

Item Number: 9
Application No: 21/01402/MFUL
Parish: Pickering Town Council
Appn. Type: Full Application Major
Applicant: Mr Atkinson (Flower of May Holiday Parks Ltd)
Proposal: Change of use of land to form an extension to Upper Carr Holiday Park, including the layout and formation of internal access roads and hard standings, the siting of an additional 127 static caravans each with parking, formation of a recreation area, provision of a new caravan sales area and associated car parking spaces for 8 no. visitors, siting of park manager's accommodation, reduction of the number of permitted units in the existing park from 100 to 75, construction of a relocated site access onto the A169 Malton Road and site landscaping including 2 no. lakes
Location: Land at OS Fields 5760 3770 3776 Upper Carr Lane Pickering North Yorkshire
Registration Date: 13 October 2021
8/13 Wk Expiry Date: 12 January 2022
Overall Expiry Date: 18 February 2022
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Sustainable Places Team (Environment-Agency)	Objection (further information required in relation to the non-mains foul drainage system)
Pickering Town Council	No objections
Highways North Yorkshire	No objection recommend conditions
Vale Of Pickering Internal Drainage Board	No objection recommend condition
NYM National Parks	No objection request condition on external lighting
NYCC Natural Services	Condition and informatives
Yorkshire Water Land Use Planning	Recommend conditions
Lead Local Flood Authority (LLFA)	Recommends conditions
Environmental Health	No response received
Tree & Landscape Officer	No response received
Caravan (Housing)	No response received

Re-consultation (further drainage information)

Sustainable Places Team (Environment-Agency) No objection recommend conditions

Representations (1): Mr and Mrs P J Norman (objection)

BACKGROUND:

The application is to be determined by Planning Committee as a major development because the application site exceeds 1 hectare in size. In addition a representation received in response to the consultation exercise has raised objections based on material planning considerations.

As required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the application has been screened and the Local Planning Authority has determined that the proposal

does not constitute EIA development and need not be accompanied by an Environmental Statement.

SITE:

The application site amounts to approximately 6.8 hectares of land immediately to the north and east of the Upper Carr Holiday Park. The site is within the open countryside approximately 1.5 miles south of Pickering and 7 miles north of Malton.

Upper Carr Holiday Park provides static units for owners with consent for the siting of up to 100 units and this proposal would form an extension to the existing park.

The application site is bounded by the A169 Malton Road to west, agricultural land to the north and east and the existing holiday park and Upper Carr Lane to the south. The site is broadly flat agricultural land (majority being classified as Grade 4 poor quality agricultural land) with boundaries on all sides comprising hedgerows and hedgerow trees.

Access to the existing holiday park is currently gained off the A169 then via Upper Carr Lane on the southern side of the park. Access to the application site can be gained via a field gate in the western boundary providing access off the A169 or via Upper Carr Lane through the existing park.

Land use within the area is predominately for agricultural or tourism/holiday purposes interspersed with sporadic residential development. The Black Bull Caravan Park is immediately to the west of the application site on the opposite side of the A169 and Pickering Lodges is located immediately to the south of Upper Carr Lane. It is also noted that the Ryedale Exhibition and Leisure Village to the west of the application site on the opposite side of the A169 was granted planning permission in 2013 for 133 lodges and associated facilities which is subject to lawful commencement but not yet completed. Flamingo Land theme park, zoo and resort is located some 3km to the south west. The residential receptors nearest the application site comprise Lilac Cottage to the west; Brookside House to the south west and Willow Dene to the south.

There are a number of land drains, watercourses and becks in the area and the majority of the application site is within Flood Zone 3. Pickering Beck is approximately 1.3km to the west of the application site. Beyond the eastern boundary of the application site lies Outgang Drain, an ordinary watercourse managed by the Vale of Pickering Internal Drainage Board. There is a pond 10 metres north of the application site boundary and two other ponds are located within 150 metres of the application site.

There are no national or local nature conservation, heritage or landscape designations associated with the site. The boundary of the National Park is approximately 1.5km to the north east of the site.

