

Cheryl WARD

Planning Consultant

MSc MRTPI

5 Valley View
Ampleforth
York
YO62 4DQ



DESIGN AND ACCESS STATEMENT

Change of Use of Land and Buildings to Business Use (B2) (Includes Partial Re-Building) (Part Retrospective) at Buildings at Manor Farm, Normanby

For: Mr C Gibbon

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NYMNP

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Buildings at Manor Farm, Normanby

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Introduction

Cheryl Ward, Planning Consultant has been appointed by the applicant to submit a planning application in relation to the area outlined in red on the attached location plan at Buildings at Manor Farm, Normanby, Whitby YO22 4PS.

The client requires change of use of an existing agricultural building for the purposes of operating an engineering practice (Use Class B2) which will become the main operating base for Gibbon Brothers.

The exact location is shown on the accompanying application plans together with more detailed plans which provide clarification over which parts of the building have been repaired on a like for like basis and which parts have been taken down and re-built and/or are yet to be rebuilt (sought under this application).

In summary, the application seeks full planning permission for change of use of land and buildings to a business use (B2) (includes partial re-building works) and is part retrospective.

This Statement is prepared by Cheryl Ward who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute practising within a strict Code of Conduct.

Purpose of Statement

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.

About Gibbon Brothers

Gibbon Brothers have worked in the engineering business for 30 years and are renowned in Whitby and the surrounding area for engineering of sheet metal work, bespoke fabrication and welding of aluminium, stainless and mild steel.

Gibbon Brothers also provide agricultural engineering works to the farming community.

Definition of Agricultural Engineering:

“the branch of engineering that deals with the design of farm machinery, the location and planning of farm structures, farm drainage, soil management and erosion control, water supply and irrigation, rural electrification, and the processing of farm products”.

Source: www.merriam-webster.com/dictionary/agricultural%20engineering

Circumstances

Prior to relocating the business to Manor Farm, Normanby some weeks ago, the company was based on Whitby Business Park (Fairfield Way). The business operated in an industrial unit owned by Sky Scaffold for a period of 10 years.

Sky Scaffolds requirement for taking the unit back for their own purposes meant that Gibbon Brothers were given six months to find new premises.

Industrial units on Whitby Business Park do not come up very often (demonstrated by the 10 year period of occupation by the applicant). None continue to be available.

Gibbon Brothers subsequently purchased the building at Manor Farm, Normanby.

In summary, moving the business further away from Whitby simply isn't an option because this is central to where the majority of the client base exists, staff live locally and for the general integrity of a well-established business in operation.

Planning History

Up until 2010 Manor Farm, Normanby operated as a single planning unit (agricultural).

A search of the North York Moors National Park Authority's online planning records indicates the main farmhouse (Manor Farm) has changed to 2 no. properties, the latter permitted as a local needs dwelling in 2013.

The same dwelling, known as Dwelling 2 (east side) has since been granted permission for a two-storey side extension.

In 2013, planning permission was granted for conversion of a barn to form 1 no. holiday letting cottage (known as The Cowshed) also associated with Dwelling 2 under the 28-day letting restriction.

In the last 10 years the main farmhouse and adjoining cottage have become two separate planning units.

NYM/2010/0076/FL – Approve.

NYM/2013/0853/FL – Approve.

NYM/2013/0857/FL – Approve.

The barn the subject of this planning application is an agricultural building which was originally part of Manor Farm but was recently sold to the applicant, making this the third ownership title on the site.

Land Ownership

The applicant owns land to the north of the buildings behind Manor Farm and was in possession of this prior to purchasing the building in question, see blue line (approx. 6 acres).

Owning the adjoining land made the building an attractive proposition for Gibbon Brothers. Gibbon Brothers purchased the building and an adjoining 5 metre strip of land which lies to the west of the building.

The site is not far from Whitby Business Park where the business has operated for the last 10 years and allows the business to continue to serve existing and repeat customers, work commitments and existing contracts that are in place.

The building was bought in good faith with running water and electricity but required urgent repair and for safety reasons the rear part of the building was taken down.

The applicant unknowingly spent a considerable amount of time and money repairing and making the building safe in order to secure the business.

Since the applicant has been made aware that there is a need for planning permission all works on to the building have ceased.

The applicant was genuinely unaware that planning permission was required for the works that have been carried out.

The applicant has followed up an enforcement letter with a pre-application enquiry and to that end wishes to work with the Authority to protect the business, the businesses assets and employees.

See photographs at Appendix A which show the building prior to works commencing.

Site context and surroundings

The application site falls within the parish of Fylingdales and is located some 2.9 miles south of Whitby, 1.59 miles from Stainscarce, less than one mile from Hawsker and 1.3 miles from Robin Hoods Bay on the A171 Whitby to Scarborough road.

The site is classed as being in the open countryside for planning purposes however it is located on side of the main road on the decent down into Whitby where there is a distinct presence of rural versus agricultural, commercial, leisure and other economic developments in the landscape.

For example, to the west is the highly visible Woodsmith Mine (under construction) and the retail elements which take on a new and substantial role at Whitby business park. In addition, on the approach from Sleights to Whitby there is a Park and Ride facility, garden centres which encroach the open countryside and Millbry Hill. Unlike the proposed development all have heavy visual impact on the approach to Whitby.

The application site is slightly elevated and allows views down to Whitby and those along the east coast plateau where in addition to the above where new, substantial agricultural buildings have recently been permitted and built out.

The building the subject of this application and its association with Manor Farm, although severed in planning terms, continues to read as one. There is no plan to change the site format once the works are fully completed.

The building, unlike others nearby is not deemed to be in isolation.

The site/building is well screened in the landscape from the main road (A171) to within 70 metres on the southern approach and is barely visible on the northern approach due to other buildings which mask the view.

Directly opposite the application site is The Ridings, Normanby which has a significant amount of buildings to the east side. It is unclear what they buildings are used for.

Like many buildings in the immediate landscape whilst they appear to be of a modern type and agricultural form it is unclear what authorised use takes place internally.

Geographic Information

A thorough check of Magic Map has revealed there is no presence on the site edged in red or within proximity to any known ecological (habitat and species), archaeological, landscape classification or marine constraints that would have a bearing on the submission of the application.

Flood Risk

The Governments long term flood risk information database shows the site to be at very low risk from flooding from the sea, surface water and reservoirs with a chances of flood risk being less than 0.1 per cent.

A flood risk assessment is not deemed to be necessary in this instance.

Heritage Assets

Manor Farm and nearby buildings do not present a risk or potential threat to listed buildings or heritage assets.

The Proposal

Use

The building requires a change of use from agriculture to a business use (B2).

The building is essentially used on a low-key basis to manufacture and engineer parts for machinery.

Steelwork is then taken from the building to the site where they are then fitted/fixed. The majority of work is labour intensive and takes place away from the site/building.

Due to the nature of work, Gibbon Brothers employees will carry out manufacturing work etc at the said building and then can be away from the site for long periods of time at the customers premises.

Away from the site, they tend to work non-conventional hours during the evenings and weekends to ensure a smooth business operation is maintained and at a time when local businesses are closed so as not to disrupt day to day business.

Customers do not/are not permitted to visit the building/premises the subject of this application.

Development

Essential repairs have been recently carried out to the main (tallest) part of the building. Planning permission is not deemed to be necessary for such works i.e. essential repairs using the existing structure. This part of the building remains the same in respect of size, scale, form and orientation.

Works to complete the main part of the building includes cladding the remaining parts in dark like for like corrugated sheets and infilling 2 no. bays on the north elevation where the cladding had previously come off due to a lack of maintenance.

An additional five metre strip of land to the west of the building was purchased from the adjoining land owner so that a side access could be created for staff vehicles (not always required to be on site) to access the site safely.

A new site boundary fence has been erected to secure the site and it is planned to stain the fence dark-brown and plant a mature native hedge to grow parallel with the site boundary. The boundary mirrors that of the original boundary line.

A public right of way runs north/south in the field to the west of the building (from the stile on the roadside to the way marker located on the northern boundary of the same field). Although the footpath is shown to run through the farmyard it has at some point been diverted to the west side of the shed. In its current position however it remains permissible and retains the route alignment currently used. This matter is being clarified with NYCC.

The public right of way forms an integral part of the design to retain what is an attractive and secure route for all users.

At the side of the building (west), an existing lean-to has been taken down and rebuilt five metres back from the building frontage to allow for vehicle access. In all other respect it remains the same in terms of its size and form and is to be finished in the same dark cladding.

At the rear of the building, a lower element has been taken down for safety reasons. It is planned to rebuild this part of the building on the same footprint.

What's taken place

The schedule of works that have taken place to date are:

Main building:

- Retention of the main structure, steelwork was found to be self-supporting
- Rotten steel replaced with new steel – majority of steelwork remains as above
- Ridge strengthening
- New blockwork wall to lower section to add strength to existing structure (originally 5 blocks high, now 2 blocks high)
- Two bays in-filled in corrugated steel to match existing
- Thermal and noise insulation applied internally
- Mezzanine floor to north end to provide an office and rest/comfort room
- New concrete floor overlaid on top of existing concrete base

The main building has not increased in size.

Side lean-to:

- Rebuilt and reduced in scale (to allow 5m set back from front for side access to be formed)
- Height, width and profile remain the same
- Site boundary moved into adjacent field (west) by 5 metres to mirror the existing field boundary
- A 2.4 metre high fence boundary has been introduced to protect and secure the site

Rear (proposed):

- Rebuild the part of the building removed for safety reasons
- 2 no. containers to be housed in this part of the building

The rear part of the building is to be re-built on the same footprint at 14.83 metres long and 10.61 metres wide.

The total ground floor area of the building proposed is 382.67 square metres, less than the previous area 404.13 square metres of the original building.

See Appendix B for up to date photographs of the building.

Materials

As discussed, all new materials to repair or replace existing rotten materials are on an exact like for like basis. They comprise:

- dark corrugated sheeting to all elevations
- dark grey roof sheeting

In addition,

- dark painted roller shutter door to front entrance
- dark stained close board fence

Landscaping

Consideration has been given to the best way of integrating the use with its immediate surroundings where the existing building remains in situ.

New areas of soft and hard landscaping such as hard standing, fences and additional planting are regarded as part of the overall design.

Whilst screening of the building is considered to be 'good' it is planned to incorporate a full landscaping scheme and to return the land around the building to its former condition. As such it is proposed to be re-seeded with grass.

A semi-mature native hedge would be planted on the outer edge of the recently erected fence which will quickly soften the overall appearance and integrate into the wider landscape (see illustration plan).

Access incl. Traffic Movements

Access to the site is via the main A171 utilising an existing farm access - see Appendix C.

Additional visibility to the south is achievable by cutting back the hedge on the highway verge should the Highway Engineer consider it to be necessary.

In addition, a solid tarmac apron, set back 5 metres into the site will prevent migration of loose material onto the public highway.

Traffic movements to and from the site is likely to equate to five vehicle movements per day.

Van share arrangements already take place to avoid too many vehicles being present at the site.

Steel is delivered to the site once or twice per month depending on material requirements and work commitments. It is possible for the steel wagon to pull off safely to unload.

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Gibbon Brothers operate 2 no. white sprinter type vans which transport manufactured goods off the site.

General activity levels can be described as low level and non-intensive compared with other activities taking place on the main arterial routes into Whitby and the moors.

Employment

Gibbon Brothers recognised from an early stage that they wanted to develop the business and be able to train staff on the job with the relevant skills required for engineering. They believe it is essential that local people shall have access to a range of training and opportunities so that they can then develop the relevant skills for continued employment.

Gibbon Brothers have trained approximately 20 apprentices with valuable skills which otherwise wouldn't have been available in the Whitby/Scarborough area.

It is well known that such employment opportunities in the Park are extremely limited and this is a key factor in encouraging young people to stay in the area and help maintain sustainable and rural communities.

Gibbon Brothers continue to employ 7 members of staff from the local area on a full-time basis.

Core Policy H of the Core Strategy and Development Policies Document states that 'the National Park has a duty to foster the economic and social wellbeing of local communities' and 'will encourage and promote opportunities for new employment, training and enterprise in the Park as well as supporting the continued viability of the agricultural and tourism sectors'.

CPH goes on to state that 'facilities for the provision of basic skills training are also needed to address the poor level of basic skills, which has been identified in the North Yorkshire Strategic Partnership Community Strategy as this is problematic around the coastal town of Scarborough and the upland areas of the County'.

Work Commitments

As well as serving the local area, Gibbon Brothers largest contract is with Karro Foods (Malton Bacon Factory). It is here that they are permanently contracted to repair and make new parts to service machinery which is essential for the agriculture and food industry. Work at the factory is carried out through the night and on an evening. Without this contract the business would be unlikely to survive, they are a highly valued customer.

Signage and Marketing

The applicant does not operate a 'hard sell' and nor has the applicant needed to market the business.

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Business more often finds Gibbon Brothers, and this continues to be carried out in a low-key nature. Every effort is channelled into the crafting, fabrication and welding and serving new and existing customers with 'honesty, quality, and value'.

To that end, the applicant does not intend to place signage on the building and from outside to all intents and purposes the building will look like an agricultural building like others in the nearby locality.

Nearby Buildings and Uses

As previously discussed, there is a range of business uses taking place on the outskirts of Whitby and at the side of the A171 which operate similar uses to that of the proposal. Some however have more of a presence and activity levels are more frequent. Some are newly established – examples can be found at Appendix D.

Planning Assessment

Paragraph 28 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. To promote a strong rural economy plans should:

- support the 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.

Not only does the development promote the retention and development of a local service it re-uses an existing building within an existing group of buildings.

It allows a rural business to survive in a current economic climate where there is little scope to move elsewhere and takes a positive approach to the three dimensions to sustainable development.

Section 7 of the NPPF attaches great importance to the design of the built environment and also contributes to sustainable development.

The existing building is well established in the landscape and its re-use utilising some of the existing fabric and steelwork with new dark coloured cladding will function well and add to the overall quality of the area in the long term.

Gibbon Brothers have planned for their long-term future. The business will be passed down to the second-generation (son and nephew) of Gibbon Brothers who already works in the business. Within the next few years he will be handed the business proving there is a serious commitment and long-term plan.

Losing Gibbon Brothers as a business in the local area would be catastrophic.

In the chosen location the development is not harmful to character of the area nor does the use undermine the quality of life of local residents.

The applicant has optimised the potential of a building to accommodate the business. The development is not harmful and once the work is complete the site will virtually look the same with no outside storage except for one or two employee vehicles (not present all the time).

Its form and function will not be any greater than an agricultural use which the building is permitted to operate at any time.

The building could be filled with pigs or other animals with immediate effect. With it would come animal welfare visits, constant feeding, smells, noise, hoppers and large double decker pig wagons needing to access the site.

The proposed development is on the outer periphery of Whitby where similar developments occupy roadside locations, and this is reiterated in other areas in the National Park as demonstrated with useful examples at Appendix D.

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No complaints have been forthcoming to the proposal other than from the person who sold the building to the applicant who would have done so in the knowledge of its future use. To raise issue later down the line merely constitutes a neighbour dispute.

There would be no impact on neighbouring amenity not least the occupiers of Manor Farm and the adjoining cottage with several buildings (traditional stone buildings) positioned in between.

Development Policy 10 does allow new buildings where there is no other suitable accommodation available in the locality for new employment and training development.

The development isn't a wholesale 'new build' and relates only to a partial re-build on the same footprint. The main part of the building remains the same and the materials used allow the building to virtually look the same. There is no increase in size, rather there is a small reduction of 5 metres to the buildings frontage (21.44 sqms).

What has been increased is the land at the side, by five metres. The five-metre strip allows for the functional needs of the proposed use.

It is not considered that this adversely affects the character of the area as the boundary line is to be reinstated to mirror that of the existing and landscaping will effectively soften the newly erected fence.

Supplementary Planning Documents

Consideration has been had to Design Guide Part 5 (New Agricultural Buildings) with particular regard to sections regarding scale and form, colour, materials, landscaping and public rights of way.

North Yorkshire Strategic Partnership Community Strategy (2008-2018)

The Sustainable Community Strategy for North Yorkshire 2008/18 sets out the overarching strategic direction and long-term, sustainable vision for the economic, social and environmental well-being of North Yorkshire.

"Our collective vision is: North Yorkshire - a place of equal opportunity where all can develop their full potential, participate in a flourishing economy, live and thrive in secure communities, see their high quality environment enhanced and receive effective support when they need it".

Economy and Enterprise (within the NYSPCS)

This is an important element of sustainable communities.

“We must continue to develop employment opportunities across the County. Improve our infrastructure, the quality of our workforce, attract dynamic entrepreneurs and capitalise on the city regions of Leeds and Teesside for the benefit of all North Yorkshire”.

Employment opportunities, quality of work available and salaries offered are inconsistent across the county, with variances in relation to location and gender.

The Sub-Regional Investment Plan has identified that there is a need to support long term plans for the regeneration of the county’s coastal strip and diversification of its economic base.

The focus of activities should be the stimulation of new enterprise to generate local employment opportunities, modernising the tourism and leisure product and further developing cultural and creative industries, addressing the problems of economic inactivity and concentrations of deprivation in particular neighbourhoods and ensuring new private sector led developments.

The Plan aims to:

- Stimulate and support enterprise and an enterprising culture
- Develop a contemporary, high quality cultural and environmental offer
- Attract and develop knowledgeable and creative people
- Ensure a connected sub-region.

Conclusion

Securing a new use for the land and building will result in significant improvements on the site together with environmental benefits to the area in line with Core Policy H (Rural Economy) and Development Policy 10 (New Employment and Training Development).

As it currently stands the building can operate with an uncontrolled agricultural use and potentially could be more visually and environmentally harmful to the landscape than the use proposing to operate within the building.

Those impacts could include agricultural paraphernalia such as outside bale stacks, used and disused farm machinery which can often encroach into the open countryside, implementation of unauthorised tracks and environmental issues such as dirty water run-off.

In seeking planning permission for B2 business use, the applicant is willing to enter into a controlled consent, re-build over the original footprint in materials that are appropriate to the locality and allow the business to continue in the long term.

A controlled use will result in a far better solution and with conditions in place to deal with use, landscaping and materials will outweigh the loss of a five-metre strip of agricultural land. A public right of way will also be maintained.

In addition, the applicant is willing to make improvements to the existing access and highway infrastructure. The farm entrance can continue to be used for slow moving farm vehicles and this could potentially cause highway safety issues. This statement demonstrates that the activity levels associated with the B2 business use are far less significant.

The application is not far removed from the recent changes to permitted development and the uses allowed under Schedule 2, Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order 2015. Allowing agricultural buildings under 500m² to change to a flexible commercial use, comprising A1, A2, A3, B1, B8, C1 or D2 uses.

Allowing the development to proceed in the short to medium term means that the business can remain in operation and in the long term means it will be passed to the second generation of Gibbon Brothers who have lived and worked in Whitby for a considerable number of years. This is in line with the aims set out in North Yorkshire's Strategic Partnership Community Strategy (2008-2018).

The proposal has at its core the principles of a sustainable rural business. On these grounds it is requested that the development is approved in accordance with the guidance of the NPPF and local planning policies and local community strategies.

In conclusion, the applicant wishes to work with Officers to secure the long-term future of the business which has been forced to move to new premises for the reasons stated above.

Appendix A



Figure 1. Original building prior to work commencing

Appendix A continued ...



Figure 2. Prior to work commencing on building – black rusty sheeting



Figure 3. Evidence of existing steel frame

Appendix A continued ...



Figure 4. Main building showing frame, lean-to and stone floor

Appendix B



Figure 5. Current appearance of building



Figure 6. Shows dark coloured, like for like corrugated sheeting

Appendix B continued ...



Figure 7. Side access

Appendix B continued ...



Figure 8. Rear elevation

Appendix C



Figure 9. Existing site/farm access

Appendix D



Figure 10. Vehicle body repair workshop, Sneaton



Figure 11. Bridge Garage, Hawsker

Appendix D Continued ...



Figure 12. Bubble & Squeak car wash, Hawsker



Figure 13. Trailways (includes restaurant), Hawsker

Appendix D Continued ...



Figure 14. Summerfield Garage, Stainscare



Figure 15. Millbry Hill, Nr Whitby

Appendix D Continued ...



Figure 16. Selly Hill Garage, Nr Whitby



Figure 17. Multi-functional business building at Townend Farm, Easington