

Item Number: 10
Application No: 15/01079/FUL
Parish: Wombledon Parish Council
Appn. Type: Full Application
Applicant: Mrs Brenda Willoughby
Proposal: Change of use of land and erection of 9no. 2 bedroom holiday lodges and construction of pond together with formation of associated vehicular access and parking
Location: Fosters Scrapyard Moorfields Lane Wombledon Kirkbymoorside YO62 7RY

Registration Date:
8/13 Wk Expiry Date: 16 December 2015
Overall Expiry Date: 8 December 2015
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Environmental Health Officer	No objection - conditions to be added
Countryside Officer	Ecological survey to be undertaken
Land Use Planning	
Parish Council	Recommend approval subject to conditions
Highways North Yorkshire	Recommend conditions
Sustainable Places Team (Yorkshire Area)	No comments to make
Environmental Health Officer	Request details of remediation strategy
Tree & Landscape Officer	Recommend condition
Tree & Landscape Officer	Planting not yet established and offers no screening - application premature in terms of appropriate screening
Countryside Officer	Recommend conditions
Environmental Health Officer	New information for remediation strategy satisfactory
Neighbour responses:	Mr C H A Denny,

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SITE:

The site is known as Fosters Scrapyard and is located on Moorfields Lane approximately 1 kilometre south of the village of Wombledon. To the south and east of the site is the existing Wombledon Caravan Park. Adjoining the site to the north west is a residential dwelling known as The Bungalow.

The Fringe of the Moors Area Of High Landscape Value lies approximately 50 metres to the north west of the site.

PROPOSAL:

Planning permission is sought for the change of use of the site from a scrapyard to holiday lodges, with the erection of 9 x two bedroom holiday lodges.

The lodges will be approximately 4.2 metres high, 17.1 metres deep and 7.3 metres wide. The lodges will have olive green, timber composite cladding walls and dark grey slate/tile effect metal roof panels.

Permission is also sought for the construction of a pond together with the formation of associated vehicular access and car parking.

CONSULTATION RESPONSES:

An objection has been received from the occupiers of Welburn Grange Farm a property located approximately 2km to the east of Wombledon Caravan Park. The objection is for the following reasons:

- Increased traffic, on busy lanes leading to a danger for horse riding, cyclists
- Lack of bus route close by increasing reliance on cars
- General planning creep in the area and likely upgrade to residential use

North Yorkshire County Council Highways have been consulted on the application and do not object subject to conditions relating to parking spaces and the construction requirements for private access and verge crossings.

Wombledon Parish Council recommend approval subject to the submission of an up to date land contamination report and that the site is for holiday lets rather than residential use.

The Council's Environmental Health team have considered the remediation strategy and advised that conditions be attached to any planning permission.

The Council's Countryside Officer has been consulted on the submitted Ecological Assessment. The report indicates the presence of a Badger sett, low potential bat interest, a barn owl roost, potential reptile and amphibian habitat on site. Mitigation and enhancement measures are proposed and it is recommended a condition is attached requiring the implementation of the measures if planning permission is granted.

The Council's Housing Services team have advised a condition be attached to any planning permission restricting occupancy of the units.

The Environment Agency had no comments to make on the application.

RELEVANT HISTORY:

Fosters Scrapyard

3/154/4/PA (75/00461/OLD) - Permitted - Erection of office/store building at Caravans Site Wombledon Aerodrome Wombledon.

3/154/4F/PA (79/00561/OLD) - Permitted - Construction/erection of Vanesco Copex side compression shears for processing scrap metal at land adjoining Wombledon Airfield

00/00881/FUL - Permitted - Change of use (a) of part of scrapyard for turning parking area and (b) of land for storage, breaking, sale of scrap material and repair of motor vehicles. Installation of interceptors and erection of new gates and fencing (retrospective)

06/01099/MFUL - Permitted - Change of use of scrapyard to allow the siting of 16 no. timber clad static holiday units

10/00032/EXTM - Permitted - Extension of time limit for implementation of application 06/01099/MFUL dated 19.01.2007 for Change of use of scrapyard to allow the siting of 16no. timber clad static holiday units

Area Of Hardstanding To East Of Wombleton Caravan Park

15/01018/MFUL - Permitted - Change of use of areas of concrete hardstanding to form a chalet holiday home park consisting of 4no. three-bedroom lodges and 8no. two-bedroom lodges with parking and amenity areas

POLICY:

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP8 - Tourism
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP19- Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

National Planning Policy

National Planning Policy Framework
National Planning Practise Guidance

APPRAISAL:

- i. Principle of Development
- ii. Character and Form
- iii. Impact on the Setting of the Fringe of the Moors Area Of High Landscape Value (AHLV)
- iv. Neighbour Amenity
- v. Highways
- vi. Conclusion

- i. Principle of Development

Wombleton Caravan Park itself is long established, with planning history dating back to the 1970s. Planning permission was granted in 2006, and time extended in 2010, for the change of use of the application site to allow the siting of 16 timber clad static holiday units. As such the principle of a change of use was established at this time subject to any material considerations that have since arisen. Since 2006, national and local planning policies have been revised, notably through the National Planning Policy Framework in 2012 and the Ryedale Plan - Local Plan Strategy, adopted in September 2013.

The NPPF supports local planning policies that will support sustainable rural tourism and leisure developments that benefit the businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

The application site is outside the Development Limits of Wombleton (as defined by the 'Saved' Ryedale Plan) and it is therefore in the open countryside as defined by the Ryedale Plan - Local Plan Strategy. Policy SP1 (General Location of Developments and Settlement Hierarchy) of the Ryedale Plan - Local Plan Strategy, supports the principle of development within the open countryside where it is necessary to support a sustainable, vibrant and healthy rural economy and community.

Policy SP8 (Tourism) of the Ryedale Plan - Local Plan Strategy states that tourism will be supported through the provision of a range and choice of quality tourist accommodation. In the wider open countryside, new static caravan and chalet self catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality will be supported.

The proposed change of use, while located outside of an existing settlement is located adjacent to an established tourist accommodation site. Furthermore, the existing land use of the site, is as a scrapyard and as such is previously developed land. Directly to the east of the site is the former Wombleton Airfield site. Planning permission was granted for the change of use of part of the airfield into a chalet home park for 12 lodges in December 2015.

Given the above it is considered that the change of use of the former scrap yard to tourist accommodation is in accordance with the aims of the NPPF and Policy SP8 of the Ryedale Plan - Local Plan Strategy.

ii. Character and Form

To accord with Policy SP16 (Design) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Attention should be paid to the grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. Consideration must also be given to the type, texture and colour of materials, quality and type of building techniques and elements of architectural detail.

The proposed development of single storey units and car parking will be similar in design to the existing tourist site to the south and east. The use of slate effect tiles for the roof and olive green timber cladding for the walls is considered to respect the rural nature of the site, in accordance with Policy SP16 of the Ryedale Plan - Local Plan Strategy.

The site is partially screened from public view by the existing planting on the western boundary of the site. The site has been vacant for 11 years and subsequently has become overgrown and somewhat unsightly where visible from the public highway to the west of the site. The Council's Tree and Landscape Officer has proposed a condition be attached to any permission requiring a landscaping scheme be submitted and approved prior to the commencement of development. Given the current condition of the site, the proposed landscaping is considered to have a beneficial impact on the appearance of the site.

As such the character and form of the development is considered to accord with Policy SP16 of the Ryedale Plan - Local Plan Strategy.

iii. Impact on the Setting of the Fringe of the Moors AHLV

In accordance with Policy SP13 (Landscapes) of the Ryedale Plan - Local Plan Strategy, the Council will carefully consider the impact of development proposals on the Fringe of the Moors Area of High Landscape Value.

At its closest point, the site lies 50 metres to the south east of the Fringe of the Moors AHLV. An existing dwelling, known as 'The Bungalow' lies between the site and the AHLV. Furthermore, the site is relatively well screened by the existing landscaping. It is considered that due to the drop in land levels from north to south and the existing landscaping there will not be a materially adverse impact on the setting of the AHLV, in accordance with Policy SP13 of the Ryedale Plan - Local Plan Strategy.

iv. Neighbour Amenity

New development will not have a material adverse impact on the amenity of present and future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.

The nearest residential building to the site is single storey and known as 'The Bungalow', which is to the west of the site. The nearest unit on the site will be located 16 metres to the east of the rear elevation of the Bungalow. The proposed units will be single storey in design. With appropriate landscaping secured by condition is not considered there will be a material loss of amenity to the occupiers of the Bungalow.

v. Highways

The objection to the proposal from the occupiers of Welburn Grange Farm mainly relates to concerns over the levels of traffic and the lack of public transport options. North Yorkshire County Council have considered the application and do not object. Conditions have been proposed.

vi. Conclusion

In conclusion, the proposed development is considered to comply with Policies SP8 (Tourism), SP13 (Landscapes), SP14 (Biodiversity), SP16 (Design), SP19 (Presumption in Favour of Sustainable Development), SP20 (Generic Development Management Issues) and SP21 (Occupancy Restrictions) of the Ryedale Plan - Local Plan Strategy and is recommended for approval subject to the following conditions.

RECOMMENDATION: Approval

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 Notwithstanding the submitted drawings prior to the commencement of the development a drawing indicating existing trees and scrub to be retained, and areas of new planting shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall include a schedule for the new planting areas including details of species, numbers of each species, planting sizes, and details of how the existing planting will be protected during the development phase, and the protection of the new planting following planting. the approved new planting shall be implemented within the first available planting season following completion of the development (Nov-March). Any plant material that, within a period of five years following planting, dies, is removed, or becomes seriously damaged or diseased, shall be replaced with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason:- To ensure appropriate screening and enhancement of the development and in accordance with Policy SP12 Landscapes - Ryedale Local Plan Strategy.

3 All works shall be carried out in accordance with the details contained in the Ecological Assessment (MAB 2015) section 11 and 12 for Former Scrap yard, Wombleton as already submitted with the planning application and agreed in principle with the local planning

authority prior to determination.

Reason:- To secure the long term protection of the species using the site, in line with Policy SP14 (Biodiversity) of the Ryedale Plan - Local Plan Strategy.

- 4 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 10110-05 Rev. B 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.

- 5 The accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 6 The accommodation hereby permitted shall be available or commercial let for at least 140 days a year and must not exceed a total of 31 days in any one calendar year.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 7 The owners/operators of the accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 8 Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Where unacceptable risks are identified, and appropriate scheme of remediation to make the site suitable for the intended use must also be submitted to and approved in writing by the local planning authority.

Reason: To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 9 Unless otherwise agreed in writing by the local planning authority, none of the dwellings shall be occupied until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation has been carried out and submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken, a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An appropriate investigation and risk assessment must be undertaken in accordance with current guidance, and where remediation is necessary, a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

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

Location Plan 10110-01 rev A validated by the Local Planning Authority 22/10/15

Proposed Park Zoning Plan 10110-06 validated by the Local Planning Authority 21/10/15

0390 (Elevations) validated by the Local Planning Authority 21/10/15

0390 (Plans) validated by the Local Planning Authority 21/10/15

Proposed Lake 10110-08 validated by the Local Planning Authority 22/10/15

Proposed Scrapyard Plan rev B, validated by the Local Planning Authority 06/01/16

Design and Access Statement revised, validated by the Local Planning Authority 06/01/2016

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

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties