

Item Number: 10
Application No: 13/01164/MFUL
Parish: Great & Little Barugh Parish Council
Appn. Type: Full Application Major
Applicant: Ms Clair Dobson
Proposal: Change of use of land to allow formation of 30 no. additional touring caravan pitches to existing site
Location: Willow Garth Farm Barugh Lane Great Barugh Malton North Yorkshire YO17 6UZ

Registration Date:
8/13 Wk Expiry Date: 7 January 2014
Overall Expiry Date: 20 November 2013
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Tree & Landscape Officer	Recommend details of all proposed planting submitted
Countryside Officer	Request more information
Sustainable Places Team (Yorkshire Area)	Object
Housing Services	Recommend informative
Parish Council	No objection but have concerns
Highways North Yorkshire	Recommend conditions
Environmental Health Officer	No views received to date

Neighbour responses: Ms Janet Isherwood,

SITE:

The application site is located to the north west of Great Barugh within the Open Countryside. The application site comprises part of the existing caravan site and its access, a woodland area, and an arable field. The site approximately measures 1.05 hectares and is also within Flood Zone 3a. The site is served by an existing access from Barugh Lane. On the opposite side of the road is the River Seven, which is the source of potential flooding to the site.

PROPOSAL:

Planning permission is sought for the change of use of land to allow the formation of 30 no. additional touring pitches to the existing site area. The proposal will mean a total of 60 touring pitches including a 2007 approval for 30 touring pitches.

The proposal will use the existing access onto Barugh Lane and proposes 2 additional pitches within the main body of the existing caravan park. The proposed access then leads through an establish area of trees and proposes an additional 28 touring pitches arranged around an internal rectangular shaped road.

The application contains a Flood Risk Assessment and Design & Access Statement.

HISTORY:

3/12/20/PA: Continued use of land as a caravan site (12 touring vans and 3 static caravans) at Willow Garth (amended by letter and plan dated 30.12.82) - Approved 14.1.83

07/00239/FUL: Change of use of land to allow siting of 15 no. additional touring caravans to give a total of 30 no. touring caravans on site at any one time between 1st March and 31st October each year
- Approved 17.05.2007

POLICY:

National Planning Policy Guidance 2012

Ryedale Plan - Local Plan Strategy

Policy SP8 - Tourism
Policy SP10 - Physical infrastructure
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP15 - Green Infrastructure Networks
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:

1. The principle of the proposed development and whether the sequential test is met;
2. Site specific flood risk mitigation;
3. Impact of the proposed development upon the character and appearance of the open countryside;
4. Landscaping;
5. Highway safety;
6. Impact upon the amenity of the neighbouring properties;
7. Ecology and biodiversity;
8. Drainage.

As the site area is in excess of 1 hectare this application is classed as a 'Major' application, and has to be determined by Planning Committee.

Policy SP8 of the Ryedale Plan in principle supports tourism related development in the District because of its economic benefits to the area. These economic benefits have to be balanced against the other associated impacts from the scheme, particularly the environmental impacts in this case.

Flood risk

Members will appreciate that this site is located within Flood Zone 3a. The proposed use is classed as 'More Vulnerable', as such the proposal needs to meet the requirements of the sequential test and the exception test. The Environment Agency has objected to the application until such time that the sequential test has been met in an open and transparent way. It is the responsibility of the Local Planning Authority to ensure the sequential test is met. NPPF para 100 states:

"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"

Members will appreciate from the planning history on this site that an extension to the existing caravan park was granted in 2007. The history also indicates a long standing planning permission prior to the 1982 for 3 static and 12 touring units. The proposal essentially doubles the number of units from its current number of 30 pitches.

The appraisal for the 2007 application stated that the application was in Flood Zone 2, and there was no mention of the sequential test in the officer report. However, it would appear that this was incorrect and that the site at that time was in Flood Zone 3. With recent flooding in the District, it has become a greater issue and this is reflected in planning policy.

Advice from central government is for Local Planning Authorities to undertake the sequential in a pragmatic way. It gives the example of an extension to an existing business where it might not being reasonably possible to sequentially test other sites. The agent has cited this as justification for this proposal, along with a statement that this is the only land owned by the applicant. Officers are concerned with that approach in respect of this application. This is because of the entirely separate location and nature of the proposed 28 pitches to the east of the existing caravan park. The proposed extension in that respect is tantamount to a new caravan park, albeit with a shared access through the existing caravan park. It is a double in size of the existing caravan park, and whilst the advice from central government should be considered in such cases it is considered that the word 'extension' implies a much smaller addition than that sought in this case. The subject site is arable land and has not been used for any other purpose previously. Officers are therefore minded to confirm that the proposal does not meet the requirements of the sequential test. Furthermore, there has been no other assessment of other sites in the area to establish if there is an available site. In this regard, officers are of the view that to simply say that because the applicant does not own any other land and this is an acceptable extension of existing Caravan Park in terms of flood risk and that the sequential is met.

Officers are currently in liaison with the Environment Agency for clarification regarding the proposed extension argument advocated by the agent. Members will be updated regarding the sequential test.

It is not considered appropriate to address site specific flood risk issues that could be implemented in order to mitigate flood risk until such time that the sequential test has been met.

Impact upon the character and appearance of the open countryside

The proposed 2 pitches within main area of the existing site are considered to relate well to the existing site and are considered to represent a bona fide extension to the main caravan park and they have limited impact upon the wider open countryside.

The proposed 28 no. pitches to be located on arable land to the east are to be accessed through the existing woodland and arranged around a rectangular shaped road. On the proposed Site Plan a possible amenity block is annotated, as not being part of this application but being required before this development was brought into use. That proposal would be considered on its own merits, and does not form part of this application.

The proposed 'break-out' area would mean a separation distance of approximately 75m between the closest existing pitch and closest proposed pitch. There is an established woodland between the existing caravan park and proposed breakout area. In this respect the proposed breakout area would be seen entirely separate from the existing caravan park. As a result the proposal is not considered to relate well to the existing caravan park in terms of its location and its scale.

There are clear views of the application site from Wandale Lane on the east. Although this is a minor road, there are clear views of the existing arable field with the existing woodland forming a backdrop. The Tree and Landscape Officer has considered that the proposal should have a landscaping scheme submitted for consideration before the application is determined. The agent has submitted this and the Tree and Landscape Officer is currently appraising this. Members will appreciate that, previously the Ryedale Local Plan required new tourism development to be screened by existing landform or landscaping. Policy SP8 does not have this criteria but it does require that new development does not '*undermine the character of the area or prejudice the quality of the natural or built environment.*' Policy SP13 also places increased emphasis on the Vale of Pickering as an important landscape.

Officers are concerned at the visual impact of the proposed 28 caravans upon the landscape when viewed primarily from Wandales Lane. Notwithstanding the above concerns, it is considered that this application is premature in terms of any existing planting available to screen the proposal.

Ecology

The Countryside Management Officer has requested additional information regarding the possible effect of the proposed development upon the woodland. It is also stated that further steps to improve the woodland is required, should the application be approved. This request will be forwarded to the agent and Members will be updated.

Residential amenity

The closest residential property is 100m away to the south that is outside the applicant's ownership. It is not considered that the proposal would have a material adverse effect upon the nearby properties in terms of noise and disturbance. The views of the Environmental Health Officer are awaited, and Members will again be updated at the meeting.

Highway safety

The proposal seeks to utilise the existing access to the site from Barugh Lane. This current access serves the existing touring pitches. The local Highway Authority considers the development acceptable subject to the imposition of conditions in respect of visibility; an improved and widened access position, parking provision, highway drainage and precautions to prevent mud on the highway.

Drainage

The proposal is for foul water to be dealt with via a package treatment plant. Surface water is to be drained to a combination of a soakaway, existing watercourse, and a pond/lake. The Environment Agency has stated that permits in this respect may be required and have recommended an informative.

Other issues

One objection has been received regarding noise levels, traffic implications, visual impact and a suggestion that this is the absolute maximum the site can develop to. The issue of visual amenity and noise has been addressed in the appraisal above. Any potential disturbance from people walking past the objector's house is considered to be minimal and for only a brief period. The local Highway Authority are being asked if there is any need for a footpath to link the application site to the existing village, and Members will be updated at the meeting.

The Council's Housing section who undertake site licensing for caravan sites has no objection to the proposed development.

In view of the application of the sequential test in this case being considered further it is not possible for a final recommendation to be made on this application at present. It is anticipated that an update report shall be available on the late list.

RECOMMENDATION: **Made at the Meeting**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties