

North Yorkshire Council
Community Development Services
Scarborough and Whitby Area Constituency Planning Committee

14 DECEMBER 2023

**ZF23/01242/FL - CHANGE OF USE OF LAND AND PROVISION OF ADDITIONAL
PITCHES AND SITE ROADS. ALTERATIONS TO SITE LAYOUT, LANDSCAPING
AND SITE ROADS TO ACCOMMODATE REORGANISATION AND EXPANSION
OF TOURING CARAVAN PARK AT LEBBERSTON TOURING PARK FILEY
ROAD GRISTHORPE FILEY NORTH YORKSHIRE YO11 3PE ON BEHALF OF
MR IAN PALMER**

Report of the Assistant Director Planning – Community Development Services

1.0 Purpose of the report

1.1 To determine a planning application for full planning permission for the change of use of land to accommodate reorganisation and expansion of touring caravan park, including formation of associated site roads, caravan pitches and landscaping at Leubberston Touring Park, Filey Road, Gristhorpe.

1.2 The proposal is being considered by Members of the Scarborough and Whitby Planning Committee at the request of Gristhorpe and Leubberston Parish Council.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That permission be GRANTED subject to the conditions listed at the end of this report.

2.1 This application seeks planning permission for a change of use of land to accommodate a reorganisation and expansion of Leubberston Touring Park. The proposal would see the caravan site area of the existing park being enlarged, and the number of touring caravan pitches on the site would increase from 125 to 175.

2.2 The proposal seeks to reorganise the layout of pitches within the existing developed parts of the site. Furthermore, the proposals will remove an existing caravan storage area and replace this with some additional touring pitches. The application also proposes an expansion of touring caravan pitches into an area of land located to the north-west of the existing caravan site.

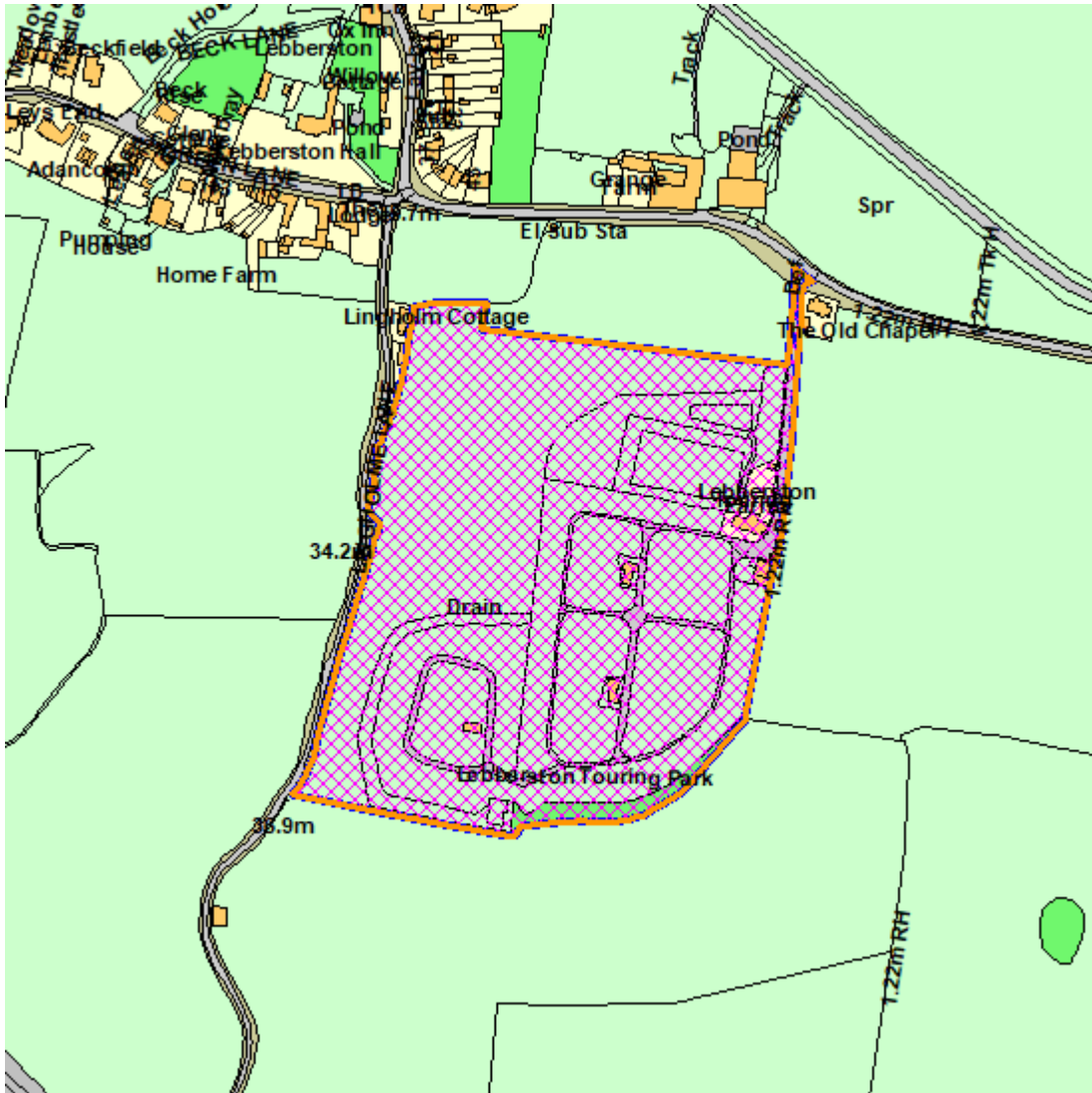
2.3 The proposal is considered to be acceptable in principle, improving and updating an existing touring caravan site. Further, the scheme is considered to be acceptable from a design and amenity perspective. Other detailed material

