

# PLANNING SUPPORTING STATEMENT

For: Variation of Condition Application

At: Ruswarp Mart,  
Sneaton Lane, Ruswarp

NYMNPA

16/04/2021

Cheryl **Ward**  
Planning

**For: Richardson and Smith  
Ruswarp Mart, Sneaton Lane, Ruswarp, YO21 5HL**

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### Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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## 1.0 Introduction

- 1.1 As requested by the applicant Cheryl Ward Planning has been appointed to submit a material amendment to planning permission NYM/2020/0389/FL (not build) with regard to the approved replacement café buildings at Ruswarp Mart, Sneaton Lane, Ruswarp, YO22 5HL.
- 1.2 No other changes are proposed at Ruswarp Mart at the present time.
- 1.4 The location of the proposed building is identified on the accompanying application plans prepared by BHD Partnership Ltd. Together with more detailed plans to highlight the changes to be made to reduce the scale of the approved building and the external finish of the building.
- 1.5 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute (RTPI) and associated ICN and PERN networks.

## 2.0 Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying planning application. Its aim is to assist those assessing the application to understand the design and access rationale. In summary, it provides a structured way of describing the development proposal.

## 3.0 Planning History

- 3.1 A search of the North York Moors National Parks online search facility has revealed that the application site has the following planning history:

**NYM/2020/0389/FL** - demolition of existing cafe and w.c. buildings and construction of replacement building at Ruswarp Market, Sneaton Lane, Ruswarp – Approve.

## 4.0 Summary of Changes

4.1 In response to the Officers request the attached plans are prepared by BHD Partnership Ltd and illustrate the building as it is now proposed:

- Existing location and block plan – D11650-1 B.
- Ground floor plan and elevations as approved – D11650-13 A.
- Ground floor plan and elevations as proposed – D11650-20 A.

4.2 In summary, the modifications and those subsequently requested for formal approval by the Authority are set out below:

- A reduction in scale of the building, from 15 metres wide, 8 metres deep and 6 metres to eaves to 10 metres wide and 6.5 metres deep and 2.8 metres to gutter height.
- The external materials will be changed to double skin blockwork walls being cavity insulated solid concrete floor, fire board ceilings, fire doors and insulated roof panels as well as insulation in all other areas i.e. a slightly lower spec than originally approved.

4.3 In all other respects the development remains as approved, and the aim of the proposal is to replace the existing outdated buildings with a new single building that will accommodate the café and w.c. facilities under one roof albeit in a low key manner.

## 7.0 Planning Policy

- 7.1 The Planning and Compulsory Purchase Act 2004 came into force in September 2004. It carries forward the provisions of the Town and Country Planning Act 1990, giving statutory force to a led system of development control.
- 7.2 Under section 70(0) of the 1990 Act and section 38 (6) of the 2004 Act, the determination of planning applications must be in accordance with the approved Development Plan unless material considerations indicate otherwise. The determination of planning proposals must be in accordance with the approved Development Plan unless material considerations indicate otherwise.

### National Planning Policy (NPPF) (2019)

- 7.3 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in January 2019. It provides a framework within which regional and local policy is set. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 7.4 Paragraph 7 of the NPPF states that ‘at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’.
- 7.5 Paragraph 8 states that ‘achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways’ (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective
  - b) a social objective
  - c) an environmental objective
- 7.6 The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of the right type of development to support growth (including the expansion of an existing business).
- 7.7 Paragraph 9 states that ‘planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area’.
- 7.8 Paragraph 10 of the NPPF confirms there is a presumption in favour of sustainable development and for planning applications such as this - proposals for development conforming to the Development Plan should be approved without delay.

7.9 Paragraph 38 of the NPPF relates to decision taking and confirms that 'local planning authorities should approach decision taking in a positive way to foster the delivery of the sustainable development' and that they "should look for solutions rather than problems, and decisions taken at every level should seek to approve applications for sustainable development where possible'.

7.10 Paragraph 80 of the NPPF states:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential".

7.11 Paragraph 81 of the NPPF states:

'Planning policies should:

- set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period.
- seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances'.

7.12 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively - looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Securing the optimum viable use of the property and achieving public benefits are key material considerations for application proposals.



7.13 In addition to the above, paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

North York Moors National Park Authority – NYM Local Plan (2020)

7.14 Applications for planning permission are primarily considered against policies set out in the 'development plan' for the North York Moors National Park. This is made up of a series of formal planning documents that have been through a period of consultation and testing and have been subsequently formally adopted by the National Park Authority.

7.15 The NYM Local Plan was adopted on 27 July 2020 and will be in place for the next fifteen years. It seeks to balance the overriding need to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. It acknowledges that there is a need for new homes, jobs and services.

7.16 The role of this Plan is said to manage the 'often competing aims by putting in place a set of policies to guide careful decision making on where new development will be located and how it will look and function'. The Strategy works in conformity with the National Planning Policy Framework (NPPF), referenced above.

7.17 An overall summary of national and local planning policies considered relevant to the case are summarised in the table below:

<b>DOCUMENT</b>	<b>POLICIES AND DENOTATION</b>
National Planning Policy	
National Planning Policy Framework (NPPF) (2019)	Paragraphs 2, 7, 8, 9, 10, 11, 38, 83, 84, 127, 172
National Planning Practice Guidance (2014)	Before submitting an application (2019). Consultation and pre-decision matters (2020). Design: process and tools (2019). Determining a planning application (2019). Making an application (2018) Permission in principle (2019).
Local Development Plan in force	

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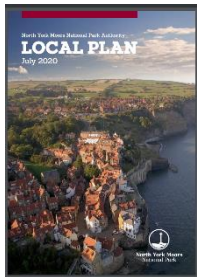
NYM Local Plan (2020)	<p><b>Strategic Policy A</b> – Achieving National Park Purposes and Sustainable Development.</p> <p><b>Strategic Policy B</b> – The Spatial Strategy.</p> <p><b>Strategic Policy C</b> – Quality and Design of Development.</p> <p><b>Strategic Policy K</b> – The Rural Economy.</p> <p><b>Policy BL1</b> – Employment and Training Development.</p> <p><b>Policy BL8</b> - Shops, Offices and Food and Drink Services.</p>
	
NYM Supplementary Planning Documents	<p><b>Part 1:</b> General Principles (2008).</p>

Table 1. – Planning policy and guidance.

- 7.18 **Strategic Policy C** (Quality and Design of Development) confirms that in order to maintain and enhance the distinctive character of the National Park development will be supported where the proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park design guide.
- 7.19 **Strategic Policy K** (The Rural Economy) is the most relevant to the case. It will support development that fosters the economic and social well-being of local communities within the National Park where one or more of the following criteria are met:
- It promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand.
  - It helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors which help maintain the land based economy and cultural heritage of the National Park or contribute to National Park purposes.
  - It provides for and supports small and micro business through the provision of flexible start-up businesses.
  - It provides additional opportunities to diversify and better equip the National Park’s workforce, including through the development of new communications technologies (including superfast broadband) and home working.
  - It provides additional facilities, or better use of existing facilities for educational and training uses, including those which provide further opportunities to understand and enjoy the special qualities of the National Park.

7.20 **Policy BL1** (Employment and Training Development) is also relevant as it recognises the benefits of permitting new buildings to be used for employment and training development purposes where:

- The scale and location of the proposal would not individually or cumulatively be detrimental to the character and appearance of the local and wider landscape.
- The site can be safely accessed by the existing road network.
- There is sufficient land and storage space attached for the functional needs of the proposed use, including parking space and space for manoeuvring vehicles and that.
- There is no unacceptable harm in terms of noise, activity or traffic generation on the immediate neighbourhood, either individually or cumulatively with other development.

7.21 **Policy BL8** (Shops, Offices and Food and Drink Services) - supports new retail development, professional and financial and food and drink services where the proposal is (amongst others) within the main built up area of Smaller Villages where new proposals are ancillary to an existing enterprise. Proposals resulting in the loss of retail development will only be permitted if it can be demonstrated robustly that the facility is no longer suitable for retail use, in accordance with the viability and marketing tests.

## 8.0 Planning Assessment

- 8.1 Paragraph 83 of the National Planning Policy Framework (NPPF) states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Promoting such plans should result in:
- Support to sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.
  - Promote the development and diversification of agricultural and other land-based rural businesses.
- 8.2 Not only does the proposed development promote the continuation of an existing business in the National Park, it promotes the continuation of an existing well established and traditional rural livestock business together with the siting of a well-designed new building within the existing group of buildings.
- 8.3 It allows a rural business to survive in a current uncertain economic climate and takes a positive approach to the three dimensions to sustainable development listed at paragraph 7.5 of this statement.
- 8.4 This proposal takes account of the guidance contained in **Strategic Policy K** where the intention is to encourage the development of rural based businesses which can benefit from the environmental, economic and social resources offered by the National Park.
- 8.5 It is considered that this proposal would objectively contribute to the economic and social well-being of local communities and rural sectors of the area. As such it would not in any way compromise an existing, valued resource and asset of the National Parks rural economy.
- 8.6 Rather, this proposal seeks to bring a new facility to the mart where development and growth does not take place often. Significant weight should therefore be placed on the need to support this local business and the economic growth and opportunities it will bring thereby taking into account both the applicants local business needs.
- 8.7 The proposed building will allow the mart to build on its strengths and upgrade access to a better quality facility and may provide a long term employment opportunity for an additional key worker.
- 8.8 The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes. The proposal is one we hope to bring to the forefront and one that promotes an opportunity to deliver new employment, training and enterprise in the National Park. As well as supporting the continued viability of Ruswarp Mart in the long term as a valued asset to rural enterprise.

### Business development

- 8.9 The site is exceptionally well placed on the edge of the NY Moors and has sufficient land to accommodate the building. The sites compatibility to accommodate this new facility in place of the existing buildings will function well. It will allow farmers/dealers and livestock hauliers to remain on site for longer and to use make use of these facilities and allow for social discussion and instructions to take place inside the café rather than outside as a means of rural hospitality.
- 8.10 A building of this scale is unlikely to impact on neighbouring residential amenity, other business(es) including the adjoining land uses and general industry taking place on adjacent sites including those on the south side of the road. It is not anticipated that the development will increase activity levels significantly where it will continue to be used for users of the mart.
- 8.11 The application is not concerned with business expansion and therefore would not adversely affect the special qualities and character of the site or the wider National Park area.
- 8.12 It is particularly important at this time that the LPA recognise the requirements of the national planning policy framework and the need to consider the business needs of the applicant.

### Development – key objectives

- To improve the existing facilities and provide an upgrade to the existing informal café and w.c's where there is no insulation to cavities, damp courses are old and deteriorating and are generally unit fit purpose.
- The proposed building will be significantly more sustainable.
- Supporting a healthy 'business eco-system' and make way for better facilities for its users.
- The new building would provide a proportionately sized unit to meet a prescribed demand which is currently met by two existing worn out structures which are no longer serving a useful purpose.
- Establishing this new facility is likely to generate a small amount of local employment.
- The applicant is simply taking the opportunity to reorganise the layout of the site and improve the working conditions for staff, operatives and users (farmers and dealers).

### Economy and Enterprise (within the NY Moors)

- 8.13 It is important that development opportunities continue to be brought forward. At the heart of the proposal is a commitment to improve the level of infrastructure at Ruswarp Mart.
- 8.14 Seeking to rebalance the problems of economic inactivity in the NY Moors with the delivery of this type of infrastructure will in our opinion act as a catalyst for further local inward investment and enable a rapid response to recent changes in economic circumstances albeit on a modest scale.

### Scale and design

- 8.15 The scale and design of the proposal is commensurate with the adjacent buildings and makes more efficient use of an operational area. This demand is driven by the need to create a facility of a better size and quality that is suited to the needs and use of the site as a livestock market.
- 8.16 In essence, the proposal carries substantial weight to the value of using an available space on an existing suitable brownfield site.
- 8.17 The new build unit will have a low carbon footprint and like all existing buildings the design, appearance and constructional detailing respects the context and intrinsic character of the site and the local rural/agricultural distinctiveness of the National Park.
- 8.18 Any residual harm from the proposed development is capable of being offset by the positive contribution that the proposed building will make to the site/area. There is significant public and community benefits born out by the proposed development through the net environmental enhancements brought by the loss of the two older, worn out buildings.
- 8.19 Post Covid-19 no one knows what will happen to our rural businesses and therefore securing this facility now may assist with the region's rural/agricultural economic recovery and support for key producers and key workers in agriculture and is therefore vital to the future prosperity of the local economy.
- 8.20 All in all, the proposal is in accordance with national and local planning policies and would not give rise to a significant increase in landscape impact due to it being located on a lower part of the site with a backdrop of trees and vegetation in longer distance views behind which means the building will not breach the skyline.

## 9.0 Conclusion

- 9.1 This section brings together the information presented within this planning statement and provides a reasoned conclusion for the approval of this amended application.
- 9.2 This statement demonstrates that the proposed development accords with the relevant national and local planning policies. Paragraph 7 of the NPPF (2019) states that at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations in meeting their own needs.
- 9.3 **Strategic Policy K** seeks to provide additional opportunities to diversify and better equip the National Park with a strategic workforce including the development of new facilities for local business needs.
- 9.4 Ruswarp is an existing well-established platform for business and has the capabilities to deliver this proposed building without harm to the National Park.
- 9.5 The proposal does not conflict with the existing scale, form and layout of buildings or access into and out of the site and seeks to replace an existing facility which serves a long standing agricultural business.
- 9.6 The amended proposal would not result in an intensification of the use or result in extra activity levels in the locality. However, it would provide a much improved facility that would not have a detrimental impact on the character of the locality or neighbouring amenity.
- 9.7 Of all of the activities in the North York Moors farming has one of the biggest influences on the way the National Park functions. Not only is farming an economic use and provider of jobs and income in its own right, but farmers also rely heavily on local livestock markets for the contribution they make to the agricultural sector, the rural economy and communities.
- 9.8 The proposal has at its heart the core principles of sustainability and is compliant with planning policy and understands the impact of the proposal on the surrounding area. The development has been objectively assessed and it is concluded that bringing a new facility to the mart will enhance the site as required by paragraph 83 of the NPPF in that it will allow the sustainable growth and expansion of all types of business in a rural area.
- 9.9 Taking account of the development plan in force and the core principles of sustainable development we would request that the development is respectfully approved.

## Cheryl Ward Planning

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