

Item Number: 11
Application No: 14/00372/FUL
Parish: Welburn (Malton) Parish Council
Appn. Type: Full Application
Applicant: Coastline Leisure Ltd (Mr John Northgraves)
Proposal: Change of use of land to allow the siting of 2 no. two bedroom holiday lodges and formation of parking spaces
Location: Jamies Cragg Caravan Site Castle Howard Station Road Welburn York YO60 7EW

Registration Date:
8/13 Wk Expiry Date: 6 June 2014
Overall Expiry Date: 29 June 2014
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Archaeology Section	No objection
Countryside Officer	No objection
Tree & Landscape Officer	No objection
Highways Agency (Leeds)	No objection
Natural England	No objection, recommend condition
Environmental Health Officer	Some concerns
Howardian Hills AONB JC	Comments made
Highways North Yorkshire	Recommend Conditions
Caravan (Housing)	No objections
Parish Council	No views received to date

Neighbour responses: Mr Colin Morgan, Dr Ruth Grant,

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SITE:

The application site comprises a small area of land bordered by trees to the south of the A64 trunk road, and east of Castle Howard Station Road, Welburn. It is within the Howardian Hills Area of Outstanding Natural Beauty and is within the ownership of Jamies Cragg static caravan site which lies to the south. It lies within Mount Pleasant Quarry Site of Special Scientific interest (SSSI), and adjacent to an ancient monument.

PROPOSAL:

The existing development has permission for a maximum of 150 statics.

Permission was granted in July 2013 for the erection of 5 timber camping pods together with a toilet/shower pod and an area for the parking of 5 parking spaces. Permission is now sought for the change of use of the land for the siting of two holiday lodges, together with three parking places.

HISTORY:

1961 (5/5/558): Permission granted for the siting of caravans. Conditional approval required site to be closed between 31 October and 1 March

1982 (3/146/45C): Permission granted for the construction of 23 caravan bases

1994 (3/146/45E): Approval for use of static caravan as permanent accommodation for site manager

1995 (3/146/45F): Open period for caravans extended to 1 March to 13 January

2003 (03/00291/FUL): Permission granted for change of use of amenity building to form two holiday flats

2006 (06/00842/73): Permission granted for variation of Condition 07 of approval 5/5/558B to remove requirement that “sufficient space shall be reserved to accommodate 30 touring caravans” to enable the site to be used for static caravans only

July 2013 (appln 13/00056/FUL) : permission granted for the siting of 5no. timber camping pods, toilet/shower pod and formation of parking area.

POLICY:

Ryedale Plan - Local Plan Strategy

Policy SP8 - Tourism
Policy SP12 - Heritage
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP21 - Occupancy Conditions

National Planning Policy Framework

Section 3: Supporting a prosperous rural economy
Section 4: Promoting sustainable transport
Section 11: conserving and enhancing the natural environment

National Planning Policy Guidance

APPRAISAL:

The site comprises land in the ownership of an existing tourist accommodation provider. Consent on the main site allows for the siting of a maximum of 150 caravans. Furthermore permission was granted in 2013 for 5 holiday pods. In view of this it is considered that the principle of the use is acceptable in this location. The main considerations are therefore:

- The impact of the development on the character of the Howardian Hills Area of Outstanding Natural Beauty
- Impact of development on the SSSI
- Impact of development on the ancient monument
- Access considerations
- Impact of noise from the A64 trunk road on amenities of future occupiers.
- Impact of development on existing amenities of neighbouring occupiers

In addition two letters of objection have been received from neighbouring residents.

Impact of development on the character of the AONB

Policy SP13 – Landscapes of the Ryedale Plan - Local Plan Strategy states:

The natural beauty and special qualities of the Howardian Hills Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced and the impact of proposals on the Area of Outstanding Natural Beauty, its setting or the setting of the North York Moors National Park will be carefully considered.

This is re-iterated in the national advice contained in the NPPF which states at para 115:

“ great weight should be given to conserving 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 landscape and scenic beauty.”

The site is situated in an area that is prominent when viewed from the A64, Castle Howard Station Road, and from the Welburn direction. The land has mature trees along the front boundary, however there is little native screening at lower level. Some years ago an earth bund was created. Whilst it is not a natural feature, it is relatively insignificant in the landscape. However during the course of the last year or two it was increased in height and been planted with Laurel. Other domestic planting including daffodils and tulips have also been planted around the site. It is not considered that this is in keeping with the natural rural character of the area. The access to the site was partially tarmaced and widened prior to the submission of the last application.

When the previous application was considered, officers had concerns that given the inadequacy of the planting, the pods, parking and lighting would be visually intrusive and as such would have an adverse impact on the character of the ANOB.

Discussions were carried out with the applicants, and the Council's Tree and Landscape Officer. This resulted in the submission of a detailed landscaping plan which included the provision of more appropriate native planting. It was considered that the improvements to the planting would benefit the wider area, and ensure that the pods would not be readily visible in the landscape. The application was therefore approved. The landscaping plan has been re-submitted as part of the current application. It includes a buffer to reduce the width of the access, which again will be a significant visual improvement to the works that have already been carried out to greater good of the AONB, together with planting at lower level adjacent to the A64. Given the level of existing and proposed landscaping, it is not considered that the proposed development will harm the character of the Area of Outstanding Natural Beauty. The Area of Outstanding Natural Beauty officer has also advised that whilst the proposed holiday lodges are taller than the camping pods previously approved, he has no objection subject to the use of dark stain for the roof and walls.

A further plan has however been requested with additional planting, and fence to prevent the previous application for 5 camping pods being implemented in addition to the amendment application.

Impact of development on the Mount Pleasant Quarry Site of Special Scientific Interest (SSSI)

The application is within the Mount Pleasant Quarry site of Special Scientific Interest. Accordingly, Natural England was consulted on the application. They have advised however that it is unlikely that there the development will have an adverse impact on the SSSI. It is recommended however that the development incorporates measures to enhance the biodiversity of the site. This is in accordance with Policy SP14 of the Ryedale Plan – Local Plan Strategy.

Impact of development on setting of Ancient Monument

The County Archaeologist was consulted on the application. He has advised that the land has been quarried on the past, and therefore there is a low archaeological potential. Furthermore the development will not result in any significant ground disturbance. It is not considered that the site would harm the setting of the ancient monument.

Access considerations

During consideration of the previous application, neighbouring occupiers also raised concerns regarding the access onto the A64 and discussions were therefore held with the Highways Agency.

The case officer for the Highways Agency advised that the proposal represented a relatively small intensification of use of the existing access, and furthermore he did not have any issues with light from the development. In view of this it was not considered that a reason for refusal on highway grounds could be sustained. The current proposal represents a smaller development of two holiday lodges as opposed to 5 camping pods, and again there is no objection to the development from either the Highways Agency or the Highway Authority.

Amenities of future users by virtue of proximity of A64 Trunk Road.

When the previous application for the camping pods was considered, concern was raised by officers that the site could give rise to noise disturbance from the A64 for future users of the accommodation. The Councils Environmental Health Officer has re-iterated these concerns in relation to the current application. The type of accommodation is such that holiday makers are likely to stay longer than those using the previously approved holiday accommodation, she further advises that very little mitigation has been provided, and recommends that this should be on the plans or conditioned appropriately. Nevertheless, holiday accommodation is only occupied for relatively short time periods and the acceptability of its location would be a matter for future holiday occupiers to decide. Given the previous approval for holiday accommodation on this site and the proposed landscaping and fencing, it is not considered therefore that proximity to the A64 would be sustainable as a reason for refusal.

Amenities of neighbouring occupiers

Given the context of the application site in relation to the Jamie's Cragg Caravan site as a whole, it is not considered that the siting of two additional log cabins would have a significant adverse impact on the existing amenities of neighbouring occupiers. Two letters of objection have been received from nearby residents. They express concern that some of the statics on the main site are not being occupied for holiday purposes, and this in turn has led to vans and other trade vehicles being parked regularly on Castle Howard Station Road. The previous application did however include a planning condition that required all vehicles associated with the site to park in the spaces shown on the submitted plan. A further application that allowed year round occupation on the main site was also conditioned to prevent vehicles parking on Castle Howard Station Road. Officers are investigating the potential breach in relation to parking and have visited the site on a number of occasions. The investigation is on-going. A turning area will be provided within the site, together with three parking spaces for use by the proposed lodges. As such, it is not considered that a reason for refusal could be sustained on this basis. This is in particular because permission has previously been granted for 5 camping pods in this location.

Conclusion

The principle of the development of this area for holiday purposes has previously been accepted. It is considered that the wider benefits to be achieved by the detailed landscaping scheme, together with the low level of development proposed are such that the development complies with policy. It is considered that the objections received by neighbouring occupiers in relation to parking should be investigated independently of this application. Accordingly the recommendation is one of approval subject to receipt of satisfactory revised plans to include further landscaping details and also to preclude the possible implementation of the application for 5 camping pods in conjunction with the current application.

RECOMMENDATION: Approve subject to receipt of revised plans showing landscape details

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 The development hereby approved shall be used for holiday purposes only, and not as a person's sole, or main place of residence.
- Reason: The development of the site for permanent residential accommodation would be contrary to policy, and to satisfy the requirements of the NPPF, and Policy SP21 of the Ryedale Plan - Local Plan Strategy.
- 3 The holiday accommodation hereby approved shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 31 days. The owners/operators shall maintain an up to date register of lettings/occupation and advertising will be maintained at all times. Details of which shall be made available for inspection to an officer of the Local Planning Authority on request.
- Reason: To ensure that the development is used for holiday purposes, and to satisfy the requirements of Policy SP21 of the Ryedale Plan - Local Plan Strategy.
- 4 Unless otherwise agreed in writing by the Local Planning Authority, the landscaping detailed in the submitted Landscape Report March 2014, shall be carried out in its entirety prior to the siting of the holiday lodges hereby approved.
- Reason: In the interests of safeguarding the character of the Howardian Hills Area of Outstanding Natural Beauty, and to satisfy requirements of Policy SP13 of the Ryedale Plan – Local Plan Strategy, and para 115 of the NPPF.
- 5 There shall be no lighting on the site unless details have first been submitted to, and approved in writing by the Local Planning Authority.
- Reason: In the interests of maintaining the character of the Howardian Hills Area of High Landscape Value, and to satisfy the requirements of Policy SP13 of the Ryedale Plan – Local Plan Strategy.
- 6 Prior to the occupation of the holiday Lodges hereby approved, cycle racks shall be provided on the site.
- Reason: In the interests of sustainable transport, and to satisfy the requirements of the NPPF.
- 7 The development hereby approved shall be maintained in the same ownership as the caravan site currently known as Jamie's Cragg Caravan Site, and shall at no time be sold or let off separately.
- Reason: To enable appropriate management of the development hereby approved, and to satisfy the requirements of Policies SP8 and SP21 of the Ryedale Plan – Local Plan Strategy, and the NPPF.
- 8 Unless otherwise agreed in writing by the Local Planning Authority, details of the ground surfacing shall be submitted to, and approved in writing by the Local Planning Authority.
- Reason: In the interests of satisfactory drainage of the site, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.
- 9 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interests of the satisfactory drainage of the site, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

- 10 The location route and detailed method statement for the installation of the foul drainage system and associated works shall be submitted to, and agreed in writing by the Local Planning Authority in consultation with Natural England prior to the commencement of any development on site.

Reason: To ensure an appropriate drainage route avoiding any notified interest of the SSSI, and to satisfy the requirements of the NPPF.

- 11 Notwithstanding the submitted details, and unless otherwise agreed in writing by the Local Planning Authority, any kerbing required to the access shall utilise harvest buff conservation kerbing.

Reason: In the interests of maintaining the character of the AONB, and to satisfy the requirements of Policy SP13 of the Ryedale Plan – Local Plan Strategy.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, precise details of a fence to be erected along the eastern boundary of the site shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the fence shall be erected prior to the first occupation of the holiday lodges hereby approved.

Reason: In the interests of visual amenity, and to satisfy the requirements of Policy of the Ryedale Plan – Local Plan Strategy.

- 13 A scheme for on site security, in accordance with the recommendations of the police Architectural Liaison Officer, shall be submitted to and approved in writing by the Local planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the occupation of the camping pods hereby approved.

Reason: In the interests of security, and to satisfy the requirements of paragraph 58 of the NPPF.

- 14 Prior to the first occupation of the holiday lodges, a sign shall be located within the site advising of the proximity of the access to the A64 trunk road, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of highway safety, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

- 15 All cars and vehicles associated with the construction and use of the site hereby approved shall park within the parking area shown on the approved plans (drawing mo. 101 Rev A Site plan as proposed).

Reason: In the interests of visual amenity the safe movement of traffic, and to satisfy the requirements of the NPPF.

- 16 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme of their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and in the interests of highway safety.

17 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii)(b) The existing access shall be improved by providing 4 metre radius kerbs, to give a minimum carriageway width of 4.8 metres (all as shown on submitted drawing no. 101), and that part of the access road extending 7 metres into the site shall be constructed in accordance with Standard Detail number E6C.

(iii) Any gates or barriers shall be erected a minimum distance of 7 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

(vi) The final surfacing of any private access within 7 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

18 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development

19 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

20 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

21 During the development any land contamination found or suspected, shall be notified to the Local Planning Authority and work cease until the extent of the contamination has been investigated and remedial action, which has been agreed in writing with the Local Planning Authority has been completed. Submission of a verification report to be approved in writing by the Local Planning Authority will be required on the completion of any remedial work.

Reason: In the interests of ensuring that the ground conditions are suitable for the development hereby approved, and to satisfy the requirements of paragraphs 120 and 121 of the NPPF.

22 Notwithstanding the submitted details the cabins shall not include any windows on their north western end which faces towards the A64 trunk road.

Reason: To ensure that light from the cabins does not result in glare adversely affecting road users, and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy.

23 Notwithstanding the submitted details, the walls and roofs of the holiday lodges hereby approved shall be dark stained, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the special beauty of the Howardian Hills Area of Outstanding Natural Beauty and to satisfy the requirements of Policy SP13 of the Ryedale Plan – Local Plan Strategy.

24 The development hereby approved, shall include enhanced biodiversity measures details of which shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a time scale for their implementation.

Reason: To comply with the requirements of Policy SP14 of the Ryedale Plan – Local Plan Strategy.

- 25 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Site plan as proposed dwg no. 101 revision A
Indicative floor plans and elevations dwg nos. 104 and 105
Site sections dwg no. 102 rev A
Landscape Report March 2014

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE:

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

Background Papers:

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