

Item Number: 9
Application No: 22/00192/MFUL
Parish: Sheriff Hutton Parish Council
Appn. Type: Full Application Major
Applicant: Miss Lucy Ratcliff
Proposal: Change of use of agricultural land to a wild camping site to include siting of a maximum of 10no. canvas tents, 10no. camping pods, 5no. yurts, 9no. off-grid composting toilets, 6no. off-grid LPG shower units and 1no. non-permanent site office/reception and formation of new vehicular access off the C91 and area of hardstanding and closure of 2no. existing accesses off the C91 (part retrospective)
Location: Land Off Stittenham Hill Bulmer

Registration Date: 1 March 2022
8/13 Wk Expiry Date: 31 May 2022
Overall Expiry Date: 22 August 2022
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Highways North Yorkshire	Recommends refusal (unsatisfactory visibility)
Lead Local Flood Authority	No objection
Natural England	No objection
Sheriff Hutton Parish Council	No objection
Caravan (Housing)	No objection
NYCC Natural Services	Comments
Yorkshire Water Land Use Planning	No observations required
Ellie Hook AONB Manager	Comments
Tree & Landscape Officer	No response received
Sustainable Places Team (Environment-Agency)	No response received
Public Rights Of Way	No response received

Re-consultation (revised description of proposed development; revised site plan; and updated Ecological Appraisal)

Highways North Yorkshire	Recommends conditions
Sheriff Hutton Parish Council	No objection but concern about access
NYCC Natural Services	Recommends conditions
Ellie Hook AONB Manager	Comments

Representations (7): *Objections (4):* Jane Hudson, Miles Coope, Mr Nick Saffer, Sally Hemingway
Support (3): John Sykes, Gary Sanderson, Jonathan Sheppard

BACKGROUND:

The application is to be determined by Planning Committee as a 'major development' (as defined by Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015) because the site area exceeds 1 hectare. In addition representations received in response to the consultation exercise have raised objections based on material planning considerations.

SITE:

The application site amounts to approximately 6.7 hectares of land which occupies an elevated position west of Bulmer Hill. The site is within the open countryside located approximately 670 metres south east of High Stittenham and 710 metres west of Bulmer. The site comprises two parcels of land. The majority of the site on the western side is a large, sloping field which was previously in arable use but has been seeded with grassland by the applicant. The boundaries comprise field hedgerows and woodland. The eastern part of the site is a more steeply sloping area of established hawthorn coppice, scrub, with small areas of swamp and grassland.

The site is within the Howardian Hills Area of Outstanding Natural Beauty. The wider landscape comprises mixed farmland, with hedgerows and trees, patches and belts of woodland and isolated farmsteads. The site is within Flood Zone 1.

Access is gained off Stittenham Hill which runs parallel to the northern boundary. There are two existing access points one towards the eastern end of the site near the brow of the hill and a second is positioned further west more centrally within the northern boundary opposite the access to Cross Field Farm.

The nearest residential receptors are those at Cross Field Farm which stands opposite the site 100 metres north of the site boundary; Mill House Farm which is approximately 280 metres south east of the site and West Mill House and West Mill Barn which are 370 metres south west of the site.

There are several public rights of way in the locality. Public footpath no. 25.85/31/1 takes a north-westerly course from Stittenham Hill through Cross Field Farm to link to High Stittenham. Public footpath no. 25.15/10/1 takes a south/south-west route from Bulmer Hill and at its closest point is 210 metres south of the application site. Public bridleway no. 25.85/29/1 follows a southerly course from Stittenham Hill and at its closest point is 65 metres west of the application site.

The eastern part of the application site currently operates as a 'Wild Glamping' site (known as 'Odin's Rest') under an exemption certificate issued by the Secretary of State via the Freedom Camping Club (FCC). The site is currently operating with 2no. bell tents and 2no. yurts although the FCC certificate provides the applicant with an allowance of up to 10no. 'tented units' and 5no. caravans/shepherds huts/moveable structures.

PROPOSAL:

Planning permission is sought for the change of use of agricultural land to a wild camping site to include siting of a maximum of 10no. canvas tents, 10no. camping pods, 5no. yurts, 9no. off-grid composting toilets, 6no. off-grid LPG shower units and 1no. non-permanent site office/reception and formation of new vehicular access off the C91 and area of hardstanding and closure of 2no. existing accesses off the C91 (part retrospective).

With the agreement of the applicant the initial description of the proposed development was amended to identify the maximum number of each type of camping accommodation with a maximum total of 25 units as stated above. In addition, in order to address the concerns raised by the Local Highway Authority in relation to safe access and visibility (discussed later in the report), the application was amended to confirm the proposed access arrangements as set out in the above description of the proposed development.

The part retrospective element of the application relates to the area of hardstanding (car park) which has already been formed adjacent to the existing access towards the eastern end of the site.

The proposal relates to a low density wild glamping site and the accommodation would comprise the following:-

- A maximum of 10no. canvas tents (bell tent; tipi; touareg; and emperor shapes/styles) of which a maximum of 2 shall be 'Big Hat' tipis;
- A maximum of 10no. camping pods; and
- A maximum of 5no. yurts.

The approximate dimensions of the various forms of accommodation are as follows:-

- Canvas tents will range between 4-10 metres in diameter (majority being 5 metres in diameter) with a peak height of maximum 3 metres;
- 'Big Hat' tipis are 10 metres in diameter with a peak height of maximum 6 metres;
- Camping pods will be rectangular in form with the majority being approximately 15m² up to maximum of 22m² and maximum height of 2.3 metres; and
- Yurts will range from 3-8 metres in diameter (majority being 5 metres in diameter) with a peak height of maximum 3 metres.

In terms of colour finishes the applicant is opting for muted/recessive tones for the tent canvas such as khaki or natural sand colours.

As shown on the proposed site plan the units/pitches would be generously spaced equating to less than 4 units per hectare. The two largest structures ('Big Hat' tipis) would be sited on lower ground towards the south-west corner of the site. The applicant proposes that the site is open all year round although the tented accommodation would be removed during the winter months.

In addition to the tourist accommodation the ancillary structures would comprise 9no. off-grid composting toilets, 6no. off-grid LPG shower units and 5no. log powered hot tubs. The toilets and showers would link to gravel soakaways on-site.

The proposed site office/reception unit would be positioned adjacent to the car park to the west of the sloping area of scrub/hawthorn coppice. The rectangular unit would measure 7.2 metres by 4.8 metres and would stand 2.5 metres to the eaves and 3 metres to the ridge of the shallow pitched roof. Externally the unit would have timber cladding to the walls and a corrugated metal sheet roof. The openings in the unit would be limited to 2no. double glazed French door style openings in the south facing side elevation and the west facing long elevation. In addition to providing office space and a reception area it will provide secured storage space for site maintenance equipment etc. The unit would be non-permanent and there would be no electricity, water or other utilities connected. There would be no artificial lighting provided within the site.

An access track would be formed along the length of the northern boundary to provide emergency access. The surface would comprise loose stone chippings and would connect to the proposed/new access and the existing car park.

As part of the development the applicant has progressed a scheme of rewilding of the arable land to increase biodiversity and support wildlife habitats. The applicant has sown the former arable field to grassland and planted in the region of 840 sapling trees within the application site of largely native species including: holly; alder; downy birch; rowan; field maple; oak; hawthorn; hazel; willow; lime; walnut; elder; and crab apple. In addition habitat shelters and wildlife piles have been created.

The application is accompanied by an 'Operational Procedures & Rules' document which is also displayed on the 'Odin's Rest' bookings website. A copy of the document is appended to this report.

The proposed development is intended to progress gradually on a phased basis dependant on customer demand. The application details also explain that it is intended that the facilities would be made available for Howardian Hills projects (such as Junior Rangers) to ensure a diverse range of users can visit the Howardian Hills and enjoy its beauty.

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 SP9 The Land-Based and Rural Economy

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 SP18 Renewable and Low Carbon Energy

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 a total of 7 representations in response to the application of which 4 raise objections and 3 are in support.

The representations raising objection are from occupants of: The Ridge, Bulmer; Mill House Farm, Stittenham Hill; Belle Vue Cottage, Bulmer; and Hall Farm, High Stittenham. The concerns raised are summarised as follows:-

- The site is unsuitable due to sewerage, noise pollution & disposal of rubbish.
- Adverse visual impact
- Noise levels and fire hazard from camp fires/barbecues
- Access across Bulmer Hill Road is on a blind corner and is not sustainable and dangerous (Note: this refers to the existing access).
- There is no public right of way/footpath directly from the site - access to footpaths for those wishing to walk will be via the road
- Impact on wildlife and habitats in the area
- A danger to ecosystems should water/chemicals drain into Bulmer Beck
- Tents, pods and yurts would be visible from Bulmer Bank
- The site contradicts the principals of the Howardian Hills status of AONB.

The objection which raised impact on property value and the potential for trespass on adjacent land as concerns are not a matters of planning control and therefore not relevant to the determination of the application.

The representations in support are from occupants of: Cross Field Farm, Stittenham Hill; Lilling Hall Farm, West Lilling; and North Lea, North Road, Ripon. The comments are summarised as follows:-

- The proposed development is low impact density and scale and has been carefully and sympathetically thought through.
- The proposed form of eco-friendly tourist accommodation is sustainable, innovative and bespoke, which is highly differentiated from other offerings within the wider area.
- Completely off grid and does not require any buildings
- The proposals include rewilding of scrub and poor-quality arable land with wild grass and native deciduous tree planting, increasing biodiversity and wildlife habitat.
- The proposal provides tree screening and secluded, individual, spacious clearings
- Mains electricity is expressly avoided- makes use of solar power and renewables.
- Off-grid showers and environmentally friendly composting toilets
- Supports other local businesses and revenue generation opportunities
- Job creation
- Enhancing access for a diverse range of users to the Howardian Hills AONB

In their response the Parish Council have made reference to concerns in relation to the existing access but are content with the conditions as recommended by the Local Highway Authority.

APPRAISAL:

Principle of the 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 *“b) the development and diversification of agricultural and other land-based rural businesses; and c) 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 (Tourism) notes the opportunities to further develop tourism using the District's natural, cultural and historic assets as an economic driver. This includes the potential provided by rural diversification (which also aligns with Policy SP9 in relation to the land-based economy); and protected landscapes such as the AONB. The policy states that *“New tourist attractions will be supported where they do not undermine the character of the area or prejudice the quality of the natural or built environment”*.

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 popular tourist destinations and scenic landscapes within 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.

It is relevant to note that there would be no permanent structures on site and the use of the land is reversible. It is also important to note that the FCC exemption certificate represents a realistic 'fall back' position allowing for the continuation and possible expansion of the existing camp site operation under that licence.

The proposed development is considered acceptable in principle subject to consideration of the landscape and visual impact, highways safety, local amenity, biodiversity and occupancy restrictions.

Landscape and visual impact

The site is located within the open countryside and Howardian Hills AONB. The Countryside and Rights of Way Act 2000 places a statutory duty on authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.

National planning policy (paragraph 176 of the NPPF) states that *"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty"*.

Paragraph 177 of the NPPF advises that *"When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest"*.

The relevant footnote within the NPPF confirms that *"For the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined"*.

For the purposes of paragraph 177 of the NPPF the determination of whether a development is a "major development" is an exercise in planning judgment based on all the circumstances, taking into account the potential impact that the development may have on the AONB by reason of its nature and scale.

In respect of the principle policy tests in the NPPF, this application is not considered to constitute "major development" in the context of paragraph 177, due to the low density of the development; reversibility; the absence of buildings, hardstanding and any permanent structure and, as a result, impacts would be localised.

Policy SP13 of the RPLPS (2013) requires that the proposed development does not detract from the natural beauty and special qualities of these nationally protected landscapes. Policy SP16 states that to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Similarly, Policy SP20 requires that new development respects the character and context of the immediate locality and the wider landscape character in terms of physical features and the type and variety of existing uses. In addition, Policy SP8 requires that camp sites do not give rise to unacceptable visual intrusion or adverse impacts upon the character of the locality.

In terms of its location the site offers much to visitors in terms of the appreciation of the AONB landscape and nearby attractions. However, the land has the highest status of protection in relation to landscape and scenic beauty. The Local Planning Authority would not support changes to land use within the site that would materially harm the appearance of the site or the positive attributes of the AONB.

The surrounding area has mainly medium to large sized fields and a rolling landscape, interspersed with hedge and treed boundaries, with more woodland towards the bottom of the valley sides and lining parts

of the beck.

It is clear that there would be a discernible change to the appearance of the site in terms of additional tented structures; parked cars and increased human activity at the site.

The topography of the land form and intervening planting would prevent views from the south but the site is visible when facing west travelling down Bulmer Hill. The existing roadside hedgerows provide a degree of screening and soften the appearance of the site and views from the road would be fleeting and oblique. The proposed holiday accommodation would be inset from the road on the northern side and the roadside hedge would be left to grow to provide further enclosure. The two existing vehicular access points would be closed and 'gapped up' with native hedgerow planting which would further restrict views into the site from the road.

The site is visible from the public footpath which runs south from Bulmer Hill road across the hillside. There is intervening tree planting but due to the elevated position of the site at the brow of the hill there would be views available over a distance of approximately 270 metres. The foreground is dominated by the dense scrub and coppice in the sloping eastern field although the majority of the site (former arable field) is open but has been significantly 'greened' through the applicant's sowing of native grassland and tree planting. As the planting on the eastern side of the site matures the car park and site office/reception will be further screened. Other views from public vantage points (such as the public footpath north of the site) are more limited due to intervening planting, the existing boundary treatments and the rolling topography of the land.

The majority of the application site would remain grassland interspersed with native tree planting except for a stone access track along the northern boundary. The application site is sizable and the limited number of units proposed would ensure the site does not appear crowded. The various forms of accommodation would be generously spaced across the site taking advantage of grassed areas and clearings within existing and proposed planting. The proposal does not represent intensive development and the proposed site layout would ensure there would be no clustering of the main tented structures which would be thinly dispersed to suit the site operator and their guests.

The site is predominately camping pitches and there would be no touring or static caravans or touring tents permitted at the site. The canvas tents would be removed during the winter months when screening provided by deciduous planting is less effective. This will limit the potential level of visual intrusion in comparison to more permanent features such as lodges and static caravans which tend to incorporate greater proportions; a more robust built form and additional external paraphernalia. The guest vehicles would be parked within a contained area at the eastern side of the field which benefits from existing roadside planting. There would be no vehicles parked adjacent to the individual pitches and this shall be controlled by condition in the interests of visual amenity.

The tented structures would potentially have large diameters and in the case of the 'Big Hat' tipis a significant height. However, the shape of the structures; lightweight outer body; and muted/recessive canvass colour finishes would reduce their prominence. The glamping pods would have a more distinct built form but would be of modest dimensions and would have an exterior comprised of natural materials to be controlled by condition. The structures are not deemed to be incongruous features in this rural context.

The proposed site office/reception unit would have a simple functional design, compact dimensions and a low profile. There would be no openings in the east elevation which would be the side most visible from Bulmer Hill. The unit would have an appearance not dissimilar to an agricultural building and the limited number of openings would reduce the possibility of visual disturbance from artificial light emanating from the building during hours of darkness.

The portable shower and toilet cubicles and hot tubs have timber boarding and metal corrugated sheets to the exterior respectively and would be positioned in discreet locations on the field edge adjacent to existing planted areas.

There are no proposals for any permanent or fixed structures or buildings and no proposals for any

hardstanding in the site or external lighting which is beneficial in terms of retaining the existing character and tranquillity of this rural setting. The field perimeter planting comprising species rich hedgerows would be retained and allowed to grow.

The applicant's extensive rewilding and tree planting scheme goes beyond mitigation and is a fundamental aspect of the whole development and site ethos. The habitat creation and landscape improvements within the application site are sensitive and central to the scheme and are welcomed by the AONB manager.

The AONB manager has not raised any objection to the application and requests conditions being imposed in relation to control over the number of structures on site and also noise, lighting and domestic pets. The AONB manager is also in agreement with the County Ecologist in relation to the requirement for a Biodiversity Enhancement and Management Plan (BEMP) (discussed later in this report).

Following the AONB manager's visit to the site it was agreed that the 2no. 'Big Hat' tipis are to be positioned on lower ground in the south west corner of the application site (as shown on the revised site plan) in a much less prominent and visible position than originally proposed (near to car park).

To an extent the site is already visually contained by mature planting on its southern and eastern sides which significantly reduce the exposure of the structures at the eastern end of the site. The extensive planting scheme which has been progressed at the site anchors the land use with appropriate landscaping and natural features. The visibility of the tents would gradually be lessened as the landscaping matures and the land use is well contained and would not result in encroachment upon the open countryside.

It is important to note that the FCC certificate represents a realistic 'fall back' position that would allow a continuation and possible expansion of the existing operation under that licence. However, a grant of planning permission and its subsequent implementation would supersede the certificate issued by the Freedom Camping Club and as a result there would be no cumulative impact arising from the proposals.

The proposed land use is complemented by a suitable and comprehensive landscaping scheme and conditions will require replacement of any failures within 5 years of being planted. The proposed development is well considered and sympathetic to its setting. The low density land use has been sensitively designed to ensure that the site does not appear overdeveloped or cluttered.

The NPPF advises that scale and extent of development within AONBs should be limited. It is evident that the proposal is proportionate to the site's capacity given its location within a nationally designated landscape. The recommended conditions would set enforceable limitations on the land use and control the site whilst ensuring the proposed mitigation is fully incorporated in the interests of conserving the scenic qualities of the AONB.

It is considered that the land use and appearance of the site would respect the context of the surroundings and would not give rise to an unacceptable landscape character or visual impacts in compliance with the requirements of Policies 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 would involve a net increase in vehicle movements to and from the site via the access off Stittenham Hill. The application initially proposed that access would continue to be via the existing access points (in the northern boundary) off Stittenham Hill. As set out earlier in this report representations from the Parish Council and local residents raised concern in relation to the suitability of the existing access points particularly the easternmost access at the top of the hill.

The highways officer confirmed that both accesses are unsatisfactory in terms of the available visibility and consequently recommended that planning permission is refused on the basis that traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

The highways officer provided details of the required visibility splays and a site meeting was held involving the highways officer with the applicant seeking to address the access/visibility issue.

The applicant was agreeable to closing the two existing accesses and forming a new access in a position along the northern boundary which would allow suitable visibility splays to be achieved in both directions. The proposed site plan was revised to reflect this amendment. The formation of the new access would result in the loss of approximately 8 metres of roadside hedgerow.

The revised details were the subject of a re-consultation exercise and the highways officer has confirmed that the applicant has addressed the concerns regarding visibility splays outlined in the initial recommendation. It is now proposed to create a new access into the site which can achieve the required visibility splays. The two existing accesses will be closed off with the planting of a total of 16.5 metres of native hedgerow in those locations.

There are no Local Highway Authority objections to the proposed development (as amended) subject to conditions being imposed in relation to the formation of the new access/verge crossing; creation and maintenance of visibility splays; closure of existing accesses; and the prevention of surface water to discharging to the highway.

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 which include the closure of the two existing access points, 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.

Ecological impact

The site is not in close proximity to any national or local nature conservation designations. Policy SP14 aims to conserve and enhance biodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features. It is noted that a member of the public has raised concerns in relation to the impact of the development on nature conservation and existing wildlife and habitats.

The application site comprises two parcels of land. The majority of the site on the western side is a large field which slopes gently to the south-east. The field was previously in arable use but has been seeded as grassland and planted with sapling trees by the applicant. The eastern part of the site is a sloping area of established hawthorn coppice and relatively dense scrub with small areas of swamp and grassland. The site is bounded by species rich hedgerows.

The eastern part of the site, which currently operates under the FCC certificate, is a more sensitive habitat compared to the former arable field which makes up the majority of the application site.

The County Ecologist reviewed the initial Ecological Appraisal (dated February 2021) provided by the applicant and requested further information with a focus on the timing of the surveys; coverage of the survey; and mitigation. In July 2022 the applicant submitted an updated Ecological Appraisal which was subject to re-consultation with the County Ecologist.

The Ecological Appraisal records that across the site there were no trees or buildings on site which could provide potential bat roosts or waterbodies within 250 metres which could support great crested newt. The site is likely to support nesting and foraging birds throughout the year. Brown hare was also noted to be using the site and the grassland has the potential to support common reptiles.

The applicant has embarked on a re-wilding programme in the last 12 months including sowing the former arable field with native grasses and the planting of approximately 840 native trees (to date) to create a plantation woodland which amounts to a net gain in biodiversity. In addition, habitat piles are being created within the site and the ecology report confirms that there would be no flailing of hedgerows. The former pond on the southern boundary is also intended to be re-created. The applicant's

ecological consultant observes that as the habitats become more established and increasingly naturalised there will be significant biodiversity gains.

The removal of the section of hedgerow to form the new access would be timed to avoid bird breeding season. The closure and planting up of the two existing accesses would result in an overall net gain of native hedgerow.

The County Ecologist is satisfied that the western end of the site (the former arable field) has limited ecological value at the current time and offers opportunities to enhance the site for biodiversity.

The County Ecologist observes that the eastern end of the site includes more semi natural habitats which would be impacted by the development. The County Ecologist recommends that further disturbance at this end of the site is kept to a minimum to ensure that sufficient habitat connectivity is retained and species can move through the site.

The applicant's proposal is for a 'low impact' wild glamping site. There will be a number of yurts and bell tents, along with compost toilets and mobile shower units on site positioned within existing clearings in the scrub and hawthorn coppice. The applicant's ecologist notes that the existing glamping tents throughout the hawthorn coppice have been sensitively placed to ensure no vegetation has needed to be removed. No objections have been made to the locations of the camping structures in relation to identified habitats and species on site. Furthermore there would be no additional hardstanding required and there will be no ground works or permanent buildings on site. The applicant is also committed to having no artificial lighting on site.

The increased human presence on site has the potential to give rise to disturbance but it is relevant to note that the majority of the site was previously subject to arable cultivation. It is further evident from the applicant's site rules that they seek to protect and encourage wildlife and habitat creation at the site. The site currently operates with a 'no dogs' policy which would be carried forward to the wider site should planning permission be granted.

The County Ecologist has no objections and recommends conditions are imposed in relation to noise, lighting, domestic pets and also a Biodiversity Enhancement and Management Plan (BEMP) in order to formalise the enhancement recommendations that have been put forward by the applicant's consultant ecologist.

The County Ecologist also notes that as the application does not involve any discharge of waste water to stream, there would be no anticipated impact on the River Derwent Special Area of Conservation (of which Bulmer Beck is a tributary).

In light of the above it is considered that, subject to the recommended conditions, the proposed development complies with Policy SP14 in relation to habitat protection and enhancement.

Residential amenity

With regard to local amenity the site is relatively isolated and would only be partially overlooked by the dwelling at Crossfield Farm 100 metres to the north the occupant of which has confirmed support for the proposal. The proposed development would not give rise to unacceptable impacts upon neighbouring land uses in terms of loss of privacy or overbearing impacts (Policy SP20). In terms of the potential for noise disturbance it is understood that the site will be managed by the applicants who live locally and that the site will be operated with strict site rules for guests which will be secured by condition in compliance with the relevant parts of Policies SP16 and SP20.

Drainage

Surface water drainage is expected to infiltrate into the nearby ground by shedding off the proposed structures. Runoff from the development is not formally collected and would be directed into the nearby ground as per existing. The access track and car park would allow water to naturally percolate through the stone surface.

The proposed off-grid showers and toilets are self-contained and linked to gravel soakaways on-site. Waste is collected into on site composting units. Environment Agency stipulations require that the toilets and showers are sited at least 10 meters from the nearest water source (Bulmer Beck is approximately 250 metres away from the toilets and showers). In addition the compostable waste is not to be used as compost on anything grown commercially for human consumption i.e. fruit trees, crops. There is also a further requirement that only biodegradable, eco-friendly toiletries are used in the off grid showers and the site rules will prohibit customers from using their own toiletries (if not eco-friendly).

The site foul and surface water drainage arrangements shall be maintained and controlled by the land owner for the lifetime of the development.

The provision of toilet and shower facilities would be subject to the caravan site licencing process under other (non-planning) legislation. No objections have been raised by the Lead Local Flood Authority or Yorkshire Water and it is considered that the development would be served by acceptable drainage arrangements controlled by condition and the proposal complies with Policy SP17.

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 site would be open year-round, offering year-round holiday accommodation in the seasonally suitable glamping pods and the yurts alongside the temporarily-sited tents.

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. A condition would also be imposed to ensure that no part of the site office/reception unit is converted to provide domestic accommodation.

Conclusion

The proposed development receives general support from Policies SP8 and SP9 of the Ryedale Plan-Local Plan Strategy (2013) which promote sustainable development of tourism and the rural economy. The proposed development would be an acceptable form of rural diversification and would make a notable contribution to the tourism offer in the District providing an eco-friendly ‘wild glamping’ experience. The land use is considered to be sustainable; low impact; low density and reversible and there would be benefits to biodiversity arising from the rewilding programme which has been advanced.

The existing and proposed landscape planting will provide a suitable degree of screening and the land use would not detract from character of the AONB landscape.

The impacts on protected species and habitats have been fully considered and assessed and subject to the recommended conditions it is considered that appropriate mitigation can be incorporated and a biodiversity net gain achieved.

The proposed development, as amended, can be accommodated without resulting in unacceptable highway conditions; loss of amenity or adverse visual impact and would not materially harm the landscape character and scenic qualities of the nationally designated landscape.

The proposal will be subject to the relevant restricted occupancy conditions as set out in Policy SP21 which restrict use to holiday purposes only.

It is recommended that any grant of planning permission is accompanied by a robust schedule of conditions (listed below) to ensure necessary control of the land use and secure the mitigation proposed in relation to highway safety; habitats/protected species; residential amenity and landscape and visual impacts. The applicant is agreeable to the schedule of conditions as set out in the recommendation.

In light of the above assessment, it is considered that, on balance, the proposal is acceptable and that it complies with Policies SP1, SP8, SP9, SP13, SP14, SP16, SP17, SP18, 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 and documents:

- Revised Site Plan (including access annotations), received on 25 May 2022 (Comino doc date 30.05.2022)
- Site office/reception building Floor Plan and Elevation drawing, received on 21 June 2022 (Comino doc date 22.06.2022)
- ‘Odin’s Rest - Operational Procedures & Rules’ received on 1 April 2022 (Comino doc date 01.04.2022)

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 Stittenham Hill 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 crossing of the highway verge must be constructed in accordance with the approved details and Standard Detail number E20 and the following requirements:

- Any gates or barriers must be erected a minimum distance of 15 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed 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 shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

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.

- 5 The development must not be brought into use until the existing accesses onto Stittenham Hill have been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

- 6 There must be no access or egress by any vehicles between the highway and the application site at Stittenham Hill until splays are provided giving clear visibility of 160 metres in a south westerly direction and 90 metres in a north easterly direction 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 in compliance with Policy SP20.

- 7 The camping pods hereby approved shall not be installed on site until details and samples of the materials and colour finishes to be used on the exterior have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of landscape and visual amenity in compliance with Policies SP13, SP16 and SP20.

- 8 The site office/reception building hereby approved shall not be installed on site until details and samples of the materials and colour finishes to be used on the exterior have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of landscape and visual amenity in compliance with Policies SP13, SP16 and SP20.

- 9 Prior to the siting of any tents; yurts; or pods within the western field of the application site a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP shall formalise the enhancement recommendations that have been put forward in the Ecological Appraisal dated July 2022 in order to ensure that the site delivers the identified benefits. This BEMP should also include monitoring of habitats and species on site and set out contingency measures should a deterioration in be noted during the monitoring surveys.

Reason: In the interest of biodiversity enhancement of the site and to be in accordance with Policy SP14.

- 10 The existing accesses shall be closed off and 'gapped up' with native hedgerow species in accordance with the recommendations contained within Section 6.3 of the Ecological Appraisal dated July 2022 within the first planting season following commencement of development or such longer period as may be agreed in writing with the Local Planning Authority. Any hedgerow 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 ensure close of the existing accesses and appropriate screening of the site in compliance with Policies SP8, SP16 & SP20.

- 11 No trees or hedges within or adjacent to the site shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees planted as part of the rewilding programme 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 ensure the desirable retention of all landscape elements that are considered to be of amenity value in compliance with Policies SP13, SP16 and SP20.

- 12 The permission hereby granted shall only authorise the use of the application site for the siting of a maximum of 25 holiday units/pitches, in the positions shown on the Revised Site Plan (including access annotations), received on 25 May 2022. Unless otherwise agreed in writing with the Local Planning Authority the accommodation shall comprise the following:-

- A maximum of 10no. canvas tents (bell tent; tipi; touareg; and emperor shapes styles) of which a maximum of 2 shall be 'Big Hat' tipis [maximum diameter of 5 metres for bell; tipi; touareg; and emperor tents and maximum height above ground level of 3 metres and maximum diameter of 10 metres for 'Big Hat' tipis and maximum height above ground level of 6 metres];
- A maximum of 10no. camping pods; and [maximum gross external area of 22m² and maximum height above ground level of 2.3 metres];
- A maximum of 5no. yurts. [maximum diameter of 8 metres and maximum height above ground level of 3 metres];

Reason: In the interest of certainty and to protect the character and appearance of the area and satisfy Policies SP13, SP16 and SP20.

- 13 Unless otherwise agreed in writing with the Local Planning Authority the canvas tents and yurts hereby approved shall have muted/recessive colour finishes in accordance with a colour palette to be submitted to and approved in writing by the Local Planning Authority prior to the siting of any tent on site under the terms of this planning permission.

Reason: To ensure that the tents have a sympathetic and harmonious appearance with the site in compliance with Policies SP13, SP16 and SP20.

- 14 Unless otherwise agreed in writing with the Local Planning Authority the canvas tents shall be dismantled/removed between 1 November - 15 March.
- Reason: It is considered that the tents would constitute an unacceptable visual intrusion into an open rural area during the winter months, outside the holiday season and to satisfy Policies SP13, SP16 and SP20.
- 15 The permission hereby granted shall not authorise the use of the site for static or touring caravans; motor homes or touring tents.
- 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.
- 16 The site office/reception unit hereby approved shall be sited in the position shown on the Revised Site Plan and no part of the site office/reception unit shall be converted into domestic accommodation.
- Reason: The site is located in open countryside where residential development would not normally be permitted and to comply with Policies SP1, SP2 & SP21.
- 17 Full details of any 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, and to preserve the nocturnal character of the AONB in accordance with Policies SP13 and SP20.
- 18 Vehicle parking shall be limited to the area highlighted in grey on the revised site layout plan and there shall be no parking of vehicles adjacent to individual pitches.
- Reason: To ensure a satisfactory appearance and to satisfy Policies SP16 and SP20.
- 19 The internal access road shall be no more than a single vehicle width and shall be formed from permeable materials with the final surfacing material and colour finish to be agreed in writing with the Local Planning Authority prior to construction.
- Reason: To ensure a satisfactory appearance and to satisfy Policies SP16 and SP20.
- 20 With the exception of the access construction no hard surfacing shall be laid within the site without the prior grant of planning permission.
- Reason: To ensure a satisfactory appearance and to satisfy Policies SP16 and SP20.
- 21 The self-contained 'off grid' toilets showers and hot tubs and associated drainage and soakaway systems shall be maintained by the site operator for the lifetime of the development. There shall be no more than 5no. hot tubs on site at any one time.
- Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

22 The site shall be operated in accordance with the site protocols as detailed in the document 'Odin's Rest - Operational Procedures & Rules'.

Reason: To ensure a well-managed facility that would not have an adverse impact on the character of the area or the amenity of nearby residents and visitors in accordance with Policy SP20.

23 There shall be no dogs allowed on site.

Reason: In the interests of local wildlife and protected species in compliance with Policy SP14.

24 There shall be no amplified music or PA systems played/used on site.

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

25 There shall be no use of fireworks within the site.

Reason: In the interests of amenity in accordance with Policy SP20.

26 There shall be no vehicular access or egress to and from the site other than via the approved access.

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

27 The site shall only be operated with a pre-booked system for the hiring of the accommodation.

Reason: To ensure strict control of the number of guests on-site in the interests of amenity in compliance with Policy SP20.

28 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
- The accommodation 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.

INFORMATIVES

- 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 and industrial estate roads street works 2nd edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20estate%20roads%20and%20private%20street%20works%202nd%20edition.pdf)
- The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.
- The applicant should be mindful of the advice concerning timing of hedgerow removal contained in Section 6.3 of the Ecological Appraisal dated July 2022.
- The applicant should contact the Council's Housing Services department to obtain a caravan site licence.