HISTORY:

The planning history relevant to the application site is as follows:

21/00871/MFUL- Change of use of agricultural land to form an extension to Upper Carr Holiday Park, including the layout and formation of internal access roads and hard standings to allow the siting of an additional 127 static caravans, formation of a 0.82 hectare recreation area, revisions to the layout of the existing Upper Carr Holiday Park to provide a new caravan sales area and associated car parking spaces for 8 no. visitors, reduction in the number of permitted units from 88no. to 57no. formation of a relocated access onto Carr Lane and site landscaping including 2 no. lakes. WITHDRAWN 13.10.2021.

N.B. The application was subject to an objection from the Local Highway Authority due to unacceptable visibility at the existing access. The application was withdrawn to allow the applicant to reconsider the proposed access arrangements and liaise with the Local Highway Authority in relation to a revised proposal.

The planning history associated with the existing Upper Carr Holiday Park dates back to the 1970's. Permission was first granted in 1973 for 60 caravans. This was increased to 100 in 1976. Numerous

permissions have been granted over the years but with no increase in the overall figure of 100 units. In the last 20 years the site has primarily provided for static caravans.

PROPOSAL:

Planning permission is sought for the change of use of land to form an extension to Upper Carr Holiday Park, including the layout and formation of internal access roads and hard standings, the siting of an additional 127 static caravans each with parking, formation of a recreation area, provision of a new caravan sales area and associated car parking spaces for 8 no. visitors, siting of park manager's accommodation, reduction of the number of permitted units in the existing park from 100 to 75, construction of a relocated site access onto the A169 Malton Road and site landscaping including 2 no. lakes.

The proposed development comprises the following:-

- Construction of a new junction in the north west site boundary to provide access onto the A169 Malton Road;
- Change of use of agricultural land to the north and east of the existing park to form an extension to the existing Upper Carr Holiday Park;
- Formation of 127 new concrete bases for the siting of static caravans (37no. in northern extension and 90no. in the eastern extension);
- Formation of new internal access roads (4.5m wide);
- The formation of a permeable blockwork surfaced car parking bays;
- Formation of two new waterbodies in the eastern extension of the park;
- Creation of a recreation area on the western side of the northern extension;
- Installation of new drains to facilitate the management of surface water;
- Installation of Klargestor Biodisc BM or similar specification package water treatment plant for the management of foul water;
- Provision of new landscape planting within the application site and along the site perimeter;
- Establishment of a caravan sales area adjacent to the northern boundary including the provision of a small sales office measuring 4.4 metres in length by 3.4 metres in width with external decking to entrance;
- Siting of warden's accommodation comprising single storey lodge measuring 12.8 metres in length by 6.1 metres in width with external patio area in the north west of the site.
- Reduction in the number of holiday homes provided in the existing holiday park from the currently permitted 100 to 75; and
- Cessation of use of the existing caravan park access off Upper Carr Lane for all but emergency use.

As a result of the proposed reduction in the number of units within the existing site the proposed development would result in a net gain of 102 static units (202 units across the whole holiday park). No touring or camping pitches are to be provided.

Each static unit within the application site would be single storey with dimensions of 12.4 metres in length by 4.9 metres in width with external decking. Externally the units would be clad in muted colours. There would be 7 metres spacing between each unit and each unit would be set back 4 metres from the internal access road.

The planning application is accompanied by a Planning Statement; Transport Statement (& Supplementary Transport Note); Flood Risk Assessment and Drainage Assessment; Flood Evacuation Management Plan; Landscape and Visual Impact Assessment; and Ecological Appraisal.

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)

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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

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

REPRESENTATIONS:

The LPA has received one representation from the occupants of Lilac Cottage, Malton Road, Pickering. The representation states the following:

“Traffic generation

Lilac Cottage is only a few metres from the edge of the A169 and has bedroom windows that face directly onto the proposed entrance this is going to cause problems with noise of accelerating vehicles and headlights particularly during the hours of darkness in the late evening the lights will flash across the full width of our property.

Highway safety

The A169 is already an extremely busy and dangerous road particularly during the weekends, the addition of another tee junction is only going to increase the risk of accidents on this stretch where we already have junctions in to Upper Carr lane and the Black Bull holiday park. Our particular concern is that any vehicle having to take avoiding action to miss a vehicle pulling out unexpectedly could potentially end up coming in to our property.

