

Item Number: 10
Application No: 16/01839/MFUL
Parish: Nawton Parish Council
Appn. Type: Full Application Major
Applicant: Miss Jenny Bulmer
Proposal: Change of use of agricultural land to allow siting of 28no. holiday lodges in association with Canadian Fields campsite together with formation of site roads, car parking and turning areas and associated landscaping
Location: Canadian Fields Gale Lane Nawton Helmsley YO62 7SD
Registration Date: 15 November 2016 **8/13 Week Expiry Date:** 14 February 2017
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Parish Council	Support application
Highways North Yorkshire	Recommend conditions
Lead Local Flood Authority	No objection
Environmental Health Officer	Informative required
Land Use Planning	Comments made
Neighbouring Parish Council	No views received to date
Caravan (Housing)	No objection - informative to be added

Neighbour responses: Mrs Ailsa Teasdale,

Overall Expiry Date: 9 February 2017

SITE:

The site is located approximately 1km south of the Service Village of Nawton within the open countryside. It is also in an area that is designated as an Area of High Landscape Value. The site operates as 'Canadian Fields' following the grant of planning permission for change of use of agricultural land to a campsite providing 'glamping' style accommodation for 19 no. safari type tents in 2011

PROPOSAL:

Change of use of agricultural land to allow siting of 28no. holiday lodges in association with Canadian Fields campsite together with formation of site roads, car parking and turning areas and associated landscaping.

HISTORY:

The site has an extensive planning history, including:

- 11/00686/MFUL - Planning permission granted 28.09.2011- Change of use of agricultural land to allow the siting of 19 no. tents on decking bases, erection of toilet and reception block and canteen marquee, change of use of agricultural building to winter tent store, formation of vehicular access, gravel site roads and paths, car parking and landscaping.
- 13/01122/73AM - Planning permission granted 16.12.2013 - Removal of Condition 06 of approval 11/01280/73AM dated 09.03.2012 to allow a year round opening season for the holiday occupation of the tents.

- 14/00779/FUL - Planning permission granted 11.09.2014 - Change of use of reception, toilet, office and laundry store building to reception, toilet, office, laundry store and first floor wardens accommodation for use solely in connection with the operation of Canadian Fields campsite (retrospective application).

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 General Location of Development and Settlement Hierarchy
 Policy SP8 Tourism
 Policy SP13 Landscapes
 Policy SP14 Biodiversity
 Policy SP16 Design
 Policy SP17 Managing Air Quality, Land and Water Resources
 Policy SP18 Renewable and Low Carbon Energy
 Policy SP19 Presumption in Favour of Sustainable Development
 Policy SP20 Generic Development Management Issues
 Policy SP21 Occupancy Restrictions

National Planning Policy Framework (2012)

Chapter 3. Supporting a prosperous rural economy
 Chapter 7. Requiring good design
 Chapter 11. Conserving and enhancing the natural environment

National Planning Practice Guidance (2014)

APPRAISAL:

The main considerations to be taken into account when considering the proposal are:

- i. The Principle of Development
- ii. The impact of the proposal upon the character and appearance of the landscape - the Fringe of the Moors Area of High Landscape Value
- iii. Highway safety
- iv. Flood risk and drainage
- v. Impact upon neighbouring amenity
- vi. Other matters
- vii. Conclusion

i. The Principle of Development

The National Planning Policy Framework supports local planning policies that 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).

The proposed development will provide for the expansion of an existing tourism site which currently comprises of 4no. 'glamping' style' safari tents, with planning permission already having been granted for a further 15no. safari tents on the site immediately to the east of this site.

The Local Planning Authority has a requirement to ensure any new development is sustainable. The scale of the proposed tourist site in total would be relatively large. However, the site is located to the south of a Service Village, Nawton Beadlam that is regarded as a sustainable settlement. There are facilities relatively nearby, such as a bus link along the A170 to the Market Towns of Helmsley, Kirkbymoorside and Pickering. The site is also well located for accessing the North Yorkshire Moors.

The principle of the proposed development is therefore considered to be acceptable in this location.

ii. The impact of the proposal upon the character and appearance of the landscape - the Fringe of the Moors Area of High Landscape Value

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 topography of the site is generally flat, following through from the adjacent glamping site. The site benefits from mature boundary planting of native species to all of the external boundaries. Therefore, the proposed 28no. holiday lodges are generally well screened by established planting. Additional tree and shrub planting will be added throughout the site to integrate the lodges into this rural setting. There will be grassland between the lodges, with mown amenity areas to allow children's play. Car parking will be in groups to serve a cluster of the lodges. The surfacing of these will be crushed stone as continuation of the existing roads.

The proposed lodges will have a width of 12.3 metres, a depth of 6.112 metres and a floor area of 75 square metres. Each lodge will have 3 bedrooms, with capacity to sleep up to 6 people.

Due to the relatively flat nature of the site, there will only be glimpsed views of the proposal. There will be views from slightly higher ground to the north. However, it is considered that due to the proposed lodges being of pitched roof design, with timber style cladding, the proposal is not considered to have a material additional adverse effect upon the Fringe of the Moors Area of High Landscape Value. A condition will be imposed to the Decision Notice if planning permission is granted regarding the external appearance of the proposed lodges.

iii. Highway safety

Access to the site is via the existing vehicular access off Gale Lane. The Local Highway Authority had originally objected to the original scheme, stating the following:

The proposed development would more than double the permitted accommodation at this site. You are aware that previous concerns were raised by the highway authority over the intensification of use that the then change of use application originally submitted would likely have on the public highway.

The proposed lodges would attract additional traffic to and from the site, and also a desire to visit local amenities in Beadlam/Nawton villages identified as 1km away. Gale Lane, along which such access would generally be gained, is of limited width (typically between 4.0 and 4.6 metres wide) along its length beyond the built-up area and already suffers from over-run and damage to adjacent verges due to vehicles trying to pass other traffic. Whilst some lengths of the lane benefit from wide, flat verges, in other places the verges are narrow, and being eroded still further.

Manual for Streets suggests a minimum carriageway width of 4.8 metres to enable a car to pass a larger vehicle within an urban environment. In rural areas, where speeds can be higher and road alignments varied, a width of 5.5 metres is considered more appropriate for the same purpose.

Given that there should be a strong thread towards encouraging travel modes other than the private car, such limitations of verge width and damage may actually discourage pedestrian trips by visitors to and from the site and the villages, and therefore possibly further increase vehicle trips which in turn leads to more instances of vehicles trying to pass each other along the route and cause yet more edge and verge damage and adding to an on-going maintenance obligation on the highway authority.

It is recommended that the application be refused for the following reason:

The Planning Authority considers that the roads leading to the site are by reason of their poor alignments/ poor junctions / insufficient widths / poor condition / unsuitable gradients and lack of footways/lighting/turning area considered unsuitable for the traffic which would be likely to be generated by this proposal.

Since receiving this advice, it is understood that discussions have taken place between the applicant and a representative of the Local Highway Authority regarding the upgrading of Gale Lane to the north of the site through the formation of 2no. passing places.

These passing places will be positioned on the eastern side of Gale Lane.

Following the submission of an additional plan showing these 2no. passing places, the Local Highway Authority has raised no objection to the proposal and have stated the following:

The proposal now includes 2 no. passing places along a section of Gale Lane towards Nawton village which will also afford some refuge for pedestrians, given the narrow and uneven verge in the vicinity.

Consequently the Local Highway Authority recommends that the following Conditions are attached to any permission granted:

These conditions relating to the works to the passing places, the parking places on the site to remain available and precautions to prevent mud on the highway.

iv. Flood risk and Drainage

The Sustainable Urban Drainage System and Development Control Officer from NYCC has confirmed that as the change of use proposals involve using existing drainage and as stated in the Flood Risk Assessment (FRA) that no impermeable surfaces are proposed, they have no objection to the proposal.

Yorkshire Water have advised that a condition is attached to the decision notice if planning permission is granted regarding no piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority. They have also stated that the FRA is satisfactory. In terms of water supply, Yorkshire Water have stated that it is the applicant's responsibility to ensure that an adequate supply of water can be made available.

v. Impact upon neighbouring amenity

The site is located to the south west of Wrens Caravan Park. The application is an expansion to an existing tourist accommodation site that is closer to Wrens Caravan Park. The property of Kensa Park is located approximately 100 metres to the south of the site.

It is considered that this expansion of the existing tourist accommodation, there will not have a material adverse impact upon neighbouring occupiers. This is in terms of the proposal being overbearing in presence, causing loss of light or loss of privacy, causing noise, odour or light flicker, complying with Policy SP20 of the Ryedale Plan - Local Plan Strategy. There has been no response from any neighbouring occupiers to the current application.

vi. Other matters

The Environmental Health Officer has advised that an informative is attached to the decision notice if planning permission is granted indicating that the applicant needs to contact the Housing Services Department for a variation to their site license.

Nawton Parish Council supports the application as they consider it would bring some local employment and because tourism is a significant industry, it would be beneficial to other businesses.

A letter of support has been received from the occupiers of High Farm, Pockley stating that the proposal which will not be prominent in the landscape and will help to support a valuable local amenity both in terms of the facility it provides and also employment that it brings to the area.

vii. Conclusion

In light of the above considerations, the erection of a general purpose agricultural storage building is considered to satisfy the relevant policy criteria outlined within Policies SP 1, SP 8, SP 13, SP 16, SP 17, SP 18, SP 19, SP 20 and SP 21 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore 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 details, prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 Unless otherwise agreed in writing by the Local Planning Authority, no piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading and surface water not being discharged to the foul sewer network.

- 4 Prior to the commencement of the development hereby permitted, details of proposed planting shall be submitted to the Local Planning Authority for approval in writing. The submitted scheme shall consist of locally native species only specified in a planting schedule providing details of species, planting sizes and numbers of each species. The approved scheme shall be implemented within the first available planting season (Nov - March) following completion of the development. In the event of any plant material dying, or become seriously diseased or damaged within a 5 year period following planting, it shall be replaced with similar species to a specification that shall be first agreed in writing with the Local Planning Authority unless the Local Planning authority give written consent to any variation.

Reason: To ensure that the development is properly integrated into its rural in accordance with Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 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 for 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.

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

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

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 The permission hereby granted shall only authorise the use of this site for the stationing of a maximum of 28 holiday lodges, in the position shown on the Proposed Site Plan C date stamped 15.11.2016 and within the submitted red line as shown on the Site Location Plan date stamped 15.11.2016.

Reason: In the interest of visual amenity and flood risk, and to satisfy the requirements of Policies SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 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 in connection with the construction of the access road or building(s) or other works until:
- (i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:
- a. Provision of 2 no. vehicular passing places along Gale Lane, at locations and dimensions as generally indicated on Drawing Number 03 and in accordance with the specification of the highway authority as shown on Drawing Number dev 4959/2/spec.
- (iii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.
- Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
- 10 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number (9) above:
- Provision of passing places as described in the condition.
- Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of the safety and convenience of highway users.
- 11 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 02C 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.
- 12 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.

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

Site Location Plan date stamped 15.11.2016.

Proposed Site Plan C date stamped 15.11.2016

Proposed Plans - Pinelogs Woodsman Cottage dated 15.11.2016.

Additional Plan - Proposed Passing Places on Gale Lane - Drawing 03 dated 25.01.2017.

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

INFORMATIVES:

- 1 The applicant should contact the Housing Services Department at the Council for a variation to their site license.
- 2 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.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties