

Item Number: 8
Application No: 21/01443/MFUL
Parish: Claxton Parish Council
Appn. Type: Full Application Major
Applicant: Mr Stuart Bulmer
Proposal: Extension to holiday park to include the siting of 5no. static caravans, 7no. holiday lodges and 6no. glamping pods
Location: Fox Hill Touring Caravan And Camping Site Claxton To Harton Lodge Road Claxton Malton YO60 7RX

Registration Date: 26 October 2021
8/13 Wk Expiry Date: 25 January 2022
Overall Expiry Date: 5 January 2022
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Foss Internal Drainage Board	Recommends Condition
Caravan (Housing)	No response
Environmental Health	No objection
Flood Risk	Recommends Condition
Sustainable Places Team (Environment-Agency Yorkshire Area)	Recommends Condition
Highways North Yorkshire	No objection
Harton Parish Meeting	No response
National Highways	No objection
Yorkshire Water Land Use Planning	Comments
Tree & Landscape Officer	No objection, recommends conditions
Claxton Parish Council	No objection

Representations: Mr Gavin Fielding,

UPDATE REPORT:

To be read in conjunction with the report on the January 2022 agenda

This proposal was originally included on the Planning Committee Agenda of January 2022. In that report it was noted that a final response was still being awaited from the Lead Local Flood Authority (LLFA) and the Environment Agency (EA.)

In advance of the meeting, on the 11th January 2022, the LLFA confirmed no objection subject to conditions. However in a response dated 12th January 2022, the Environment Agency submitted an objection. This related to their being no adequate justification why mains drainage could not be used for this site and how foul water from the Package Treatment Plant would be dealt with.

The Agent submitted additional information on the 13th January to note:

- Mr Bulmer acquired the site in 2017 inheriting the infrastructure including the treatment plant.
- We were advised by Yorkshire Water that the location of the site is in an area not serviced by the public sewage network, this is confirmed by their consultation response (4 Nov 21) a copy is attached for reference. A connection to Claxton would involve crossing land not owned by the applicant and the topography of the terrain means the sewage works are uphill relative to the site and would require pumping stations and significant very high cost engineering works.

- Mr Bulmer is gathering together the information regarding Klargest system (model details etc), whatever is available, including records of the monitoring and maintenance regime operated by the site's management. We will forward these as soon as possible.

In response to this on the 2nd February 2022, the EA noted *“the applicant ‘should thoroughly investigate the possibility of connecting to the public foul sewer by liaising with the water company, and either revise their application to propose a mains connection or submit evidence in the form of a cost-benefit analysis that demonstrates that this is not feasible. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a development to install a private sewage system. In such cases the developer should explore how a lack of capacity may be overcome so that their development can be connected to a public foul sewer’.*

We require you to liaise with Yorkshire Water to confirm whether a connection is possible and undertake a cost-benefit analysis which clearly demonstrates that the connection is not feasible.”

The Agent engaged a specialist engineer/ consultant to undertake a detailed appraisal of the proposals, provide calculations and specify the appropriate systems.

A report titled “Technical Note for Foul Water Drainage for Additional Statics Lodges and Glamping Pods” (Alan Wood and Partners January 2022) was submitted on the 3rd February. This is available for Members to view on the public planning file.

This provided justification about why the costs of connecting to the public sewer would be prohibitive (circa. £416,000) why gravity, the site gradient and distances would also limit the feasibility and that this would cross third party land. Other aspects noted include Ransom, Impact on the environment and landscape, the need to install significant infrastructure, it being disproportionate to the scale of the development.

The report also covers the anticipated discharge volumes of the package treatment plant and notes” Given the discharge volume calculated above the discharge will not be covered by ‘General Biding Rules’, as it exceeds 5m³ per day to a watercourse. Mr Bulmer will therefore apply for an Environmental Permit on the grant of planning permission, as to apply for one before is premature should permission not be granted.”

The EA, IDB and LLFA were reconsulted. All the responses are on the annexing to this report. The LLFA confirmed no objection subject to conditions. The IDB confirmed that their original conditions should be reapplied.

The EA confirmed that they were able to remove their original objection and provided further information in relation to the responsibilities of the applicant in terms of environmental permitting which will be added as an informative. No specific conditions were recommended by the EA in this regard. A point was made about a wastewater management system being necessary, but as noted this was not recommended as a condition. Clarification from the EA has been sought on this point and whether this should be included within the informative. It is considered unlikely that this was intended to form a condition. Members will be updated on this point.

It is therefore considered that the drainage aspects have been satisfactorily addressed subject to the relevant conditions/informatives.

Conclusion:

The proposed additional holiday accommodation has been carefully considered and in principle, this is considered to be acceptable subject to the recommended conditions, including the occupancy conditions, the highway conditions, further details of lighting and the final appearance of the units, together with further information on proposed landscaping, in addition to the discharging of the drainage conditions.

It is considered that the proposed physical developments are acceptable in terms of form and design and

subject to condition would not result in unacceptable harm to the character and appearance of the immediate and wider landscape.

Therefore subject to all conditions which have been detailed above, it is considered that the proposed development meets the relevant policy criteria outlined within Policies SP1, SP9, SP13, SP14, SP16, SP17, SP19, SP20 and SP21 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework. The proposal is therefore recommended for approval.

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

Location Plan (Drawing no. 235-01-03 EX 10 001)
Proposed Site Block Plan (Drawing no. 235-01-03 AR10 001)
Proposed Site Woodland/Landscaping (Drawing no. 235-01-03 AR10 002)

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

3 Unless otherwise agreed in writing by the Local Planning Authority, prior to any above ground construction of the new development hereby approved, plans showing full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of new trees/hedging and show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all hedging plants. All planting, seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, and any trees or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Informative: The landscaping as detailed on Drawing no. 235-01-03 AR10 002 appears broadly satisfactory subject to further information on size, species etc.)

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP13 and SP20 of the Ryedale Plan, Local Plan Strategy.

4 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the development hereby approved, a drawing showing the alignment for protective for the protection of those trees to be retained in the southern shelterbelt shall be submitted to the Local Planning Authority for approval in writing. The design of the protective fencing and its alignment shall be in accordance with BS 5837:2012 Trees in relation to demolish, design and construction - Recommendations, or a similar design agreed in writing with the Local Planning Authority. The approved fencing shall be erected prior to the commencement of the development including any demolition or soil stripping and shall be maintained for the duration of the on site construction.

Reason: to ensure that the long-term health of the trees to be retained is not compromised as a consequence of development and in accordance with Policy SP13 - Landscapes - Ryedale

Local Plan Strategy.

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the static caravans, holiday lodges and glamping pods shall be single storey only and their final maximum footprint, colour finish and construction materials shall be agreed in writing with the Local Planning Authority prior to their installation.

Reason: To ensure a satisfactory external appearance and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 6 Prior to its installation, full details of all new lighting within the application site shall be submitted to and agreed in writing by the Local Planning Authority. This shall include full details of types of lighting including levels of illumination.

Reason: To ensure appropriate lighting is secured within this area of wider open countryside and to prevent harm to visual amenity, in accordance with the aims of Policy SP13 Landscapes and Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy

- 7 The accommodation hereby approved shall be occupied for holiday purposes only; and not as a persons sole, or main place of residence; and
The units shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days in a calendar year; and
The owners/operators 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: In order to ensure it is available for holiday use only and to comply with Policy SP21 of the Local Plan Strategy.

- 8 No development approved by this permission shall be commenced until the Local Planning Authority, in consultation with Foss (2008) Internal Drainage Board, has approved a scheme for the disposal of surface water and foul sewage.
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 for the disposal of surface water:

- The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology.
- If soakaways are not feasible, then the Board may consider a proposal to discharge surface water to a watercourse (directly or indirectly).
- For the redevelopment of a brownfield site, the applicant 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 140 litres per second per hectare or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from "greenfield sites" taken as 1.4 litres per second per hectare (1:1 year storm).
- Storage volume should accommodate a 1:30 year event with no surface flooding and no overland discharge off the site in a 1:100 year event. A 30% allowance for climate change should be included in all calculations. A range of durations should be used to establish the worst-case scenario.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding in accordance with Policies SP17 and SP20 of the Ryedale Plan,

Local Plan Strategy.

CONSENT - DISCHARGE

Under the Board's Byelaws, the written consent of the Board is required prior to any discharge, or increase in the rate of discharge, into any watercourse (directly or indirectly) within the Board's District.

- 9 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system in accordance with Policies SP17 and SP20 of the Ryedale Plan, Local Plan Strategy.

Informative: The scheme to be submitted shall demonstrate that surface water drainage system(s) are designed in accordance with the standard details as set out in the North Yorkshire County Council's SuDS Design Guidance document.

INFORMATIVE(S)

- 1 The applicant/developer is advised to contact Ryedale District Council's Housing Services regard a Site Licence.
- 2 In their most recent response dated 25th February 2022 the Environment Agency noted: *“In addition to planning permission you will also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.*
Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.
Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.
Further advice is available at:
Septic tanks and treatment plants: permits and general binding rules
If you have any further queries please contact sp-yorkshire@environment-agency.gov.uk.”
The agent/applicant is advised to carefully review the full response from the EA.
The Environment Agency Response also noted that “any wastewater treatment system must have a management system in place to ensure that it treats effluent to the highest standard at all times and does not cause pollution.”