

Item Number: 9
Application No: 19/00656/FUL
Parish: Amotherby Parish Council
Appn. Type: Full Application
Applicant: Lawrence Knowles
Proposal: Change of use of land for the siting of 8no. timber clad holiday cabin-style caravans with associated access track and landscaping to form an extension to Malton Grange Country Park
Location: Land South Of Malton Grange Country Park Amotherby Lane Amotherby Malton North Yorkshire
Registration Date: 3 June 2019
8/13 Wk Expiry Date: 29 July 2019
Overall Expiry Date: 20 October 2022
Case Officer: Tom O'Connor **Ext:** 01653 600666

CONSULTATIONS:

Due to the length of time the application has been with the authority, the application has been the subject of three consultations.

Initial

Amotherby Parish Council	Objection
Highways North Yorkshire	Further information required
Vale Of Pickering Internal Drainage Boards	No response

September 2019

NYCC Natural Services	Recommend ecology mitigation
Vale Of Pickering Internal Drainage Boards	No response
Highways North Yorkshire	No objections
Amotherby Parish Council	Objection remains

October 2022

Highways North Yorkshire	No Objection
Amotherby Parish Council	Objection remains
NYCC Natural Services	recommends condition
Tree and Landscape Officer	recommends condition

Representations: Mr Norman Nichols, Mr Andrew Tagg, Mrs Marie Ali,

BACKGROUND:

The application is to be determined by Planning Committee as material objections have been received in response to the application. Members will note that this application has been lodged with the authority for a considerable period of time, this was due to the need to regularise elements of the foul drainage system. When the application was lodged back in 2019 the wrong equipment was installed, which was replaced, but re-sited from the previously approved 2017 scheme. This was approved by Planning Committee on the 31 August 2022. This allowed the Local Planning Authority to determine this application.

SITE:

The site subject of this application is an established caravan park, known as 'Malton Grange Country Park'. It is located in open countryside, approximately 1 kilometre north of the village of Amotherby. There are currently a total of 57 'lodge' or 'cabin' style caravans located on the site.

The main part the caravan park was developed in sections over time, together with the site offices positioned initially in the northern part of the site with further additions to the main body of the park located within the centre. The blue line of the application includes the internal layout and wider site landscaping. The red outline for this planning application covers the access road through the site and a site area of 0.4ha. It is bound by tree planting in almost all directions, but particularly along the western edge, to which the nearest public highway is located.

The site is adjacent to the revised siting of the bunded foul sewage bio-treatment plant to serve the extended site, and the earlier planning permission of 2017, and its siting was subject of a recently approved application on 1st September 2022 (21//01662/FUL) which regularised the siting of the treatment plan, and allowed this application to be determined in principle on the basis that the means of foul treatment of wastes on the site was agreed.

The site constraints are confirmed as an area of Flood Zone 2 land, where the lodges themselves are located in an area of Flood Zone 1.

PROPOSAL:

The application seeks full planning permission for the siting of 8 no. additional holiday caravan lodges, as an extension to Malton Grange Country Park with proposed units of holiday accommodation being defined as a caravan but will be constructed as timber clad lodges; cabin style in appearance and similar to the others already on the site and also indicated in the submitted plan No.102.

Access to the additional caravans will be via a new 4m wide section of crushed stone internal road connected through the existing main site and onto the existing Amotherby Lane site access. Low level lighting bollards would be provided by way of illumination of the application site and the wider site. A fire point and a refuse collection point would be located immediately to the north on the adjacent main site.

Drawing 101 shows the proposed site layout in which the proposal would increase the overall number of lodges from 57 to 65. The additional units are proposed in an area measuring 0.4 hectares located to the south of the site in an area of previously approved planting.

Given the bespoke nature of the purchase of static caravans proposed by this current application, no detailed drawings of individual units are able to be shown as they are usually individually constructed to order. However, there is a commonality in their design being horizontally clad and would meet the definition of a caravan within the meaning of the Caravan Sites Control of Development Act 1960 and Caravan Sites Act 1968. A plan showing the position of the lodges and a selective palette of materials and finishes is provided (Plan 101 revision B November 2022).

All units will be laid out in accordance with Ryedale District Council's Site License Conditions for Static Caravans.

PLANNING HISTORY:

21//01662/FUL - Retention of refuse collection areas, revised siting of the foul sewage bio-treatment plant, regularisation of caravan materials and addition of external decking to the caravans (part retrospective) – approved 1st September 2022

21/01663/73A - Variation of Conditions 02 and 04 of planning approval 17/00738/FUL dated 15.08.2017 to provide more specific details on species and planting - approved 20 July 2022.

17/01235/COND - Discharge of Conditions 3, 4, 5, 7, 11 and 13 of approval ref. 17/00738/FUL - Approved 16 January 2018.

17/00738/FUL - Change of use of land to allow of 10no. timber clad cabin style holiday caravans to form an extension to Malton Grange Country Park with associated crushed stone access track and landscaping together with addition of 4no. timber clad cabin style holiday caravans within the existing Park area. Approved 15 August 2017.

11/01117/73AM - Removal of condition 12 of approval 05/00649/MFUL dated 01.09.2005 as varied by condition 2 of approval 05/01336/73 dated 19.01.2006 and removal of condition 01 of approval 05/01336/73 dated 19.01.2006 to allow a year round opening season across the whole of the approved Malton Grange site - Approved 18 January 2012.

09/00923/MFUL - Siting of 14 no additional single timber clad cabin style holiday caravans and 13 no additional twin timber clad cabin style holiday caravans (revised details to approval 07/01149/FUL dated 14.02.2008) together with removal of condition 02 of approval 05/01336/73 dated 19.01.2006 that stated " no holiday unit on the site shall be occupied between 14 January and 1 March in any one year" - Withdrawn.

07/01149/FUL - Siting of 13 additional timber clad cabin-style holiday caravans - Approved 14 February 2008.

05/01336/73 - Variation of Condition 12 of approval 05/00649/MFUL dated 01.09.2005 to reduce the period when no holiday unit on the site shall be occupied to between 14 January and 1 March in any one year - Approved 19 January 2006.

05/00649/MFUL - Change of use of former pig farm to allow the siting of 22 timber clad twin static holiday units and 8 single holiday units and use with alteration of an agricultural building as reception/office with associated parking and amenity areas and formation of vehicular access - Approved 1 September 2005.

POLICY:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

The Ryedale Plan- Local Plan Strategy (2013)
Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP8 Tourism
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy – Policy SP14 Biodiversity
Local Plan Strategy – Policy SP15 Green Infrastructure
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

Other Material Considerations

National Planning Policy Framework (NPPF) 2021

National Planning Practice Guidance (NPPG)

CONSULTATIONS:

Responses from the Statutory Consultees are set out in the relevant sections of the report. They can also be viewed in full on the public access file.

Amotherby Parish Council responded on 20th September 2022: *The revised plans, which are virtually identical to those submitted in 2019, reiterate our objection to the application on the following grounds:*

- *When permission was granted in 2005 to develop the site for holiday accommodation it was for 30 units. The scheme was seen as an enhancement of the original pig farm. This enhancement was in part as a result of a well laid out scheme with a high level of additional planting and open space.*
- *Over time the site has grown to a total of 57 units. The amenity space referred to on the 2005 site layout plan has been lost to additional units and now it is proposed to extend further by removing landscaping which formed part of the original scheme. Notwithstanding the agents assertion that only a "small area of the existing planting will be lost" the Parish Council are of the opinion that the area of loss is significant.*
- *Just by observing the proposed layout it can be seen that the depth of landscaping adjacent to the highway at the point where the development is to take place is narrower than the existing screen planting along the road side.*

- *The loss of landscaping must have an impact on the ecology of the area which must have developed in a positive way since its development from a pig farm to holiday accommodation. Ecological and landscape benefits recognised in 2006 are slowly being eroded at a time when the natural environment is under extreme pressure and we should be planting trees not removing them.*
- *In continuing to allow development to take place at the site results in an ever decreasing area of open space and planting to the detriment of the landscape of the area, biodiversity, and the original concept of the scheme. It is considered that the site is being overdeveloped and the application and, should therefore be refused.*

Additional representations were received to the application. One individual subsequently withdrew their objection, without explanation. One wished to remain anonymous.

Three responses have been received in respect of the proposed development concerning;

- Effluent and poor drainage to the site
- Intermittent flooding within the site
- Loss of trees to the development
- Urban Sprawl of Lodges
- Loss of recreational areas
- Previous planting scheme did not plant native trees
- Ecological impacts

APPRAISAL:

It is considered that the following matters are the key considerations associated with this application:

- Principle of the development
- Landscape
- Ecology
- Design and character
- Accessibility
- Amenity
- Flood risk and drainage

Principle of the development

Tourism is now integral to the function of many rural areas, and in Ryedale forming a significant sector of the District's economy. As such, appropriate tourism activity will remain important in the wider countryside. It is considered that the use is compatible with the spatial approach to development in Policy SP1 which seeks to support development which is '*necessary to support a sustainable, vibrant and healthy rural economy and communities*'. Policy SP8 of the Ryedale Local Plan- Local Plan Strategy and National Planning Policy Framework (NPPF) confirm that within the open countryside, tourism development is acceptable in principle and the Ryedale Plan- Local Plan Strategy recognise the contribution such developments can make towards the local economy, and providing additional range and choice in tourist accommodation. Policy SP8 also seeks to ensure that in the siting of such proposals, whether they be new schemes, or extensions to existing schemes, can be acceptably accommodated without unacceptable visual intrusion and impact on the character of the locality.

The proposal relates to the installation of an additional 8 chalet units within a site that already accommodates 57 existing units of tourism accommodation. It is noted that the site has been incrementally expanded over time. A planning approval was granted in August 2017 for a similar small-scale development within the parameters of the Malton Grange Site for the addition of another 10 units (17/00738/FUL). At that time, the principle of the development was acceptable, having regard to national and local plan policies, and taking account of detail development management factors such as scale, sustainability, accessibility, design, layout, access and landscape and visual amenity effects.

It will be important to ensure that these units are not occupied as dwellings, as this would not accord with the spatial principles concerning the delivery of new housing in the Ryedale Plan- Local Plan Strategy. As such Policy SP21 has a policy concerning tourist accommodation and the controls of its occupancy:

e) Time-Limited Occupation

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.

It is considered that the use is acceptable in principle, given the established use of the site, but it will be necessary to establish whether the proposal of 8 additional units on this established scheme can be “accommodated without unacceptable visual intrusion and impact on the character of the locality” and satisfy other planning requirements. This is considered in the subsequent sections.

Landscape Impact

Objections to the proposal have referenced the loss of trees and the ‘sprawl of the site’, loss of recreation areas, and impacts on ecology. The Parish Council have objected on the following summarised grounds:

- *The incremental erosion of the existing landscaping scheme to the point of the current application*
- *The current proposal results in a significant loss of landscaping*
- *The depth of landscaping adjacent to the highway at the point where the development is to take place is narrower than the existing screen planting along the road side.*
- *The loss of landscaping must have an impact on the ecology of the area- which previously had been improving*
- *In continuing to allow development to take place at the site results in an ever decreasing area of open space and planting to the detriment of the landscape of the area, biodiversity, and the original concept of the scheme. It is considered that the site is being overdeveloped and the application and, should therefore be refused.*

Policy SP13 entitled 'Landscapes' requires that proposed development protects and enhances the quality, character and value of Ryedale's diverse landscape. Policy SP8 seeks to ensure that expansions to existing tourism accommodation schemes are undertaken ‘without unacceptable visual intrusion and impact on the character of the locality’.

The additional cabins will be reflective of the design and appearance of the existing cabins on site, and are a relatively small increase within the existing site area.

Submitted Drawing 101SP-AP Rev. A Indicates a landscaping scheme of tree and hedge planting within the site both to serve as replacement for trees to be removed and, also to augment tree and hedge coverage within the wider site.

The proposed 8 lodges to be positioned within the southern area of the site presently planted as still immature woodland and would be screened from the replacement banded bio-digester plant to serve the wider site by a broadly semi-circular Hawthorne, Maple Hazel and Blackthorne hedge interspersed with Field Maple and Rowan tree planting.

Within the central part of the site Hawthorn/Hazel/Blackthorne hedges would be introduced between units 10 – 44 together with some tree planting. On the oldest part of the original site to the North, the planting of field Maple, Rowan and Hazel between the lodges would serve to reinforce and existing maturing landscape boundary on this part of the site that faces onto the access to the site close to the administrative buildings.

The site has been incrementally expanded since its inception, and previous schemes have been approved. This proposal is for an additional 8 units. It is whether these additional units represent a tipping point whereby the ability to mitigate adverse landscape impacts is no longer achievable (within the application site or, via condition the wider site which is within the applicant's ownership) and the site is ‘over developed’.

The wider site benefits from a range of landscape planting and a very well-established boundary hedgerow which denies clear views of the site from public viewpoints.

This proposal would seek to remove a section of 0.4ha of still relatively immature woodland planting located at the far south of the site, adjacent to the recently relocated package treatment plant and adjoining to the north onto the main part of the site. Though an area of the existing planting will be lost to accommodate the additional lodges, the tree planting would be retained around the periphery of the site.

The Parish Council's concerns regarding the reduced planting are noted on the site in relation to the western boundary, but the presence of the mature hedging and trees, coupled with the relatively low heights of the lodges- and when compared to the existing lodges no. 1-6 there will still be a comparable degree of peripheral landscape screening afforded to the new units, which is defined as being a mature untrimmed hawthorn and blackthorn hedge approximately 6 metres in height with a number of mature trees (ash, oak, field maple, and horse chestnut).

There were objections raised concerning the loss of recreational space. It was noted on site that the planting in the proposed site area of the lodges was very dense, and provided no reasonable means of access, so this area of planting would not provide recreation space, the amenity value would be from the presence of the planting alone. Replacement planting, in the form of a bow-shaped hawthorn and hazel hedge would be planted to function as a screen between the recently installed biodigester and the proposed development. In addition, a small group of Field Maple, Rowan and Hazel Trees would be located within the proposed site as well as wider augmentation of existing landscaping throughout the wider site by the planting groups of trees and hedgerow as indicated in drawing 101 SP - AP Rev B (which is also been subject of a additional application (21/01663/73A - Variation of Conditions 02 and 04 of planning approval 17/00738/FUL dated 15.08.2017 to provide more specific details on species and planting - approved 20 July 2022).

The Tree & Landscape Officer has provided a specific response to this application, and was involved in the above-referenced application which sought to improve the landscape planting on the wider site- as part of the 2017 planning application.

“There will clearly be several young trees removed in order to accommodate the 8 new units. The report suggests that these are around 10 years of age although I would suggest that some would be at least 21 years old based on what was plotted as existing on the landscaping plan submitted as part of 07/01149/FUL. Also, it appears that further heavy standards would have been planted following consent of 11/01117/73AM in 2012 which would be around 10 years in age. Nevertheless, the removals are not anticipated to reduce the effective screening that the trees/hedges give provided that the proposed tree/shrub planting is implemented as outlined in the method statement. The species could perhaps be tweaked to replace elderberry with Holly in the hedges as Elderberry has tendency to become sprawling and will overshadow adjacent hedging plants due to being more vigorous.

The Tree Survey makes no attempt to consider the impact of the cabins on the trees or categorising them with BS5837 categories. Nor does it identify any of the trees individually in order to consider whether there may be impact on the roots of any of the trees. This is compounded by the fact that the report's author suggests using “rope to be wrapped with hazard tape... labelled “Tree Protection Area – Do Not Remove”.

Whilst I am satisfied that the proposed tree/shrub planting will go some way to mitigate the loss of tree cover I think more details of the fencing position and specification is required, therefore I would suggest that further details are provided subject to a condition (prior to commencement) together with a condition of no storage of materials within the tree protection zone.

The removal of laurel in favour of new native shrub planting is supported.”

It is considered that with additional details and robust mitigation measures the proposed scheme can be accommodated in landscape terms. A revised plan has been provided to revise the planting scheme to not have Elder, and to align with the wider site planting proposals. It is considered that the proposals can accord with Policy SP13 of the Local Plan Strategy which seeks to protect and enhance the diverse landscapes of the district, and retain a significant green infrastructure asset within the site, providing that the landscaping plan is implemented, and the proposed tree protection measures in the 2019 Arboricultural Methods Statement are applied with the additional details prescribed by the Tree and Landscape Officer. These are therefore recommended to be subject of a condition.

Officers do consider though that the scheme is reaching its ‘natural extent’, and further expansion based on the

current blue line is indeed limited.

To minimise impacts on nocturnal character for both the occupiers of the lodges, the wider landscape character, and for biodiversity, the use of external lighting should be minimised. A condition is therefore imposed on agreeing the details of any such lighting prior to implementation.

Ecology

Concerns have been raised about the consequential impacts on biodiversity as a result of the proposed additional units and the loss of tree planting as a result. The current tree planting is part of a green infrastructure corridor which surrounds the site and connects to the wider hedgerows. The application was originally accompanied by an ecological report from 2017, this was deemed dated, and a new report provided in July 2019. Concerning that report the NYCC Ecological Services advised that:

Accompanied by a Preliminary Ecological Appraisal (PEA) dated July 2019 and a Landscape Management Plan, the PEA pertains to the areas proposed to house additional cabins located within the southern tip of a 10 year old tree plantation on an area recently re-seeded and cleared. No constraints have been identified in terms of protected species or priority habitats.

It is unclear whether the various recommendations contained within the PEA have been agreed by the applicant or whether they are simply intended to offer generic advice. If the Council is minded to approve, the application, it is therefore recommended that an ecological mitigation and enhancement plan be agreed prior to the commencement of the development setting out clearly what needs to be done. Element of this should include:

- *Avoidance of light spill into areas likely to be used for nocturnal life especially in respect of protecting hedgerows and woodlands;*
- *Additional tree/woodland planting to off-set loss of trees either on or off-site;*
- *How the development will meet NPPF guidance in respect of providing a net gain for biodiversity.*
- *Appropriate mitigation measures to be put in place to reduce risks to wildlife particularly in respect of the clearance of vegetation*

Given the passage of time an updated PEA (December 2021) ecology report was submitted, and the NYCC Ecologist advised:

The report does not demonstrate whether the proposed development would deliver net gains for biodiversity, although we did highlight the need for this information in our comments of 4th October 2019. Because planning policy has (not) changed since the application was submitted, it may be unreasonable to require a Biodiversity Net Gain calculation using the government's Biodiversity Metric.

However, we would expect to see at least like-for-like habitat replacement. The current plan (September 2022) shows the removal of a block of plantation woodland at the southern end of the site to make way for the proposed additional cabins. The Landscaping Plan shows some small-scale shrub planting and short sections of hedge dotted around the site but this does not compensate for the area of woodland which would be lost. Overall, the proposal as it stands currently would result in net loss of biodiversity.

The ecology report includes recommendations for: the creation of species-rich grassland (section 5.1.1); native tree planting (5.1.2); installation of bat boxes (5.2.3); avoidance of light spill onto boundary hedges (5.2.4); covering trenches overnight to reduce risks to Badgers (5.3.2); retention of the ditch on the southern site boundary (5.4.3, 5.5.3); vegetation clearance outside the bird breeding season (5.6.2); installation of 4 nest boxes for House Sparrows (5.6.3); maintaining access for Hedgehogs (5.8.3). Some of these recommendations are vague and tentative. Should permission be granted, ecological mitigation and enhancement measures should be firmed-up in the form of an Ecological Management Plan (EMP), to be submitted for approval prior to commencement. The EMP must show what will be done, where and when."

Policy SP14 of the Local Plan Strategy seeks to conserve, restore and enhance biodiversity within Ryedale, including protecting species and maintaining, creating and improving habitats, and there is a strong synergy with Policy SP15 which is concerned with the provision, enhancement and protection of green infrastructure corridors and spaces with Ryedale.

There are no protected species on the site which would then necessitate specific biodiversity mitigation measures

being established prior to the determination of the application. The scheme is also for a relatively modest 8 units. Nevertheless, there is an incremental net loss of biodiversity resulting from the scheme in the first instance, but that there is opportunities to redress this.

Based on the advice of the NYCC ecological services, and the concerns raised by the Parish Council, it will be important for the Local Planning Authority to condition the submission, approval and implementation of robust Ecological Management Plan. This will need to set out in a clear, structured approach how the scheme directly improves the habitat connectivity for the site- and this could include land within the blue outline of the application which is within the applicant's control, as well as the application site. It can also factor in the wider landscaping measures which have recently been approved by the 21/01663/73A - Variation of Conditions 02 and 04 of planning approval 17/00738/FUL dated 15.08.2017 to provide more specific details on species and planting - approved 20 July 2022.

It is also considered that the retention of the existing trees in the vicinity of the site needs additional consideration, and a condition seeking their sustained protection is recommended. It is considered that these additional conditions are important to mitigate the impacts on the existing green infrastructure on the site, and its biodiversity value, and this would be compliant with Policies SP14 concerning biodiversity enhancement, and the sustaining of green infrastructure corridors, as required by Policy SP15.

Accessibility

Given the scale of the additional 8 units, on the current scheme of 57 units it is not considered that this additional 8 units will give rise to unacceptable levels of travel movements. However, it is important that tourist accommodation promotes opportunities to reduce the use of private cars, through the use of public transport, and active travel. A Travel Plan was first submitted for permission 17/00738/FUL in which condition 13 required the submission and approval of a Travel Plan, subsequently approved (17/01235/COND). A further updated Travel Plan and Assessment was submitted by the applicant on 29th August 2019 in support of this application, and this was updated and submitted on 4th October 2022.

The Local Highway Authority have advised:

It is noted that up-dated information on the approved Travel Plan has been submitted. This would seem to address the point (3) raised in my previous consultation response dated 28 June 2019. However, it should be pointed out that the return service bus times from Malton to Amotherby have not been included as part of the guest welcome pack as mentioned, and that should be amended.

In respect of the latest layout plan, the proposed development of 8 additional lodges is considered modest and would not be considered detrimental to highway safety on the immediate highway network. The Travel Plan is an approved document as previously mentioned, and the up-dated information now provided is a progression of that document. There are no local highway authority objections to the proposed'

It is considered that the proposal, subject to a condition which seeks to update the Travel Plan, that the proposal satisfies the policy objectives of SP20 concerning ensuring that new development is served by a Travel Plan to reduce use of the private car, and ensure that the development does not have a detrimental impact on road safety. It is not considered necessary to require signage on the site given the relatively small size of the site complex.

Design and Character of the Area

Policy SP16 entitled 'Design' 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'*. In addition, Policy SP20 entitled 'Generic Development Management Issues' 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. This same policy also seeks design to follow the principles of Policy SP16. The application site forms a small area of land within the parameters of a discrete existing holiday site that currently contains 57 residential units within a well screened site which is not readily visible from outside of the site.

The proposed additional 8no. units are adjacent to the existing units on the site, and make us of the established internal road access. The scale of the lodges would be the same as the existing lodges. The proposed lodges on the site will be clad in timber or other material in common with the wider development, in which some artificial cladding material such as canexel and artefoam has been used. This range of materials are recognised as

acceptable materials utilised in a number of holiday accommodation schemes across the UK. Given the bespoke character of the each unit, they would be individually designed with a palette of both timber and artificial materials being indicated in 101 SP - AP Rev B and the colours proposed have been previously agreed as being acceptable in the recently approved application 21/01662/FUL. It is proposed that this plan is conditioned as part of this application to ensure that the palette of materials is subject to an acceptable degree of control, whilst providing some flexibility to the individual units.

On this basis then, there are no concerns with this application relative to the design, scale and appearance of the proposal and accordingly, the scheme is considered to accord with Policy SP16 of the Ryedale Local Plan.

Amenity

Policy SP20 entitled 'Generic Development Management Issues' has a specific section entitled 'Amenity and Safety'. It states that new development should not have material, adverse impacts on the amenity of present or future occupants of the site and neighbouring land.

The proposal would not require the extension of the site beyond its existing parameters remaining screened from outside view from Amotherby Lane by the robust banked and hedged external boundary and the overall principle land use of the wider site will remain unchanged and this scheme is not considered to undermine that.

The site currently has planning permission for 57 lodge style dwellings which would increase to 65 in total if this application were to be permitted. The loss of a small area (0.45ha) of land in this large tourist site for the location of an additional 8 lodges would not materially affect the layout and overall spatial relationships between residential units and could not be considered as an overdevelopment with the level of amenity on the site maintained.

There is bunding and landscaping proposed which will provide sufficient mitigation for the presence of the treatment plant for the occupants of the proposed units.

The eight units are located within a well screened site, not readily visible from the outside, the proposal would not result in an intensification of use which would affect the amenity of those using the site, or wider residences within the surrounding locality. As such it is considered that the scheme complies with the policy objectives of Policy SP20.

Flood risk and drainage

There are parts of the site in Flood Zone 2, denoting a medium risk of flooding, and objections were received to the application citing flooding incidences and issues with the foul drainage.

With regards to foul water drainage, the site has been subject to a recently approved application which regularised the siting of a modern bio-digester drainage system on site, and which would accommodate the additional 8 units proposed by this scheme.

Policy SP17 'Managing Air Quality, Land and Water Resources' advises on how development proposals should manage surface and waste water. Chapter 14 of the NPPF entitled 'Meeting the challenge of climate change, flooding and coastal change' that development should consider the flood risks associated with the site proposed as well as ensure that development inappropriate for that risk is avoided. Additionally, development should not increase flood risk elsewhere. It therefore seeks a sequential approach is taking to the siting of development in areas of least flood risk.

The site is partially located in Flood Zone 2, but the actual lodges are sited in Flood Zone 1 which is sequentially preferable in order to minimise flood risk to the properties. Finished floor levels shall be at 21.8 metres above ordnance datum (AOD).

The scheme proposes a semi-permeable surfacing for the access road, to reduce surface run off.

On this basis it could not reasonably be held that the proposal would have any flood risk impact either on site nor elsewhere and as such the scheme is considered acceptable. It is therefore considered consistent with Policy SP17 of the Ryedale Local Plan.

Conclusion

The principle of the development is considered to align with national and local planning policy and represents development that supports the land-based, rural economy through the expansion of an established tourism enterprise, in relation to Policies SP1, SP8 and SP21. The proposed development would not have an unacceptable impact on the open countryside, local amenity, highway safety or flood risk, and with the recommended conditions concerning landscape and biodiversity considerations, complies with Policies SP13, SP16, SP17 and SP20 of the adopted Ryedale Plan - Local Plan Strategy. Therefore, in accordance with Policy SP19 and the presumption in favour of sustainable development, the recommendation to Members is one of approval, subject to the imposition of the conditions as set out below:

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:

Drawing 001 Location Plan dated May 2019
Drawing 002 SP - AE Rev. A Site Plan as Existing dated September 2022.
Drawing 101 SP- AP Rev. B Site Plan as Proposed (including selected palette of caravan materials) dated 8 November 2022

Reason: For the avoidance of doubt as to what constitutes the permission and in the interests of proper planning.

- 3 The hereby approved landscaping, detailed upon the site plan as proposed, drawing no. Drawing 101 SP- AP Rev.B dated 8 November 2022 shall be adhered to in full.

Reason: In the interests of amenity of the site, to reinforce the existing landscaping, to mitigate biodiversity loss, to enhance the visual appearance of the area and to satisfy Policy SP13, SP14 and SP20 of the Ryedale Plan- Local Plan Strategy.

- 4 The hereby approved application shall be for holiday accommodation only and not as a person's sole or main place of residence.

It shall be available for commercial holiday lets for a least 140 days a year and no single let must exceed 31 days; and

The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: In order to comply with Policy SP1 and Policy SP8 as this is not a location identified for residential development and Policy SP21 of the Ryedale Plan- Local Plan Strategy.

- 5 Finished floor levels shall be at 21.8 metres above ordnance datum (AOD). All existing on-site culverts and drainage channels shall be retained on site and maintained to function as intended for the duration of the development.

Reason: Noting that these lodges are sited in Flood Zone 1, to minimise the impacts of any flooding from the wider site, and to ensure that the site remains subject to satisfactory drainage, to satisfy the requirements of Policy SP17 of the Ryedale Plan- Local Plan Strategy.

- 6 Prior to the installation of any external lighting at the site, details shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Any new lighting shall be limited to that required for the security purposes and the safe movement of pedestrians and vehicles. The details submitted shall include the position, height, angle of lighting, illuminance level and hours of operation. Once approved the lighting shall be installed and maintained in accordance with the approved details for the duration of the development.

Reason: In the interests of the reduction of light pollution and to satisfy the requirements of Policies SP14, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 All existing parking spaces, turning area and access points as illustrated on Site Plan as Proposed, Drawing 101 SP- AP Rev. B dated 8 November 2022 shall be retained, kept available and clear for these intended uses at all times.

Reason: To ensure that these areas are available for their intended use at all times, in the interests of highway safety, and to accord with Policy SP20 of the Ryedale Plan- Local Plan Strategy.

- 8 The Travel Plan submitted to The Local Planning Authority on 5th October 2022 shall be implemented, with the addition of return travel times from Malton to Amotherby, and the development shall thereafter be carried out and operated in accordance with the Travel Plan. The Travel Plan shall be periodically updated to reflect any changes in service provision.

Reason: In accordance with Policy SP19 and Policy SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF to establish measures to encourage more sustainable non-car modes of transport for the life of the development.

- 9 Prior to the commencement of development, an Ecological Management Plan (EMP) shall be submitted to and approved in writing by the Local Planning Authority.

That EMP shall provide the full details for implementation of the ecological mitigation measures including:

- Avoidance of light spill onto boundary hedges;
- Covering trenches overnight to reduce risks to Badgers;
- Retention of the ditch on the southern site boundary;
- Vegetation clearance outside the bird breeding season;
- Maintaining access for Hedgehogs.

Enhancement measures for the following habitats and species:

- Creation of species-rich grassland;
- native tree and scrub planting;
- installation of bat boxes;
- installation of 4 nest boxes for House Sparrows

It shall be thereafter so implemented.

Reason: To ensure that impacts on existing species are minimised, and there is a net gain for biodiversity enhancement on the site, this in accordance with Policy SP14 of the adopted Ryedale Plan- Local Plan Strategy.

- 10 Prior to commencement of the development, and notwithstanding the submitted details, additional details in a BS5837- compliant Arboricultural Methods Statement shall be submitted to and approved in writing by the local planning authority. It shall give the full details of fencing and tree protection measures, and be thereafter so implemented for the duration of the construction period, and where relevant, for the duration of the development.

Reason: To ensure the long term retention of the existing trees which are outside of the defined construction area, in accordance with Policies SP13 (Landscapes) and SP14 (Biodiversity) and SP15

(Green Infrastructure) of the adopted Ryedale Plan- Local Plan Strategy.

- 11 There shall be no storage of materials within the identified tree protection zones (as defined in the Arboricultural Methods Statement agreed as part of condition 10.

Reason: To ensure the long term retention of the existing trees which are outside of the defined construction area, in accordance with Policies SP13 (Landscapes) and SP14 (Biodiversity) and SP15 (Green Infrastructure) of the adopted Ryedale Plan- Local Plan Strategy.

INFORMATIVE(S)

- 1 This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement. It is the applicant's responsibility to ensure all necessary agreements/consents are in place prior to the commencement of development and to take appropriate advice thereon if required.