considerations have been carefully assessed within the report, with revisions sought throughout the application. Officers have sought advice from technical consultees, all of whom raise no objection to the proposal.

2.4 Therefore, it is considered that the development can be approved.



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3.0 Preliminary Matters

3.1 To access and view the case file on Public Access, please use the link below.

<https://planning.scarborough.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RY1SKQNS0EA00>

4.0 Site and Surroundings

4.1 Lebberston Touring Park is an established caravan park located immediately to the south of Lebberston village, on the south side of Filey Road. The current planning permission allows for 125 units. The site also comprises of a manager's dwelling with reception and shop, a storage shed, a caravan storage area, a dog walking/nature area and three amenity buildings (showers and toilets).

4.2 The site is accessed from the north-east, using a well-established vehicular access road off Filey Road.

4.3 The existing site is enclosed on all sides by established vegetation in form of mature hedges and trees. There is also extensive planting within the site. Beyond the site itself, land uses principally comprise farmland to the east, south and west, and a small number of residential properties on Filey Road and Lingholme Lane to the north and north-west.

4.4 With respect to planning designations and constraints, the site is located in the open countryside, outside of the Development Limits of any settlement defined in the Scarborough Local Plan. The application site is land identified by the Environment Agency as being at low (1 in 1000 year) risk of surface water flooding (Flood Zone 1).

5.0 Description of Proposal

5.1 The proposals are for the reorganisation and expansion of the caravan park.

5.2 The application proposes an additional 50 touring caravan pitches. The layout of the existing site/pitches will be amended and 18no. additional pitches added to increase capacity. The existing caravan storage area will be changed to accommodate 12no. fixed pitches. The only area where new pitches (20no.) will be added to extend the site is the land adjacent, north-west of the site, which is currently a grazing paddock. New landscape planting (trees and shrubs) has recently been undertaken to enclose these areas, provide shelter to the caravans and enhance the appearance of the site.

5.3 There are no buildings proposed. The proposed new roads and individual pitch parking will be constructed of tarmac. The new touring caravan pitches will be constructed of crushed stone/gravel.

5.4 Each new touring caravan pitch will be equipped with one off-street car parking space. No changes will be made to the main access road into the park.

5.5 Foul water will be connected to the existing system (mains) via an existing pumping station on the established park. Surface water will discharge to ground as is currently the case for the existing park.

5.6 In addition to the plans, the application is accompanied by several supporting documents (available to view on the Council's website) including:

- Planning and Design & Access Statement
- Landscape Assessment
- Ecological Appraisal

6.0 Planning Policy and Guidance

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

Adopted Development Plan

6.2 The Adopted Plan for this site is the Scarborough Borough Local Plan 2011 to 2032, adopted 2017. The relevant policies are:

- Policy DEC4 - Protection of Amenity
- Policy TOU 1 - New Tourism Facilities
- Policy TOU 4 - Visitor Accommodation and Facilities in the Countryside
- Policy ENV 5 - The Natural Environment
- Policy ENV 6 - Development Affecting the Countryside
- Policy ENV 7 - Landscape Protection and Sensitivity

Emerging Development Plan - Material Consideration

6.3 There is no emerging development plan which covers the application site.

Guidance - Material Considerations

- National Planning Policy Framework 2021
- National Design Guide

7.0 Consultation Responses

7.1 The following consultation responses have been received and have been summarised below. The full consultation comments can be viewed on the Council's website.

- 7.2 Gristhorpe and Lebberton Parish Council: Objections in relation to overdevelopment, flooding and highway safety
- 7.3 Local Highway Authority: No objection
- 7.4 Environmental Health Private Sector Housing: No objection
- 7.5 Environmental Health Commercial Regulations: No response received
- 7.6 Parks and Countryside Services: No response received
- 7.7 Tourism: No response received
- 7.8 Lead Local Flood Authority: No response received
- 7.9 Yorkshire Water Services Limited: No objection following the submission of an amended Site Plan
- 7.10 Vale Of Pickering (York and Humber) Internal Drainage Board: No response received

Local Representations

7.11 Consultation period expired on 26 October 2023. There have been 3no. objections received in response to the application, making the following comments, however, please see website for full comments:

- unsightliness
- highway safety issues
- increase in traffic
- impact on local wildlife
- concern about potential increase in noise

8.0 Environmental Impact Assessment

8.1 The development proposed does fall within Schedule 2 of the Environmental Impact Assessment Regulations 2017 (as amended). However, this is a small extension to the existing site and the development is not within a 'sensitive area' as defined by The Regulations. The Council does not consider that an EIA under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 is required in this instance.

9.0 Main Issues

- 9.1 The main issues are:
- Principle of the proposed development

- Landscape and visual impact
- Impact on neighbour amenity
- Highway safety
- Ecology

10.0 Assessment

Principle of the proposed development

10.1 The application site lies within the open countryside outside of the Development Limits of any settlement as defined in the Local Plan. Therefore, as a proposal for improvements to an existing site in the open countryside, policies ENV6 (Development Affecting the Countryside) and TOU4 (Visitor Accommodation and Facilities in the Countryside) are applicable. Additionally, policy TOU1 (New Tourism Facilities) is also relevant.

10.2 Local Plan policy ENV6 seeks to protect the 'open countryside' for its own sake, and restricts development to that for which a countryside location is essential and precludes development except for certain circumstances. One such circumstance is where a development proposal accords with the provisions of policy TOU4. Policy TOU4 states that new visitor accommodation in the countryside will be permitted where: it is of an appropriate scale relative to its location; sited to be visually unobtrusive and able to be successfully integrated into the surrounding landscape due to the topography and established screening; and, has a road network and access which can safely accommodate the associated traffic. This policy overrides the need for essential development where tourist accommodation is concerned. In addition, policy TOU1 lends general support to new or enhanced tourism facilities which respect the distinctive tourism character of the area in terms of scale and nature and, where possible, help to reduce the seasonal nature of tourism.

10.3 The National Planning Policy Framework (NPPF) is also an important consideration in assessing the principle of the development. It states that significant weight should be placed on the need to support economic growth and productivity; and, that the sustainable growth and expansion of all types of business in rural areas should be enabled, including sustainable rural tourism developments that respect the countryside.

10.4 It is considered that these policies are generally supportive in principle of the expansion of tourist accommodation like proposed providing it meets the detailed criteria of those policies, other relevant planning policies and satisfies other material considerations.

10.5 This is a proposal for an expansion and modernisation of a touring caravan site of a scale and nature that is commensurate with the existing facility, in a locality that is characterised in a visual sense by the existing caravan site. Whilst this application does extend the boundaries of the existing Holiday Park, representing an increase of approximately 11% in the area of the site, this is considered not to be significant enough to cause detrimental impact on its countryside location. Similarly,

it is considered that the number of pitches proposed would be appropriate for the identified site area, representing an increase of approximately 40% in the number of units overall.

10.6 The proposal would deliver high quality touring caravan holiday accommodation pitches at a well-established Holiday Park to meet the needs of the tourism industry, and enhancement of the layout and facilities. In general terms, the proposal complies with policy TOU1 and your Officers consider that the proposal is supported by the provisions of the NPPF.

Landscape and visual impact

10.7 The existing site is well screened from public views along the main highways, Filey Road to the north and Lingholme Lane to the west, by the existing hedges and trees which boarder the highways, and also the substantial planting which surrounds the site. The new extension area is a little more open at the present time. The land slopes very gently to the south and west so views of the caravans would only be visible from the west. However, Lingholme Lane has roadside hedges and existing mature boundary trees to the site, which screen the view of this area. It is considered that the extension to the site would not have any significant landscape impact due to the existing trees and hedges which surround the site and the location of public view points. In addition, the new landscaping which has already been planted, but not as yet achieved any size, will in the near future add to the well treed appearance of the site.

10.8 The new planting already undertaken will complement the mature trees on the site, providing a positive enhancement to the local landscape of the area. When viewed from the surrounding area, the site appears as one fairly large woodland.

10.9 Given the effectiveness of the existing screening, it is evident that the proposed development will not detract from the appearance of the surrounding landscape, make the site more prominent within it or impact upon residential amenity. As the site will continue to operate as a Holiday Park, its context within the local area will remain the same.

10.10 Local Plan policy ENV7 (Landscape Protection and Sensitivity) is concerned with landscape protection including: the sense of openness; the pattern and complexity of the landscape; the experience derived from a particular landscape character; its relationship with settlement edges and inter visibility. In the context of the wider landscape and its enjoyment by the wider public, and in view of the location of the proposed pitches within the context of the existing caravan park and sited amongst existing structures on the park, it is not considered that this proposal would have a serious adverse impact. In relation to the proposed pitches to the north-west, there is considerable mature planting in place to the west and north in the form of inner and outer site boundaries which collectively satisfactorily soften and screen the visual impact of the proposal and its effect on landscape character.

10.11 Considering the criteria of policy TOU4 outlined earlier in the report, the proposal is for a modest level of development that would not be likely to cause detrimental impact on its countryside location. The development is sited within the

confines of the site, largely screened from public views by established tree and hedge planting on all sides. The landscaping is effective even in the winter period. The proposal includes the addition of planting where appropriate, still, it is considered the topography, along with the existing vegetation would obscure much of the development and therefore it would not be visually obtrusive.

10.12 With this in mind, subject to the favourable consideration of the other planning matters, Officers consider the scheme to be in accordance with policies TOU1, TOU4, ENV6 and ENV7 of the Scarborough Borough Local Plan 2017.

Impact on neighbour amenity

10.13 Policy DEC4 (Protection of Amenity) of the Local Plan concerns the protection of amenity. In this instance, the key consideration would be on closest neighbouring residential properties. The policy states proposals should not give rise to unacceptable impacts by means of [amongst other things] disturbance arising from such things as noise, light pollution and other activities.

10.14 With regards to the application site, there are no private residential properties in close proximity of the site. The closest relationship between the proposed pitches on the site and existing third party property (the neighbouring dwellings to the north-west of the application site on Lingholme Lane) will be approximately 70 metres. However, there are considerable areas of landscape planting (comprising outer and inner western boundaries), which will screen these properties from the new and existing pitches. Further, to the rear of these properties the land rises. As such, these two properties are screened from the application site by a combination of landform and mature planting. Due to the separation distance together with existing and new planting, it is considered that the new caravan pitches would not result in unacceptable levels of light or noise pollution. The touring park, even with the proposed extension, remains separate from the closest existing settlement of Lebberton.

10.15 In view of the above, it is not considered that this proposal will have an adverse effect on residential amenity and meets the requirements of Local Plan policy DEC4 concerning protection of amenity.

Highway safety

10.16 Local Plan policy DEC1 (Principles of Good Design) states that proposals should provide suitable and safe vehicular access and suitable servicing and parking arrangements. The final criteria of Policy TOU4 relates to traffic generation.

10.17 Pedestrian and vehicular access is to be via the existing access. This application does not in any way seek to alter the existing access, and the access will continue to be used in the normal way for passage on foot or motor vehicle. Parking is to be provided within the confines of the proposed Holiday Park.

10.18 The Local Highway Authority has assessed the proposals from the point of view of access and safety, and has not raised any objections.

10.19 With this in mind, Officers do not consider that the safety or convenience of users of the public highway will be harmed by the development.

Ecology

10.20 Local Plan policy ENV5 (The Natural Environment) requires that proposals should respond positively and seek opportunities for the enhancement of species and habitats. The NPPF states that if significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

10.21 The existing trees and shrubs on the site together with the new planting with a diversity of species will help to create and improve the diversity wildlife habitats available in the area. It is recommended that the ecological integrity of the site is maintained and enhanced for biodiversity gain. This can be achieved by the provision of a full planting and landscaping scheme across the site. This detail can be secured through planning condition, as well as including the retention of trees and hedges. It is noted that the Council's Ecologist and the Arborist have been consulted but no comments have been received. It is therefore presumed that there are no objections in those respects.

10.22 The submitted Ecological Appraisal concluded that the development proposals are unlikely to result in any adverse impact on statutory and non-statutory designated sites and no mitigation is required to this regard. The report concludes that the proposed development is unlikely to impact upon any European protected species or associated habitats. However, the survey makes recommendations for protection and enhancement of habitat as part of the development and these can be secured by condition. Subject to these measures, it is not considered that the development will have an adverse impact on nature conservation and presents opportunities for enhancement in accordance with Policy ENV5 of the Scarborough Borough Local Plan 2017. Therefore, the Local Planning Authority has no reason to consider that the scheme is unacceptable in relation to this technical consideration.

10.23 The site is located within open countryside. It is therefore important to minimise light pollution on the darkened rural landscape. A lighting scheme, detailing the locations and types of lights across the site will be secured by planning condition.

PRE-COMMENCEMENT CONDITIONS

There are no pre-commencement conditions recommended.

11.0 Planning Balance and Conclusion

11.1 The proposal is considered to be acceptable in principle, improving and updating an existing touring caravan site. Detailed material considerations have been carefully assessed within the report, with revisions sought throughout the application.

11.2 Officers have sought the advice of technical consultees, all of whom raise no objection to the proposal.

11.3 The scheme is in accordance with the development plan policies as a whole and represents sustainable development as required by the National Planning Policy Framework, and consequently the application is recommended for approval.

12.0 RECOMMENDATION

12.1 That permission be GRANTED subject to the following conditions

1 The development hereby approved shall be carried out in strict accordance with the following:

Site Location Plan (drawing no. 001) received by the Local Planning Authority on 18 July 2023,

Site Plan - as Proposed (drawing no. 101 A) received by the Local Planning Authority on 9 October 2023.

Reason: For the avoidance of doubt.

2 The landscaping shall be implemented in accordance with the approved planting scheme shown on drawing 'Site Plan as proposed 101 REV A'. The planting scheme shall be implemented in full and shall thereafter be maintained by the owners of the land on which they are situated for a period of five years, beginning with the completion of the landscaping scheme. During that period, all losses shall be made good as and when necessary, unless written consent is given to any variation.

Reason: To ensure the character of the open landscape is protected, and in the interests of the appearance of the area and to ensure opportunities for biodiversity enhancement are maximised in accordance with policies DEC1, ENV5 and ENV7 of the Scarborough Borough Local Plan 2017.

3 The existing planting on the site's boundaries shall be permanently retained.

Reason: To ensure the site is properly screened in perpetuity in accordance with Policy TOU4 of the Scarborough Borough Local Plan 2017.

4 The development shall be undertaken in strict accordance with the recommendations and methods outlined within the submitted 'Ecological Appraisal' prepared by Rod Strawson on behalf of Ecology & Forestry Ltd, received by the Local Planning Authority on 18 August 2023; and the mitigation measures set out in section 5 of this report shall be adhered to in full.

Reason: To ensure adequate protection is afforded to species protected by law and to ensure the development is carried out in accordance with the details set out in the supporting documentation accompanying the planning application in order to provide adequate and necessary mitigation for the adverse environmental impacts that have been identified. To ensure opportunities for biodiversity enhancement are maximised in accordance with policies DEC1, ENV5 and ENV7 of the Scarborough Borough Local Plan 2017.

- 5 Notwithstanding the submitted details, prior to first occupation of the development hereby approved, a detailed scheme of external lighting for the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall seek to minimise any impact through light spillage on the visual amenities of the area. The lighting scheme for the development shall be carried out in accordance with the approved details and thereafter so maintained unless any alteration is first approved in writing by the Local Planning Authority.

Note: The Local Planning Authority will wish to see the external lighting on the site kept to a practical minimum, and low wattage low level lighting would be preferred.

Reason: In the interests of the visual amenities of the area, the surrounding landscape, and nature conservation, in accordance with policies DEC1 and ENV5 of the Scarborough Borough Local Plan.

- 6 The development hereby approved shall be occupied for holiday purposes only, and only during the period commencing on 1st March in each year and ending on 4th January in the following year. No caravan shall be occupied as a person's sole or main place of residence. There shall be no caravans left on the touring site as extended between 4th January and 1st March. The site shall be used solely for stationing of touring caravans and no caravan shall remain on the site for any continuous period exceeding 28 days.

Reason: In order to preclude permanent occupancy in the interest of avoiding such development in the countryside in accordance with policy ENV6 of the Scarborough Borough Local Plan 2017. To ensure the benefit to the local rural economy from transient tourist occupation is realised in accordance with Policy TOU4 of the Scarborough Borough Local Plan.

Notes

- 1 If the application is approved and is developed then the caravan site licence for the site needs to be updated accordingly.

Target Determination Date: 14 September 2023

Case Officer: Mrs Katja Harper
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