

**Item Number:** 7  
**Application No:** 16/00229/MFUL  
**Parish:** Flaxton Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Jon Charters-Reid  
**Proposal:** Change of use of land to form touring site to include erection of 5no. holiday cabins and shower block, conversion of barn to form reception building, formation of 20no. caravan pitches and children's play area together with formation of vehicular access and car parking spaces  
**Location:** Woodlands Farm York Lane Flaxton YO60 7QZ

**Registration Date:**  
**8/13 Wk Expiry Date:** 20 September 2016  
**Overall Expiry Date:** 13 September 2016  
**Case Officer:** Tim Goodall **Ext:** 332

#### CONSULTATIONS:

|   |   |
|---|---|
| <b>Parish Council</b>                           | Object  |
| <b>Highways North Yorkshire</b>                 | Recommend conditions and providing a passing place    |
| <b>Natural England</b>                          | No objection  |
| <b>Foss Internal Drainage Board</b>             | Recommend condition                                   |
| <b>Caravan (Housing)</b>                        | No views received to date                             |
| <b>Countryside Officer</b>                      | No objection - comments made (verbal)                 |
| <b>Environmental Health Officer</b>             | No observations - comments made                       |
| <b>City of York Council</b>                     | No objection  |
| <b>Tree &amp; Landscape Officer</b>             | No objection  |
| <b>Land Use Planning</b>                        | Comments made regarding waste water                   |
| <b>Lead Local Flood Authority</b>               | Comments made with regard to surface water management |
| <b>Sustainable Places Team (Yorkshire Area)</b> | No objection - comments made                          |

#### Neighbour responses:

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**SITE:**

The application site is known as Woodlands Farm and lies to the south of York Lane approximately 2 kilometres to the west of Flaxton. The site lies in open countryside, within the Vale of York. The western boundary of the site forms part of the local authority boundary with the City of York.

The site lies directly to the east of Strensall Common, a Special Area of Conservation (SAC) at European level and a Site of Special Scientific Interest (SSSI) at national level.

#### PROPOSAL:

Planning permission is sought for the change of use of the existing residential amenity land to the west of Woodlands Farm to form a touring site to include the erection of 5 no. holiday cabins and a single storey shower block.

The proposed holiday cabins and the proposed shower block will be detached, single storey buildings of timber construction.

Planning permission is also sought for the conversion of an existing barn to form a reception building, and the formation of 20 no. caravan pitches. Associated development will include the formation of a vehicular access road from the existing vehicular entrance off York Lane, parking spaces (including an area for late arrivals) and also a children's play area.

## **PUBLIC CONSULTATION RESPONSES:**

Flaxton Parish Council were consulted and object to the proposal for the following reasons:

- Concern over a lack of screening to the site, given the open countryside location
- The habitat survey expired in December 2014 and does not refer to the barns
- Concerns over the highways access
- The foul drainage is proposed into a stream bordering the SSSI
- Concern over the bio-treatment which requires regular use to operate efficiently and the site is only proposed to be open part of the year.
- No mention of electricity supply
- Inconsistency regarding the number of pitches
- Inconsistency in the Barn numbering in the drawings
- Increase in traffic to York Lane

The concerns raised are considered as part of the subsequent appraisal.

City of York Council as the neighbouring local planning authority do not object to the proposed development.

No further responses were received to the public consultation.

## **HISTORY:**

3/41/15/PA - Permitted - reclaiming of wasteland by infilling with builders spoil and rubble for agricultural purposes at Woodlands Farm Flaxton York

3/41/21/PA - Permitted - Outline application for the siting of a residential caravan at Woodlands Farm Flaxton

3/41/21A/PA - Permitted - Construction of a tethering house, farrowing house and weaner house at Woodlands Farm Flaxton

01/01235/FUL - Permitted - Erection of a general purpose agricultural building to include housing of livestock

02/00406/73A - Permitted - Renewal of approval 97/00311/FUL dated 23.05.1997 for erection of two-storey extension to side of dwelling

03/00088/FUL - Permitted - Erection of single-storey extension

## **POLICY:**

### National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP8 - Tourism  
Policy SP9 - The Land Based and Rural Economy  
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 key issues to consider are:

- i. Principle of Development
- ii. Design
- iii. Ecology
- iv. Flood Risk and Drainage
- v. Highways
- vi. Impact on Neighbour Amenity
- vii. Other Matters

### **i. Principle of Development**

The NPPF supports local planning policies that will support sustainable rural tourism and leisure developments that benefit 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 SP9 (The Land-Based and Rural Economy) supports the conversion of traditional buildings for tourism uses.

The site lies in the open countryside in the Vale of York, to the west of Flaxton and to the east of Strensall Common. The Vale of York is characterised by the flatter, arable landscape of a patchwork of fields and hedgerows.

The planning application proposes the change of use of the existing land from residential amenity space to a tourist accommodation use for 5 holiday cabins and 20 caravan pitches. The site would provide additional tourist accommodation within this part of the Vale of York, a location relatively close to the Howardian Hills AONB and York. In this respect, the location is considered to be suitable for tourist accommodation subject to consideration of the visual impact and the character of the locality.

The site itself lies to the south of York Lane and is well screened from public view by existing trees and vegetation. At the eastern end of the site there are existing buildings in the form of the farmstead and two further dwellings, Oaklands and Woodcroft. The proposed development will be single storey in height and obscured from public view. The Council's Tree and Landscape Officer has been consulted on the application and made the following comments:

The site lies on the southern side of York Lane and is well screened on the northern boundary by a tall native hedge and trees up to 14m in height, and along the and western boundary by a linear belt of mature trees. The eastern boundary is screened by the existing farm buildings, whilst the southern boundary is more open, especially at its western end, although there are no public views of the site from this aspect. I therefore have no objections to this proposal on landscape grounds. None of the existing boundary features are considered to be adversely affected by the development proposals. The planting proposals annotated on the proposed site layout plan are indicative only therefore we would require comprehensive landscaping proposals should this application be approved.

The visual impact of the development is considered to be acceptable. The proposed development will be of a low density and concentrated at the eastern end of the site, towards existing building and away from Strensall Common. A tourist accommodation use in a well screened site such as this, in close proximity to existing residential buildings is not judged to have an adverse impact on the character of the locality.

## **ii. Design**

To accord with Policies SP16 (Design) and SP20 (Generic Development Management Issues) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including the topography and landform that shape the form and structure of settlements in the landscape.

The barn numbering was clarified by the applicant in response to consultation comments. The proposed development will be of single storey accommodation and associated development that will be sited in the eastern portion of the site with the caravan pitches closest to the York Lane. This will allow the permanent structures such as the shower block and the cabins to be set back further from the public highway and closer to the existing buildings on the land. The site will use an existing vehicular access to ensure there is no further impact on the existing northern boundary treatment. The western portion of the site will be retained for recreational use, including a playground.

The holiday cabins will be to a 'Norwegian' Log Company specification (Lomond Series) of timber construction with mid tone wood stain walls. The roofs of the cabins will be shallow, dual pitched single ply membrane. The proposed shower block will include an accessible WC/shower and a laundry room. The building will be timber clad with a dual pitch metal roof.

The proposed tourist accommodation will be of a typical design for this type of development, sited within a well screened area on level land. The proposed development is considered to accord with Policies SP16 and SP20 in this respect.

## **iii. Ecology**

The consultation response from Flaxton Parish Council noted that the Ecological Assessment was out of date. This report was updated during the planning application process and was subject to consultation with the Council's Countryside Officer who has no objection in the light of the updated report. Policy SP14 (Biodiversity) of the Ryedale Plan - Local Plan Strategy states that development proposals that would result in a significant loss of, or harm to, biodiversity in the District will be resisted. The application site lies directly to the east of Strensall Common, an area of dry and wet heathland. Due to the designations of the Common (SAC and SSSI), a Habitat Regulation Assessment (HRA) Screening Matrix and an Appropriate Assessment Statement has been undertaken by the Council's Countryside Officer. Planning permission can only legally be granted if it is established that the proposed plan or project will not adversely affect the integrity of the European Site.

The assessment concluded that: the proposed development alone and in combination with other development will not result in significant effects on Strensall Common SAC. The integrity of Strensall Common will not be adversely affected.

Natural England have been consulted on the planning application and have considered the Appropriate Assessment. They are in agreement with the conclusions of the assessment, providing that all mitigation measures are appropriately secured in any permission given.

**iv. Flood Risk and Drainage**

Policy SP17 (Managing Air Quality, Land and Water Resources) of the Ryedale Plan - Local Plan Strategy states that flood risk will be managed by requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. National Planning Practice Guidance categorises sites used for holiday or short-let caravans and camping as 'more vulnerable' in terms of flood risk. More vulnerable uses are compatible in Flood Zones 1 and 2. The western end of the site lies within Flood Zones 2 and 3. However, the western end does not include accommodation. The proposed site layout plan and the submitted Flood Risk Assessment show that the proposed development will lie within the area of land designated as Flood Zone 1 (the eastern part of the site). In line with the NPPF and NPPG, the proposed development is considered to be acceptable in terms of flood risk.

The proposals for the drainage of the site have been revised during the application process and will now be through a Sustainable Drainage System (SUDS) for both foul and surface water drainage. The flood risk assessment and the accompanying percolation tests have been considered by the Foss Internal Drainage Board.. No objection has been raised and a condition is recommended regarding the proposed drainage works, if Members decide to grant planning permission. North Yorkshire County Council Flood Risk team, Yorkshire Water, the Environment Agency and Ryedale District Council's Environmental Health team do not object to the application

**v. Highways**

The site has an existing access from York Lane which meets the required visibility splays for North Yorkshire County Council. Although a traffic survey was submitted, this did not take into account anticipated traffic figures as a result of the proposed development. However, North Yorkshire County Council made the following comments:

Holiday use such as that proposed tends to result in lower numbers of vehicle trips during the normal 12-hour day (than, say, residential development for example), being typically 2 to 3 trips per pitch per day. Consequently, the levels likely to be generated are not of particular concern to the highway authority as far as the overall capacity on York Lane is concerned.

A passing place was recommended to the existing access driveway as it is not possible to widen the highway access. The applicant has revised the site layout plan accordingly to incorporate a passing place. North Yorkshire County Council have also recommended planning conditions relating to parking places and measures to secure the prevention of mud on the highway should planning permission be granted.

**vi. Impact on Neighbour Amenity**

In accordance with Policy SP20, 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.

While the proposed development would be sited within open countryside, there are existing residential dwellings in relatively close proximity to the application site. One of these dwellings, Oaklands, would be directly to the north east. The proposed caravan pitches will be sited at their closest, 25 metres away from the shared boundary with Oaklands. Tree planting is also indicated to the south of Oaklands to provide additional screening. The second house, Woodlands is further to the east and the main impact of the development will be through the vehicular access off York Lane.

It is noted that the existing access is to a farm and it therefore can already be used by substantial vehicles. Furthermore, North Yorkshire County Council Highways Authority have noted that the proposed development is likely to result in only 2 to 3 additional trips per day.

The current occupiers of these dwellings were consulted as part of the planning application process and no responses were received. Therefore, there are not considered to be materially adverse impacts in respect of residential amenity as a result of the proposed development that would result in a conflict with Policy SP20.

#### **vii. Conclusions**

The proposed development is considered to be comply with national and local planning policy as is recommended to Members for approval subject to the following conditions.

National Planning Policy Framework  
National Planning Practice Guidance  
Local Plan Strategy - Policy SP7 Town Centres and Retailing  
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP14 Biodiversity  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
Local Plan Strategy - Policy SP21 Occupancy Restrictions

#### **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 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 A092/127 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.

3 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.

- 4 No development approved by this permission shall be commenced until the Local Planning Authority in consultation with the Internal Drainage Board has approved a Scheme for the provision of surface water drainage works. Any such Scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered:

- Any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 20% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology.

Reason:- To ensure that the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

- 5 The suitability of new soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 to the satisfaction of the Approving Authority, who is generally the Local Authority. If the soakaway is proved to be unsuitable then in agreement with the Environment Agency and/or the Drainage Board, as appropriate, peak run-off must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable area). If the location is considered to be detrimental to adjacent properties the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. The suitability of any existing soakaway to accept any additional flow that could be discharged to it as a result of the proposals should be ascertained. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained.

Reason:- To ensure that the installation of soakaways provide an adequate method of surface water disposal and reduce the risk of flooding.

- 6 No development shall take place until a method statement for the protection and creation of new wildlife features had been submitted to and approved by the local planning authority.

The content of the method statement shall include the following:-

- a) Purpose and objectives for proposed works
- b) Detailed designs/working methods necessary to achieve stated objectives
- c) Extent and location of proposed works
- d) Timetable for implementation
- e) Persons responsible for implementation
- f) Initial aftercare and long term maintenance

The works shall be carried out strictly in accordance with the approved details and shall be

retained in that manner thereafter.

Reason:- To accord with Policy SP14 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

- 7 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 SP13 of the Ryedale Plan - Local Plan Strategy.

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

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

- 9 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:- To ensure the holiday units do not become occupied as a permanent dwelling and to comply with the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 10 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.

- 11 The permission hereby granted shall not authorise the use of the land as a caravan site, except during the period from 1 March to 31 October in each calendar year. No caravans shall be stored on the site outside the approved period.

Reason:- It is considered that the caravans would be an unacceptable visual intrusion into the open countryside during the winter months, and to satisfy the requirements of Policy SP8 the Ryedale Plan - Local Plan Strategy.

- 12 No external lighting shall be installed on any part of the buildings 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.

- 13 Prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, and to protect the integrity of Strensall Common as required by Policies SP14 and SP20 of the Ryedale Plan - Local Plan Strategy.

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

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