management plan', in brief this involves some fencing of fields to allow grazing rotation, holding areas and observation areas. Would ask to committee that whilst there have been some muddy areas in fields during wet winters the animals have adequate space to avoid those areas. Could bring horses into the building to reduce numbers in fields but this would require more labour and horses are happier outside. Confirm the applicants are members of BHS with appropriate insurance and that comment that native ponies we have require less space than horses. The replacement toilet and accommodation facilities would be funded by selling donated items. Mud on roads will be improved if we are allowed to stone the field entrance.

### **Jacqui Shipman Correspondence – 21/8/2020**

The application has submitted business accounts which they have asked to be treated in confidence, in brief the accounts set out that a modest cash reserve is held, sets out the asset value of the property and land, sets out the registered Charity number and confirms that internal budgets and forecasts are produced (not supplied) and that last year's performance was in line with the budget/forecast.

### **Further Correspondence from Jacqui Shipman – 02/09/2020**

Would ask the Director of Planning to reconsider the recommendation of approval on this application owing to : the landscape impact of buildings and state of fields in winter, the various operational problems associated with use of volunteers, white van deliveries & collections for the funding sales, poor storage conditions, poor financial resources and accounting , inadequate land management plan, poor access plan to deal with mud, inadequate water and access for fire engines, history of poor foul drainage arrangements. The detailed information the Committee asked for back in February to show the site could be well managed has not been submitted to quell the Committees concerns about the whole operation.

**The applicant's accounts, extra information and associated plans are available on the Authority's website.**

**Item 3 NYM/2020/0342/FL**

**Others – Chris Johnson, 22 Black Horse Lane, Swainby - 27/08/2020** – After reading the Planning Officers report I am disappointed that none of the issues I or others have raised seem to have been given much thought. For example if the car park is extended could no parking restrictions be put road along Black Horse Lane e.g. keep clear where drop down Kerbs are?

Also the applicant says they use the building on an evening to bake. I thought a clause in the condition was only microwave cooking.

**Chris Johnson, 22 Black Horse Lane, Swainby 2/9/2020** - In addition to my previous comments the planning officers report states that there is no other facilities in the village providing services and essential goods. This is incorrect as the village shop is open and providing goods and services to the village

**Item 4 NYM/2019/0619/FL**

**Withdrawn from the Planning Agenda** as Historic England has recently confirmed its intention to assess an application to consider the eligibility of the property for Listing as a Building of Special Architectural or Historic Interest.

**Item 5 NYM/2020/0293/FL**

**Others - Mr D and Mrs J de Cogan, Oak Cottage, Kilburn – 26/8/2020** – Strongly object. This farm is located in the centre of the village and surrounds residential properties less than 50 metres away with several large buildings housing at present around 1000 pigs. Its 'sister' farm also has a large agricultural shed housing pigs – approximately ¼ mile away on the corner of the access road into the village. The combination of the two doubles the amount of smell and noise.

The location of this potential building is directly beside a barn immediately behind our property which was originally given planning permission for storage of agricultural equipment – but it has, to our knowledge, never been used for this purpose and is being used to house either cattle or pigs throughout the year, and at present it has cattle in. The application states that this building is only for over-wintering of cattle, however, the Design and Access statement appears to contradict this, as it states that it would be used for pigs during the summer months. This is worrying to us, as we are of the opinion that it may be a way of increasing the number of pigs at the farm.

The location of this new building next to the existing one would mean that we would have two extremely large buildings immediately the other side of our back hedge. The new building would also compromise the public's enjoyment of the Norman church (St Mary's), and it would also overshadow a public footpath between Kilburn and High Kilburn. There is also a public footpath that passes through the farmyard, which is permanently impassable due to the mud and excrement and slime that runs off from the existing building, (and eventually ends up in a small watercourse running alongside the public footpath to High Kilburn).

The noise, smell and flies are a constant source of distress to us as neighbours. The noise from cattle lowing is 24/7 whether in sheds or in the fields. The noisy squealing of the pigs is 24/7 and gets increasingly louder as they mature. We are daily inundated by hordes of flies

from the huge pile of manure from both pigs and cattle. We rarely get to enjoy our garden due to the noise and smell and cannot open our windows during the summer months as the smell pervades the whole house.

There is a considerable increase in noise and smell when the pigs are brought in or taken out, starting at around 4.30am, and a considerable increase in farm and transportation vehicles. It is our opinion that this will increase when cattle housed in the current and new buildings are also transported in/out of the farm.

The noise and smell also has a detrimental effect on the village, as we regularly see people coming to the pub or to visit the Mouseman Museum, getting out of their cars, being greeted by the smell and noise and promptly get back in their cars and leave. Not a great advert for a tourist village described as a "jewel in the crown of North Yorkshire" or local businesses such as the T-Café and the Forresters Arms.

We sincerely hope that you will refuse permission for this agricultural building it would, in our opinion, have an extremely detrimental effect on us as immediate neighbours and residents, and the village as a whole.