

Item Number: 14
Application No: 15/01384/FUL
Parish: Sheriff Hutton Parish Council
Appn. Type: Full Application
Applicant: Mr R Glover
Proposal: Change of use of agricultural land to form a holiday park to include the erection of 10no. holiday lodges, biomass heating store and refuse store together with formation of associated gravel track, car parking spaces and vehicular access.
Location: Land East Of Sheriff Hutton Industrial Estate Sheriff Hutton

Registration Date:
8/13 Wk Expiry Date: 16 February 2016
Overall Expiry Date: 31 January 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	Conditions recommended
Archaeology Section	Recommend condition
Highways North Yorkshire	Specification added
Land Use Planning	Comments made
Caravan (Housing)	No views received to date
Environmental Health Officer	No views received to date
Tree & Landscape Officer	Recommend condition
Countryside Officer	Request clarification over the existence of the pond and further details on the provision of mitigation for the loss of biodiversity in line with Local Plan Policy SP14
National Grid Plant Protection	No views received to date

Neighbour responses: Mrs Lindsay Ainley, Mr Jerry Petch, Mr Paul Connell, Mrs Ruth Carter, Mr Chris O'Neill, Mrs Julie Gladwin, Miss Sian Lacy, Mr Martin Willan, Paul & Elaine Nelson, P Connell, Mr Andrew Morse, Ms Hylda Connell, Mr & Mrs D & B Pallister, Jodie Hoggarth, Mr Peter Bellwood, Mr Alan Glover, Mr Barrie Ellis,

SITE:

The application site is an agricultural field located to the south west of the village of Sheriff Hutton. The site is bounded by agricultural fields to the north, west and east. To the south, the site is bounded by York Road.

The site is located approximately 300 metres to the south west of the Sheriff Hutton development limit, 50 metres to the west of the row of dwellings, known as Council Houses, York Road. 75 metres to the west of the site is the Sheriff Hutton Industrial Estate. The scheduled ancient monument, Sheriff Hutton Castle is located approximately 800 metres to the north east of the application site.

PROPOSAL:

Planning permission is sought for the change of use of existing agricultural land to form a holiday park to include the erection of 10 no. holiday lodges, a biomass heating store and a refuse store together with the formation of an associated gravel track and car parking spaces.

The holiday lodges will be detached with dual pitched roofs. The lodges will reach a maximum height of 4.9 metres. Six of the holiday lodges will have two bedrooms and four of the holiday lodges will have three bedrooms.

The lodges will be timber clad and each will have its own timber decking area. Each lodge will have photovoltaic cells fixed to the roof and have a life expectancy of 15 years.

Vehicular access will be from York Road. 20 car parking and 60 cycle parking spaces will be provided within the site.

At the east of the site, will be a 3.0 metre high biomass store. Refuse storage will be provided at the south east of the site.

The holiday lodges are proposed to be available for 365 days per year occupation.

CONSULTATION RESPONSES:

There have been 7 individual objections to the application, including a letter signed by the residents of 9 properties. Some of the occupiers of these properties have also written their own objection letters.

The objections relate to the following issues:

- Loss of amenity through noise disturbance and impact on neighbouring properties
- The impact on the character of the existing Council House terrace to the east of the site
- The proposal is out of character with the area
- Concerns over access
- Suggestions that a different site would be more suitable
- Concerns over a breakdown of the buffer zone between the industrial estate and the Council Houses, resulting in ribbon development
- Potential loss of the mediaeval field pattern
- Lack of information regarding the biomass store
- Flooding

A further public representation provided comment expressing concern over the apparent inadequacy of the biomass fuel store, the impact on local housing, the lack of play facilities and the lack of a pedestrian crossing. There was a request for a commuted sum towards public open space provision.

3 letters of support were received. There was support for:

- The positive impact of the development on local jobs and local business
- The sympathetic design of the holiday lodges

Sheriff Hutton Parish Council have objected to the application for the following reasons:

- Concerns over access/highways. An alternative existing access to the east was suggested.
- The first holiday lodge is sited too close to the public highway
- concerns over the refuse lorries entering and leaving the site
- the lack of a reception area and the impact of this for tourists
- too close to the airstrip

- concerns the sewage system will be insufficient for the proposed development and have an impact on the ridge and furrow profile of the field
- concern over the finish of the proposed lodges
- lack of amenity/play area
- concern the lodges could ultimately become permanent dwellings

The applicant's agent has responded to the Parish Council's objection, noting the following points:

- The applicant does not have sole control over the existing eastern access to the site.
- The applicant is willing to consider moving the first lodge further back from the highway if required
- The site has been designed to ensure refuse trucks will approach the site as they would other properties on York Road and they will not need to reverse
- The bookings will be managed by an online bookings company that the applicant has used elsewhere
- The applicant considers the use of the neighbouring field as an air strip to be 'permitted development'
- The existing profile of the field will be maintained when sewage works are complete
- The biomass heating system proposed is sufficient to serve the scheme in accordance with the manufacturer's specifications
- A variety of finishes to the lodges are proposed and the applicant is willing to amend them if necessary
- Additional landscaping is proposed and can be secured by condition
- It is noted that each lodge has its own amenity area and there will be grassed areas in the site for children to play
- The applicant has not applied for market housing and expects the imposition of conditions restricting occupancy.

Yorkshire Water were consulted on the application and have advised that the site is 120 metres from Sheriff Hutton waste water treatment works. They note the works are small and there is no evidence of malodour from its operation. The Council's Environmental Health team have not provided any comments regarding the waste water works.

North Yorkshire Archaeological Services responded to recommend a condition relating to the implementation of archaeological mitigation recording.

North Yorkshire County Council Highways Authority and the Council's Countryside, Tree and Landscape and Environmental Health Officers were also consulted. Their responses to the consultation have been included within the appraisal of the proposed development.

The objections to the planning application relate to material planning considerations. As the application is recommended for conditional approval, under the Council's scheme of officer delegation it is brought to Committee for Members to consider and determine.

HISTORY:

None relevant.

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
Policy SP21 - Occupancy Restrictions

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

APPRAISAL:

- i. Principle of Development
- ii. Design
- iii. Impact on the setting of the Scheduled Ancient Monument of Sheriff Hutton Castle
- iv. Neighbour Amenity
- v. Highways
- vi. Biodiversity
- vii. Other Matters
- viii. Conclusion

i. Principle of Development

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.

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. All year round tourism is supported subject to the occupancy conditions set out within Policy SP21 (Occupancy Restrictions).

Policy SP13 (Landscapes) states that 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.

The proposed development will provide for the provision of new tourist accommodation within the Vale of York area of the District. The development will be open all year round and if approved appropriate conditions restricting occupancy can be added in accordance with Policy SP21 (Occupancy Restrictions).

The proposed development will be located south of the development limit of Sheriff Hutton, lying to the east of the existing Industrial Estate and the west of the Council Houses. As the application site lies outside of the Sheriff Hutton development limit, consideration must be given to the level of visual intrusion and the impact on the character of the locality. The proposed development will be sited in the central rectangular field of a row of three. While it will partially infill the existing gap between the Industrial Estate and the Council houses, open countryside will be retained in two of the fields. The prevailing gradient of the land is relatively level within the immediate area of the application site, gently rising to the north of the site through the village of Sheriff Hutton.

The Council's Tree and Landscape Officer was consulted and commented as follows:

The site is a rectangular open field bounded by native hedging and scattered native trees along the southern and western boundaries. The hedgerow along the western boundary is fairly sparse containing numerous gaps which allow open views of the industrial estate building to the west of the site.

Wider Landscape:

The site is only visible from public locations on passing along York Road. More distant views from the west are screened by landforms and York Road Industrial estate, and from the east by properties and landscape features.

Recommendations:

Whilst the site is not visible from public locations the western boundary hedge will need to be gapped up with native hedgerow shrubs to form a complete secure boundary.

The proposed planting strips across the site between the holiday lodges will serve to break up views through the site. However, this planting should be formed by native shrubs and locally prevailing tree species and other traditional hedgerow species. Whilst the proposal to plant birch and Sorbus Joseph rock (a yellow berried fruiting species of rowan) would be acceptable in small numbers around the chalets, the bulk of the planting should include the following species.:

Hedging and shrub planting under trees:

Hawthorn, hazel, guelder rose, holly, buckthorn, wild rose, field maple.

Tree species:

Oak, field maple, small leafed lime.

It is considered that the proposed development will not result in an unacceptable visual intrusion or an unacceptable impact on the character of the locality. As such the principle of the development is considered to accord with Policies SP8 and SP13 of the Ryedale Plan - Local Plan Strategy.

ii. Design

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 will include the siting of single storey holiday lodges measuring a maximum of 5 metres in height. This will be lower in height than the existing residential buildings to the east of the site and of a similar or lower height than the existing industrial buildings to the west of the site. The buildings will be detached and have self contained amenity space in the form of terracing.

The lodges will be of timber construction with artificial slate roof coverings and photovoltaic panels to the roof. The single storey and modest design of the development, the use of materials and the proposed landscaping is considered to respect the context of the surroundings and accord with the aims of Policy SP16 (Design).

iii. Impact on the setting of the Scheduled Ancient Monument of Sheriff Hutton Castle

Policy SP12 (Heritage) states that development proposals that would result in substantial harm to a designated heritage asset will be resisted unless wholly exceptional circumstances can be demonstrated. The site is located approximately 800 metres to the south west of the scheduled ancient monument of Sheriff Hutton castle. The castle was glimpsed from within the Industrial Estate and from one location on the public highway to the south west of the site. However, due to the low lying design of the lodges and the proposed landscaping it is not considered to result in any substantial harm to the setting of the ancient monument. As such, the proposal is not considered to conflict with Policy SP12 (Heritage).

iv. Neighbour Amenity

To accord with Policy SP20 (Generic Development Management Issues) 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 proposed development will be situated outside of the existing development limit of the village of Sheriff Hutton. The nearest residential dwellings are sited a minimum of 60 metres to the east of the site boundary. Furthermore, of the 10 proposed units, only 2 are located within 20 metres of the eastern boundary of the site and these 2 units are set back more than 5 metres from the boundary. The proposed plans show the retention of the existing eastern site boundary. Furthermore, a condition can be included to control the level of lighting at the site.

The site will contain a 3 metre high biomass store. The Council's Environmental Health Officer has requested further details regarding the biomass store from the applicant. It is intended that this information and the Environmental Health Officer's response will be made available for Councillors as late observations prior to Planning Committee.

Due to the siting and design of the proposed lodges and the distances to existing buildings, it is not considered that subject to appropriate conditions, the proposed development will result in a materially adverse impact on the amenity of the present and future occupiers of the neighbouring buildings, in accordance with Policy SP20 (Generic Development Management Issues).

v. Highways

The site is located on a 40 mph stretch of the main road south of Sheriff Hutton, heading towards Strensall and York. North Yorkshire County Council Highways Authority have been consulted on the application. The access for the proposed development will have the available visibility in excess of the required distance in either direction. The Highways Authority do not object to the proposal subject to the imposition of appropriate conditions.

vi. Biodiversity

The Council's Countryside Officer has been consulted on the application and requested further information regarding the Ecological Assessment. It is intended that this information and the Countryside Officer's response will be made available for Councillors as late observations prior to Planning Committee.

vii. Other Matters

Some objections refer to allegations of unauthorised use and storage of a light aircraft. This is subject to a separate investigation as it is outside of the scope of this application site and as such is not relevant in the determination of this application.

An objection relating to flooding highlighted that entrance to the Industrial Estate suffered some flooding in December 2015 and January 2016. This is presumed to have been during the recent adverse weather conditions that resulted in high levels of precipitation and flooding across Yorkshire. The application site is not located in or near flood zones 2 or 3 and as such, this is not considered to be a reason for amending or refusing the proposal.

vii. Conclusion

In conclusion, the proposal is considered to accord with national and local planning policy and is recommended to Members 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 details on drawing No. 9908(90) 02 dated February 2015, prior to the commencement of the development details for the landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. The submitted details shall include a scale drawing and a schedule of planting of native species only for the gapping up of existing hedgerows as appropriate and all new tree and shrub planting annotated on the above submitted drawing. The planting schedule shall provide details of species, planting sizes and numbers of each. New hedgerow sections shall be planted at the rate of 6 plants/metre in a double staggered row, individual plants protected within individual rabbit spirals secured with a stout cane. The approved planting shall be carried out in its entirety within the first available planting season (Nov - March) following completion of the development. Any plants which are removed, become diseased or die within 5 years of the implementation of the scheme shall be replaced with the same or similar species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, enhancement of the development, and screening of the development, and in accordance with Policy SP 13 (Landscapes) of the Ryedale Plan - Local Plan Strategy.

3 Prior to the commencement of the development a Landscape Management Plan to cover a 15-year period following implementation of the approved landscaping shall be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that the landscaping matures and provides adequate screening and enhancement of the development, and in accordance with Policy SP 13 (Landscapes) of the Ryedale Plan - Local Plan Strategy.

4 A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out

within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Section 12 of the NPPF as the site is of archaeological interest.

- 5 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:

c. The existing access shall be improved by widening and enlargement in accordance with approved Drawing Number 9908 (90) 02 Rev. C and upgrading on construction specification over the first 10 metres, measured from the carriageway edge, in accordance with Standard Detail Number E7h.

e. Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details shown on drawing number 9908 (90) 02 Rev. C and maintained thereafter to prevent such discharges. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 There shall be no access or egress by any vehicles between the highway and the application site until:
- a. full technical details relating to the bridging/culverting of the watercourse adjacent to the site have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority; and
 - b. The surface water ditch at the site entrance has been piped in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.

- 7 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number 9908 (90) 02 Rev. C for parking spaces, turning areas and access shall be kept available for their intended purposes 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.

- 8 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

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.

- 9 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

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

- 10 The accommodation hereby permitted shall be available or commercial let for at least 140 days a year and no let must 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.

- 11 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.

- 12 The development hereby approved is for 6 No. two bedroom lodges and 4 No. three bedroom lodges with biomass heating store and refuse store together with formation of associated gravel track, car parking spaces and vehicular access only.

Reason: In order to comply with Policies SP8 and SP20 of the Ryedale Plan - Local Plan Strategy.

13 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. The register shall include full details of the following:

- the main address(es) of all the occupiers of the accommodation hereby permitted
- the start date of every one of the letting/occupation of all the occupiers of the accommodation hereby permitted
- supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: To ensure the holiday unit does not become occupied as a permanent dwelling and to comply with the requirements of Policy SP20 and Policy SP21 of the Ryedale Plan - Local Plan Strategy.

14 Notwithstanding the submitted details and prior to the erection of the chalets on the site, details and samples of the timber cladding shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

15 No external lighting shall be installed on any part of the building or within the application site, unless precise details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

Drawing No. 9908 (90) 01 Location Plan _ Block Plan validated by the local planning authority 22.12.15

Drawing No. 9908 (90) 02 rev C Proposed Site Layout Plan validated by the local planning authority 22.12.15

Drawing No. 9908 20 01 rev D validated by the local planning authority 22.12.15

Drawing No. 9908 20 02 rev B validated by the local planning authority 22.12.15

Drawing No. 9908 20 03 rev A validated by the local planning authority 22.12.15

Drawing No. 9908 20 04 rev A validated by the local planning authority 22.12.15

Drawing No. 9908 20 05 rev A validated by the local planning authority 22.12.15

Drawing No. 9908 20 06 rev A validated by the local planning authority 22.12.15

Drawing No. 9908 20 07 validated by the local planning authority 22.12.15

Drawing No. 9908 20 08 validated by the local planning authority 22.12.15

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

INFORMATIVES:

- 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 the 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.
- 2 It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority. The structure may be subject to the Highway Authority's structural approval procedures
- 3 Supporting evidence of the main address(es) of all the occupiers can include the following:
 - The most recent Council Tax demand
 - Utility bills issued within the last 3 months

Background Papers:

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