

**Item Number:** 9  
**Application No:** 15/01290/MFUL  
**Parish:** Thornton-le-Dale Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Express Coach Repairs Ltd (Mr Simon Sheader)  
**Proposal:** Change of use of agricultural land to a holiday campsite to include siting of 6no. timber shepherd huts for self contained holiday accommodation, ancillary timber reception building and timber utility laundry building, formation of wildlife pond, alteration to existing vehicular site access and onsite access tracks  
**Location:** Land At Ordmerstones Lane Thornton-Le-Dale Pickering North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 29 February 2016  
**Overall Expiry Date:** 1 February 2016  
**Case Officer:** Alan Hunter **Ext:** Ext 276

**CONSULTATIONS:**

<b>Parish Council</b>	Object
<b>Highways North Yorkshire</b>	Recommend refusal
<b>Tree &amp; Landscape Officer</b>	Object
<b>Countryside Officer</b>	Object
<b>Archaeology Section</b>	No known archaeological constraint.
<b>Vale Of Pickering Internal Drainage Boards</b>	Observations made
<b>Sustainable Places Team (Yorkshire Area)</b>	Comments made
<b>Land Use Planning</b>	Comments made
<b>Caravan (Housing)</b>	No objection but informative to be added

**Neighbour responses:** Mr Stuart Maw,

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**SITE:**

The application site comprises agricultural land currently used for grazing. The site is located to the south of Thornton le Dale and within the Vale of Pickering Historic Landscape Character Area. There is a classified road (Thornton Road C67) located to the eastern side of the site. The site approximately measures 260m in length by 70m in width and has a total area of approximately 1.76 hectares. There is an existing field shelter located to the north east of the site, with established field hedges on the site's perimeters. Recent planting has been undertaken on the west and east within the site, however this is mainly low level planting that does not afford any screening of the site.

The application site is located within Flood Zone 1, the lowest flood risk classification. The site is also not within an area of known archaeological significance. A public footpath is located beyond the north and west boundaries of the site.

**PROPOSAL:**

Planning permission is sought for the change of use of agricultural land to a holiday campsite to include the siting of 6no. timber shepherd huts for self contained holiday accommodation, ancillary timber reception building and timber utility laundry building, formation of wildlife pond, alteration to existing vehicular site access and on-site access tracks.

The 6 no. proposed shepherd huts will each measure 5.5 m by 2.2m and be 2.5m to their highest point. The utility building will have a footprint of 4m by 2.8m and be 2.5m in height.

The access to the site is a central position along the eastern boundary, which involves the removal of the majority of the Hawthorn hedge on the eastern boundary and its re-planting approximately 2m further into the site, fronting a splayed access. The access into the site leads north to a track that runs parallel to the northern boundary. An amenity building is proposed to the north eastern corner of the site, with three Shepherd huts in a central spur from the access track, and a further three Shepherd huts proposed on the western side of the site adjacent to a proposed pond. The pond is proposed to measure 40m in length by 20m in width and have an average depth of 0.8m and an approximate area of 540m<sup>2</sup>. The agent has calculated that this will result in 432m<sup>2</sup> of excavated soil that will be spread evenly across the site.

The buildings are to be constructed of sawn redwood feather edge cladding in natural, unpainted timber finish under curved corrugated galvanised steel roofs. Double glazed timber windows and painted timber french doors are proposed.

A Klargestor package treatment plant is proposed under the site, with its outfall to a soakaway also on the site.

Sporadic planting throughout the site is proposed. This will comprise hawthorn, silver birch, beech, golden willow and wild roses and comprise 25 plants in total.

### **HISTORY:**

There is no planning history on this site.

### **POLICY:**

#### National Policy

National Planning Policy Framework (NPPF) 2012  
National Planning Policy Guidance (NPPG) 2014

#### Local Plan Strategy

Policy SP7 -Tourism  
Policy SP13 – Landscapes  
Policy SP14 – Biodiversity  
Policy SP16 – Design  
Policy SP17 – Managing Air Quality, Land and Water Resources  
Policy SP19 – Presumption in favour of sustainable development  
Policy SP20 – Generic Development Management Issues  
Policy SP21 – Occupancy Restrictions

### **APPRAISAL:**

The main considerations in relation to this application are:

- The principle of the proposed development;
- The impact of the proposals upon the surrounding historic landscape; the Vale of Pickering;
- The siting, scale and design of the proposed units;
- Highway safety;
- The impact of the proposals upon the amenity of neighbours;
- Ecology and Biodiversity; and
- Drainage.

This application is a 'Major' application and is to be determined by Planning Committee.

