



# YEW TREE ASSOCIATES

LAND, TOWN PLANNING &  
DEVELOPMENT CONSULTANTS

## **SUPPORTING PLANNING STATEMENT**

**(including Design and Access Statement)**

**Proposed Erection of An Extension  
to an Existing Industrial Building**

**At**

**Vale Engineering Ltd**

**Pond View Farm**

**Wetherby Road**

**Rufforth**

**York**

**For Vale Engineering Ltd**

14.12.22

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# **Contents**

**1.0 Introduction**

**2.0 Site Description and Background**

**3.0 Planning Site History**

**4.0 Proposals**

**5.0 Planning Policy Context**

**6.0 Key Issues**

**7.0 Design and Access Assessment**

**8.0 Conclusions**

## 1.0 Introduction

1.1 This document is a Planning Statement (including Design and Access) in support of a detailed planning application for the Erection of an Extension to an Industrial Building at Vale Engineering Ltd, Pond View Farm, Wetherby Road, Rufforth, York for Vale Engineering Ltd.

## 2.0 Site Location and Description

2.1 The site is located on the south side of Wetherby Road Rufforth being part of at Vale Engineering Ltd., Wetherby Road, Rufforth, York some 6 miles west of York and half a mile west of the village of Rufforth on the B1224 Wetherby Road in the District of the City of York as shown on Fig. 1 below.

2.2 The total site measures some 405sqm in area and comprises a permeable area bounded on two sides by the existing industrial building. The wider site is currently used for the manufacturer of agricultural machinery and gritting equipment for the municipal and amenity sectors currently produced by Vale Engineering Ltd. The site is bounded to on all side by agricultural land.



## 3.0 Planning Site History

3.1 16<sup>th</sup> May 2014 – Prior Approval Application Change of use from Agricultural Building to Business and Storage ref 14/00490/ABFU. Prior Approval not required

24<sup>th</sup> March 2021 – Commercial Enquiry Form ref QUERY/21/00143 Permitted Development for Extension to Existing Building. Planning Permission not required

## 4.0 Proposals

4.1 The proposal is for the erection of an extension to an existing industrial building some 405sqm in area and is required to enclose and facilitate the maintenance, assembly

and storage of manufactured weed control and winter maintenance equipment currently produced by Vale Engineering Ltd.

4.2 The application is accompanied by the following drawings:-

Location Plan  
Block Plan including Drainage  
Plans and Elevations Ref. No. P7157-01 4.11.22

4.3 The building's walls will be constructed of Composite Vertical Steel Sheeting and the roof of composite steel sheeting all in Juniper Green to match existing.

4.4 As such we submit that siting, scale, materials and form of development provides are acceptable in the site's location.

## **5.0 Policy Context**

5.1 The main issue in respect of the proposal is whether the principle of development is acceptable from a planning standpoint and to determine this we turn to the Planning Acts and the national and local planning policy.

5.2 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) (RSS) and any made Neighbourhood Plan.

5.3 Although the RSS has otherwise been revoked, its policies relating to the York Green Belt have been saved, together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York. Saved policy YH9 states 'the detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. The boundaries must take account of levels of growth set out in the RSS and must also endure beyond the Plan period.'

5.4 The application site falls within the general extent of the Green Belt as shown on the Key Diagram of the saved RSS Green Belt policies.

### **5.5 THE RUFFORTH AND KNAPTON NEIGHBOURHOOD PLAN**

5.5.1 The Rufforth and Knapton Neighbourhood Plan was formally adopted in December 2018. Adoption of this plan followed a near three year period of preparation including public consultation. This culminated in a local referendum being held on whether to adopt the Neighbourhood Plan; where 93% of respondents voted yes.

The adopted Neighbourhood Plan now forms part of the statutory Development Plan for the City of York. It has the same legal status as a local plan. For the purposes of s.38(6) Planning and Compulsory Purchase Act, the proposal should be assessed against the saved RSS Green Belt policies and the Neighbourhood Plan. Full weight

can be given to the policies contained within the Neighbourhood Plan; which represents the most up to date part of the development plan at present.

5.5.2 The Key relevant Neighbourhood Plan Policies are:

RwK 09 – Drainage

RwK 10 – Design

RwK 11 – Community Amenities

Policy No. RwK 16 - Small Scale Commercial Enterprises

5.6 PUBLICATION DRAFT LOCAL PLAN (DLP 2018)

5.6.1 The DLP was submitted for examination on 25th May 2018. Phase 3 of the hearings into the examination of the Local Plan took place in July 2022 with Phase 4 concluding in September 2022, which amongst other topics considered matters relating to the Green Belt and Green Belt boundaries. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (N.B: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.6.2 Key relevant DLP 2018 policies are:

DP2 – Sustainable Development

DP3 – Sustainable Communities

SS1 – Delivering Sustainable Growth for York

SS2 – The Role of York’s Green Belt

HW7 – Healthy Places

D1 – Place Making

D2 – Landscape and Setting

CC1 – Renewable and Low Carbon Energy Generation and Storage

CC2 – Sustainable Design and Construction of New Development

ENV1 – Air Quality

ENV2 – Managing Environmental Quality

ENV3 – Land Contamination

ENV5 – Sustainable Drainage

T1 – Sustainable Access

DM1 – Infrastructure and Developer Contributions

5.7 Emerging Local Plan evidence base

5.7.1 The evidence base that underpins the proposed emerging policies is a material consideration in the determination of this planning application. The directly relevant evidence base is:

- Topic Paper 1: Approach to defining York’s Green Belt (2021).
- Approach to the Green Belt Appraisal and Maps (2003).

5.8 City of York Draft Local Plan Incorporating the Fourth Set of Changes

5.8.1 The Development Control Local Plan (incorporating the Fourth Set of Changes) was approved for development management purposes in April 2005. The Plan does not form part of the statutory development plan for the purposes of S38 (6) of the Planning and Compulsory Purchase Act 2004. Its policies are, however, considered capable of being material considerations in the determination of planning application where policies relevant to the application are consistent with those in the NPPF although the weight that can be attached to them is very limited. The site is identified on the proposals map as lying within the general extent of York Green Belt. As such, those policies considered to be compatible with the aims of the NPPF and most relevant to the development are GP1 'Design', GB1 'Development in the Green Belt' and GB3 'Reuse of Buildings'.

5.8.2 We therefore consider that principal planning policy documents to be referred to above with full weight being afforded to the NPPF, but with lesser weight to the City of York Local Plan and Emerging Local plan and the Rufforth with Knapton Neighbourhood Plan.

5.8.3 The National Planning Policy Framework (NPPF)

Paragraph 137 Preventing Urban Sprawl

Paragraph 138 Purposes of the Green Belt

Paragraph 147 Inappropriate Development in the Green Belt

Paragraph 148 Harm to the Green Belt by reason of inappropriateness

Paragraph 149 Construction of Buildings as inappropriate

Paragraph 150 Forms of development not inappropriate in Green Belt

## 6.0 Key Issues:-

The key issues regarding the development are as follows:-

- Principle of development
- Green Belt policy
- Character and appearance
- Flood risk and drainage.
- Employment Benefits of The Proposal.

To take each in turn

### 6.1 Principle of The Proposed Development

6.1.1 Whilst the RSS has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram, which illustrates the general extent of the Green Belt around York. These policies comprise the S38 Development Plan for York. The policies in the RSS state that the detailed inner and rest of the outer boundaries of the Green Belt around York need to be defined to protect and enhance the nationally significant historical and environmental character of York. The Key Diagram of the RSS and the 2005 Draft Local Plan proposals map identify the site within the general extent of Green Belt. The site is considered as having Green Belt status when assessing the merits of the proposed development against the National Planning Policy Framework and Guidance, relevant local plan policies and other material considerations. In accordance with footnote 6 to paragraph 11 of the NPPF, the usual presumption in favour of sustainable development established by the NPPF does not apply in Green Belt locations. Instead, the more restrictive policies in section 13 of the NPPF apply.

### 6.2 Green Belt Policy

6.2.1 Paragraph 137 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, thereby preserving the essential characteristics of Green Belts - openness and permanence. 'Openness' is considered as meaning an absence of built development. Paragraph 80 sets out the five purposes of Green Belt, which are:

- to check unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns;
- to assist in urban regeneration, by encouraging recycling of derelict and urban land.

- 6.2.2 Paragraph 147 states that inappropriate development that is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Such circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
- 6.2.3 In terms of the Green Belt status of the site, the main considerations are:
- whether the proposal constitutes inappropriate development in the Green Belt;
  - its effect on the openness of the Green Belt and the purposes of including land within it;
  - if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- 6.2.4 Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
  - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
  - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - e) limited infilling in villages;
  - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
  - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
    - not have a greater impact on the openness of the Green Belt than the existing development; or
    - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

(Our Emphasis)



- 6.2.5 Paragraph 150 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- a) mineral extraction;
  - b) engineering operations;
  - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
  - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
  - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
  - f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 6.2.6 The proposal involves the erection of an extension to an industrial building and does not satisfy the exceptions under NPPF paragraph 150. However, it does satisfy as a use that is considered appropriate development under paragraph 149 and it is therefore considered to be appropriate development.
- 6.2.7 Policy GB1: (Development in the Green Belt) of the City of York Local Plan 2005 states that within the Green Belt, planning permission for development will only be granted where
- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
  - b) it would not conflict with the purposes of including land within the Green Belt; and
  - c) it would not prejudice the setting and special character of the City of York;
- AND it is for one of the following purposes:
- ◆ agriculture and forestry; or
  - ◆ essential facilities for outdoor sport and outdoor recreation; or
  - ◆ cemeteries; or
  - ◆ limited extension, alteration or replacement of existing dwellings; or
  - ◆ limited infilling in existing settlements; or
  - ◆ limited affordable housing for proven local needs; or
  - ◆ limited infilling or redevelopment of existing major developed sites; or
  - ◆ minerals extraction, provided high environmental standards are attainable;

or

- ◆ highways works or other essential engineering operations including waste disposal;  
or
- ◆ park and ride facilities; or
- ◆ reuse of existing buildings.

All other forms of development within the Green Belt are considered inappropriate. Very special circumstances will be required to justify instances where this presumption against development should not apply.

6.2.8 Policy GB11 (Employment Development Outside Settlement Limits) of the City of York Local Plan 2005 states that planning permission will only be granted for new industrial and business development outside defined settlement limits in the Green Belt and open countryside where:

a) it involves the re-use or adaptation of an existing building or is for a small scale extension to an existing building; and

b) it provides a direct benefit to the rural economy and the local residential workforce.

(Our Emphasis)

6.2.9 Policy GB1 (Development in the Green Belt) of the Publication Draft City of York Local Plan (2018) states within the Green Belt, planning permission for development will only be granted where:

- i. the scale, location and design of development would not detract from the openness of the Green Belt;
- ii. it would not conflict with the purposes of including land within the Green Belt; and
- iii. it would not prejudice or harm those elements which contribute to the special character and setting of York.

AND it is for one of the following purposes:

- agriculture and forestry; or
- appropriate facilities for outdoor sport and outdoor recreation; or
- cemeteries; or
- limited infilling in existing settlements; or
- limited extension, alteration or replacement of existing buildings; or
- limited affordable housing for proven local needs; or
- development of existing developed sites where this would lead to an overall

improvement in the character and appearance of the Green Belt without compromising openness; or

- minerals extraction, provided high environmental standards are attainable; or
- essential engineering operations including waste disposal; or
- local transport infrastructure including highways work and Park & Ride facilities; or
- the reuse of buildings; or
- development brought forward under a Community Right to Build Order; or
- renewable energy schemes, where it can be proved that the location is necessary for technical reasons and wider environmental benefits can be demonstrated.

All other forms of development within the Green Belt are considered inappropriate.

Very special circumstances will be required to justify instances where this presumption against development should not apply.

(Our Emphasis)

6.2.10 The Rufforth with Knapton Neighbourhood Plan includes a policy RWK 16 (Small Scale Commercial Enterprises) and this states that in so far as planning permission is required, proposals for agricultural development and the change of use of existing buildings for employment generating development (Classes B1/B2/B8) will be supported subject to the following criteria:

- The proposed use should provide opportunities that meet local employment needs and be of a scale and type commensurate with a rural environment.
- There is no significant increase in air or noise pollution.
- There is no significant adverse impact of traffic movement, with regard to HGVs, or on road or pedestrian safety.
- Conversions are within the dimensions of the existing building and of a style sympathetic to existing buildings and the surrounding countryside.
- There are no significant adverse impacts on drainage.
- They respect the character of its surroundings and Green Belt Location by way of its scale and design, is compatible with the surrounding landscape, and safeguards residential amenity and road safety.

(Our Emphasis)

### 6.2.11 Impact on Green Belt Openness and Purpose

6.2.11.1 In terms of policy Rwk16 of the Rufforth with Knapton Neighbourhood Plan, whilst the proposed building extension is not for agricultural use nor a change of use of an existing building, we consider that as the policy refers to small 'scale commercial enterprises' that it can be regarded as relevant. Indeed, at paragraph 8.16.4 it states that the Plan allows for the small-scale expansion of existing operations providing the criteria above are met and that it is noted that these operations may be within the Interim Draft Green Belt and therefore any expansion must be within the existing site curtilage and buildings must be of a size and nature commensurate with existing buildings on the site. We consider that the proposal does meet in general the requirements of the policy.

6.2.11.2 In terms of Policy GB11 (Employment Development Outside Settlement Limits) of the City of York Local Plan 2005, we would argue that the proposal could be regarded as a small-scale extension to an existing building and that the proposal will provide a direct benefit to the rural economy and secure a local workforce.

### 6.3 Character and Appearance

6.3.1 Chapter 12 of the NPPF gives advice on design, placing great importance to the design of the built environment, which is replicated in Draft Local Plan Policy GP1 (Design) in that it requires new development to be appropriate in scale, mass and design. The proposed building will be:-

Of traditional construction in steel sheeting and is of a design typical of modern agricultural buildings.

Commensurate with its proposed use being single span to allow space for the manufacturing, maintenance and storage of equipment produced by the company.

Complementary to the adjacent existing buildings on the site in terms of siting and appearance.

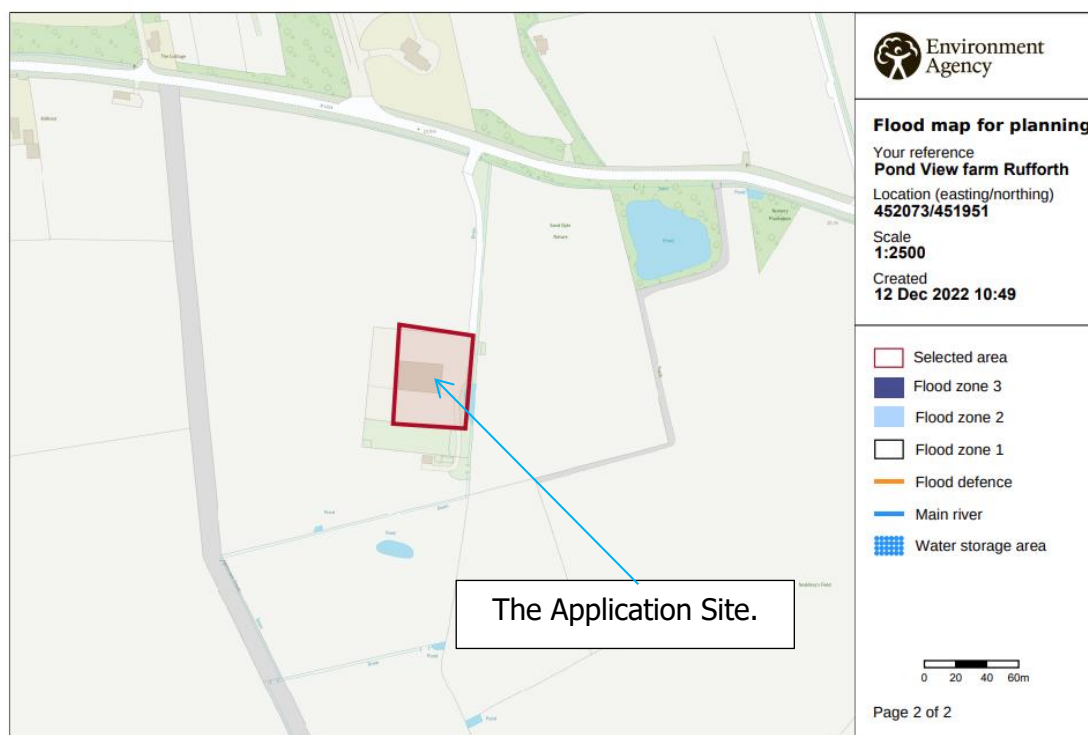
6.3.2 As such we submit that the proposed design meets the requirements of Chapter 12 of the NPPF and Draft Local Plan Policy GP1 (Design) of the City of York Local Plan.

### 6.4 Highway Safety

6.4.1 The NPPF encourages sustainable travel and the location of development in sustainable and accessible locations. The building extension is located approximately 100m off the B1224 York to Wetherby Road and is accessed by the existing business access. The proposed development may result increase the existing traffic to the site by some 6 vehicle movements per day. The access on to the B1224 is an established access with acceptable visibility splays. Additional parking and turning will be provided in the space around the building.

## 6.6 Flood Risk and Drainage

6.6.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but, where development is necessary, making it safe without increasing flood risk elsewhere (paragraph 159). The site lies within a Flood Zone 1 (low probability) (see Fig 2 below) and, as such, should not suffer from river flooding. Surface Water will be discharged via attenuation to an existing surface water drain which discharges to a drain south off the site. The development site is currently a permeable area, so directing the surface water in a controlled manner will be of benefit to the local drainage in the area.



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6.6.2 We submit that the proposal will be satisfactorily drained and will not result in any risk of flooding.

## 6.7 Employment Benefits of The Proposal

6.7.1 In the consideration of any decision there are material considerations to be taken into account and this particular case and in this instance, we submit there are employment benefits which we will detail later, that would result in allowing the proposal.

6.7.2 In support, national planning policy is found in NPPF 2021 where it states at paragraph 84 that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses.

6.7.3 Paragraph 85 states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

6.7.4 By way of employment benefits of the proposal, they are in our view, as follows:-

- Vale Engineering Ltd was established in 1999 and is a valued and important local employer and a market leader in the Manufacturer of agricultural machinery and gritting equipment for the local authority and amenity sectors currently produced by the company.

- The proposal will generate a further two full time jobs and will allow the expansion of the business.

- The proposal will assist in supporting the current workforce at the site of two full time and one part time staff.

- The proposal will assist in maintaining the work of existing local suppliers.

- The proposal will provide a safe, secure building in which employees will enjoy improved working environment so as to be able to continue the maintenance, assembly and storage of manufactured weed control and winter maintenance equipment produced by the company.

## **7.0 Design and Access Assessment**

### **7.1 Use**

7.1.1 The use of the proposed building extension is to provide additional floorspace to facilitate the maintenance, assembly and storage of manufactured weed control and winter maintenance equipment for the municipal and amenity sectors currently produced by Vale Engineering Ltd.

### **7.2 Amount**

7.2.1 The application site comprises some 405sqm in area and the proposed building will accommodate some 700sqm of floor space.

### 7.3 Layout

7.3.1 The proposed extension will be 6.829m high and some 18.704m in length x 21.662m wide. It will have shallow pitch of some 15° to match the existing building on the site

### 7.4 Scale

7.4.1 The scale of the building extension will be commensurate with its proposed use and will be appropriate for its location and therefore considered to be acceptable.

### 7.5 Appearance

7.5.1 The building is as described at paragraph 6.3.1 above.

### 7.6 Flooding

7.6.1 The site lies within Flood Zone 1 and is not considered at risk from flooding and as such no Flood Risk Assessment is required.

## **8.0 Conclusions**

8.1 The application site is within the general extent of the York Green Belt, where all development is considered to be inappropriate unless it falls within exceptions listed in the NPPF.

8.2 The proposal falls within one of the exceptions listed as being appropriate development in the Green Belt and the employment benefits arising from the development support the proposal.

8.3 The proposal meets the requirements of The Rufforth with Knapton Neighbourhood Plan and is considered to be acceptable in terms of its impact on character and appearance, highway safety and flood risk. As such we respectfully submit that there are no valid planning reasons why the application should not be approved.

SMN/YTA/14.12.22