

Item Number: 8
Application No: 20/00703/MFUL
Parish: Heslerton Parish Council
Appn. Type: Full Application Major
Applicant: Mr Ward
Proposal: Use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road
Location: The Snooty Fox Scarborough Road East Heslerton Malton YO17 8EN

Registration Date: 1 September 2020
8/13 Wk Expiry Date: 1 December 2020
Overall Expiry Date: 12 November 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Heslerton Parish Council	No objection
Highways North Yorkshire	No objection
Highways England	Recommend condition
Archaeology Section	Recommend condition
Yorkshire Water Land Use Planning	No response received
Flood Risk	No response received
Tree & Landscape Officer	Comments- request for further information

Re-consultation (reduction in number of units from 65 to 47 and surfacing)

Heslerton Parish Council	Reduction to 47 units is acceptable
Highways North Yorkshire	No response received
Highways England	No response received
Yorkshire Water Land Use Planning	No response received
Flood Risk	No response received
Tree & Landscape Officer	Supports additional landscaping

Representations:

BACKGROUND:

The application is to be determined by Planning Committee as a major development because the application site exceeds 1 hectare in size.

SITE:

The application site comprises land to the rear of The Snooty Fox and amounts to approximately 1.65 hectares. The site has raised bunding around its western, northern and eastern perimeter with hedge planting on these banded areas. The site is located within the Wolds Area of High Landscape Value, with its rising escarpment to the south of the application site. The Wolds Way National Trail (Public Footpath no. 25.47/22/1) runs along the escarpment. Access to the site is from the A64 (T) to the south, via a large purpose made access. At the front of the site (south) stands The Snooty Fox Public House which is currently closed. The bungalow associated with the site is also at the front of the site to the east of the public house. The commercial buildings at Five Acres stand immediately to the south east of the site. The site is within an archaeologically sensitive area.

HISTORY:

17/01231/MFUL- Use of land to allow permanent siting of 55no. touring caravans (retrospective application). APPROVED 21.12.2017.

03/00659/73- Variation of Condition 2 on approval 00/00966/FUL dated 25.05.01 requiring site to be only occupied by touring caravans for a period not exceeding 28 days and shall not return to the site within a period of 28 days from departure. APPROVED 11.12.2003.

00/00966/FUL- Change of use of land for the siting of 15 touring caravans and erection of shower/toilet block. APPROVED 30.05.2001.

PROPOSAL:

Planning permission is sought for the use of land for the siting of 47no. static holiday accommodation units for year round use with improved access road.

The application was initially for 65 holiday units but following concerns raised by the Case Officer in relation to density, landscape and visual amenity the proposal was amended and the number of units reduced and the separation distances increased.

Each holiday unit would measure 3.7 metres in width by 12.2metres in length standing 2.5 metres to the eaves and 3.3 metres to the ridge. Externally the units would be aluminium cladding ('Environmental Green') to the walls and aluminium sheeting(mock profile grey tile) to the pitched roof.

The initial proposal was for the units to be spaced 5 metres apart. In the amended proposal the reduction in the overall number of units has allowed spacing to be increased to 8 metres. As a result there would be space adjacent to each unit to allow the parking of two cars side by side and areas of soft landscaping between units.

The holiday unit bases would comprise 0.6m wide concrete strips under the chassis bearing points (each long side) with the ground in between the strips finished with gravel. It was initially proposed that the internal access loop road would be entirely tarmac to a width of 6 metres. The amended details now show there would be contrasting charcoal permeable block paving to the perimeter of the access road (1.3m either side) with the tarmac access reduced to 3.4 metres in width. The amended details also confirm that the parking areas would be brindle permeable block paving.

The proposed units would connect to the existing foul and surface water infrastructure. Foul drainage would be disposed of via a package treatment plant and surface water to soakaway.

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 SP12 Heritage

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

Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (PPG)

APPRAISAL:

Principle of development

Policy SP1 states that development in the open countryside will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities. Tourist-orientated schemes are a form of development which could be considered to be necessary to support the above policy objective. At the national level paragraph 83 of the NPPF supports a prosperous rural economy and states that planning decisions should, inter alia, enable “*sustainable rural tourism and leisure developments which respect the character of the countryside*”.

Tourism makes a significant contribution to the local economy and local planning policy (Policy SP8) seeks to develop tourism in a sustainable way which does not undermine some of the very special qualities that visitors come to enjoy and experience. Policy SP8 supports tourist accommodation in the wider open countryside that, inter alia, involves “*New touring caravan and camping sites and 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*”.

The principle of the use of the site for holiday accommodation has been previously established. The extant permission currently permits the siting of 55 touring caravans for seasonal occupancy and allows them to be retained on site for out of season storage purposes.

Local policy provides support in principle for sustainable tourist accommodation where the scale, nature of activity and visual intrusion can be accommodated, for example, in terms of the character and sensitivities of the locality, wider landscape and the road network. The proposed development relates to an existing and established site and is considered acceptable in principle subject to consideration of the occupancy/operating season, landscape and visual impact, local amenity, highways safety and archaeological impact.

Occupancy restrictions

The applicant seeks permission to extend the operating season to all year round. Policy SP8 states that one way in which sustainable tourism can be achieved is by encouraging all year round tourism subject to occupancy conditions set out in Policy SP21. The proposal would comply with the aims of this policy and would further enhance the viability of an existing business.

Furthermore, the Government’s Written Ministerial Statement dated 14 July 2020, recognises that, in response to Covid-19, the tourism industry will need to be able to adapt to secure its financial future. It states that Local Planning Authorities should prioritise decision making for applications to vary relevant planning conditions (to extend opening seasons) and take account of the economic benefits resulting from extending opening. This 12 month operational period is considered acceptable and will further enhance potential visitor numbers within the locality, particularly during the off peak season.

Local Policy SP21(e) relates to time-limited occupation and states “*New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions: • The accommodation is occupied for holiday purposes only; and not as a person’s sole, or main place of residence; and • It 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".

To comply with Policy SP21 it is considered appropriate to impose a condition restricting occupancy at the site to holiday purposes only.

Landscape and visual impacts

The site is located within the open countryside and an Area of High Landscape Value. Policy SP13 requires the protection of distinctive elements of landscape character in areas valued locally for their natural beauty and scenic qualities. Policy SP20 also requires new development to respect the character and context of immediate locality and the wider landscape character and to ensure the proposed uses are compatible with the ambience of the surrounding locality. In addition, Policy SP8 requires that new or extended caravan sites do not give rise to unacceptable visual intrusion or adverse impacts upon the character of the locality.

The land use in the locality is predominately agricultural with commercial premises immediately to the south east. There are no public rights of way immediate to the site or residential receptors with direct, uninterrupted views of the site although the site is visible from elevated positions on the Wolds Way near to Manor Wold Farm to the south over a distance of approximately 1.4km. There are fleeting views of the site from the A64.

At present 55 touring caravans are allowed to be sited all year round. Therefore, the main landscape and visual change would be the presence of static units which are larger than touring caravans in terms of footprint but fewer in number with the addition of hardstanding for the internal access road.

The site layout has been amended to make the arrangement of the units less regimented and the buildings would be arranged around the internal access road. The density and spacing, as amended, is considered typical for such static unit developments. The proposed surfacing has also been amended to reduce the amount of tarmac to limit urbanising features in the open countryside. In addition the increased separation distance has allowed for more green space between the units where the plans show that soft landscaping can be established.

The site has a perimeter bund to three sides topped with planting of mixed condition. The Tree and Landscape Officer has visited the site and has observed that the planting associated with permission ref. 17/01231/MFUL has an extremely high failure rate and there has been no replanting of the dead saplings and trees. The Tree and Landscape Officer requested further details on the landscape planting (species, sizes etc) and acknowledged that if the outer bund is replanted and the inner landscaping is successfully implemented there is every chance that this proposal could be well screened and may even achieve a net ecological gain.

In response the applicant has submitted a detailed landscaping plan and planting schedule which shows native whip and light standard planting to augment and 'gap up' the existing planting on the perimeter bund. The existing and proposed boundary planting would provide a sense of enclosure and the separation distances from receptors and soft landscape within the site should ensure that the use of the site is not detrimental to visual amenity or local landscape character. The Tree and Landscape Officer is satisfied with the level of detail provided which shall be secured by condition.

Taking account of the existing land use, perimeter bunding and existing and proposed planting the site will not be overly prominent within the local landscape. The proposed use of the land would not interrupt skyline views or the scenic qualities of the area to an unacceptable degree and it is considered an appropriate and compatible land use in landscape and visual terms. The proposed development would not result in any landscape harm or visual intrusion and would not conflict with the aims of Policies SP8, SP13, SP16 and SP20.

Impact on local amenity

As required by Policy SP20 (Generic Development Management Issues) development should respect the character of the area without having 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.

The site is isolated in relation to residential receptors and the bungalow on site is under the applicant's ownership and control. The adjacent buildings at Five Acres to the south east are in commercial use. In terms of any potential noise disturbance from guests staying at the park it is considered that the impact of the all year round operating season and siting of static units would be negligible particularly given the separation distance and intervening bunding and planting. To address any potential for light pollution any additional external lighting associated with the site shall require approval from the LPA prior to installation.

It is considered that there would be no impact outside of the site in terms of pollution, disturbance, overlooking, loss of privacy or visual intrusion. It is considered that the proposed development would not conflict with the aims of Policy SP20 in relation to the protection of amenity.

Highways impact

Policy SP20 seeks to ensure that new development does not have a detrimental impact on road safety.

The proposed development would use the existing access point with the A64 which is a large forecourt in good condition with acceptable visibility in both directions. The all year round use would extend the period of vehicle activity but the reduced number of holiday units would not result in an intensification of use. Furthermore there would be no vehicles towing caravans accessing the site. The internal access road would allow for safe movement of vehicles within the site and all holiday units would be provided with two dedicated 'off access road' parking spaces.

There are no objections from the Local Highway Authority or Highways England. Highways England have requested the inclusion of a condition for the prior approval of a scheme for abnormal load movements for the delivery/construction phase.

It is considered that, taking account of anticipated traffic movements associated with the proposed development and existing access and visibility, the proposed development would not give rise to a materially significant adverse impact on highway safety either individually or cumulatively and there would be no conflict with Policy SP20.

Archaeological impact

The application site is within an area of high archaeological sensitivity. The County Archaeologist has highlighted that previous geophysical survey work has indicated a circular anomaly in the centre of the site, most likely a burial mound. In addition, cutting across the northern part of the site, is a linear trackway or dyke. These linear features tend to be the focus of both prehistoric settlement and ritual activity.

The excavation of a new sub-base for car parking areas and access may have an impact on archaeology depending on both the depth of the archaeology and the depth of the required excavations.

The County Archaeologist advises that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal and this shall be secured by conditions in accordance with Policy SP12.

Conclusion

The principle of the use of the land for holiday accommodation has been established and the proposal is in line with national and local planning policy relating to the sustainable development of tourism and the rural economy. The proposal represents an appropriate development of an established caravan park that would improve the viability of the business, retain employment at the site and attract visitors to the District. Taking account of the location of the development in terms of proximity to sensitive receptors,

public highways and the effectiveness of screen planting it is considered that the static units and the extended operating season can be accommodated without giving rise to unacceptable visual intrusion or an adverse impact on the character of the locally valued landscape.

The proposed development would not have an unacceptable impact on local amenity or highway safety and any temporary adverse impacts during construction can be mitigated by appropriate planning conditions. In light of the above assessment, it is considered that the proposal is acceptable and that it complies with Policies SP1, SP8, SP12, SP13, SP16, SP17, SP19, SP20 and SP21 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The recommendation to Members is one of conditional 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 plan(s):

- Location Plan ref.L020020-001, dated July 2020
- Proposed Site Layout Plan ref.L020005-003 Rev A, dated 16.10.20
- Proposed Unit Plan and Elevations ref.L020005-005, dated July 2020
- Proposed Landscape Scheme ref. L020005-006, dated July 2020

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

3 Unless otherwise approved in writing with the Local Planning Authority, the materials and colour finishes to be used on the exterior of the buildings the subject of this permission shall be in accordance with the details contained with the planning application and as shown on the approved elevation drawing.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP13, SP16 and SP20.

4 No development shall commence until a scheme for abnormal load movements has been submitted to and approved by the Local Planning Authority in consultation with Highways England. No development shall take place other than in accordance with the approved scheme.

Reason: In the interests of highway safety in compliance with Policy SP20.

5 Prior to the installation of any external lighting associated with the development hereby approved details of the location, height, angle of lighting, level of illuminance output and hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore be installed on site only in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity to ensure that the proposal satisfies Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

6 No 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. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 7 No development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: The site is of archaeological significance and to satisfy the NPPF and Policy SP12.

- 8 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 7 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site is of archaeological significance and to satisfy the NPPF and Policy SP12.

- 9 The landscape planting scheme as shown on the approved Proposed Landscape Scheme drawing ref. L020005-006, dated July 2020 and associated Planting Schedule and Specification shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy.

- 10 The permission hereby granted shall only authorise the use of this site for the stationing of 47 static holiday units, in the positions shown on the approved Proposed Site Layout Plan ref.L020005-003 Rev A, dated 16.10.20. The permission hereby granted shall not authorise the use of the land for touring caravans or camping.

Reason:- Additional units would result in a cramped and unsatisfactory site layout and the control is in the interest of landscape and visual amenity in compliance with Policies SP13, SP16 and SP20.

- 11 The static units shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence; and
The static units shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 consecutive 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.

INFORMATIVE

The applicant is required to contact the Council's Housing department for a variation to the caravan site licence.

