

Item Number: 10
Application No: 22/00950/MFUL
Parish: Staxton/Willerby Parish Council
Appn. Type: Full Application Major
Applicant: Mr Mark Alston (Blue Sky Resorts)
Proposal: Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans for holiday purposes, retention of 1no. static caravan for the dual use of holiday accommodation/warden's accommodation and 1no. static caravan for use as amenity facilities (part retrospective)
Location: Spring Willows Caravan Park Staxton Scarborough North Yorkshire YO12 4SB

Registration Date: 2 September 2022
8/13 Wk Expiry Date: 2 December 2022
Overall Expiry Date: 30 December 2022
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Highways North Yorkshire	No Objection
Staxton/Willerby Parish Council	Objection
Caravan (Housing)	No Objection, Recommend Informative
Flood Risk	Under Consultation
Yorkshire Water Land Use Planning	No Comments – Under Reconsultation
National Highways	No Objection
Caravan (Housing)	No Objection
Archaeology Section	Recommend Condition
Environmental Health	No Response
Scarborough Borough Council	No Response
Tree & Landscape Officer	Comments

Representations:

SITE:

The application site relates to a c1.7ha parcel of land (excluding the access road) to the south of the existing Spring Willows Caravan Park, an existing holiday business with permission for both static and touring pitches.

The holiday park presently incorporates 88 static caravans and 19 touring caravan pitches, a total maximum of 107 occupied caravans on-site.

The main section of the proposed application site is an irregular rectangular form, spanning c207m from east to west and at its maximum point c100m from north to south, the vehicular access to the site is also included within the red line.

The precise application site relates to gently sloping land, which is surrounded by agricultural fields to the east and west. Beyond the application site to the south, the land levels rise very steeply and a large woodland, known as Staxton Brow Woodland is located.

The application site incorporates a partial bund, with some mature existing landscaping together with a more open element that incorporates some newly planted infill landscaping, with further open areas. To

the western boundary of the application site a very mature existing hedgerow is present, with additional recently supplementary undertaken tree planting. There is a mixed range of well-established and recently planted landscaping internally within the site.

It is noted that other holiday/caravan sites in separate ownership are located to the north west of the site (Staxton Vale) to the north of the site (Spital Farm) and to the east of the site (Flixton Caravan Park.)

The site is located in the Yorkshire Wolds Area of High Landscape Value and within an archaeologically sensitive area. The North Yorkshire County Council Mapping system shows a public footpath runs through the existing caravan site from east to west, linking the service station with the A1039 to the east. The site is located within Flood Zone 1. This site is located outside of a defined settlement limits of Staxton, therefore considered as located within the open countryside.

PROPOSAL:

The application seeks planning permission for the:

Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans for holiday purposes, retention of 1no. static caravan for the dual use of holiday accommodation/warden's accommodation and 1no. static caravan for use as amenity facilities (part retrospective)

This description was updated in a very minor way to ensure as the original description noted “*Change of use of land for the siting of 29no. touring caravans and 17no. lodge style static caravans, retention of 1no. static caravan for holiday use and 1no. static caravan for use as amenity facilities (part retrospective).*”

The application was fully readvertised and the consultation period expired on the 30th November 2022.

This confirmation on the holiday use was added for the avoidance of doubt and to allow flexibility on the potential use of the single static caravan for either warden's accommodation/holiday purposes.

This application is before Members of Planning Committee due to the scale of the application site as this is classed as ‘major development.’ However there has been an objection from the Parish Council which will be outlined below.

All of the proposed development is located to the south of the existing holiday uses within the site. It is noted that the application site includes undeveloped mown grassland and a section of the site lawfully used for touring caravans. For ease of reference and orientation, it is noted that the proposed application site is subdivided relatively centrally by the access route. To the west of this access route, the scheme seeks approval for 13 touring caravan pitches, which is located to the south of existing static lodges. The western boundary of the site at this point is well landscaped with a mix of tree planting and hedging. There is also mature existing sporadic planting between the existing static lodges and this area of the site.

To the east of the access route, 17 lodge style caravans are proposed. The northernmost 9 units are proposed in an area lawfully occupied by touring caravans, which has very mature landscaping to the north and south, with the remaining 8 units proposed in a linear layout directly to the south.

These 17 caravans would be a mix of 6no. 3 bedroom units and 11no. 2 bedroom units. Indicative details have been provided. These show single storey units with the 2 bedroom units spanning c13m x c4.6m in footprint with a maximum height of c4.05m to the ridge of the pitched roof. The 3 bedroom units spanning c12.85m x c6.3m in footprint with a maximum height of c4.2m to the ridge of the pitched roof.

Along the very eastern boundary is the existing single static unit that would become the proposed holiday unit/wardens unit, incorporating a dual use. This is identified as an ‘existing static’ on the proposed plans. This is located predominantly behind a bund to the eastern site boundary, so very

limited public views of this would be available.

The proposed additional 16no. plots for touring caravans in the eastern section of the site would be sited towards the south of the proposed lodges. This area is very well landscaped directly to the west (internally within the site) with more landscaping present to the east also (along the site's eastern boundary). These pitches would be sited either side of a gravelled access track.

Retrospective consent is being sought for the amenity facilities located to the east of the central access track, centrally within the plot. This relates to a single static unit spanning c10.7m x c3.15m which provides 3no. standard shower rooms/WCs and 1no. disabled shower room/WC, together with a plant room and laundry room. This incorporates a deck to the west, with stairs and ramp access. Due to the central positioning of this unit there are no views of this from public points externally from the site.

REPRESENTATIONS:

Staxton Parish Council noted on the 18th October 2022 *"the Parish Council wish to object to this application on the grounds of overdevelopment of the site and and view from the A64, they also consider additional changes have been made to the application approved previously."*

No representations have been received from any third parties.

Scarborough District Council was consulted due to the proximity to the District Boundary and no response was received.

ENVIRONMENTAL IMPACT ASSESSMENT:

The application has been considered in relation to whether a potential Environmental Impact Assessment is required under the Environmental Impact Assessment Regulations.

The screening undertaken by the Case Officer determined that the development falls within development type 12(c) and type 12 (e) of Schedule 2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended because it is would be in the dual categories of 'Holiday villages and hotel completes outside urban areas' which exceed 0.5ha and 'Permanent camp sites and caravan sites' which exceed 1 hectare. The application spans to 1.66 hectares.

Schedule 2 developments only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The proposal has been assessed against the selection criteria contained within Paragraphs 1, 2 and 3 of Schedule 3 of the Regulations. It is not considered that the characteristics of the development, nor the location of the development, nor the types and characteristics of the potential impact would result in significant impacts that would require an Environmental Impact Assessment.

POLICIES:

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP8 Tourism
Local Plan Strategy - Policy SP8 Heritage
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
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
National Planning Policy Framework

HISTORY:

There is a detailed planning history for this site and the following relates to the schemes approved since the year 2000 with the exception of particularly relevant 1995 applications.

19/00788/FUL: Change of use and conversion of existing amenity building to form 1no. two bedroom holiday let and 1no. one bedroom holiday let, relocation of children's play area and formation of additional parking. Approved.

16/01412/FUL: Change of use of land to form extension to existing caravan park for siting of 6no. additional static caravans for holiday use. Approved.

11/00079/FUL: Change of use of land to form extension to existing caravan park for siting of 19no. touring caravans (retrospective application). Approved.

07/00395/FUL: Change of use of part of caravan site for siting of 15 no. static caravans with construction of access road. Approved.

06/00444/73: Variation of Condition 04 on approval 00/01143/FUL dated 17.11.2000 to state "the accommodation hereby approved shall only be occupied during the period from 1 February to 3 January in each calendar year and shall not be used as the main. Approved.

04/01039/FUL: Change of use of existing touring caravan land to siting of static holiday caravans. Approved.

00/01143/FUL: Erection of five log cabins. Approved.

95/00560/OLD: 3/151/45N/FA Change of use of Agricultural Land to form Football pitch together with stone surfacing to existing access/drive and a stone hardstanding for parking and turning at field entrance. Refused and appeal dismissed.

95/00559/OLD 3/151/45M/FA Change of use of agricultural land to extension of existing touring caravan park including erection of toilet block, formation of picnic and family recreation areas, paths and landscaping. Refused and appeal dismissed

APPRAISAL:

The main considerations in the assessment of this application are:

- i) Principle of the Development
- ii) Character, Form and Landscape Impact
- iii) Amenity, including Residential Amenity
- iv) Access and Highway Safety
- v) Drainage
- vi) Archaeology
- vii) Ecology

- i) Principle of the Development

Policy SP1 (General Location of Development and Settlement Hierarchy) notes that in all other villages, hamlets and in the open countryside development will be restricted to *that 'which is necessary to support a sustainable, vibrant and healthy rural economy and communities.'*

Within the adopted Ryedale Plan, Local Plan Strategy, land outside Development limits is identified as 'Wider Open Countryside.' Policy SP8 Tourism supports the principle of new touring caravan sites and extension to existing facilities in the Wider Open Countryside where they can be "*accommodated without an unacceptable visual intrusion and impact upon the character of the locality.*"

The potential effect of this proposal on the character of the locality will be considered in principle below. Policy SP8 also acknowledges the potential benefits that well designed tourism facilities can make to the economic wellbeing of the area

It is therefore considered that subject to full consideration of the other sections below this proposal for the extension of an existing tourism accommodation site is broadly acceptable in principle and in line with Policy SP8 of the Ryedale Plan, Local Plan Strategy it would not be an inappropriate location for such a development.

This would however be subject to the imposition of the time limited occupancy conditions for new holiday accommodation detailed within Policy SP21 (e) Occupancy Restrictions in the Ryedale Plan, Local Plan Strategy.

The application of the standard holiday condition is considered appropriate for the use of the 29no. touring caravan pitches.

It is however considered appropriate to include a bespoke condition for the proposed 17no. static caravan units to ensure that their occupation is for no longer than 31 consecutive days, to allow for the leasehold style model already undertaken within the site, where people visit their caravans regularly as a second home. This would only require a minor update to the standard version of the holiday condition, to note that '*no period of occupancy should exceed 31 days*' where it currently notes '*no let must exceed 31 days.*'

Individual sets of holiday conditions (the standard for the regular touring pitches and the slightly amended for the proposed static units) would safeguard that all new accommodation proposed could not be used as a sole, or main place of residence and would ensure the accommodation is available for holiday lettings for a prescribed period of the year with limitations on the duration of stay. This would ensure that across the site there would be a mix of accommodation types, with more short term and long terms lets possible, which is welcomed.

Separately to this, the proposed retention and dual use of a single static caravan, for not only tourism use, but as a Warden's facility is also considered acceptable in principle. The Agent confirmed that within the existing site, there is only a single flat to serve staff, which is occupied by bar staff for overnight accommodation. The proposal to allow staff to reside in this single unit on site is considered acceptable and commensurate with the scale of the site identified within the site description above. When in use by an associated staff member/warden, this would allow for an onsite management presence that could have wider benefits. This will be conditioned accordingly, to ensure this is not occupied permanently by persons not in employment at the site/for holiday accommodation and cannot be sold off separately from the tourism business.

The proposed retention of the existing amenity building is also considered acceptable in principle.

The points raised by Staxton Parish Council are noted and will be reviewed in further detail. It is considered that this scheme will regularise the amenity block which was constructed without planning permission and it is noted that the Agent and Applicant are proactively engaging with the LPA on compliance checks in other parts of the site, separately from this application.

This proposal as noted above (subject to the relevant conditions) would relate to development which in principle accords with the requirements of the Ryedale Local Plan, Local Plan Strategy. This however would also be subject to full consideration of the other material planning considerations which will be undertaken in the following sections.

ii) Character, Form and Impact upon an Area of High Landscape Value

Policy SP13 Landscapes of the Ryedale Plan, Local Plan Strategy notes *“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 including:*

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

Policy SP13 Landscapes also seeks to protect both national and locally designated landscapes. It states that *“The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities.”*

SP16 Design of the Ryedale Plan, Local Plan Strategy notes: *“Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which “Reinforce local distinctiveness and... Protect amenity and promote well-being.”*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- *Appropriate materials and traditional construction methods and techniques are used.*
- *Topography and landforms*

Policy SP20: Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

- *New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses*
- *Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses*

The site is located within the open countryside, and as noted, within the Wolds Area of High Landscape Value. The proposed scheme relates to the southern expansion of the Spring Willows Caravan Park with a mix of additional touring caravan pitches and static caravan pitches as outlined above in the ‘Proposal’ Section.

The precise application site under consideration benefits from mature existing landscaping on the western boundary (a c.2m high Hawthorn Hedge) which has recently been supplemented by additional planting, on the eastern boundary there is a landscaped bund partially obscuring the site, together with some recent tree planting and some open areas. Internally within the site there is a mixed range of well-established and recently planted landscaping.

As part of the assessment of this application and the preapplication advice request, a careful site visit was undertaken both within the site and from surrounding viewpoints and it was noted by Officer’s that the greatest public views of the main site can be achieved from the A64 highway to the north/north west of the site. The majority of the units within the site are located at low levels, with some of the existing static units at higher levels and views of these can be achieved from the north. However it is noted that this is a high speed area where users are predominantly vehicular traffic. Walking the public right of way which bisects the site, members of the public would be keenly aware of the immediately surrounding units, however these are long established.

A Landscape and Visual Impact Assessment (LVIA) (Mark S. Feather) has been submitted in support of

this scheme. This includes an overall Landscape Character Assessment , a Visual Assessment of the Proposed Development, a Landscape Impact Assessment and consideration on Mitigation, primarily New Landscape works.

The LVIA confirms the following points within Section 4.0 The Landscape Impact Assessment:

4.1 Views of the site from the West

When traveling along the A64 from the west the site is well screened existing hedges. A glimpse of one existing unit is possible from one point in the highway, near the junction with the road into Staxton Village, as illustrated in the photograph above. However, as the photograph shows you really need to be searching for the unit, perhaps possible if walking but unlikely to be viewed when travelling in a car. No views of the proposed extension areas to the site are obtained from this point as existing hedging obscures the views

4.2 Views of the site from the west.

When adjacent to the petrol filling station on the A64 the views for the tops of the existing caravans and lodges are seen but no views of the proposed extension areas for the site. The boundary timber fence is the most dominant feature from this location.

4.3 Views of the site from the north.

When viewing from near the roundabout, the views of the existing lodges are fairly clear located on elevated ground. This view is however, at right angles to the highway and so for most people travelling in vehicles they would be unlikely look sideways. Again, from this location no views are obtained of the extension areas.

4.4 View from the North, South and East

The view of the site is from the north traveling south along the A64 is obscured by trees and other vegetation as illustrated on the photograph above. The extensive woodlands are most dominant feature in the view with the petrol filling station being the slightly incongruous intrusion into this scene. No public views are available from the hillside above, to the south and from the east only one small gateway has a view to the hedged eastern boundary of the site.

4.5 View from the North

The photograph above is very much a telephoto view of the site which shows that the top half of the mown field is visible from this location and the roof one or two units can just be made out. However, the proposed extensions to the site are still not visible and with increased growth of the trees the mown grassed area would also not be seen.

4.6 Summary

The landscape assessment concludes that views of the proposed extension areas of the site are obscured by existing vegetation and the land form. Views of the existing static caravans are also restricted to one main view point which is obtained from a very short section of highway on the northern edge of the site as indicated in photograph 3.

Following the site visit undertaken by the Case Officers, the findings of the LVIA are concurred with.

A proposed planting plan is provided within the LVIA. The proposed planting plan indicates 12no. areas of new planting, including within the original established site.

The Council's Tree and Landscape Officer has noted in a response dated 8th December 2022 "I've had a look at the LVIA, it was very helpful and I think demonstrates that "views of the proposed extension areas of the site are obscured by existing vegetation and the land form". Having driven past that site many times I have never noticed anything but the entrance to the east of the site when driving to and from Filey on the A1039 so I'm inclined to agree with the view that the site is already well screened.

I was glad to see that the arb consultant picked up on the fact that planting at P11 would screen the view of the roofs of the existing caravans on the lower level. The proposed landscaping and species selections looks good so far. I would suggest that it is possible to go further by bolstering the quantities on the southern boundaries to enclose the site with a copse and provide further screening and biodiversity benefits. I have annotated the area on the plan below to indicate where I mean. (Plan was provided.)

I think it would be helpful if they could provide details of the size of the trees, e.g. trees will be 'regular standards' with 8-10cm girth and approximate heights of 2.5-3m). The trees should be staked and tied in accordance with good arboricultural practice. These above points could be dealt with by ensuring there is a formal landscape condition should you be minded to approve the application.

Similarly, with the hedge planting, hedge plants should be planted in a double row (rows 400mm apart) at a rate of 5 plants per metre. Each plant is to be protected by tree guard and staked. The planted area should be covered in fine bark mulch to a depth of 50mm."

This response from the TLO was conveyed to the agent and it was also noted that *"Following review with the Planning and development Manager, I believe that if you are agreeable to provide further significant screening along the southern boundary as a buffer to the end of the site, we could be supportive of this at Officer level.*

I would however note, that if there are future applications being considered, our view at this time is that it is unlikely that these would receive Officer support as we would be concerned about the further expansion within undeveloped land topographically at a higher level. We would however assess any future application on its own merits and on the basis of a proposed site layout/LVIA etc and this would not be prejudged."

The Agent responded to this to note *"I have read the comments received below from TLO and we are agreeable to the additional landscaping buffers suggested – via a landscaping condition. We could also provide an additional plan prior to committee if preferred."*

At this point, the standard landscaping condition has been applied to secure a full landscaping scheme to be submitted prior to the commencement of any works.

However a revised landscaping plan has been provided in advance of the meeting and can be reviewed by the Tree and Landscape Officer, this has been received on the 12th December (day which the agenda is published.) This has been provided to the TLO and included on the annexing and can be conditioned for accordance if found to be suitable. It is considered from initial review that this plan is a significant enhancement and incorporates a very strong planting belt to the southern boundary which is welcomed. The final comments of the TLO will be provided to Members.

Whilst the scale of the two unit types as indicated in the indicative details drawings appear generally acceptable, it is considered appropriate to include a condition to control the final external appearance of the proposed units in terms of maximum scale, colour finish and proposed materials, and also to ensure they are a single storey scale only. An appropriate condition will be recommended. This is considered to be a pragmatic approach and the indicative or 'typical' details submitted thus far would be considered acceptable.

An additional condition will be recommended to prevent additional new lighting without the submission of details to the Local Planning Authority will be recommended to prevent inappropriate impacts in this rural location.

Therefore, subject to the relevant conditions, it is considered that this proposal would not result in material harm to the character or appearance of the site or the wider Area of High Landscape Value in accordance with Policies SP13, SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

iii) Amenity, including Residential Amenity

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

- *New development will not have a material adverse impact on the amenity of present or 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*
- *Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise*

The site is located at a significant distance from neighbouring properties and the predominantly surrounding land use includes farm land and tourism complexes, mainly in the form of caravan sites.

The Council's Environmental Health Team have been consulted in relation to this proposal for the new holiday accommodation and no comments were made.

It is therefore considered that the proposed development would not result in a harmful material impact upon neighbouring amenity.

iv) Access and Highway Safety

Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy notes:

Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists.

The proposed development would utilise the existing access from the A1039 and would incorporate parking spaces beside the individual units. A Transport Statement (Local Transport Projects August 2022) has been submitted in support of the scheme. This undertakes a description of the proposal, site assessment, road casualty appraisal, traffic impact assessment, consideration of the access parking and internal layout and provides overall conclusions. This concludes in Section 6.1.7 *"It is concluded from the assessments within this TS that the proposed expansion of The Spring Willows Holiday Park would not be expected to have a significant impact in terms of sustainable travel, road safety and traffic impact."*

The North Yorkshire Highways Officer confirmed in a consultation response dated 22nd November 2022 *"There are no local highway authority objections to the proposed Development."*

Highways England who have responsibility for the A64 have also confirmed no objection in a response dated 6th October 2022 confirming *"National Highways offers no objection to this application, and on reflection have decided against the need for a Transport Plan to be imposed as a condition."*

Therefore this is considered to meet the requirements of Policy sP20 of the Ryedale Plan, Local Plan Strategy as both Highway Authorities have confirmed that the proposed development would not result in material harm in terms of access or Highway Safety.

v) Drainage

As noted, the application site is located within Flood Zone 1. The application form originally noted that Foul Water would be drained to a septic tank and Yorkshire Water confirmed in their consultation response dated 14th September 2022 *"No observation comments are required as foul water is drained"*

to the caravan parks existing private septic tank system”

This was updated when the Agent advised that Foul Water would travel through the existing drainage facilities within the site to the mains drainage and consequently, it has been appropriate to consult Yorkshire Water on this for the avoidance of doubt, in case they may wish to apply specific conditions or seek additional information. Members will be updated of any forthcoming response. It is however noted that in principle, connection to mains sewers represents the most appropriate form of foul water disposal in terms of the drainage hierarchy.

It has also been considered appropriate to consult the Lead Local Flood Authority and a consultation response is awaited. It is noted that surface water would be diverted to soakaway. Again, Members will be updated of any response.

It is not considered appropriate to consult the Environment Agency as this does not meet the consultation thresholds. There is no Internal Drainage Board who cover this site, the Vale of Pickering IDB does cover land sited c360m to the north of the nearest part of the wider site but given the nature of the application, it is not considered necessary to consult them.

Therefore as noted, Members will be fully updated of the final responses received from both the LLFA and the YW if these are available. In light of this, it is considered appropriate for Officers to seek the final decision to be delegated to Officers subject to the satisfaction of these relevant drainage consultees if these are not received prior to the meeting.

vi) Archaeology

As noted, this site falls within an Area of Archaeological Interest. The North Yorkshire County Council Archaeologist has noted *“This area of Staxton is of archaeological interest. The existing caravan site partly sits within a former sand and gravel quarry. Archaeological excavation in the 1940s and 50s produced extensive evidence for Romano-British and Anglo-Saxon settlement. The location of the proposed new development falls outside of the former quarry. It has a high potential for the survival of archaeological finds and features including human burials which have been noted at the adjacent filling station site.”*

Consequently, a condition to secure a scheme of archaeological mitigation recording is recommended. This Archaeologist noted this *“would include an archaeological strip, map and record to be undertaken in advance of development, including site preparation works, top soil stripping, excavations for new foundations and new drainage or services, to be followed by appropriate analyses, reporting and archive preparation. This is in order to ensure that a detailed record is made of any deposits/remains that will be disturbed.”*

vii) Ecology

North Yorkshire Ecology were consulted on the proposal. The application is accompanied by an Ecological Appraisal (Ecology and Forestry Ltd July 2022.)

This confirms there are no statutory/non statutory sites within 1km of the site, nor any records of European protected species licencing within 1km of the site. It was noted that there is Priority Habitat Inventory in the form of deciduous woodland within 500m to the west and south of the site but this would not be affected as a result of this scheme. The site relates to closely mown grass with existing landscaping.

In a response dated 12th December, the NYCC Ecologist noted *“The Ecological Appraisal is fine as far as it goes: the purpose of a PEA report is to identify ecological constraints on a site for a prospective developer rather than to support a planning application. In this case, however, this does mean that some of the recommendations are vague (“Existing site boundary hedgerows should be retained where possible”) or generic (e.g. the guidance on lighting in section 5.3.4).*

The only recommendations that really merit conditioning are paragraphs 5.5.2 (regarding the timing of vegetation clearance in relation to nesting birds) and 5.8.3 (hedgehog gaps in any new fencing). I'm not convinced that erecting bat boxes on telegraph poles (para 5.3.3) would be particularly efficacious, so that recommendation can be left to the applicant's discretion.

There is no mention of biodiversity net gain in the report but substantial new planting of native trees, shrubs and a hedge is proposed in section 5.4 of the Landscape Assessment and this is likely to deliver net gain. We would support a condition to implement the recommendations of the Landscape Assessment."

It is noted that the existing boundary hedgerows will be retained and lighting will be fully conditioned. The landscaping plan has evolved since the review of the NYCC Ecologist to be provide substantially increased volumes of planting. The ecological condition will be attached to capture the areas recommended for compliance.

Conclusion:

The proposed additional accommodation has been carefully considered and in principle, this is considered to be acceptable subject to the recommended conditions, including the bespoke occupancy conditions and further details of lighting and the final appearance of the units, together with further details on proposed landscaping. In addition, if identified as necessary by the statutory consultees, drainage conditions may potentially be attached.

It is considered that the proposed physical developments are acceptable in terms of form and design and subject to the recommended conditions would not result in unacceptable harm to the character and appearance of the immediate and wider landscape and the special value of this Area of High Landscape Value.

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, SP20 and SP21 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework.

However it is noted that further responses pertaining to drainage are needed and potentially conditions if recommended. If these are available before the December Planning Meeting, they will be provided to Members and if these are not yet available, Officers will seek the final delegation of this decision to the Planning and Development Manager for overall approval, subject to the scheme being considered satisfactory by Yorkshire Water and the Lead Local Flood Authority with the application of any recommended conditions.

RECOMMENDATION: Approval – delegated to Officers

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. 001)

Amenity Block - As Existing/As Proposed (Drawing no. 003)

Overview Site Plan As Proposed (Drawing no. 104)

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

- 3 The 29no. touring caravan pitches 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; 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.

- 4 The 17no. lodge style static caravans hereby approved shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence; and

The pitches hereby permitted shall be available for commercial let for at least 140 days a year and no period of occupancy must exceed a total of 31 days in any one calendar yea

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: To ensure that accommodation is not used for residential development in this Open Countryside location, contrary to policies SP1, SP8 and SP21 of the Ryedale Plan- Local Plan Strategy.

- 5 The 1no. static caravan hereby approved for retention for the dual use of holiday accommodation/warden's accommodation shall be operated as either;

- a) Accommodation for a person employed in a full time role within the Spring Willows Holiday Park commercial enterprise only.
- b) or holiday purposes only

The unit shall not be separated from the ownership of the Spring Willow Caravan Park site

When in use for holiday purposes, the accommodation shall be subject to the following restrictions:

- No period of occupancy must exceed a total of 31 days in any one calendar year;
- 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: to ensure that accommodation is not used for permanent residential development not associated with the operation of the existing commercial holiday business in this Open Countryside location, contrary to policies SP1, SP8 and SP21 of the Ryedale Plan- Local Plan Strategy.

- 6 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 Agent's attention is drawn to the comments of the Tree and Landscape Officer dated 8th December 2022 with regards to recommended areas for significant additional planting to the south of the proposed units.

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.

- 7 A) No demolition/development shall 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 16 of the NPPF (paragraph 205) as the site is of archaeological significance and in accordance with Policy SP12 of the Ryedale Plan, Local Plan Strategy.

- 8 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

- 9 Unless otherwise agreed in writing with the Local Planning Authority, the 17no. static caravans hereby approved 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.

- 10 The development shall be carried out in full accordance with the following ecological measures:

- i) Sections 5.5.2 and 5.8.3 of the report ((Ecology and Forestry Ltd July 2022.))

Reason: In the interest of ecological protection and mitigation in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

INFORMATIVE(S)

- 1 The applicant/developer is advised to contact Ryedale District Council's Housing Services regard a Site Licence.