

**Item Number:** 6  
**Application No:** 20/00701/MFUL  
**Parish:** Sheriff Hutton Parish Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mr Easterby (Stittenham Farms)  
**Proposal:** Change of use of agricultural and equestrian land to allow the siting of 16no. holiday lodges, 1no. wardens lodge with associated access, parking, infrastructure and landscaping  
**Location:** Land Off Daskett Hill Sheriff Hutton

**Registration Date:** 27 July 2020  
**8/13 Wk Expiry Date:** 26 October 2020  
**Overall Expiry Date:** 13 September 2020  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### CONSULTATIONS:

Archaeology Section	Comments
Sheriff Hutton Parish Council	No objection but concerns
NYCC Natural Services	Recommend Conditions
Foss Internal Drainage Board	Recommend Conditions
Highways North Yorkshire	Recommends Conditions
Yorkshire Water Land Use Planning	Recommend Conditions
Environmental Health	Recommend Conditions
Flood Risk	Recommend Conditions

**Representations:** Mr Martin Dodd, Miss Sam Warriner, Lisa Rushworth, Mr Chris O'Neill, Mr Donald McMillan, Dr Todd Wauchob, Mrs Christine Brookes,

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#### SITE:

The application site relates to an agricultural field to the north of Sheriff Hutton, occupying a corner position directly to the west of Daskett Hill from where it is accessed by a field entrance and to the north of Cornborough Road. This field is located directly to the north west of the roundabout linking Daskett Hill with New Lane, North Garth Land and Cornborough Road.

It is a broadly rectangular area of land spanning approximately 144 metres from north to south and 115 metres from east to west, totally approximately 1.66 hectares. The site is adjoined by residential properties to the south, (located to the south of Cornborough Road) and by agricultural land to the west, north and east.

The site is located outside of the defined settlement limits of Sheriff Hutton, therefore it is considered as being located within the open countryside under the Ryedale Plan, Local Plan Strategy. The site is located at a significant distance from both the village's Conservation Area boundary (approximately 250 metres to the south west at the nearest point) and the Scheduled Ancient Monument Boundary of Sheriff Hutton Castle (located c225 metres to the south west, both beyond significant amounts of existing development). The site incorporates ridge and furrow formations which NYCC Archaeology have identified as a 'non designated heritage asset.'

The Howardian Hills Area of Outstanding Natural Beauty is located approximately 3.6 kilometres to the north and the site falls entirely within Flood Zone 1.

The site is very well landscaped along the eastern and southern boundaries, with a well established unmaintained hedge and a line of mature trees. To the western boundary, a mature field hedge is present with intermittent trees. To the north there is a line of tree planting, with some gaps.

## **PROPOSAL:**

The application seeks planning permission for the:

Change of use of agricultural and equestrian land to allow the siting of 16no. holiday lodges, 1no. wardens lodge with associated access, parking, infrastructure and landscaping

These holiday lodges would be located to a minimum of 40 metres inset from the domestic curtilages of the properties located to the south of Cornborough Road and as noted, very mature screening is present along the southern boundary of the site. The proposal would also include the provision of a surface water attenuation pond and a children's play area to the southern part of the site. A pedestrian link along the south eastern corner would be provided to allow for permeability with the village.

This proposal would include three types of holiday lodges, identified as T1, T2, and T3 all constructed with timber cladding and dark grey aluminium windows. Each would have a commensurately sized outdoor decking area and would include a monopitch roof form constructed of dark grey standing seam sheeting, with maximum roof heights of approximately 4.8m, spanning downward to 3.3m.

Improvements have been made to the lodges to reduce the level of the maximum glazing height to approximately 3 metres above ground level (reduced from 3.6 metres) to help limit light pollution and to assimilate with the existing and proposed landscaping. No lodge would have more than 4 wall mounted outdoor lights to facilitate access and egress, with low level lighting flush within the decking. This and the existing and proposed landscaping will be discussed in further detail below.

- T1 is a two bedroom unit and 6no. T1 units are proposed. The floor space of this unit would span approximately 10.75 metres x 7.35 metres. Each unit would have 2no. parking spaces.
- T2 is a three bedroom unit and 6no. T2 units are proposed. The floor space of this this irregularly shaped unit would span approximately 13.85 metres x 8 metres at the maximum points. Each unit would have 2no. parking spaces.
- T3 is a four bedroom unit and 4no. T3 units are proposed. The floor space of this irregularly shaped unit would span approximately 16.8 metres x 7.75 metres at the maximum points. Each unit would have 3no. parking spaces.

The wardens unit would incorporate a footprint of c5.9 metres x 10.9 metres. This would allow for a kitchenette, store and WC, together with a site shop and reception area. It has been confirmed that this not be occupied overnight. This would be completed with matching materials to the lodges and would incorporate 2no. wall mounted lights. As part of revised plans and the amendments to the site layout, this was repositioned more centrally within the site, at a greater distance from the properties to the south. Limited additional amendment to the site layout included limited variation of the access road and provision of the parking outlined above.

The access road would now span westwards from the existing site entrance and would incorporate 6 'prongs' from which the units would be accessed, retaining areas where no roads are present. The site will incorporate new internal and boundary landscaping. A Site Lighting Layout Plan has been submitted which shows the indicative position of lighting within the site this appears to be low level and down lit, with 11 lights shown.

The application is accompanied by a Design and Access Statement, a Planning Statement, a Noise Impact Assessment, a Landscape and Visual Impact Assessment, a Highways Access Appraisal, a Flood Risk Assessment, an Extended Phase 1 Habitat Survey and Preliminary Ecological Appraisal, a percolation testing report and other drainage documentation.

## **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(e) of Schedule 2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended because it would be in the category of '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.

## **REPRESENTATIONS**

6 letters of objection have been received in relation to this proposal from the following properties;

2 Laurels Garth, 4 Laurels Garth, The Square West End, Milldale Main Street, Castle Garth House York Road, Pearce House North Garth Lane, 6 Castle View

These raise the following summarised points, the responses can be viewed in full on the planning file.

- Overdevelopment of the site
- What benefits to the village and current businesses, already serve two campsites and a small lodge park close by, accommodation for up to 1000 holiday makes already available. If this development is permitted it is in danger of 'swamping the village' and having a significant negative impact upon the character of the village.
- The site is to be operated all year round, so is open to be used more as a permanent dwelling unless strict restrictions are put into place and enforced.
- Breaching of the village boundary may open the door to further development – don't want further sprawl
- Should be closer to Stittenham Farms to service the need – usually these are sited well away from villages
- Detrimental to peace and tranquillity & noise pollution. The units are not targeted at families but at larger groups, so concerns are raised about the character and quiet demeanour of the village.
- The approach to the north side of the village has already been significantly urbanised but the proposal would extend the developed area and with its new highway junction and associated signage would have a further significant impact upon the character and setting of the village.
- There needs to be a detailed landscape proposal submitted in order to mitigate the visual and light impact of the development in the open countryside.
- The site is not appropriate, there are many other available sites that could be developed with less impact upon the character and setting of the village.
- Light pollution – no light pollution impact assessment.
- Would be visible from Terrington bank to the north, it would stand out starkly, unacceptable visual intrusion of the village into the open countryside, impacting negatively on the character of the locality in discordance with Policy SP8 of the Ryedale Plan, Local Plan Strategy.
- Potential for increased traffics and accidents risk at already hazardous roundabout with entrance on the brow of a hill
- Although the proposal would not completely obliterate the ancient ridge and furrow it would

- obliterate the area most visible from the public view, significant loss of archaeological feature.
- Important that materials are insisted upon to minimise the visual impact.
- Concern over proposed level of glazing on the northern side of the chalets in relation to sustainable design and heating, but also relating to light pollution and wider landscape impacts.
- Concern over visual impact from site amenity lighting
- The proposed design underestimates the number of car parking spaces required and by implication under represents the number of vehicles entering and leaving the site.
- The Highways Assessment completed by someone with no understanding of the area, describing Daskett Hill as a built up area inside a 30mph zone, the recent speed survey indicated vehicles travel in excess of this speed.
- Flooding and drainage concerns, already an issue at Terrington View entrance/Cornborough Road, by developing the area that is partly responsible for this flooding without a sophisticated drainage plan to collect water from the entire site, localised flooding will be exacerbated.
- Too close to residential dwellings/the village

Letter of support from the occupier of The Square, West End, on behalf of The Highwayman.

- Positive for businesses within the village and out of the way. Extra business for the community can only be a good thing.

The Parish Council responded on the 13th September 2020 to note the following:

*“After discussions at the parish council meeting on Friday 11th September, Sheriff Hutton Parish Council have taken the decision not to object to planning application 20/00701/MFUL - Land off Daskett Hill, Sheriff Hutton, but this non objection is subject to the following conditions:-*

*The parish council feel that the entrance, as it is, is not safe and as such this element should receive serious consideration. Having had serious concerns about speeding in this area, in October last year the parish council organised some speed surveys to be carried out. The data from these surveys proved that the parish council were right and speeding is a definite issue in this location. Please find attached the speed data obtained. It is vital that there is a pedestrian access.*

*The parish council have concerns regarding light and noise pollution. With regards to light pollution the parish council would like to ensure that a low level lighting scheme is put into place. With regards to noise pollution the parish council would like to see time on site curfews incorporated.*

*The parish council have concerns that the site will be open all year round and would like to see the site closed for some months of the year, like similar establishments in the village.*

*The parish council have concerns regarding drainage and flooding. There are already known issues of flooding on Cornborough Road and this development will only exacerbate the situation.*

*The parish council would like RDC to seriously consider the above if approval was to be granted.”*

## **POLICIES**

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 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 no relevant planning history at the application site.

**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) Other Matters including Consultation Responses.

- i) Principle of the Development

Policy SP1 (General Location of Development and Settlement Hierarchy) of the Ryedale Plan, Local Plan Strategy identifies that in the Wider Open Countryside, development will be restricted to that which *“is necessary to support a sustainable, vibrant and healthy rural economy or communities.”*

Policy SP8 (Tourism) notes *“This policy supports the provision of a range of tourism accommodation across the District. The Council will support in principal within the Wider Open Countryside “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 upon the character of the locality.”*

Policy SP9 (The Land Based and Rural Economy) notes support for *“appropriate farm and rural diversification activity.”*

The Planning Statement noted that the proposal is a farm diversification scheme and the Applicant, Stittenham Farms is based outside the village. It continues *“The proposed development will provide the farm business with a diversified source of income, whilst generating local employment and supporting other businesses, particularly in Sheriff Hutton.”* It is acknowledged as highlighted in the responses that there are other holiday units in and around the village and it was queried whether this would lead to over provision and ‘swamping’ of the village leading to character impacts. It considered that this is a relatively modest proposal for 16 units and the impact upon the character of the village and amenity will be fully considered below. All applications are considered on their own merits and the approval of this current scheme would not provide justification for ‘further sprawl’ which was raised as a concern in the incoming representations.

It is therefore considered that subject to full consideration of the other sections below this proposal for a tourism accommodation 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. It does relate to the diversification of an established agricultural business. 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.

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: o The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and o It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and o 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”.*

It is not considered that the site closure requested by the Parish Council for a specific period of the year is strictly necessary in this instance. The Ryedale Plan, Local Plan Strategy encourages year round tourism and the holiday lodges will be subject to the above referenced holiday let requirements. This will prevent the units being used for residential purposes and will ensure that they are available for holiday lettings for a prescribed period of the year. The Agent acknowledges the occupancy conditions contained within Policy SP21 within the Planning Statement.

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*

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 proposed developments has been very carefully considered in relation to its impact upon the character and form of the application site and the adjoining land and has been subject to detailed negotiation.

A Landscape and Visual Impact Assessment (LVIA) was produced (Rosetta Landscape Design December 2020) The LVIA confirms in Section 9.4 that “*Vegetation in proximity to the site comprises; a well-established, unmaintained hedge containing a line of mature trees along the eastern and southern boundaries; a mature field hedge containing occasional trees along the western site boundary, an intermittent line of shrubby trees along the northern site boundary; a second intermittent line of shrubby trees along the northern edge of the adjacent field to the north, ornamental tree and hedge planting lies within the gardens of the dwellings to the south.*”

The LVIA in line with the Guidelines for Landscape and Visual Impact Assessment describes and considers all the potential effects of the proposed development and identifies whether this would lead to a positive or adverse impact. This includes an assessment on landscape character impacts, including a baseline review of the landscape and visual resource, landscape classification, landscape and visual

assessment and visual effects, including sensitivity and magnitude on identified visual receptors, further assessed in light of potential mitigation.

It is noted in Section 4.2.7 that the site topography the site *“lies on a southward facing slope with its northern edge on a ridge of higher ground that separates the village (to the south) from flat, low-lying, valley bottom land to the north.”*

A study on the visual receptors (17 individually considered residential properties and 2 surrounding roads) concluded that the sensitivity of the neighbouring properties is high, “since any change to the character of the area surrounding their home is critical to those residents enjoyment of their home” and that the sensitivity of the road users is medium. (The location of the visual receptors and the ‘Zone of Visual Influence’ is indicated on Drawing no. 3717.2)

The magnitude and visual impact of the construction phase was identified as being small/very small and minor/moderate/minor for all receptors, apart from the 8 closest properties where these effects were listed as medium and moderate respectively. It was acknowledged that all receptors would be affected during the construction phase and in relation to the 8 closest properties it was noted *“although these viewpoints lie immediately adjacent to the sit works, there is a substantial perimeter planting buffer between the two which will remain in place during the construction phase.”*

A similar assessment was undertaken at these visual receptors based on the completion of the development, where the identified magnitude ranged from nil – medium, with visual impacts ranging from minor, minor/moderate to moderate. The medium magnitude and moderate visual impact remained only at the 8 closest properties, however it was noted that the *“direct view from the lodges on front elevation largely screened by dense vegetation along site boundary.”*

It was also identified that following planting in 15 years the wider visual impacts would again further reduce.

In terms of landscape character it was noted in 5.3.11 *“The impact arising from the operation phase on landscape character would be to introduce a new layout of buildings, access roads and circulation area. This would represent a significant change in comparison to the existing situation within the site itself. However, the character of the local landscape in the immediate vicinity of the lodges will not be substantially different from the existing situation because of the substantial planting along the site perimeter which will all be retained.”*

5.3.12 notes *“in one respect, the completed development will have an impact on the character of the local landscape – namely when viewed from the north. Here two of the lodges will be visible through gaps in the intermittent line of trees along the northern site boundary until the new proposed planting has had an opportunity to mature.”* The ‘Zone of Visual Influence’ as indicated on the above referenced Visual Impact Assessment Plan illustrates that the nearest possible views from the north taken from the public highway would be approximately 286.6m from the northern boundary of the site, which is considered quite a significant distance.

New planting has been carefully considered and updated landscaping details has been submitted for the site on the Proposed Site Plan (Drawing no (03)02 Rev P07) including a specific Detailed Landscape Proposal Plan relating to the northern boundary following a request for more mature planting (Drawing no. 3717/5 Rev A). This illustrates the installation of an ‘instant hedge’ along the northern boundary at a height of 2m, which is a mature installation planted with a width of 40cm comprised of native hedgerow species.

Furthermore, along the northern boundary additional infill planting to include 16no. heavy standard native species trees with heights of c3.5-4.25m would be installed, together with 6no. large feathered silver birch trees, at heights between 2-2.5m. 14 new trees are proposed for installation along the western boundary, including 13no. heavy standard native species trees with heights of c3.5-4.25m and 3no. large feathered silver birch trees at heights between 2-2.5m.

Sectional drawings were provided to illustrate the proposed development and this indicated the

immediate impact the proposed landscaping would have along the northern boundary and the anticipated appearance in 10 years time. (Drawing no. (03)09 Rev P04.) It is considered that this level of planting at the northern boundary will have an immediate impact in terms of landscaping and it will continue to mature and development a stronger northern boundary.

The LVIA notes in 9.7 that *“The local landscape is assessed to have a medium sensitivity to change since, although it possesses some attractive individual elements, these do not necessarily complement each other fully. Upon completion of the development it is therefore assessed that the level of impact would be ‘minor moderate’ and at year 15 will be ‘minor.’ Regarding the northern boundary, it is assessed that by providing a substantial planted buffer along the whole of this boundary, the new lodges to be erected close to the ridge of this higher ground not be seen from the two nearest dwellings, the public road or the Howardian Hills AONB lying 3.5km beyond once the new vegetation is in place.”* It is Officer’s opinion that this view will be further supported by the reduction of the glazing height of the lodges, together with the proposed detailed lighting condition.

A condition relating to landscaping will be recommended – whilst the existing details thus far have provided very detailed and suitable mature planting to the northern and western boundaries, no details have been provided on the internal landscaping at the site. The Agent has confirmed the installation of a site wide landscaping condition is acceptable but based on the existing level of information submitted, Officer’s are confident that the final landscaping scheme will be appropriate. A further condition will be recommended in terms of protection of existing trees and hedges within the site during the construction phase. This is further detailed in relation to the NYCC Ecologists response below.

Furthermore it is not considered that this proposal would result in harm to the special character and appearance of the adjoining Area of Outstanding Natural Beauty located c3.6 kilometres to the north. The AONB Officer was informally consulted and they confirmed they were aware of the proposal and had no objection. It was noted that any light from the AONB would be read as part of the lighting from the settlement itself.

Notwithstanding this, it remains appropriate to include a full lighting condition to secure full levels and details of the proposed lighting, although the indicative Site Lighting Layout Plan appears to show a commensurate level of low level lighting. This will secure final details of levels of illumination of this and the wall mounted lighting to be installed on the units.

It is furthermore considered that the lodges themselves appear to be of a high quality design and materials, including timber cladding and a dark grey standing seam roof. These are detailed on what would become an approved plan so no specific materials condition is considered necessary. The overall scale and site layout, together with the positioning of the access road is also considered acceptable.

The concerns raised by third parties in relation to this sensitive edge of village location and potential adverse impacts upon the character of the area are noted. It is considered following analysis of the LVIA and subject to recommended conditions that this would not materially harmfully affect the visual character of the wider area, due to the sensitive landscaping and lighting proposals, which will be controlled by condition. Nor is it considered that this would relate to the visual overdevelopment of the site. This will indeed alter the present character of this agricultural/equestrian field, however it is considered that this can be undertaken without visual harm to the site itself and wider setting of the village.

### 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*

As indicated within the submitted consultation responses summarised above, representations have been made by third parties indicating their concerns in relation to the development. It is noted that as part of the revised plan, the Warden's Lodge, with reception and small shop has been repositioned more centrally within the site.

The Council's Environmental Health Team have been consulted in relation to this proposal for the new holiday accommodation. The EHO noted in a response dated 14th September 2020 that there *"is potential for noise nuisance to be caused both by vehicle movements around the site and from use of lodges themselves. Consequently I would advise that a noise impact assessment be provided.*

The Agent provided a Noise Impact Assessment (ENS Ltd 6th June 2021) which included an assessment of potential noise sources associated with the development, potential mitigation measures and an example site noise management policy.

The Council's Environmental Health Officer reviewed the incoming document and in a response dated 27th August 2021 noted *"This is a well thought out noise impact assessment which recommends a condition requiring a noise management plan. I'm assuming, though cannot find evidence of the fact, that these lodges are intended for people to either own as a holiday home or to be rented out to holiday makers, and not to be lived in permanently/semi permanently. You may wish to clarify this with the agent and whether Housing have any concerns in this respect.*

*In order to avoid a condition discharge the applicant could submit the same or similar noise management plan, though it has to be something the operator is comfortable with, and be tailored to the way they want to run the business. It probably is a little excessive in parts regarding customer behaviour. It also implies that there will be a warden on site. Is this in permanent living accommodation and will they be available 24/7?*

*The distance from neighbouring residents and the intervening road is likely to be sufficient to protect neighbouring residents from undue disturbance from noise. However care will have to be taken if for example they choose to site a play area.*

*Therefore I have no objections subject to either a condition requiring a noise management plan, or submission of it as part of the application "*

The EHO suggested a play park curfew of 10pm and was advised that the units would not be permanently occupied and a warden would not be on site permanently.

The Agent has confirmed that the Applicant is content to discharge a condition relating specifically to a Noise Management Plan. This condition would require the NMP to be submitted to and agreed in writing prior to the occupation of the site. Any incoming document would be further reviewed with the Council's Environmental Health Team to ensure that this is a robust document. It would be expected that a complaints policy and annual review would be built into this and this would be reflect within the condition.

It is therefore considered that subject to condition, 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.

Following review of the proposed plans and the Highways Access Appraisal (Local Transport Projects July 2020) The North Yorkshire Highways Officer entered into negotiation on this proposal and sought further information from the Agent, confirming that they required the Highway Appraisal based on the Design Manual for Roads and Bridges rather than the Manual for Streets. The former has higher requirements and is more suitable for higher speed environments. Whilst this access is within a 30mph limit, the Highways Officer deemed this to be the correct basis for assessment.

The North Yorkshire Highways Officer confirmed in a consultation response dated 4th August 2021 *“In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:*

*The design standard for the site is DMRB and the required visibility splay is 2.4 metres by 90 metres with an object height of 0.6 metres and 1.05 eye height to the north of the application site and 2.4m by 70 metres with an object height of 0.6 metres and an eye height of 1.05 metres to the south of the application site. The available visibility is lower than that required at 2.4 metres by 70 metres however, subject to re-profiling of verge and, foliage removal the required visibility splay could be achieved.”*

During the determination period, improvements were made to the level of car parking available, which is now in line with the NYCC Highways standard requirements for new residential developments in the open countryside as outlined in the proposal section. NYCC confirmed that they had no specific policy or standard in relation to parking spaces for new holiday accommodation such as this, but a higher level is considered appropriate to help ensure that there is not an associated effect on the surrounding road network.

Appropriate conditions were recommended, including on the access, visibility splays, securing the retention of the agreed parking spaces and a construction management plan.

#### v) Drainage

As noted a detailed arrange of drainage documents were provided in support of this proposal including a Flood Risk Assessment. Foul water is proposed to adjoin the mains sewers in the village and a surface water attenuation pond will be provided within the site.

Yorkshire Water were consulted on this proposal and confirmed no objection subject to a compliance condition and a condition to ensure separate systems of drainage for foul and surface water are secured, which is as proposed.

The York Internal Drainage Board noted that strictly on the basis of Yorkshire Water being content, a compliance condition with the Drainage Strategy Drawing.

The Lead Local Flood Authority have responded to the proposal to confirm *“The submitted documents demonstrate a reasonable approach to the management of surface water on the site. I recommend that the following conditions are attached to any permissions granted:”* These relate to a standard detailed drainage design condition to ensure that the SW arrangements are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance, runoff storage requirements and maintenance info and exceedance and flow routes.

It is considered likely that suitable additional documents can be provided to satisfy the LLFA as part of a discharge of conditions file. It is acknowledged that Yorkshire Water and the IDB were already content with the level of information provided. However, given the additional information sought by the LLFA it is considered appropriate to not attach the two recommended compliance conditions from YW and the IDB at this time for the avoidance of any doubt, but instead to attach the LLFA conditions to secure the submission of this additional information. In light of this approach, the submitted drainage plans shall not form part of the approved plans condition.

vi) Other Matters including Consultation Responses.

A Preliminary Ecological Appraisal (Wold Ecology May 2020) was submitted and this identified there were no designated site constraints in terms of ecology.

North Yorkshire Ecology were consulted on the proposal and they recommended conditions to require the submission of an Ecological Construction Method Statement prior to the commencement of development (to include further detail of tree and hedge protection during the construction phase) and the submission of an Ecological Enhancement and Management Plan to retain and enhance features. These will be controlled by condition.

It is noted that Page 14 of the Design and Access Statement refers to the sustainability of the proposed development including sustainably sourced timber with low carbon energy design amongst other aspects.

The North Yorkshire Archaeologist noted that *“The development area contains the well preserved remains of part of a medieval ridge and furrow field system. The ridge and furrow forms part of the medieval open field system surrounding Sheriff Hutton which is particularly extensive on the north side of the village. The ridge and furrow is a heritage asset in its own right and is certainly of local interest in that it relates directly to the setting of the Conservation Area and Scheduled Monument of Sheriff Hutton Castle. It makes a significant contribution to the medieval character of the settlement. The proposal will have a localised impact on part of the medieval field system but will not destroy it in its entirety. The local authority should take into account the value of the ridge and furrow, which is a non-designated heritage asset, when forming its planning decision (NPPF para. 197).”*

This was reviewed with the Agent who noted the following:

- *The design team were aware of the presence of the rig and furrow from the beginning of the project and its presence was taken into account with the design*
- *The lodges are designed to sit on top of the ridges rather than be “cut” in to them using low impact foundations*
- *The proposed road infrastructure has been designed to run in parallel with the ridges for the majority of the development*
- *It is not intended to level the site in any way. The intention is to maintain the vast majority of the rig and furrow in situ*

This response is acknowledged and the low impact of the lodges on the field system is welcomed, together with the other highlighted aspects. It is also noted that the proposed lodges would be completed on low ‘stilts’ to further reduce impact as detailed in the Design and Access Statement.

In terms of impact on the setting of the Conservation Area and Scheduled Ancient Monument, due to the mature screening to the south of the site and the relatively low level of the proposed units, together with the distance and intervening village development, there will be very little if any intervisibility between the site and the heritage asset

The matter was further discussed again with the NYCC Archaeologist to ascertain whether there would be any potential for a condition of archaeological monitoring and they noted that in a ridge and furrow field system, this would be unlikely to advance understanding. However they acknowledged the steps undertaken by the Agent and the relatively low impact of the development on the ridge and furrow system.

### 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 detailed highway conditions, the submission of the Noise Management Plan, further details of lighting, compliance with the proposed landscaping scheme and 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, SP8, SP9, SP12, 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):

Site Location Plan (Drawing no. (03)01)  
Proposed Site Plan Drawing no. (03)02 Rev P07 (including Site Landscaping)  
Proposed Site Sections (Drawing no. (03)06 Rev P05)  
Proposed Site Sections Sheet 2 (Drawing no. (03)09 Rev P04)  
Proposed Warden's Unit (Drawing no (03)07 Rev P01)  
Proposed Typical Unit 01 2 Bedrooms (Drawing no. (03)03 Rev P01)  
Proposed Typical Unit 02 3 Bedrooms (Drawing no. (03)04 Rev P01)  
Proposed Typical Unit 03 4 Bedrooms (Drawing no. (03)05 Rev P01)  
Detailed Landscape Proposals (Drawing no. 3717/5 Rev A) (Northern Boundary)

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 boundary landscaping contained within the Proposed Site Plan (Drawing no (03)02 Rev P07) and the Detailed Landscape Proposal Plan (Drawing no. 3717/5 Rev A) are considered to relate to a high quality scheme. Further details are required in relation to internal landscaping.

4            The development hereby approved shall be not become operational/occupied by holidaymakers until a Site Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The approved Noise Management Plan shall be reviewed after a year from the date of this planning permission (or earlier at the request of the Local Planning Authority, following receipt by either the Local Authority or the venue of a verified and justified complaint(s)), to ensure that measures to limit noise and other disturbance are maintained.

Reason: To prevent harm to neighbouring amenity by virtue of noise impacts in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 5 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 neighbouring amenity, in accordance with the aims of Policy SP13 Landscapes and Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 6 The holiday accommodation hereby permitted shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days in any one calendar year.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 7 The owners/operators of the holiday accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:
- the main address(es) of all the occupiers of the accommodation hereby permitted
  - the start date of every one of the letting/occupations and of all the occupiers of the accommodation hereby permitted
  - supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 8 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 ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

9 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 2.3 litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

10 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

11 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

12 Prior to the commencement of the development, an Ecological Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority in conjunction with North Yorkshire County Council Ecology. This document shall provide further detail on and illustrate in plan form the retention and protection measures set out in the Preliminary Environmental Appraisal and Phase 1 Habitat Survey (Wold Ecology May 2020). This shall include measures for protection of hedgerows and trees during the construction phase to the appropriate British Standard. All agreed protection measures shall be installed prior to the commencement of any above or below ground construction work and shall be retained until written approval for their removal is given by the Local Planning Authority.

Reason: In the interest of protection of the natural environment during the construction phase in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

13 Prior to the commencement of the development an Ecological Enhancement and Management Plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with North Yorkshire County Council Ecology. This document shall detail the ecological enhancement measures to be incorporated within the development site and a schedule of management of the retained and enhanced features.

Reason: In the interest of protection of the natural environment in accordance with Policy SP14 of the Ryedale Plan, Local Plan Strategy.

14 The crossing of the highway verge and/or footway must be constructed in accordance with

the approved details dwg no. 20020-VB-XX-XX-DR-A-(03)02 revision P07 and Standard Detail number E50 Rev A and the following requirements.

- o Any gates or barriers must be erected a minimum distance of 2 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
  - o Provision to prevent surface water from the site discharging onto the existing or proposed highway must be approved prior to construction.
  - o The final surfacing of any private access within 2 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
  - o Measures to enable vehicles to enter and leave the site in a forward gear.
- All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users and to accord with the requirements of Policy SP20 of the Ryedale Plan, Local Plan Strategy.

#### MHi-C New and altered Private Access or Verge Crossing -(MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf).

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 15 There must be no access or egress by any vehicles between the highway and the application site at Land at Daskett Hill until splays are provided giving clear visibility of 90 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with the requirements of Policy SP20 of the Ryedale Plan, Local Plan Strategy.

#### MHi-D Visibility Splays -(MHC-05)

An explanation of the terms used above is available from the Local Highway Authority. MHC-10 Parking for Dwellings

No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development and to accord with the requirements of Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 16 No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken

in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
6. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
7. protection of carriageway and footway users at all times during demolition and construction;
8. protection of contractors working adjacent to the highway;
9. details of site working hours;
10. measures to control and monitor construction noise;
11. an undertaking that there must be no burning of materials on site at any time during construction;
12. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
13. details of the measures to be taken for the protection of trees;
14. details of external lighting equipment;
15. details of ditches to be piped during the construction phases;
16. a detailed method statement and programme for the building works; and
17. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity and to accord with the requirements of Policy SP20 of the Ryedale Plan, Local Plan Strategy.