## The principle of the proposed development

Policy SP8 – Tourism of the Local Plan Strategy states:

*‘Tourism in Ryedale will contribute to a sustainable and diverse economy. The Council will seek to encourage sustainable tourism which minimises its environmental impact on the District.*

*This will be achieved by supporting:*

- *The provision of a range and choice of quality tourist accommodation*
- *The business plans and operational requirements of existing tourist and visitor attractions, and event arenas where appropriate\**
- *Encouraging all year round tourism subject to the occupancy conditions set out in Policy SP21*
- *Tourism in areas where potential is significantly underdeveloped, in particular, Malton and Norton and the Wolds*
- *Cultural and creative businesses in Ryedale inspired by Ryedale’s unique environment*
- *The role of Pickering, Helmsley and Thornton-le-Dale as key visitor destinations as well as gateways to tourism and recreational opportunities in northern Ryedale including the North York Moors National Park. The impact of tourism on these communities will be managed particularly in relation to car parking, traffic management, local facilities and services*

Furthermore Policy SP18 also states:

*‘New tourist attractions will be supported where they do not undermine the character of the area or prejudice the quality of the natural or built environment. Attractions that will attract large numbers of visitors should be accessible by a choice of means of transport.*

*The following types of tourist accommodation will be supported in the following locations:*

### ***The wider open countryside***

*Appropriate expansion of an existing hotel, guest house, public house, farm house, holiday cottage or similar establishment*

- *Re-use of traditional rural buildings*
- *New touring caravan and camping sites and 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’*

The proposal is for high-end scheme of 6 no. Shepherd Huts. Policy SP8 contains strong support in principle for new tourism development in this area of the Vale of Pickering and Thornton le Dale in particular. The North York Moors National Park and other tourist attractions are also accessible by car from the site. However this support in principle has to be considered alongside its landscape impact and other Development Management Issues.

## Landscape impact

The site is located within the Vale of Pickering Historic Landscape, Policy SP13 – Landscapes states:

*‘Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:*

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*

- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types,*
- *landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

*The Council will work with landowners and statutory agencies to encourage land management practises that will protect and reinforce landscape character across the District and proposals which seek to restore areas of degraded landscape or individual landscape elements will be supported.*

*Outside of those landscapes protected by national landscapes designations, the Council will carefully consider the impact of development proposals on the following broad areas of landscape which are valued locally:*

- *The Wolds Area of High Landscape Value*
- *The Fringe of the Moors Area of High Landscape Value*
- *The Vale of Pickering*

*It also states:*

*'The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'*

The Tree and Landscape Officer has assessed this application and stated:

*'Object for the following reason: The site is within a linear field system off Thornton Lane which has traditional roadside hedges along its length. The requirement for the removal of most of the roadside hedge for highway reasons and its replacement behind the visibility splay will form an interruption in the prevailing landscape pattern and also provide short-term views into the site.'*

Furthermore, Policy SP20 of the Local Plan Strategy states:

*'New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses*

*Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses.*

The immediate area is generally characterised as flat agricultural land, with relatively small rectangular shaped fields. These fields generally have field hedges interspersed with trees and the land is mainly used for grazing or arable production. The immediate area is generally undeveloped with the exception of agricultural development.

The introduction of the proposed development is considered to be at odds with the historic character of this landscape. This concern relates to the removal of the existing field hedge providing clear views of the site from Thornton Road. The splayed access and re-planted hedge will also introduce an element which is not characteristic on this rural lane or other accesses onto Thornton Road. The new access and trackway stretching across the length of the site will also be visible, at least in the short term and appear as a unnatural feature within the landscape. The existing perimeter hedges are patchy and will allow views into the site from public vantage points. Should the application be considered favourably the strengthening of these boundaries will be required. It is recognised that the Shepherd Huts are to be constructed of timber, a natural material. However the arrangement of the 6 units in the middle of the field is considered to appear as an alien feature.

It is not unusual to have occasional field shelters but these are usually on their own and in the corners of fields or adjacent to field buildings. The planting already undertaken and the proposed planting is not considered to add to the historic character of this site or the wider area. As a result of the above assessment the proposed development is considered to be contrary to the requirements of Policy SP13 of the Local Plan Strategy.

Furthermore, the introduction of the proposed use, (given the openness of the site) is considered to be contrary to the requirements of Policy SP20. This relates to the operation of the units, particularly the associated access, parking areas, and nocturnal activity associated with the proposed development, such as external lighting. These factors without a reasonable level of landscape screening are considered to make the proposal in this case contrary to the requirements of Policy SP20 of the Local Plan Strategy.

#### The siting, design and scale of the units

The design and scale of the individual units and amenity building is not considered to be in conflict with Policy SP16. There is considered to be no objection to the formation of the proposed pond.

#### Impact upon the amenity of the nearby properties

A letter of objection has been received from a resident who farms the adjoining field for arable and pasture purposes, advising of his operations and how they can affect the amenity of the proposed development. The objector also seeks confirmation that the boundaries will be maintained to prevent dogs damaging livestock. The objector also makes the point that there are other tourism facilities nearby. The agent has responded to state that the compatibility of the two uses is acceptable in their opinion and is part of the rural experience intended for the proposed development. The maintenance of fences is a private issue between land owners. The availability of other tourism sites is not considered to be a material consideration in this case.

The nearest residential property, Chester Villa is 200m to the south of the application site. It is also considered that there will be a satisfactory level of amenity available for the tourism use.

