

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 9
Application No: 14/00949/FUL
Parish: Nawton Parish Council
Appn. Type: Full Application
Applicant: Miss Jennifer Bulmer
Proposal: Erection of pre-fabricated building for use as camp kitchen to serve camp cafe (retrospective application).
Location: Canadian Fields Gale Lane Nawton York YO62 7SD

Registration Date: 12 September 2014
8/13 Wk Expiry Date: 7 November 2014
Overall Expiry Date: 22 October 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Parish Council	No views received to date
Highways North Yorkshire	No objection
Environmental Health Officer	No views received to date
Neighbouring Parish Council	No views received to date

Neighbour responses: Mr Geoff Thurman, Mr Keith Pickering, Mrs Margaret Clancy, Tina Dougherty, Mrs Jacky Pickering, Mrs Marie Wilson, Mr Andrew And Mrs Fiona Farnell, Carol Farnell, Jacqui Cussins, Mrs Carol Thurman, Sarah Hayman, Amancay Argerich, Helen Otterburn, Miss Sarah Morris, Pat Spink, Mrs Sarah Kenderdine, Mrs Liz Turnbull, P. Thompson, Dianne Archibald, Maureen And Keith Ingleby, Mrs L Glover, Mr J Thompson, Mrs Mandy Hudson, Joshua Wood, Stephen Dodsworth, Clare Symonds, Robert Toone, John Wood, Mr B Hall, Mr Jonathan Pickard, Mr Paul Tate-Smith, Brenda And Bryan Wilson, Cate Tate-Smith, Alexandra Tate-Smith, E A Brown, Christine Pinder, C Sleightholme, Mr C J Braithwaite, Hayley Dargan, N L Heighton, Mr S E Phillips, Miss Katie Hayman, Mr Dan Thurman, Katie Turner, Miss Louise Smith, Mrs Sarah Coxon, Mrs Sheila Caine, Mr And Mrs Holmes, Mr Ian Oliver, D And J Coney, Mrs Ann Thompson, Mrs Emily Slingsby, Mrs Susan Masterman, Mrs Jo Riley, Mrs EEaine Bramley, Mr Steven Ruscoe, Mrs Laura Palmer, Mr And Mrs Peter And Sarah Stark, Susie Mann, Miss Jo Ward, Pat Durrant, Emma Dodsworth, Cara Richardson, Mr James And Mrs Louise Gurling, Mr Bruce And Mrs Vanessa Allen, Mr Andy Prout, Mrs Angela Blizzard, Mrs Caroline Baum, Mrs

PLANNING COMMITTEE

18 November 2014

Anita Cooper, Mr Mike Smithson, Chris Winsor, Mr Simon Baum, Ruth Gordon, Mrs Emma Brackley, Mr David Hunt, Mrs Maggie Barraclough, Mr Antony Neal Cooper, Mrs Debbie Swift, Mr David Metcalfe, Mr David Taylor, Mrs Maria Taylor, Mr And Mrs IE Teasdale, Mr George Innes, Mrs Trudi Woodhead,

SITE:

As identified by the Ryedale Local Plan, the application site is located approximately 1km south of Nawton village within the open countryside and the Edge of the Moors Area of High Landscape Value.

The site operates as 'Canadian Fields' after planning permission was granted for change of use of agricultural land to a campsite providing 'glamping' style accommodation for no. 19 safari type tents in 2011.

PROPOSAL:

The proposal seeks erection of pre-fabricated building for use as camp kitchen to serve camp café (retrospective application).

The supporting statement to the application states *“The kitchen is essential to the operation of the canteen tent or café in order to meet food hygiene regulations. The appearance of the pre-fabricated building is in keeping with the adjacent reception and toilet block and is clad in the same western red cedar boards.”*

Members will also note that there is an enforcement report on the Planning Committee Agenda relating to this site.

HISTORY:

- | | |
|---------------|--|
| 11/00686/MFUL | Change of use of agricultural land to allow the siting of 19 no. tents on decking bases, erection of toilet and reception block and canteen marquee, change of use of agricultural building to winter tent store, formation of vehicular access, gravel site roads and paths, car parking and landscaping - Planning permission granted |
| 11/01280/73AM | Variation of condition 11 of approval 11/00686/MFUL dated 28.09.2011 to state "The development hereby permitted shall be carried out in accordance with the approved plans J14 04, J14 06, J14 08 and J14 07A" - J14 07A supersedes the originally approved plan J14 07 - Planning permission granted |
| 13/01122/73AM | Removal of Condition 06 of approval 11/01280/73AM dated 09.03.2012 to allow a year round opening season for the holiday occupation of the tents - Planning permission granted |
| 14/00777/FUL | Change of use from canteen tent ancillary to the campsite for customers staying on the campsite to canteen tent not ancillary to the campsite that is open to customers both from the campsite and customers not staying on the campsite (retrospective application) - Application withdrawn |

PLANNING COMMITTEE

18 November 2014

14/00779/FUL

Change of use of reception, toilet, office and laundry store building to reception, toilet, office, laundry store and first floor wardens accommodation for use solely in connection with the operation of Canadian Fields campsite (retrospective application) - **Planning permission granted**

POLICY:

National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Practise Guidance (NPPG)

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

Policy SP13 - Landscapes

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable Development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

Background Information

This proposal is presented to the Planning Committee because of the number of public consultations received to the application. In total 88 letters of support and 7 letters of objection have been received. A significant number of these letters seek to support or object to the restaurant located on the site. However, Members will note that the proposal is not for the retention of the restaurant use. The application seeks planning permission for the erection of pre-fabricated building for use as camp kitchen to serve the camp café.

The view of officers is that the site accommodates an A3 restaurant use which does not have planning permission, and that this proposal is required to support that use. The planning consultant acting on behalf of the applicant disputes the A3 use and suggests that any restaurant is operating ancillary to the wider campsite use of the site.

At this point, Members are referred to the public consultation responses received to the application. Whilst 88 letters of support have been received, only 2 of these are from residents who live outside of the district or the surrounding area. This demonstrates that the vast majority of visitors / customers to the site do so mainly for the restaurant facility. Many of these customers visit the site on a regular basis, and have held events at the site such as surprise birthday parties and retirement parties. The scale and nature of the use of the restaurant could not be considered ancillary to the permitted campsite use.

Development Appraisal

In terms of the principle of this proposal, Policy SP1 of the Ryedale Local Plan Strategy is relevant. This requires development in the open countryside to be restricted to that which is necessary to support a vibrant, and healthy rural economy and communities.

Policy SP8 (Tourism) of the Ryedale Local Plan Strategy does seek to support tourism in the District. In this case however, as the restaurant use is unauthorised, it is the view of officers that the proposed building is not necessary for the purposes of the permitted use of the site. The proposal is therefore considered to be an unjustified form of development located within the open countryside therefore is contrary to the requirements of Policy SP1.

PLANNING COMMITTEE

18 November 2014

As earlier identified within the report, the application site is located within the Edge of the Moors Area of High Landscape Value. This is a locally valued landscape for its natural beauty and scenic qualities. Further to representing an unjustified intrusion into the open countryside, the proposed building is not considered to be of suitable design or construction for this landscape. In light of this, the application is considered contrary to the requirements of Policy SP13, SP16, and SP20 of the Ryedale Local Plan Strategy.

In terms of highway safety, on the basis that the proposals are considered ancillary to the use of the site, no objections have been received from the highway authority. NYCC Highway Authority have verbally raised concerns with regards to the restaurant use on the site. In particular concerns are raised to the lack of on site parking available to serve the restaurant, and that the public highway would require improvements (passing spaces) to accommodate the additional traffic. The written comments of the Highway Authority are awaited, however, and will be reported in the Committee late pages or during the Planning Committee Meeting.

The application is therefore recommended for refusal.

Members will note that the above recommendation is made on the basis that the restaurant use on the site remains unauthorised. This development would be necessary for the continued operation of the restaurant. Therefore, if Members consider that it is not expedient to seek enforcement action on the restaurant and thereby in affect granting planning permission for the A3 use, the justification for the proposal will have been provided.

RECOMMENDATION: Refusal

- 1 It has not been demonstrated that the proposal in this open countryside location is necessary to support a sustainable, vibrant and healthy rural economy and/or community. The proposal is therefore contrary to the requirements of Policy SP1 of the Ryedale Plan - Local Plan Strategy.

- 2 The proposed building by virtue of its detailed design and method of construction is not considered to be appropriate in this open countryside location, and within the surrounding area which is designated as an Area of High Landscape Value. In addition, there has been no benefits demonstrated that would outweigh this harm. The proposal is therefore contrary to the requirements of Policies SP13, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

Background Papers:

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