There will also be a significant increase in the number of pedestrians crossing to access the footpath to the Black Bull pub or walk in to Pickering, crossing this road can be quite difficult during busy periods from our observations pedestrians often don't realise how close they have been to getting hit by a car when they cross”.

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 84 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 site is in relatively close proximity to the scenic landscapes of northern Ryedale and the type of accommodation proposed would contribute to the range and choice of tourist accommodation available to visitors to the District.

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 extension to an existing and established site and is considered acceptable in principle subject to consideration of the landscape and visual impact, highways safety, flood risk, local amenity, biodiversity and occupancy restrictions. The caravan sales is considered to be ancillary to the holiday park business and the manager’s accommodation is appropriate for a park of this size subject to occupancy being tied to the holiday park business.

Landscape and visual impact

The site is located within the open countryside. Policy SP20 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 existing holiday park has consent for 100 units but as part of this proposal will be limited to 75 units as shown outlined in blue on the proposed site plan. The application site is a substantial extension to the existing park into the fields to the north and east of the site and allows for 127 static units.

The application is accompanied by a Landscape and Visual Impact Assessment which considers the likely effects of the proposed development on both the landscape and visual receptors. There are no landscape designations associated with the site.

The Vale of Pickering has some expansive open views despite the low lying topography. The existing site is relatively well screened by mature hedges and hedgerow tree planting, which act as a partial screen for the static caravans and soften long distance views of the site.

The land use in the locality is predominately agricultural but with relatively large scale tourist/holiday parks nearby. There are no public rights of way immediate to the site or residential receptors with direct, uninterrupted views of the site. There will be fleeting views of the extension site from the A169 and this would continue to be the case but to a lesser extent with regards to the north western part of the extension site. The north western part of the extension site incorporate a buffer from the road which includes the landscaped recreational space and sales area and as a result the static units would be enclosed by planting on the western side and in excess of 100 metres from the public highway.

The proposed site layout is not overly regimented and the individual units are arranged with an appropriate density and spacing. The proposal confirms a muted colour scheme for the exterior cladding of the units which will be controlled by details approved by condition. The careful selection of a mixed palette of muted colours for the cladding would minimise uniformity and assist in screening out the lighter coloured units situated within the existing holiday park particularly when viewed from the north. The mitigation also includes additional tree planting, additional hedgerow planting and management of existing hedgerows which combined with a sympathetic colour scheme for the static units would assist in integrating the proposed development into the surrounding landscape.

It is considered that the site design provides scope for a comprehensive scheme of landscaping based on indigenous species of sufficient density to reduce the visibility of the static caravans. A condition shall

secure a detailed scheme of landscaping.

The North York Moors NPA does not raise any concern in relation to any impact on the setting of the National Park and a condition shall be applied to control external lighting in the interest of reducing light pollution.

The LVIA finds that development would result in a low magnitude of change on local landscape character and therefore give rise to an overall minor level of adverse landscape effect. The visual impact would range from moderate adverse to negligible with greater impacts immediately after the completion of construction which would be lessened as planting establishes over 5-10 years reducing impacts to a range from negligible to minor beneficial.

Taking account of the existing land use in the area and existing and proposed planting the extended site will not be overly prominent or incongruous within the local landscape. The proposed use of the land would not interrupt any key views or erode the appearance 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.

Highways impact

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

The proposal involves a net increase of 102 static caravans on the site overall with site access via the A169 Malton. The A169 Malton Road is a strategically important principle road, connecting Malton and Pickering carrying some 13,000 vehicles per day of which approximately 15% are Heavy Goods Vehicles. The A169 is a two way single carriageway subject to a 60mph speed limit. The representation from the local resident has cited highway safety as a concern.

The earlier application (see planning history) proposed that access for the extended Holiday Park would continue to be via the existing Upper Carr Lane/A169 junction. However, in light of the volume and speed of traffic on the A169 and the proposed intensification of use of the existing access it was deemed that the visibility to the south was unsatisfactory and the proposal was unacceptable in terms of highway safety. The application was withdrawn in order to address the objection from the Local Highway Authority.

The current planning application is accompanied by a Transport Statement and Supplementary Transport Note and the applicant's assessment involved analysis of collision data and results of a speed survey. The revised application proposes that the whole holiday park as extended is served by a new site access located directly onto the A169 Malton Road, with the existing vehicular access off Upper Carr Lane being closed off to holiday park traffic except for emergency access.

The applicant's Transport Statement considers potential trip generation of the additional caravans. It states that the proposal would generate an additional nine two-way vehicle trips during the AM peak hour and up to 29 additional two-way vehicle movements during the PM peak hour and over the day some new 280 trips. The highways officer acknowledges that this would be a significant increase in traffic generation compared to the current site although it is accepted that traffic flows for holiday accommodation are seasonal and there is likely to be reduced occupation at certain times of the year with a corresponding reduction in traffic generation.

The applicant has demonstrated that appropriate visibility splays onto the A169 would be available at the location proposed for the new site access. The applicant has also undertaken a capacity check on the proposed new site access and demonstrated this would operate well within capacity with the new development traffic. It is also noted that the site will not generate touring caravan movements.

The highways officer recommends that provision is made for pedestrians to continue to access the site via Upper Carr Lane allowing a route to and from the existing bus stops on the A169 to the south of the

development site. Alternatively a new footway could be provided along the southbound verge of the A169 from the new site access that connects to the bus stops.

There are no Local Highway Authority objections to the proposed development subject to conditions being imposed in relation to the formation of the new access; creation and maintenance of visibility splays; off-site highway mitigation measures (pedestrian route, removal of layby, closure of park access off Upper Carr Lane & warning signage); provision of parking and turning areas; a travel plan; and construction management plan.

It is considered that, taking account of anticipated traffic movements associated with the proposed development and proposed access and visibility, subject to the recommended highways conditions 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.

It is also considered that sustainable modes of transport are available in close proximity to the site in terms of the network of Public Rights of Way and proximity to nearby bus stops with regular stops during weekdays and weekends.

Flood Risk and Drainage

The majority of the application site is within Flood Zone 3 (High Risk). The recreational area proposed to be created within the western side of the site is in Flood Zone 1 (Low Risk). The application is accompanied by a Flood Risk Assessment (FRA). The proposal is classified as a 'more vulnerable' use.

The applicant's FRA is based on detailed information provided by the Environment Agency which indicates flood waters up to 0.342m depth and 0.386m/s velocities during the 1 in 100 year +20% climate change scenario (1% AEP). This is isolated to the western and southern areas of the application site.

The FRA recommends that all finished floor levels are sited approximately 600mm above ground level and all static caravans are securely tethered to the ground. The inherent design of static caravans allows for this but it shall be secured by condition for completeness.

The existing holiday park is a largely within Flood Zone 3 and currently operates in accordance with a flood evacuation and management plan which will be carried over to the extension site. A condition shall be imposed to require the site is operated in accordance with an up to date flood evacuation and management plan at all times.

The FRA identifies that the proposed development would result in the loss of approximately 2 hectares of land that is currently wholly permeable, to be replaced by internal access roads which would be impermeable and hard standings which would be semi-permeable.

The conclusion of the FRA is that no particular source of flooding has been identified as a risk to the site and the proposed development would not increase the risk of flooding elsewhere subject to incorporating the abovementioned mitigation and a suitable surface water management strategy.

The applicant's Drainage Assessment calculates that the greenfield run off rate should be restricted to 8.2l/s (with flow control device) with a required surface water storage volume calculated as being 594 cubic metres. Soakaway testing has proved the site to be suitable for partial infiltration with a restricted discharge to the existing watercourse. The proposed roads within the site would have a 300mm layer of Type 3 voided stone beneath the sub-base to provide 680 cubic metres of storage and allow partial infiltration of surface water. In addition trenches would run adjacent to the new roads to collect surface water run off with discharge to the drain to the south of the site.

The LLFA state that the submitted documents demonstrate a reasonable approach to the management of surface water on the site and there are no objections from the Environment Agency, Yorkshire Water or the IDB subject to standard conditions.

With regard to foul drainage the closest public sewer is 1.35km north of the site and is therefore not a viable option. At present foul water is treated by an onsite plant which discharges treated effluent to the adjacent watercourse. The package treatment plant will be upgraded to facilitate the extension to the holiday park and the Environment Agency have recommended conditions in relation to foul drainage.

It is considered that the development can incorporate a suitable drainage scheme and would not increase flood risk at the site or elsewhere and that suitable mitigation can be incorporated subject to conditions and the proposal complies with Policy SP17.

The NPPF and Policy SP17 require the LPA to direct development to areas with lowest probability of flooding (a risk based sequential approach). The sequential test should demonstrate that there are no reasonably available sites in the area with a lower probability of flooding that would be appropriate for this type of development. National Planning Policy Guidance classifies the proposed development as a 'more vulnerable' use and, being located within Flood Zone 3, an 'exception test' is also required.

National Planning Practice Guidance (NPPG) encourages a pragmatic approach to sequentially testing of proposed expansions of existing sites stating that "*When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere*".

It is noted that Policy SP8 supports the proposed development in this location and there are no national or local nature conservation, heritage or landscape designations associated with the site. There are few opportunities for holiday park development in the open countryside that are outside sensitive areas.

With regard to the sequential approach the NPPG acknowledges the impracticalities of locating additions to existing business sites/premises outside of areas at risk of flooding that may prevent the effective operation of that business. It is considered that extensions to existing static holiday caravan sites should be considered in this way as, while static holiday caravans could physically be located almost anywhere, they require the support of holiday park services, staffing and infrastructure to operate. The existing holiday park is well established and benefits from existing drainage systems; landscaping, internal access roads; reception building (with games room and laundrette); and a children's play area.

It is considered that the proposed additional units would not be suitable in a location away from the existing onsite facilities and infrastructure. Therefore, while it is always most ideal to locate development in the lowest possible flood risk, the development cannot occur anywhere else in this instance other than on land adjacent the existing holiday park. Therefore, there are no reasonably available sites for the proposed development in areas of lower flood risk and the proposal passes the sequential test.

The application is accompanied by a site-specific flood risk assessment (FRA) which informs the 'exception test'. Paragraph 164 of the NPPF states that *'To pass the exception test it should be demonstrated that:*

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

(b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

With regard to (a) and the sustainability benefits there are several economic benefits to the proposed development, including additional tourism spend in the District and retention and creation of employment at the holiday park and additional spend supporting businesses that supply the holiday park.

In addition there are benefits arising from the development in terms of road safety and sustainable travel. The new access would have improved visibility and remove holiday park traffic from Upper Carr

Lane. It is also noted that the park would no longer be accessed by vehicles towing touring caravans. In addition the off-site highway improvements include the provision of warning signs; a pedestrian crossing point on the A169; and footway links connecting to the nearby bus stops.

There are also biodiversity benefits arising from the extensive native tree, hedge and shrub planting, formation of waterbodies and habitat creation.

It is considered that the identified benefits outweigh the flood risk.

With regard (b) the discussion earlier in this report has established that subject to incorporating the recommended mitigation; surface water drainage strategy; and the flood evacuation and management plan the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

It is considered that the proposed development incorporates a flood resistant and resilient design that is appropriate given its location within Flood Zone 3. It is considered that the proposed development would give rise to wider sustainability benefits and would not increase flood risk at the site or elsewhere and complies with Policy SP17 and satisfies both elements of paragraph 164 and 165 of the NPPF ('the exception test').

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 existing site is well established although there are residential receptors in relatively close proximity to the application site. There have been concerns raised by the occupants of Lilac Cottage which is situated to the west of the site across the A169 from the proposed access. The concern is in relation to potential disturbance and nuisance arising from noise of vehicles using the access and headlights particularly during the hours of darkness.

Lilac Cottage is a single storey dwelling which is separated from the application site and access by the A169. Road traffic using the A169 is the dominate noise source in the area. It is considered that noise from vehicles entering and leaving the site would be negligible. Lilac Cottage stands at an oblique angle in relation to the access and also benefits from an establish hedge along its eastern boundary. It is not anticipated that the number of vehicles leaving the site during the hours of darkness would have a material impact in terms of loss of amenity for occupants from car related light nuisance.

In terms of any potential noise disturbance from holidaymakers staying within the extended holiday park it is considered that the impact would be negligible particularly given the separation distance and intervening road, static units and planting. To address any potential for light pollution from static sources 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.

Ecological impact

The application is accompanied by a Preliminary Ecological Appraisal (PEA) which identifies habitats and species within or adjacent to the site. For the majority of the species identified the application site does not provide suitable habitat and no further surveys have been recommended.

However, there is a pond 10 metres north of the application site boundary and records indicate that populations of great crested newt are found within that pond. A further two ponds are located within 150 metres of the application site. In response the applicant has undertaken a presence/absence survey and

population size class assessment and the result is that a Natural England Development Licence is required and a provisional method statement has been submitted. The development also includes compensation measures to be undertaken to create a minimum of 0.5 ha of optimum terrestrial and aquatic great crested newt habitat within the application site. These matters shall be secured by condition. In addition, in respect of birds, the PEA recommends restrictions on the timing of clearance works.

The County Ecologist is satisfied subject to conditions to secure the mitigation identified in the Preliminary Ecological Appraisal.

Occupancy restrictions

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 existing Holiday Park already operates on the basis of offering year-round holiday accommodation and this would apply to the extension site the subject of this application.

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 to prevent the occupation of any holiday accommodation as a person’s primary residence.

Conclusion

The principle of the use of the land as an extension to an existing and established holiday park aligns with national and local planning policy relating to the sustainable development of tourism and the rural economy. The proposal represents an appropriate expansion of an established caravan park that would improve the viability of the business, retain and create 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 additional static units can be accommodated without giving rise to unacceptable visual intrusion or an adverse impact on the character of the open countryside.

The proposed development would not have an unacceptable impact on landscape and visual amenity, residential amenity, biodiversity and highway safety. Furthermore the development would provide wider sustainability benefits (economic; tourism; highway safety & biodiversity) which outweigh the flood risk which, in any event, can be suitably mitigated and managed through a surface water management scheme secured by planning conditions. In light of the above assessment, it is considered that, on balance, the proposal is acceptable and that it complies with Policies SP1, SP8, 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 plans:

Site Location Plan ref. 2020.40.71/1, dated 04.10.2021
Planning application boundary ref. 2020.40.71/2, dated 04.10.2020
Site Plan as Proposed Scheme B ref. FM UC 1809 5 E, dated January 2022
Plans, Elevations and Section of Proposed Park Manager's Accommodation ref. FM UC 1809 6, dated September 2021
Plan, Elevations and Section of Proposed Caravan Sales Unit ref. FM UC 1809 7, dated September 2021

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

- 3 The development must not be brought into use until the access to the site at the A169 Malton Road has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The access must be formed with radius kerbs, to give a minimum carriageway width of 5.5 metres, and that part of the access road extending 10 metres into the site must be constructed in accordance with Standard Detail E60 Rev and the following requirements.

- Any gates or barriers must be erected a minimum distance of 16 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- That part of the access extending 10 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 30.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 10 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.

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 in compliance with Policy SP20.

- 4 There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 160 metres measured along both channel lines of the A169 from a point measured 2.4 metres down the centre line of the new site access road. In measuring the splays, the eye height must be from 1.05 to 2 metres and the object height shall be from 0.6 metres to 2m. 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 in compliance with Policy SP20.

- 5 The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Provision of pedestrian route from the development site to the existing bus stops on the A169 located to the south of the site. To be implemented prior to first occupation.
- Provision of a scheme to remove the existing layby, area of hard standing adjacent to the proposed site entrance and return it to highway verge. To be implemented prior to first occupation.

- Provision of a scheme to close off the existing vehicular access on Upper Carr Lane and reinstate the highway verge and provide pedestrian access and vehicular access for emergency only. To be implemented prior to first occupation.
- Provision of warning signs, dropped kerbs and a pedestrian crossing point on the A169 with footway links that connect to the development.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason: To ensure that the design is appropriate in the interests of the safety and convenience of highway users in compliance with Policy SP20.

- 6 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users 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 appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in compliance with Policy SP20.

- 7 Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include: -

- Agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- A programme for the delivery of any proposed physical works;
- Effective measures for the on-going monitoring and review of the travel plan;
- A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- Effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Travel Plan.

Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport in compliance with Policy SP20.

- 8 The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport in compliance with Policy SP20.

- 9 No development shall commence until a Construction Management Plan 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. Restriction on the use of Upper Carr Lane access for construction purposes;
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. Protection of carriageway and footway users at all times during demolition and construction;
7. Protection of contractors working adjacent to the highway;
8. Details of site working hours;
9. A detailed method statement and programme for the building works; and
10. 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 in compliance with Policy SP20.

- 10 The development hereby approved should not commence until a scheme of foul drainage is submitted to and approved by the Local Planning Authority. The scheme should include details such as:

1. An assessment of the feasibility of connecting to the public sewer, prepared in consultation with the relevant statutory undertaker;
2. The design of all on and off-site foul sewage infrastructure including the route and diameter of all new pipe work to be installed;
3. A timetable for the provision of the approved infrastructure, including a requirement for all necessary foul drainage infrastructure to be installed and commissioned prior to the occupation of any of the approved units.

The development shall be carried out in accordance with the approved details and timetable for completion.

Reason: To ensure that the development is served by satisfactory arrangement for the disposal of foul sewage and to comply with the requirements of Policy SP17.

- 11 There shall be no permanent or temporary structures, building or planting within 6 metres of existing watercourses to allow for maintenance access.

Reason: In the interest of satisfactory drainage in compliance with Policy SP17.

- 12 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

- 13 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in compliance with Policy SP17.

- 14 Development shall not commence until a scheme detailing 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 then be implemented as approved prior to the occupation of any of the approved units.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in compliance with Policy SP17.

- 15 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 8.2 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 compliance with Policy SP17.

- 16 No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the Local Planning Authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system in compliance with Policy SP17.

- 17 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 compliance with Policy SP17.

- 18 Notwithstanding the submitted details, the static units shall be single storey only with their heights and elevational treatment including external materials and colour finish for walls and roof submitted to and approved in writing by the Local Planning Authority prior to their installation on site. The external walls of the units shall have a matt, non-reflective colour finish.

Reason: In the interests of visual amenity, and to satisfy the requirements of Policies SP16 and SP20.

- 19 Unless otherwise agreed in writing with the Local Planning Authority, the materials and colour finishes to be used on the exterior of the manager's accommodation and caravan sales unit shall be in accordance with the details contained within the approved drawings.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20.

- 20 The development hereby permitted shall be carried out in accordance with the Mitigation, Method Statement and Compensation detailed in Sections 7, 8 & 9 in the Great Crested Newt Survey Report March – May 2020, produced by Wold Ecology Ltd.

Reason: In the interests of protected species at the site and to satisfy the requirements of Policy SP14.

- 21 Notwithstanding the submitted details, prior to the installation of any bases for the static units plans showing full details of a minimum of 0.5ha of optimum terrestrial and aquatic great crested newt habitat within the application site shall be submitted to and approved in writing by the Local Planning Authority. The habitat shall thereafter be established and managed in accordance with the details approved.

Reason: To secure the long-term protection of the species and habitats and to satisfy Policy SP14.

- 22 The development hereby approved shall be implemented in accordance with the ecological mitigation contained in the following sections of the Preliminary Ecological Appraisal (PEA) dated August 2020: 8.2.5.1 to 8.2.5.3 (bats, including provision of at least 4 bat boxes on boundary trees); 8.4.5.1 to 8.4.5.5 (birds, including provision of 8 nesting boxes); 8.8.3.7 (buffer zones adjoining drains); 9.2.3.2 (root protection zone for hedgerows); 9.2.3.6 & 9.2.3.7 (planting-up gaps in the northern and southern boundary hedges); 9.3.2 (Method Statement to protect watercourses from pollution and siltation); 9.4.1 (root protection zone for trees).

Reason: To secure the long-term protection of the species and habitats and to satisfy Policy SP14.

- 23 Notwithstanding the submitted details, prior to the installation of any bases for the static units plans showing full details of all landscaping and planting for the application site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the numbers, species, heights on planting and positions of all trees and shrubs including existing items to be retained and shall include details of all seeding and turfing and detail of any bunds/raised landforms to be created. A programme for the timing of all planting, seeding and/or turfing and earthworks and a maintenance schedule shall be agreed by the Local Planning Authority. The landscape planting shall thereafter be laid out, carried out and maintained in accordance with the details approved. Any trees/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 and the setting of the development in accordance with Policies SP8, SP16 & SP20.

- 24 Prior to any hardstanding being laid within the application site full details of all of the ground surfacing materials to be used for roadways, bases, parking areas and paths within the application site shall be submitted to and approved in writing by the Local Planning Authority. No additional hard surfacing shall be laid within the site without the prior written approval of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and to satisfy Policies SP16 and SP20.

- 25 Full details of all external lighting at the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution in accordance with Policy SP20.

- 26 The development hereby approved shall be implemented in accordance with the Flood Risk Assessment (ref: Drainage Assessment Report produced by Mason Clark Associates, dated 15.01.2020, No. 17609-LRP-001-R0).

Reason: To manage and prevent the risk of flooding to and as a result of the development in compliance with Policy SP17.

- 27 Finish floor levels of the static units and manager's accommodation hereby approved shall be set no lower than 600mm above existing ground levels and tethered to the ground.

Reason: To reduce the impact of flooding on the proposed development and future occupants, and to satisfy the requirements of the NPPF.

- 28 There shall be no raising of ground levels in the parts of the site in Flood Zone 3.

Reason: To ensure that there is no loss of storage from the flood plain, and that flood flows are not diverted onto others in compliance with Policy SP17.

- 29 The site shall be operated in accordance with the Flood Evacuation Management Plan at all times which shall be kept up-to-date in accordance with Environment Agency guidance.

Reason: To reduce any potential risk of flooding to the site and to satisfy the NPPF.

- 30 The permission hereby granted shall only authorise the use of the application site for the stationing of 127 static holiday units, in the positions shown on the Site Plan as Proposed Scheme B ref. FM UC 1809 5 E, dated January 2022. The permission hereby granted shall not authorise the use of the land for touring caravans; motor homes 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.

- 31 Notwithstanding the submitted details the maximum number of static caravans on the total site enclosed by the red and blue lines shown on the Site Plan as Proposed Scheme B ref. FM UC 1809 5 E, dated January 2022 shall not exceed 202 units. There shall be no use of the land for touring caravans; motor homes or camping.

Reason: In the interests of visual amenity, highway safety, neighbouring amenity, and to satisfy the requirements of Policies SP16 and SP20.

- 32 The development hereby permitted shall ensure that:

- The tourist 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;
- 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 the static caravans are not occupied on a permanent residential basis, which would be contrary to the requirements of Policies SP1 and SP8 of the adopted Ryedale Plan-Local Plan Strategy. This condition is imposed in accordance with the requirements of Policies SP8 and SP21.

- 33 The occupation of the manager's dwelling shall be limited to a person solely or mainly employed, or last employed in the Upper Carr Holiday Park business, or a widow or widower of such a person, or any resident dependant(s). The dwelling shall at no time be sold off separately from the business.

Reason: To ensure that the proposed dwelling is occupied by persons connected with business as the site is located in open countryside where residential development would not normally be permitted and to comply with Policies SP1, SP2 & SP21.

INFORMATIVES:

Ecology

- The applicant should be mindful of the advice regarding the Ash tree referred to in sections 8.2.3 & 8.2.4 of the Preliminary Ecological Appraisal (PEA) dated August 2020, in case this tree needs to be removed in future.
- The applicant should be mindful of the advice concerning Hedgehogs contained in section 8.7.4 of the Preliminary Ecological Appraisal (PEA) dated August 2020. The installation of hedgehog boxes is left to the applicant's discretion.
- The applicant should be mindful of the advice concerning timing of hedgerow removal contained in section 9.2.3.1 of the Preliminary Ecological Appraisal (PEA) dated August 2020.

Site Licence

- The applicant should contact the Council's Housing Services department to obtain a new caravan site licence.

Internal Drainage Board

- Separate Land Drainage Consent from the Board will be required for new surface water discharge, any changes to existing watercourses and planned road bridge / culvert over existing watercourse.

Environmental Permitting

- This development may require a permit under the Environmental Permitting Regulations (England and Wales) 2016. The applicant is directed to the advice contained in the Environment Agency's consultation response dated 30 March 2022.