#### Highway Safety

The Parish Council has objected to the application as they are concerned at the speed of vehicles passing the site and the safety of pedestrians travelling from the site to Thornton le Dale.

Policy SP20 states:

#### ***‘Access, Parking and Servicing***

*Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads*

*Access into and within buildings will be expected to be of a standard that allows all to access the building unimpeded*

*Development will be expected to comply with the relevant standards in place at the time a planning application is made to the Local Planning Authority. A Travel Plan may be required to set out how the use of the building can be made more sustainable by reducing the need to travel by private car. Where applicable, proposals will need to demonstrate the inclusion of safe and effective vehicular servicing arrangements’*

The Highway Authority has objected to the application because the access to the site cannot achieve a visibility of 215m measured 2.4m from the carriageway in both directions.

The maximum visibility is 154m in a southerly direction. The Highway Authority considers that this situation is unacceptable in terms of highway safety as such a junction would not be likely to operate within safe visibility limits . They also state:

*'The existing access is onto a de-restricted, unlit section of public highway with no separate footway provision and along which travelling vehicle speeds are observed to be high. The Highway Authority would therefore raise a concern that the proposed development on the site is remote from any public transport services, some considerable distance from the community of Thornton le Dale with its amenities and attractions etc., and it is anticipated that little or no trips will be undertaken to and from the site other than by means of private motor car and would thus go against the thrust of Section 4 of the National Planning Policy Framework.'*

In view of this, it is also considered that the proposal is in a location that is inaccessible by modes of transport other than a car. The proposal is therefore not considered sustainable in terms of Policy SP19 of the Local Plan Strategy and contrary to the requirements of Policy SP20.

The agent has responded to the Highway Authority's recommendation and this has been forwarded to the Highway Authority. It is understood verbally, that this has not changed their position.

### Ecology and Biodiversity

The Countryside Management Officer has stated:

*'There is likelihood that a legally protected species such as bats, breeding birds and great crested newts may be adversely affected by this proposed development. There is no information on the existing wildlife value of the site, whether any protected species or habitats would be impacted by the development or if biodiversity enhancement options are proposed in line with NPPF and local plan policy SP14. The site is presently grassland with hedged boundaries, there is an existing field corner pond approximately 160m to the SW of the proposed development and some of the fields in the area are known to provide loafing habitat for Golden Plover which are a qualifying species for the nearby North Yorkshire Moors SPA. I therefore object to this application on the grounds of lack of biodiversity information.'*

The agent has responded to establish if it is possible to condition such wildlife surveys. The Countryside Management Officer has confirmed that this is not possible in accordance with NPPF and Biodiversity and Geological Conservation Circular 06/2005. These surveys have to be undertaken before an application is assessed (if the application is to be considered favourably). It is also pointed out that Ryedale District Council is a Public Body under the NERC Act 2006 and has a duty to ensure to ensure its actions do not lead to harm to protected species.

In view of the above there is considered to be insufficient information submitted to assess the impact of the proposal upon biodiversity and ecology, the proposal is therefore contrary to the requirements of Policy SP14 of the Local Plan Strategy.

### Drainage

The proposal is for foul water to be treated by a on-site package treatment plant which will be drained to an on-site soakaway. There is considered to be no objection to this in principle.

Yorkshire Water has no objection to the proposal, and the Internal Drainage Board does not raise any objection. They do however state that should the applicants wish to drain to a watercourse under their control, their consent is required.

### Other comments

If this application were to be considered favourably, the occupancy conditions detailed in Policy SP21 would need to be imposed.

In view of the above objections in terms of landscape impact, highway safety, the accessibility of the site, and ecology this application cannot be supported by Officers and refusal is recommended..

**RECOMMENDATION: Refusal**

- 1 The proposed development by virtue of the removal of the hedge and its re-planting together with the introduction of the proposed timber shepherd huts and amenity building and the formation of the new track along with its associated usage during both day time and night time is considered to adversely affect the character and appearance of the historic landscape of the Vale of Pickering. The proposed development is therefore contrary to the requirements of Policy SP13 and Policy SP20 of the Local Plan Strategy.
- 2 The proposed development is not served by pedestrian or public transport links and it is therefore considered to be inaccessible by modes of transport other than a motor vehicle. The proposed development is therefore considered to be unsustainable development in this location and contrary to Policy SP19 and Policy SP20 of the Local Plan Strategy.
- 3 The access, by which vehicles associated with this proposal would leave and rejoin the County highway, is unsatisfactory since the required visibility of 2.4 metres by 215 metres cannot be achieved at the junction with the County highway in a southerly direction. In the opinion of the Local Planning Authority the intensification of use which would result from the proposed development is unacceptable in terms of highway safety. The proposal is therefore contrary to the requirements of Policy SP20 of the Local Plan Strategy.
- 4 There has been insufficient information submitted to assess the impact of the proposed development upon ecology and biodiversity. The proposed development is therefore contrary to the requirements of Policy SP14 of the Local Plan Strategy.
- 5 Background Papers:  
  
Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties