

**Item Number:** 8  
**Application No:** 21/01662/FUL  
**Parish:** Amotherby Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Lawrence Knowles  
**Proposal:** Retention of refuse collection areas, revised siting of the foul sewage bio-treatment plant, regularisation of caravan materials and addition of external decking to the caravans (part retrospective)  
**Location:** Malton Grange Country Park Amotherby Lane Amotherby Malton North Yorkshire YO17 6UP

**Registration Date:** 27 January 2022  
**8/13 Wk Expiry Date:** 24 March 2022  
**Overall Expiry Date:** 4 March 2022  
**Case Officer:** Tom O'Connor **Ext:**

#### CONSULTATIONS:

<b>Amotherby Parish Council</b>	No Objection	
<b>NYCC Natural Services</b>	Comments	
<b>Vale Of Pickering Internal Drainage Boards</b>	No objections	
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	No objections and comments	
<b>Tree &amp; Landscape Officer</b>		

**Representations:** Mr Rod Jackson, Ian Hunter, Christine Potter

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#### SITE:

The site subject of this application is an established caravan park, known as 'Malton Grange'. It is located in open countryside, approximately 1 kilometre north of the village of Amotherby. The site has a total of 57 'lodge' or 'cabin' style caravans located on the site in its entirety.

It is evident from the site history that the main part of the site, subject to this application, was a later addition to the main body of the park which is located to its South although it is recognised that the originally approved permission does seem to include the internal roads and some internal parts of the Malton Grange site to the South - all of this is noted to be within the blue line of the plan. The site as a whole is bound by mature planting in almost all directions, but particularly along the Western edge, to which the nearest public highway is located. This specific site was approved for 14 'lodge' or 'cabin' style caravans in total. Ten of these were permitted in the area to the North, whilst four additional lodges were permitted in the main area to the South, bringing the total number of lodges located on site to 57.

The site constraints are confirmed as an area of Flood Zone 2 land. This area is a small part of the East of the site (where none of the lodges are located).

#### PROPOSAL:

The application is described by the applicant as 'Retention of refuse collection areas, revised siting of the foul sewage bio-treatment plant, regularisation of caravan materials and addition of external

decking to the caravans (part retrospective)'.

Accordingly, there are 4 elements to the application:

The first, is the retention of refuse collection areas with the main area, adjacent to the existing site office. Further bin store areas are proposed in two locations. One near to plot 26 and another near plot 34.

The second is the revised siting of the bio-treatment plant for foul water. This is located almost identically to that originally and is 'upgraded' according to the submission details.

The third element relates to the materials the caravans are finished with. Originally, all caravans were finished with timber cladding. Now, lodges/caravans are being upgraded and accordingly, it is sought that the caravans on the site be capable of being finished with canexel and artefoam cladding within a selected colour palette.

Finally, the application seeks permission and once again, this is in part-retrospective, the inclusion of decking areas to each caravan. Again, these would feature canexel and artefoam, coloured to match the caravan and would ultimately provide raised seating areas for each caravan/lodge.

## **HISTORY:**

21/01663/73A - Variation of Conditions 02 and 04 of planning approval 17/00738/FUL dated 15.08.2017 to provide more specific details on species and planting - approved 20 July 2022.

19/00656/FUL - Change of use of land for the siting of 8no. timber clad holiday cabin-style caravans with associated access track and landscaping to form an extension to Malton Grange Country Park - To be determined.

17/01235/COND - Discharge of Conditions 3, 4, 5, 7, 11 and 13 of approval ref. 17/00738/FUL - Approved 16 January 2018.

17/00738/FUL - Change of use of land to allow of 10no. timber clad cabin style holiday caravans to form an extension to Malton Grange Country Park with associated crushed stone access track and landscaping together with addition of 4no. timber clad cabin style holiday caravans within the existing Park area. Approved 15 August 2017.

11/01117/73AM - Removal of condition 12 of approval 05/00649/MFUL dated 01.09.2005 as varied by condition 2 of approval 05/01336/73 dated 19.01.2006 and removal of condition 01 of approval 05/01336/73 dated 19.01.2006 to allow a year round opening season across the whole of the approved Malton Grange site - Approved 18 January 2012.

09/00923/MFUL - Siting of 14 no additional single timber clad cabin style holiday caravans and 13 no additional twin timber clad cabin style holiday caravans (revised details to approval 07/01149/FUL dated 14.02.2008) together with removal of condition 02 of approval 05/01336/73 dated 19.01.2006 that stated " no holiday unit on the site shall be occupied between 14 January and 1 March in any one year" - Withdrawn.

07/01149/FUL - Siting of 13 additional timber clad cabin-style holiday caravans - Approved 14 February 2008.

05/01336/73 - Variation of Condition 12 of approval 05/00649/MFUL dated 01.09.2005 to reduce the period when no holiday unit on the site shall be occupied to between 14 January and 1 March in any one year - Approved 19 January 2006.

05/00649/MFUL - Change of use of former pig farm to allow the siting of 22 timber clad twin static holiday units and 8 single holiday units and use with alteration of an agricultural building as

reception/office with associated parking and amenity areas and formation of vehicular access -  
Approved 1 September 2005.

## **POLICIES:**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

The Ryedale Plan- Local Plan Strategy (2013)

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

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

Other Material Considerations

National Planning Policy Framework (NPPF)

Chapter 2 - Achieving Sustainable Development

Chapter 4 - Decision making

Chapter 6 - Building a strong, competitive economy

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

## **APPRAISAL:**

The site has been under enforcement investigation as a result of unauthorised works to the existing lodges, which do not have permitted development rights regarding their cladding and siting of decking. This application is a result of that investigation, and seeks to regularise the works undertaken to date and agree the principle of further works to the lodges in the future- at the discretion of the owners of the lodges, who have leaseholds on the lodges. It also involves the regularisation of the refuse store and the bio-treatment sewerage plant.

Two responses from three individuals have been received from local residents in respect of unauthorised development in respect of; the unauthorised installation of upvc decking to caravan units with the general comment that upvc decking is out of character with both the site and the area and all the work has been carried out without the benefit of planning permission.

One of the representations seeks to understand whether or not they will need to make changes to their lodge. That is a matter for them to decide if they feel the lodge needs the work and is a civil matter between the Freehold owner and leasehold owners. The materials and colour palette proposed allow the re-use of timber.

Members will be aware that when applications are retrospective either in part or in full, this does not influence the planning considerations and they are treated as if the development has not been

undertaken.

### **Principle of the development**

This is an established holiday lodge site, and the principle of this use is established by previous planning permissions. This proposal, would not alter that overarching land-use, accords with Policies SP1, part of SP8 of the Ryedale Local Plan. Policy SP8 identifies general locations suitable for tourist accommodation but requires that new caravan sites and extensions to caravan sites can be accommodated with unacceptable visual intrusion and character of the locality. This is explored in the consideration of the appearance of the proposed changes as a result of this application.

### **Design and Character of the Area**

Policy SP16 entitled 'Design' states that 'to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings'. In addition, Policy SP20 entitled 'Generic Development Management Issues' requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses. This same policy also seeks design to follow the principles of Policy SP16.

The main aspect of the application is the change in proposed materials which is recognised to be part retrospective as some of the holiday accommodation has now been clad in the canexel and artefoam cladding. This is recognised as a material utilised in a number of holiday accommodation schemes across both the district and country. From distance it is very difficult to distinguish from timber and although the colours proposed may not to be everyone's taste, they are not considered materially harmful based on the colours employed to date and those proposed in addition.

The submitted documents have also identified that the exterior colours will be from a selected palate of colours, giving the owners the opportunity to have a degree of choice over the appearance, but within a range of more muted, traditional colours. This selected palate of colours has been recommended as a condition.

The decking areas are also noted to form part of this application. They too have been installed on some of the accommodation. These are common features in such sites and do not give rise to any significant design or character issues. The site will remain as is, a holiday accommodation site, with guests coming and going, enjoying what the district has to offer from a tourist perspective, and so the decking areas enhance the current offer and are considered to be of a commensurate scale to the holiday units.

The refuse collection areas are minor in their scale that they have little to no impact upon the character of the area.

The upgraded bio-treatment plant is located in a well screened part of the site with no obvious infrastructure that could be observed or considered harmful from a design perspective. It is utilitarian and designed for its purpose.

On this basis then, there are no concerns with this application relative to the design, scale and appearance of the application and accordingly, the proposed scheme is considered to accord with Policy SP16 of the Ryedale Local Plan along with the NPPF.

### **Landscape Impact**

Policy SP13 entitled 'Landscapes' requires that proposed development protects and enhances the quality, character and value of Ryedale's diverse landscape. Criterion 'C' of paragraph 130 of the NPPF states that planning decisions should ensure that proposals are 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'.

Policy SP8 entitled 'Tourism' expects holiday accommodation within the existing Open Countryside to be accommodated without unacceptable visual intrusion. Whilst this is not a new site, the proposed changes would have the potential to alter the appearance of the existing site.

The site benefits from a range of landscape planting and a very well established boundary hedgerow which denies clear views of the site from public viewpoints. The proposed decking would be seen as part of the development and not as an incongruous development in open countryside. Accordingly, this part of the scheme could not be considered harmful in landscape terms.

In regards to the cladding, whilst this is recognised to not be timber, the existing landscape planting and boundary hedgerows afford such visual screening that they can barely be seen other than very fleeting, extremely minor views, which when going past the site by car, would not be for prolonged periods. The Canoxel and Artefoam cladding would not be perceptible from timber cladding in that context and given the site specific circumstances, there are no significantly detrimental landscape impacts considered to arise from this application were it approved and subsequently implemented.

The very minor bin area would be screened by a wooden fence but is also next to the manager's office - so would not be noticeable in landscape terms. Again, the upgraded bio-treatment plant is located in a well screened part of the site with no obvious infrastructure it would not be visible within the wider landscape so on that basis, would not have any detrimental impacts upon the local landscape.

Accordingly then, the scheme is considered to accord with Policies SP8 and SP13 of the Local Plan and the NPPF and can be supported.

### **Amenity**

Policy SP20 entitled 'Generic Development Management Issues' has a specific section entitled 'Amenity and Safety'. It states that new development should not have material, adverse impacts on the amenity of present or future occupants of the site and neighbouring land. Paragraph 130 of the NPPF also seeks decision makers to consider amenity in consideration of planning applications.

The only aspect that would change the 'amenity' of the area would be the decking areas as they would change vantage points as result of changing the elevations. It is understood that guests could sit next to the holiday accommodation on a table and chairs anyway - so fundamentally, this just provides a more formal and comfortable area to sit outside, and will be ultimately at the owner's discretion as to whether or not they seek to site the balcony areas, which are no closer to the neighbouring units than the existing lodges in terms of overlooking. The relationship between each of the holiday accommodation units will not change and furthermore none of these units are permanent residential dwellings. They are by their very nature occupied by people that use them in a transient way. There could therefore be no long term harm for occupants of holiday accommodation in amenity terms.

It is also noted that there are no nearby residential properties that would be impacted by this development or the minor changes proposed by this application.

As such it is considered that the scheme complies with the objectives of Policy SP20 and the NPPF and merits support.

### **Flood risk and drainage**

Policy SP17 'Managing Air Quality, Land and Water Resources' confirms what and how development proposals should manage surface and waste water. Chapter 14 of the NPPF entitled 'Meeting the challenge of climate change, flooding and coastal change' that development should consider the flood risks associated with the site proposed as well as ensure that development inappropriate for that risk is avoided. Additionally, development should not increase flood risk elsewhere.

The application proposes no element related to drainage rather it would see an improved foul drainage system on site. This would be located in almost the exact same position as the originally approved system. Whilst Yorkshire Water have not responded to the consultation process, it is considered that as a replacement system, it can be assessed as acceptable. The Environment Agency have advised

*“The application refers to the re-siting of the treatment plant. We do not object to this, however, the applicant will need to assess whether a variation to their current environmental permit is required to accommodate any changes as a result of the new location.*

*The treatment plan will need to be sited in a suitable location adhering to the relevant Building Regulations in force at the time of the relocation.”*

The treatment plant is now sited. The matter of licensing and building regulations is a separate matter to the planning application.

Whilst flood risk and drainage are material considerations, they are understood to have been considered on the previously approved scheme. Given this application would not alter those arrangements, they are considered to remain acceptable. The site is partially located in Flood Zone 2, but this area, whilst within the designated flood zone, is not affected by this scheme directly and the changes proposed and made to the site as part of this planning application would not undermine any surface water considerations.

On this basis it could not reasonably be held that the proposal would have any flood risk impact either on site nor elsewhere and as such the scheme is considered acceptable. It is therefore considered consistent with Policy SP17 of the Ryedale Local Plan as well as the NPPF.

## **Conclusion**

The principle of the development is considered to align with local planning policy and represents development that supports the land-based, rural economy through the expansion of an established mixed farming enterprise. The proposed development would not have an unacceptable impact on the open countryside, local amenity, highway safety or flood risk. In light of the above assessment, it is considered that the proposal is acceptable and complies with Policies SP1, SP8, SP9, SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. Therefore, the recommendation to Members is one of approval, subject to the imposition of the conditions as drafted within this report.

**RECOMMENDATION:**                      **Approval** subject to the following conditions

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 application form, dated 17 January 2022 and the following approved plans and documents:

- i.      Indicative Caravan Floorplan and Elevations, Drawing no. 102, dated May 2017;
- ii.     Design & Access Statement, dated 9 Jun 2017;
- iii.    Site Location Plan, Drawing no. 001, dated December 2021;
- iv.    Site Plan as Existing, Drawing no. 002, dated December 2021;
- v.     Site Plan as Proposed, Drawing no. 101, Rev. A, dated December 2021;
- vi.    Planning and Design and Access Statement, dated 31 January 2022;
- vii.   Updated Ecological Appraisal, Revision V2, dated 5 January 2022;
- viii.  Travel Plan, dated October 2017;
- ix.    Gate Management and Flood Incident Plan Letter, dated 6 October 2006;
- x.     Drainage Details as proposed, Drawing no. 202, dated September 2017;
- xi.    Percolation Test Hole Locations, Drawing no. 203, dated September 2017;

- xii. Submission Letter, dated 19 September 2017;
- xiii. Landscape Management Plan, dated September 2017.

Reason: For the avoidance of doubt as to what constitutes the permission and in the interests of proper planning.

- 3 The hereby approved landscaping, detailed upon the site plan as proposed, drawing no. 101, Rev. A, dated December 2021 shall be adhered to in full.

Reason: In the interests of the visual appearance of the area and to satisfy Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 4 Prior to the installation of any external lighting at the site Details shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Any new lighting shall be limited to that required for the security purposes and the safe movement of pedestrians and vehicle. The details submitted shall include the position, height, angle of lighting, illuminance level and hours of operation. Once approved the lighting shall be installed and maintained in accordance with the approved details for the duration of the development.

Reason: In the interests of the reduction of light pollution and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan- Local Plan Strategy.

5. When undertaken, the replacement cladding hereby approved by this application shall be undertaken from the selected palette of materials, colours and finishes as set out on Site Plan as proposed reference KNO.L2021.03 drawing no 101 December 2021. And thereafter so applied.

Reason: To ensure that the chosen finishes have a sympathetic and harmonious appearance with the site, to accord with Policy SP16, Ryedale Plan- Local Plan Strategy.