

North Yorkshire Council

Community Development Services

Richmond Area (Yorks) Area Constituency Committee Planning Committee

12th December 2024

ZB23/01580/MRC - Modification of condition 9 (landscaping) and 20 (occupancy) from previously approved application 16/02048/FUL -Change of use of land to holiday lodge park (54 Lodges) with associated reception building, solar farm, landscaping and amenity ponds, together with formation and alteration of highway access and internal roads and associated car parking (As Amended: Proposed Layout Plan and Pitch Break Plan [November 2024] and Habitat Management and Monitoring Plan received on 22.11.2024)

At: Angrove Park, Winley Hill, Great Ayton, North Yorkshire, TS9 6QA

On Behalf Of: Leisure Resorts Ltd.

Report Of The Assistant Director Planning – Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a (as amended) 'variation of condition' (Section 73) application to vary conditions 9 (landscaping) and 20 (occupancy) of previous planning permission (ref.16/02048/FUL) in order to facilitate proposed amendments to the approved landscaping scheme and to accommodate 35 additional lodges within the Angrove Country Park site.
- 1.2 This application is brought to the Planning Committee at the request of the Divisional Member.

2.0 SUMMARY

RECOMMENDATION: 'Minded to Grant' planning permission.

- 2.1 The (as amended) 'variation of condition' (Section 73) application seeks to amend the wording of conditions 9 (landscaping) and 20 (occupancy) of the original planning permission (ref.16/02048/FUL) in order to facilitate proposed amendments to the approved landscaping scheme and to accommodate 35 additional lodges within the Angrove Country Park site.
- 2.2 Angrove Country Park is an established leisure and holiday accommodation site located between the villages of Great Ayton and Stokesley within the countryside. The site has been subject to several planning permissions which first established, then expanded, the range of holiday accommodation and on-site facilities. The Park currently includes 54 holiday lodges within the eastern part of the site, as well as 25 static/touring caravan pitches, camping

pods/facilities and a small number of chalets in the western part of the site. The two parts of the site are separated by a woodland plantation. An amended Proposed Layout Plan (November 2024) has been submitted which identifies the positions of 35 additional lodges within the existing site, located within/adjacent to the existing layout of lodges within the eastern part of the Leisure Park site.

2.3 The application is partially retrospective as the provision of concrete bases and the laying of infrastructure has already been undertaken for 17 of the proposed lodges (as shown on the Amended Proposed Layout Plan).

2.4 The recommendation is '**minded to grant**' subject to:

(1) No additional material planning issues having been raised following the expiry of the 10 day reconsultation undertaken in relation to the amended Proposed Layout Plan and Habitat Management and Maintenance Plan.

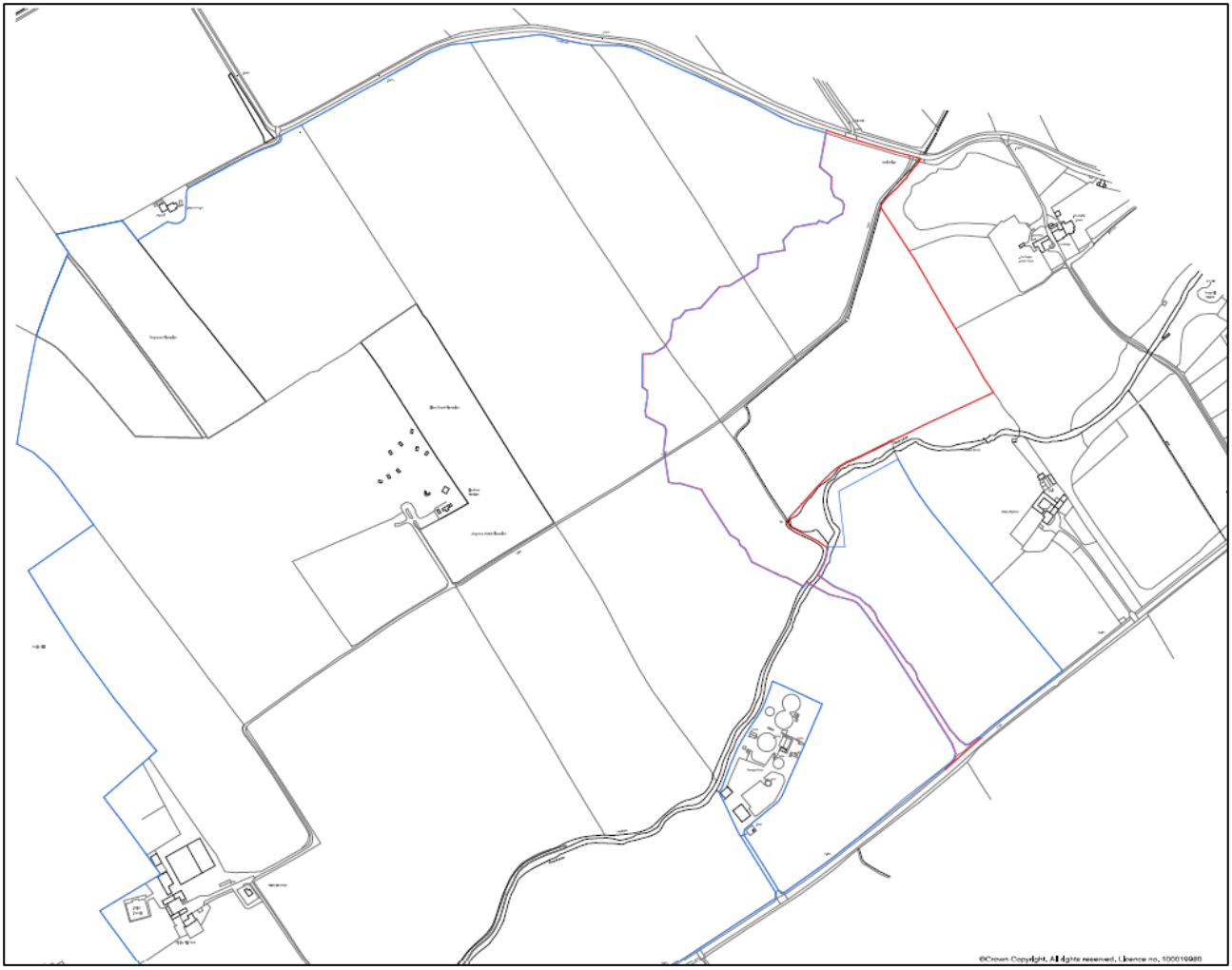
(2) Receiving confirmation from Natural England that they consider the proposals to be 'nutrient neutral' and that the Council's Habitats Regulations Assessment has demonstrated that they would be no significant impact on the Teesmouth and Cleveland Coast SPA/Ramsar site.

(3) Receiving a positive recommendation from the Lead local Flood Authority (LLFA) and Northumbrian Water Limited (NWL) regarding flood risk and surface water & foul drainage.

(4) The completion of a Deed of Variation to make specific reference to the current Section application/reference number.

(5) The completion of a Unilateral Undertaking to secure the implementation, retention, monitoring and management of the land to be used for nutrient neutrality off-setting.

(6) The imposition of the recommended planning conditions within Section 12 below as well as any highway and/or drainage-related conditions recommended within any subsequent positive NWL and LLFA recommendations.



3.0 PRELIMINARY MATTERS

3.1 Access to the application documents (via Public Access) can be found here:-

[Planning Documents](#)

3.2 The application as originally submitted with proposed layout plans showing a different proposed arrangements of lodges and landscaping scheme. The latest amended Proposed Layout Plan has been submitted following discussions with the Case Officer to more accurately reflect the existing Leisure Park's layout (including the additional lodge concrete bases already laid) as well as proposed changes the applicant wishes to make regarding the positions/siting of the proposed additional lodges and to the landscaping scheme. A 10 day reconsultation exercise has been undertaken which is due to expire on 7th December. All representations received as part of the reconsultation exercise that are received after the publication of the Committee agenda will be reported to the Committee as part of the Update List for the Committee or during the Committee meeting itself.

3.3 There is relatively extensive planning history relating to the application site and the Angrove Leisure Park. The planning history related to this application is detailed below:

Western Part of the Angrove County Park Site (land within the 'land-edged-blue' of permission 16/02048/FUL to which the current proposed amendment relates):

- 10/02544/FUL: Change of use of agricultural land to a camp site consisting of 10 pods and a portable shower block and portable toilet block, APPROVED, 04.02.2011.
- 15/01264/FUL: Retrospective application for change of use of agricultural land to a campsite, siting of a steel container, barbeque pod and three camping pods and revised layout of existing campsite (see 10/02544/FUL) including the construction of a pavilion building and other ancillary structures, APPROVED, 02.10.2015.
 - ◆ 15/01264/DCN: Discharge of Conditions (for planning permission 15/01264/FUL) , APPROVED, 29.04.2016.
- 19/02326/MRC: Application for variation of condition No: 2 (approved site layout drawing S236 PL 002 Rev B to allow for the siting of 25no touring and static caravan pitches) to previously approved application 15/01264/FUL for Retrospective application for change of use of agricultural land to a campsite, siting of a steel container, barbeque pod and three camping pods and revised layout of existing campsite (see 10/02544/FUL) including the construction of a pavilion building and other ancillary structures, APPROVED, 28.01.2020.

Eastern Part of the Angrove County Park Site (land included within the 'land-edged-red' of permission 16/02048/FUL to which the current proposed amendment relates):

- 15/02420/FUL: Change of use of agricultural land to holiday lodge park with associated solar farm, landscaping and amenity ponds, formation and alteration of highway access and internal roads, construction of office/hub building and associated car parking, WITHDRAWN, 15.06.2016.
- 16/02048/FUL: Change of use of land to holiday lodge park (54 Lodges) with associated reception building, solar farm, landscaping and amenity ponds, together with formation and alteration of highway access and internal roads and associated car parking, APPROVED, 30.06.2017.
 - ◆ 16/02048/DCN: Discharge of Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11,14, 15, 16, 17, and 18 (for planning permission 16/02048/FUL), APPROVED, 26.01.2018.
 - ◆ 16/02048/DCN01: Discharge of Conditions 4, 19, 20 and 21(for planning permission 16/02048/FUL), APPROVED, 26.01.2018.
 - ◆ 16/02048/DCN02: Discharge of Condition 3 (for planning permission 16/02048/FUL), APPROVED, 08.02.2023.
 - ◆ 16/02048/DCN03: Discharge of Condition 9 (for planning permission 16/02048/FUL), NOT YET DETERMINED.
- 21/01124/FUL: Retrospective application to regularise planning status of reception, administration and cafe block at Angrove Country Park, APPROVED, 24.06.2021.
- 22/02502/FUL: Retrospective construction of a mini golf course, APPROVED, 07.12.2022.
- 23/00010/FUL: Change of use of land for formation of play area to serve existing holiday park, APPROVED, 01.03.2023.

- 23/00050/FUL: Use of land for siting of a lodge style caravan for use as a sales office, APPROVED, 06.03.2023.
- ZB23/02366/FUL: Part retrospective siting of 2 containers with canopy for use for maintenance and storage purposes associated with daily operation of holiday park, APPROVED, 24.01.2024.
 - ◆ ZB23/02366/DCN: Discharge of Condition 3 (landscaping) (for planning permission ZB23/02366/FUL), APPROVED, 05.09.2024.

4.0 SITE AND SURROUNDINGS

- 4.1 Angrove Country Park is an established (70 acres / 28.33 hectares) leisure site, involving a range of holiday accommodation and associated facilities, including holiday lodges, camping facilities (including camping domes/pod), static and touring caravan pitches, pavilion building, play area, mini golf course, sales office, as well as reception and café block buildings [bar and restaurant]. Associated with the Park are eight photovoltaic arrays which have been sited on agricultural land to the north and immediately adjacent to the existing lodges.
- 4.2 Angrove Country Park is located in a countryside location between the A173 (to the south) and Yarm Lane (to the north), approximately 0.6km to the west of the village of Great Ayton and approximately 1.5km to the north-east of the market town of Stokesley. Vehicular access to the Park is via a tarmac road, with a junction onto the A173, which bridges over the River Leven. The land surrounding the Park is predominantly agricultural (the agricultural land to the north is included within the 'land-edged-blue' and thus in the ownership of the applicant) A public footpath (ref.10.57/12/1) passes along the southern boundary of the site, which runs parallel with the River Leven. In terms of the existing holiday accommodation, the Angrove Country Park site is essentially divided in two halves: static/touring caravans and camping facilities in the western side of the site and holiday lodges and associated facilities in the eastern side.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 The (as amended) 'variation of condition' (Section 73) application seeks amend the wording of conditions 9 (landscaping) and 20 (occupancy) of previous planning permission (ref.16/02048/FUL) in order to facilitate proposed amendments to the approved landscaping scheme and to accommodate 35 additional lodges within the Angrove Country Park site.
- 5.2 The amended Proposed Layout Plan (November 2024) shows that the proposed additional holiday lodges would be sited (on concrete pads) within and immediately adjacent the established layout of the existing 54 holiday lodges within the eastern part of the site which were granted planning permission in 2017 (ref.16/02048/FUL) the amended Proposed Layout Plan differentiates between the 17 proposed new lodges where the concrete pads have already been laid , and the remaining 18 lodges (towards the north-eastern corner of the site) where no groundworks or associated infrastructure have yet commenced. . All new lodges would be within the existing boundaries of the Park, although the amended

application is proposing to utilise a rectangular-shaped area of agricultural land (within the applicant's ownership) located immediately to the north of the northern boundary of the Park for the purposes of nutrient neutrality.

- 5.3 The amended Proposed Layout Plan (November 2024) also includes alterations to the proposed landscaping, with additional landscaping areas amended to more accurately and practically reflect internal access arrangements. The aforementioned plan shows that three areas of additional mixed native-species woodland planting is proposed adjacent to the central (internal) hedgeline and adjacent to the western lodges within the north-east of the site. The

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 application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

Hambleton Local Plan, February 2022, and
North Yorkshire Joint Waste and Minerals Plan, February 2022.

Emerging Development Plan – Material Consideration

- 6.3. The Emerging Development Plan for this site is listed below. It is considered to carry no weight due to the current early stage of plan preparation.

Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2023 (NPPF)
- National Planning Practice Guidance (PPG)

Environmental Impact Regulations

The proposed development is not considered to fall within Schedule 1 or 2 of the Environmental Impact Regulations and as such an Environmental Statement is not required in this case.

7.0 CONSULTATION RESPONSES

- 7.1 In addition to the original consultation (August 2023), a 10 day reconsultation exercise has been undertaken in November, 2024. All representations summarised below are in relation to the original consultation exercise, until otherwise specified:

Great Ayton Parish Council: The Parish Council have made the following comments/observations: *“Councillors discussed concerns on major increases shown on the plans with condensed areas of lodges. It was agreed that an objection would be made to this application, it was also noted that there were concerns regarding the requested changes to conditions 9 and 20. RESOLVED: Whilst Councillors appreciated the increased tourism for the businesses there was concerns on the increased traffic and additional parking problems in the village. It was agreed that this was overdevelopment of the site and changed the nature of a rural country park.”*

Division Member: Cllr. Moorhouse has requested that the application be considered by the Area Planning Committee.

NYC Local Highway Authority (LHA): No objections to the proposals.

NYC Footpaths Team: No response received.

Ramblers Association: No response received.

NYC Regulatory Services (formerly Environmental Health): Having considered the potential impact on amenity and likelihood of the development to cause a nuisance, they consider that there will be no negative impact, and therefore have no objections to the application.

NYC Regulatory Services – Contaminated Land (formerly Environmental Health): No response received.

NYC Ecologist: No response received.

Natural England (NE) : Provided an initial response to confirm that, as originally submitted, the application could have potential significant effects on Teesmouth and Cleveland Coast Special Protection Area & Ramsar, and thus further information is required in order to determine the significance of these impacts and the scope for mitigation and demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by the LPA, and have therefore stated that the following information is required:

- A Habitats Regulations Assessment
- A Nutrient Budget Calculator for the additional lodges
- A Nutrient Mitigation Strategy for the nutrient net gain

Without this information, NE confirmed that they may need to object to the proposal and have requested to be reconsulted once the aforementioned information has been submitted.

Natural England have been consulted several times since this initial response following the successive submission by the agent of a nutrient budget calculator and associated documents (including latterly the submission of a Habitat Management and Maintenance Plan) and the LPA's undertaking of a HRA assessment. Their latest response (to the

reconsultation exercise undertaken in November 2024) confirms that they are still seeking amendments to the nutrient budget calculations for the proposed off-site nutrient mitigation, and maintain their objection to the application until such appropriate amendments are made.

Environment Agency: No response received.

Yorkshire Wildlife Trust: No response received.

Northumbrian Water: No response received.

Local Representations

7.2 The local representations received and summarised below were all received in relation to the original consultation exercise. Any representations received from local residents that are received after the publication of this report (as part of the Committee agenda) will be reported to the Committee as part of the Update document or at the Committee meeting itself. A total of 2 local representations were received, both objecting to the proposals (as originally submitted):

- The planning application does not match the proposal description and this is very misleading. The application seeks to “remove” the occupancy restrictions as per condition 20 of the original permission.
- The application seeks to add an 33 additional lodges (increase of 66%), without having to provide any revised supporting documentation as required in line with the required documents which were provided with the original application.
- The application glosses over that only 18 of the additional 33 lodges are in a previously developed area, with a further 15 additional lodges proposed on a previously “undeveloped area”. The existing planning permission was granted based on a revised application after a proposal for 179 Units had been withdrawn as the officer recommendation was for refusal. The reasons for refusal are applicable to the current application, i.e. “Due to its scale and extent, the number of users and associated activity, the proposed development would be an inappropriate form of tourism development and would result in an unacceptable level of harm to the existing tranquil agricultural character of the surroundings, and would contribute to the further urbanisation of the countryside in an ‘Area of restraint’.
- The existing planning permission was granted on the basis that the lodges met the legal definition of a caravan. A number of the “existing” lodges do not meet the criteria as they are oversized and cannot meet this requirement so are in breach of the existing approval. No Structural Calculations, Lifting Plans or Dimensional details have been provided in relation to the “Oversized” Lodges as required to demonstrate that they do in fact meet the legal definition - specifically the “The Mobility Test”. The current application does not provide any detail either to demonstrate that the additional proposed Units will not breach the Legal definition of a caravan.
- The application does not include any detail to ensure the proposed site layout for the increase in statics will meet all spacing requirements and minimum separation distances

in between each unit and also meet the minimum distance from site boundaries. The additional 18 lodges which are constructed in between the existing lodges (as indicated on the revised plan) will compromise the spacing requirements. No supporting information has been provided to demonstrate otherwise.

- The additional proposed pitches will also result in further deterioration of the PRow which runs to Great Ayton and joins onto Yarm Lane. The application offers no contribution to the Endeavour Way as stated in the current plan documents with all proposed allocated sites - "Works will be required towards the provision/development/maintenance of the Stokesley/Great Ayton Cycleway". The S106 requirement which is in place with the existing approved application to cover the maintenance of the grass verge to a suitable standard for use by pedestrians has also not been complied with.
- The applicant has also closed the cycle route which joins onto Yarm Lane at Bartle Bridge which forces all cycle movement through the PRow. The Officers Report states under the heading of Highway Safety Section 5.48 that "a cycle link is also proposed onto Yarm Lane, through the existing field access at the north east point of the site.
- It seems that the intention of the applicant is to increase the number of lodges on the site with another 35. The planning application does not detail any research into the possible negative impact of the expansion, such as with regards to increase in car journeys, pollution and potential adverse impact on the local community and landscape, or what the potential benefit of this proposal might be to the community. I object to this application, unless the applicant can demonstrate that there is no overall negative impact.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

- 9.1. The key considerations in the assessment of this application are as follows:

- Principle of Development
- Impact on the Local Economy
- Design, Landscaping and Impact on the Character of the Countryside
- Green Infrastructure
- Ecology and Biodiversity Net Gain
- Amenity
- Highway Safety and Connectivity
- Impact on the Public Right of Way (PRow) Network
- Flood Risk, Foul and Surface Water Drainage Management
- Nutrient Neutrality
- Heritage
- Other Matters

10.0 ASSESSMENT

Principle of Development

- 10.1 Local Plan Policy S1 (Sustainable Development Principles) states that the Council will seek to ensure that development makes a positive contribution towards the sustainability of communities, enhances the environment and adapts to and mitigates the impact of climate change. This will be achieved by (amongst other things):
- Meeting development needs through sustainable development that supports existing communities, making effective and efficient use of land, supporting social cohesion, minimising the need to travel and promoting sustainable modes of travel (criterion a.);
 - Promoting Hambleton as a recognised location for business by providing a range of employment opportunities that meet local aspirations, including high quality jobs, meeting the needs of new and expanding businesses and recognising the contribution of the rural economy (criterion d.);
 - Protecting and enhancing the high quality natural and historic environment whilst facilitating development in a way that respects and strengthens the distinctive character of the landscape and the form and setting of settlements (criterion e.)
- 10.2 In terms of economic development, Local Plan Policy S3 (Spatial Distribution) states that the Council will (amongst other matters) seek to:
- support the growth and diversification of the rural and agricultural economy, through policies S5 and 'EG7 (criterion i.), and
 - support delivery of the Council's economic priorities to; support existing businesses; secure targeted inward investment; drive growth; ensure vibrant market towns and support business activity (criterion j.).
- 10.3 Local Plan Policy EG7 (Businesses in Rural Areas) states that employment generating development will only be supported in locations outside the main built form of a defined settlement (in the settlement hierarchy) where it involves (amongst less relevant other matters):
- the expansion of an existing business where it is demonstrated that there is an operational need for the proposal that cannot physically or reasonably be accommodated within the curtilage of the existing site (criterion a.); or
 - other proposals specifically requiring a countryside location (criterion d.).
- 10.4 Policy EG7 also states that where new or replacement buildings are required, where possible they should be in close proximity to an existing group of buildings and the siting, form, scale, design and external materials of the new buildings should not detract from the existing buildings nor the character of the surrounding area.
- 10.5 Angrove Country Park is an established holiday leisure park offering a range of holiday lodge and camping facilities as well as a related range of leisure facilities, including mini golf, restaurant/café and play area. The Park is located between Stokesley and Great Ayton in a countryside location, as defined by Local Plan Policy S5 (Development in the Countryside), which defines any land or settlement outside of the 'existing built form' of any

defined settlement in the 'settlement hierarchy' (of Policy S3) as being part of the countryside.

- 10.6 As the proposed expansion of an existing business in a countryside location, the proposals would benefit from the 'in principle' support of Local Plan Policies S1 (criterion d.); S3 (criterion I & j) and EG7 (criterion a & d).

Impact on the Local Economy

- 10.7 As per Local Plan Policy S1 stated above, the Local Plan seeks to promote Hambleton as a recognised location for business by providing a range of employment opportunities that meet local aspirations, including high quality jobs, meeting the needs of new and expanding businesses and recognising the contribution of the rural economy (criterion d.)
- 10.8 The proposed development would involve the provision of an additional 35 holiday lodges within the leisure park site and represents a substantial expansion of the existing rurally-based business with local economic and job-related benefits. The proposed development would therefore have the support of criterion d. of Local Plan Policy S1 in this regard, which is to be afforded moderate benefit in the overall planning balance.

Design, Landscaping and Impact on the Character of the Countryside

- 10.9 Local Plan Policy E1 (Design) states that all development should be high quality.... integrating successfully with its surroundings in terms of form and function... reinforcing local distinctiveness and...a strong sense of place. As such, development will be supported where the design is in accordance with the relevant requirements of Policy E1 (amongst other less relevant considerations): Responding positively to its context...drawing key characteristics from its surroundings...to help create distinctive, high quality and well-designed places (criterion a.); Respects and contributes positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance/relationships, views/vistas, materials and native planting/landscaping (criterion b.)
- 10.10 Local Plan Policy E7 (Hambleton's Landscapes) states that the Council will protect and enhance the distinctive landscapes of the District by supporting proposals where (amongst other less relevant considerations) it: considers the degree of openness and special characteristics of the landscape (criterion a.); and, protects the landscape setting of individual settlements, helping to maintain their distinct character and separate identity (criterion e.)
- 10.11 The existing Park is located within a predominantly rural (agricultural) landscape situated between the settlements of Stokesley and Great Ayton, although the site is also within the wider rural landscape within the north-east of the Plan Area that extends south and eastwards to the North York Moors National Park. Wider views of the Angrove Park site are generally restricted due to topography and landscaping features, including woodland plantations within and adjacent to the Angrove site.

- 10.12 In terms of closer range views, the site is setback from the A173 to the south, while existing intervening trees sited along the bank of the River Leven mean that public views of the existing lodges and buildings within the Angrove Country Park site are limited from the A173 and vantage points further to the south. Views from the west of the site are effectively screened by the Angrove and New Shed tree plantations, while views from the east are screened by the bordering trees to the Grange and belts of planting on the north side of the A173.
- 10.13 The Public Footpath (ref.10.57/12/1) located adjacent to the River Leven provides views of the Angrove Park site, including the eastern side of the Park which contains existing holiday lodges. While the addition of 35 lodges into this area of the site would be visually apparent from viewpoints along the Public Footpath, any additional (negative) impact on the users of the Public Footpath's enjoyment of the PROW and appreciation of the countryside is considered to be modest, given that the existing holiday lodges would be sited within or immediately adjacent to the existing holiday lodges and within the envelope of the Park.
- 10.14 The north-east element of the Angrove site is approximately 160m to the south of Yarm Lane. Due to this distance and the topography of this part of the site (the north-east element of the site is the highest part of the Park), there is the potential for the proposed additional 18 lodges within this area to be visible from vantage points from Yarm Lane, looking southwards. However, the proposed landscaping scheme (as per the amended Proposed Layout Plan) shows a substantial area of mixed species tree planting to the northern boundary, which would help to screen views from Yarm Lane, particularly as the planting starts to mature.
- 10.15 The established layout of the existing 54 holiday lodges within the north-east of the site is non-linear with the lodges situated around a series of curved access tracks and ponds, with an undeveloped area of grassland within the north-east corner of the former field boundary within which the existing holiday lodges sited. This layout would successfully facilitate the siting of additional lodges within it without appearing over-developed, while the aforementioned undeveloped grassland area would be a natural and congruous extension to the existing lodge layout that would be contained within the field boundary and the existing envelope of the Angrove site more generally. This is an important consideration as it means that the proposed lodges can be assimilated within the natural boundaries of Angrove Park without requiring any breakout into the agricultural land beyond, avoiding the negative impacts this would have on the character and appearance of the countryside.
- 10.16 No details have been provided regarding the design of the proposed additional lodges, although condition 3 imposed on the original planning permission (ref.16/02048/FUL) required a 'site-wide, lodge design code' for the lodges to be submitted to and approved by the LPA, including the details of external materials, associated decking and window & door types/profiles. This design code condition was duly discharged (for a second time) in February, 2023 (ref. 16/02048/DCN02). This approved design code approved the use of timber cladding, dark exterior window frames and wooden doors, timber decking and dark roofing. This approved design code included the following details:

- (i) Exterior walls of lodges - would be timber (cedar) cladding, or a textured wood-grain effect non-timber cladding (as per the submitted manufacturer's brochure), non-white in colour. Photographic examples provided within the design Code document. The submitted sample photographs show a range of different timber and timber effect cladding of various different colour finishes
- (ii) Windows and doors - dark window frames and timber doors would be used.
- (iii) Decking - Non-slip timber or timber-effect decking (photographic examples provided within the design Code document)
- (iv) Roofing - dark-coloured roofing would be utilised for the lodges. The submitted sample photographs show a light-weight, undulating light and dark grey tile.

10.17 It is recommended that if this application is approved, a condition is imposed requiring the additional lodges to comply with this approved design code in order to ensure that the design of the additional lodges integrate well with the layout and appearance of the existing lodges. Subject to the above recommended condition, the proposals would comply with Local Plan Policy E1 in this regard.

10.18 Overall, while it is considered that the proposed development would have a neutral impact on views and the character of the wider landscape, there are localised views that would be negatively impacted by the proposed development, including from Yarm Lane (to the north) and the Public Footpath 10.57/12/1 (to the south), although the proposed landscaping scheme would help to mitigate the visual impact from views from Yarm Lane in particular. This negative impact would carry minor weight in the overall planning balance.

Green Infrastructure

10.19 Policy E4 (Green Infrastructure) states that the Council will seek to protect existing green infrastructure and secure green infrastructure net gains by, amongst other things, incorporating green infrastructure features as integral parts of a development's design and landscaping, while also enhancing links and functionality between the site and any surrounding or adjacent areas of green infrastructure.

10.20 The application site, and the Angrove Country Park more generally, is sited within an area designated in the Local Plan as Green Infrastructure Corridor. The existing trees and hedgerows within the site and on the site boundaries are part of the existing green infrastructure network within the local area providing habitat links. The proposed landscaping scheme (as shown on the amended Proposed Layout Plan) would help to strengthen the green infrastructure within the site through the planting of separate areas of new mixed (native) species planting adjacent to the existing hedgerow and tree lines within the site. Overall, the proposed development is considered to comply with the requirements of Local Plan Policy E4.

Ecology and Biodiversity Net Gain

10.21 Policy E3 (The Natural Environment) states that direct or indirect adverse/negative impacts on SINCs, European sites (SACs and SPAs), and SSSIs should be avoided and will only be

acceptable in specific circumstances in detailed in Policy E3. Policy E3 also states that a proposal that may harm a non-designated site or feature(s) of biodiversity interest will only be supported where (inter alia) 'significant harm' has been avoided (i.e. an alternative site), adequately mitigated or compensated for as a 'last resort' (criterion a.)

- 10.22 In accordance with the Environment Act (2021) and the NPPF, Policy E3 is clear that all development is expected to demonstrate the delivery of a net gain in biodiversity or Biodiversity Net Gain (BNG), with paragraph 6.46 of the supporting text stating that the latest DEFRA guidance and relevant metric tool should be used to demonstrate compliance with the policy.
- 10.23 A detailed Ecological Appraisal Report (EAR) was submitted with the original application (ref. 16/02048/FUL). The EAR concluded (amongst other matters) that:
- The site contained minimal habitat for wildlife with the exception of areas of deciduous woodland and tree lines found at several locations throughout the site.
 - The River Leven to the southern boundary is considered to be a wildlife corridor for species moving through the area.
 - The proposed development with appropriate planting linking the site to the Leven would potentially result in an increase in habitat within the area, and a subsequent increase in the species diversity present within the site.
 - The holiday accommodation with associated planting and landscaping could provide positive (biodiversity) gains.
 - A potential minor negative impact on brown within the site (due to the increased disturbance associated with this type of development) was identified, however there are still large areas within the farm where the population can be maintained.
- 10.24 The applicant has chosen not to submit a new or updated EAR with this 'Section 73' application. However, it is clear from the nature of the site and the character/extent of the proposed amendments to the approved scheme that the fundamental conclusions and recommendations of the EAR remain relevant to the consideration of this 'variation of condition' application. Based on the findings/conclusions of the aforementioned EAR in conjunction with the Case Officer's walkover of the site, it is concluded that the proposed amendments are unlikely to have an unacceptable impact on any important or Protected Species and habitats, subject to conditions, including the requirement for any additional lighting required to adhere to the lighting scheme approved through the discharge of condition 4 of the original permission which is considered to be an appropriate minimalist approach to external lighting that would prevent excessive lighting spill and light pollution that could potentially affect Protected Species (e.g. bats).
- 10.25 In terms of Biodiversity Net Gain (BNG), Section 73 ('variation of condition') applications are exempt from the mandatory 10 per cent net gain requirements where the original planning permission was applied for or granted before 12 February, 2024, which is the case for this

application as the original planning permission ref. 16/02048/FUL was granted planning permission on 30 June 2017. Notwithstanding this, there are clear (if unquantified) ecological enhancements resulting from the development overall and the additional planting and landscaping features that are part of the scheme (including the amended landscaping proposals included within the current Section 73 proposals)

- 10.26 Overall, the proposed amendments are considered to be in accordance with Local Plan Policy E3.

Amenity

- 10.27 Policy E2 (Amenity) of the Local Plan expects all proposals to maintain a high standard of amenity for all users/occupiers as well as for occupiers/users of neighbouring land and buildings, particularly those in residential use. This is echoed in criterion c. of Policy E1 which requires proposals to achieve a satisfactory relationship with adjacent development and not to have an unacceptable impact on the amenities or safety of future occupiers, for users and occupiers of neighbouring land and buildings or the wider area or creating other environmental or safety concerns. In order to achieve this 'high standard of amenity', E2 states (amongst other less relevant matters) that proposals will be required to ensure: adequate availability of daylight/sunlight without suffering from the significant effects of overshadowing...(criterion a.); physical relationships that are not oppressive or overbearing and will not result in overlooking causing loss of privacy (criterion b.); no significant adverse impacts in terms of noise...(criterion c.); and that adverse impacts from various sources (i.e. dust, obtrusive light and odour) are made acceptable (criterion d.);
- 10.28 There are also a number of isolated residential properties within the locale of the Angrove Country Park site. These include: The Grange (165m); East Angrove (155m); Angrove House (620m); Angrove North Farm (690m), and Beatle Bridge (425m). The nearest residential properties are over 100m away from site and the additional lodges would be viewed and experienced within the context of the established Park. Therefore, any additional impacts resulting from the proposals on the amenities of local residents in terms of privacy and noise/disturbance impacts would be relatively minor, particularly when the established and additional planting is accounted for.
- 10.29 The conditions of the original permission to do allow for the existing lodges to be used as anything other than holiday accommodation, thus there as no existing lodges within the eastern part of the Park used as a permanent or primary place of residence. This is an important material consideration when considering the impacts on the amenities of existing lodge owners and patrons within the Park. While the proposals would result in a reduction in existing space between lodges, given the relatively generous space between lodges, and the semi-staggered, non-linear layout, it is considered that the lodges can be successfully incorporated within/adjacent to the existing lodge layout in the eastern part of the Park without raising any significant or unacceptable amenity issues with regards to existing lodge owners and patrons, particularly when the 'holiday-use' nature of the occupancy of the existing odeg is taken into consideration.

10.30 Overall, the proposals would therefore be in accordance with the relevant criteria of Local Plan Policy E2.

Highway Safety and Connectivity

- 10.31 Policy IC2 (Transport and Accessibility) states that the Council will seek to secure a safe and efficient transport system...accessible to all and that supports a sustainable pattern of development. As such, development will only be supported where it is demonstrated (amongst other less relevant considerations) that:
- the development is located where it can be satisfactorily accommodated on the highway network, including where it can be well integrated with footpaths, cycle networks and public transport (criterion a.);
 - highway safety would not be compromised and that safe physical access to be provided to the proposed development from footpath and highway networks (criterion e.)
 - adequate provision for servicing and emergency access is to be incorporated (criterion f.), and
 - appropriate provision for parking is incorporated...(criterion g.)
- 10.32 The Angrove Country Park site is accessed via a new junction and access road created as part of the development as originally approved, while an emergency access to the site is provided to the north via Yarm Lane. A Transport Statement was submitted with the original application (ref. 16/02048/FUL). The applicant has chosen not to submit a new or updated Transport Statement with this 'Section 73' application. However, the access and junction works approved by the original permission have been complete. In terms of highway safety and amenity, the main issues to consider relate to the impact of the increase in traffic movements on the strategic and local road networks as well as the provision of sufficient on-site parking.
- 10.33 While the provision of an additional 35 lodges would inevitably increase traffic movements during AM and PM peak times, it is considered that the relative capacities of the local and strategic road networks (including the A172 and the A19 [approximately 11km to the west]) would be capable of accommodating the additional generated traffic flows without creating any additional significant highway flow/congestion and safety issues.
- 10.34 The amended Proposed Layout Plan (November 2024) shows parking provision adjacent to some additional lodge proposed, although it is not clear from this layout plan whether all the additional lodges would have adjacent parking provision or whether an unspecified number of the additional lodges would utilise the existing designated parking areas within the wider site. It is therefore recommended that a parking plan is provided (via condition) if this Section 73 application is approved to confirm/ensure that there is sufficient on-site parking for the additional lodges through its lifetime.
- 10.35 A formal recommendation from the Local Highway Authority (LHA) has been received, raising no objections to the proposals. Although the LHA have not recommended any conditions are imposed, there are highway-related conditions imposed on the original permission that have subsequently been discharged that are of relevance to the proposed

amended scheme, if approved. These include the approved: wheel washing facilities and Travel Plan conditions, while it is also recommended that updated Construction Traffic Management Plan and Construction Phase Management Plan are also imposed.

- 10.36 Therefore, subject to the condition requiring the submission of a parking plan for the additional lodges, it is considered that the proposed amendments would comply with Local Plan Policy IC2.

Impact on the Public Right of Way (PRoW) Network

- 10.37 Policy IC3 (Open Space, Sport and Recreation) states that the Council will seek to protect and enhance open space...in order to support the health and well-being of local communities, stating (in relation to public rights of way) that a proposal will be supported where it demonstrates that (*inter alia*): the routes of any rights of way and their associated amenity value will be protected or, where this is not possible, the affected routes can be diverted with no loss of recreational or amenity value (criterion h.) Policy IC2 (Transport and Accessibility) states that the Council will...support a sustainable pattern of development that is accessible to all, where it (*inter alia*): seeks to retain, and where relevant, enhance existing rights of way (criterion c.) In addition, Policy E4 (Green Infrastructure) that the Council will seek to protect existing green infrastructure...by requiring development proposals to (*inter alia*): take opportunities to protect and enhance the public right of way network, avoiding unnecessary diversions and through the addition of new links (criterion f.)

- 10.38 The impact of the proposed amendments on views from the Public Footpath (ref.10.57/12/1) adjacent to the River Leven is considered in the 'Design, Landscaping and Impact on the Character of the Countryside' section above. However, the proposed additional lodges and amended landscaping within the site would not result in any physical obstruction (either temporary or permanent) of the Public Right of Way network. The proposed amendments would therefore accord with the aforementioned criteria of Local Plan Policies IC2, IC3 and E4.

Flood Risk, Foul and Surface Water Drainage Management

- 10.39 Policy RM2 (Flood Risk) states that the Council will manage and mitigate flood risk by (amongst other less relevant considerations):
- avoiding development in flood risk areas...(criterion a.);
 - requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate (criterion c.), and
 - reducing the speed and volume of surface water run-off as part of new build developments (criterion d.)
- 10.40 Policy RM3 (Surface Water and Drainage Management) of the Local Plan states that a proposal will only be supported where surface water and drainage have been addressed such that it complies with the following requirements (amongst others not considered relevant to the proposals):
- surface water run-off is limited to the site's existing greenfield run-off rate (criterion a.), and

- where appropriate, sustainable drainage systems (SuDS) are to be incorporated having regard to the latest version of the North Yorkshire County Council Sustainable Drainage Systems Design Guidance...with arrangements made for its management and maintenance for the lifetime of the development (criterion b.)

- 10.41 Policy RM1 (Water Quality, Supply and Foul Drainage) states that a proposal will only be supported where it can be demonstrated that (amongst other matters): there is no adverse impact on, or unacceptable risk to, the quantity or quality of water resources, both surface water and groundwater...(criterion a.).
- 10.42 In respect to fluvial flood risk, the EA's flood maps show that the location of the proposed additional lodges would be within Flood Zone 1 (at the lowest risk of fluvial and coastal flooding) The application contains some areas that are prone to surface water flooding/'pounding' as per the Environment Agency's surface water flood risk map.,
- 10.43 A Flood Risk & Drainage Assessment and associated plans were submitted with the original application that stated that surface water for the approved holiday lodge development could be directed to watercourse (i.e. River Leven) via an existing drainage ditch which runs through the application site with surface water attenuation provided by a series of on-site ponds, while foul sewerage was to be to the mains (combined) sewer which leads directly to the foul water treatment plant located to the south-west of the site.
- 10.44 In terms of surface water flood risk, it recommended that all lodges to be sited within parts of the application site prone to surface water flooding should have floor levels no less than 300mm above the existing ground level. This recommendation is considered relevant to the provision of additional lodges as set out in the current proposed amendments, and it is recommended that if the Committee is minded to grant permission, that a condition is attached to require the floor levels of lodges within areas prone to surface water flooding to be at least 300mm above ground level and shall be of a design that allows surface water to flow underneath each relevant lodge in order to prevent flooding elsewhere on the site.
- 10.45 While the amended proposals would increase both surface water and foul flows as a result of the provision of the additional lodges, the foul and surface water drainage strategies (as detailed within the Flood Risk and Drainage Assessment submitted with the original application) are both considered to be appropriate and the most sustainable means of drainage available for the development given the location and soil composition of the site. However, a response from the Northumbrian Water is outstanding, and a response is required from the lead Local Flood Authority to confirm that the existing drainage strategy remains acceptable and can accommodate the additional flows. If the Committee is minded to grant planning permission, it is recommended that it is subject to receiving positive recommendations from both Northumbrian Water and the Lead Local Flood Authority and the imposition of any conditions they recommend.
- 10.46 Overall, and subject to the aforementioned conditions and receiving positive responses from both Northumbrian Water and the Lead Local Flood Authority, the proposed amendments

would comply with the relevant requirements and criteria of Local Plan Policies RM1, RM2 and RM3.

Nutrient Neutrality

- 10.47 In March 2022 Natural England announced that the Teesmouth and Cleveland Coast Special Protection Area (SPA) was being adversely impacted due to the level of nitrogen being discharged into the River Tees catchment. This effects all proposals for additional overnight accommodation, i.e. dwellings, within the Tees catchment. The Conservation of Habitats and Species Regulations 2017 (as amended) require any development that may have an adverse impact on the SPA to be subject to a Habitat Regulations Assessment. LPAs can only approve a project if they are sufficiently certain it will have no negative effect on the habitat site's condition.
- 10.48 The LPA (as the Competent Authority) has undertaken an Appropriate Assessment in relation to the implications of the proposed development on the Teesmouth and Cleveland Coast SPA. This has been forwarded to Natural England and their confirmation of its acceptability is outstanding,
- 10.49 As confirmed by Natural England advice, high concentrations of nutrients in the water can cause phytoplankton and opportunistic macroalgae blooms, leading to reduced dissolved oxygen availability. This can impact sensitive fish, epifauna and infauna communities, and hence adversely affect the availability and suitability of bird breeding, rearing, feeding and roosting habitats. The proposed development has the potential to increase the total nitrogen within the Tees catchment and add to the current exceedance, thus having a significant impact on the SPA.
- 10.50 A completed Nutrient Budget Calculator (metric) has been submitted during the course of the application, confirming that there would be a positive total nitrogen load as a result of the development. This would be required to be 'made neutral'.
- 10.51 The applicant has proposed to off-set the positive nitrogen load of the proposed development by 'improving' a rectangular area of agricultural land within the applicant's ownership (immediately to the north of the Angove Park site) This area of land would be kept out of agricultural use development and suitably managed and maintained for the lifetime of the development. A Habitat Management and Maintenance Plan has been submitted as part of the application which includes details regards its implementation, management and maintenance, and a draft Unilateral Undertaking has been submitted to the Council in order to secure the implementation, protection and future management/maintenance of this land.
- 10.52 While Officers consider that the above approach is likely to be an acceptable means of fully addressing the positive nutrient load of the additional lodges, it is clear that further amendments to the nutrient budget calculator (and potentially to the amount and means of securing the off-set land) are required before Natural England will remove their current objection to the application. Officers will work with the agent in order to facilitate this.

10.53 Subject to Natural England confirming the acceptability of the Council's Appropriate Assessment and providing confirmation that they have no objections to amended Nutrient Neutrality proposals for the development, the scheme would meet the requirements and expectations of Policy E3 of the Local Plan.

Heritage

10.54 Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 places a duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features or special architectural or historic interest which it possesses, whilst section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

10.55 The requirement to preserve, and where possible, enhance heritage assets (which includes Conservation areas and listed buildings) is a requirement of the NPPF as well as Policy E5 (Development Affecting Heritage Assets) of the Local Plan, which specifically states that a proposal will only be supported where it ensures that, (amongst other considerations not relevant to the current proposals) 'those features that contribute to the special architectural or historic interest of a listed building or its setting are preserved.' (part i.) This builds on Policy S7 (the Historic Environment) which states that Hambleton's Heritage Assets will be conserved in a manner appropriate to their significance.

10.56 In terms of archaeology (a Non-Designated Heritage Asset), the Council's Principal Archaeologist has not chosen to comment on this Section 73 application. However, he did make observations in relation to the original application which are considered to still hold relevance in relation to the determination of the current application. Although he confirmed that there are no recorded archaeological remains within the application site (based on a Historic Environment Record search), he was aware of 'known remains within the vicinity, and therefore considered the site to have 'archaeological potential', with the potential for the site to contain hitherto unknown archaeological remains, although the previous use of the site for modern agriculture would reduce its archaeological potential. While he considered that the nature of lodges is likely to cause a minimal amount of ground disturbance' (which would reduce the potential archaeological impact), certain elements of the proposals could have a negative impact on any archaeological features, including service installation or the laying of hardstanding features, which are also relevant to the current proposals.

10.57 The Council's Principal Archaeologist therefore recommended that a scheme of archaeological mitigation be undertaken, and a condition (condition 8) was duly imposed on the original permission requiring a Written Scheme of (Archaeological) Investigation (WSI) to be submitted to and approved by the Local Planning Authority. An acceptable WSI was subsequently submitted to the Council and discharged on 08.02.2023. In order to appropriately protect and record any potential archaeological remains within the site, it is recommended that if approved, a condition should be imposed requiring any subsequent

groundworks associated with the provision of the additional lodges to be undertaken in accordance with the aforementioned approved WSI.

- 10.58 Subject to the imposition of the aforementioned archaeological condition, the proposed development does not raise any additional heritage issues or concerns and would accord with the requirements and expectations of Local Plan Policies S7 and E5 as well as the NPPF.

Other Matters

- 10.59 The original planning permission (ref.16/02048/FUL) was approved planning permission subject to the completion of a Section 106 agreement (signed and completed on 29 June 2017) which secured the future maintenance of the highway verge between the public footpath and Low Green to a suitable standard for use by pedestrians. The Section 106 requires annual maintenance so this covenant on the owner remains extant and would remain relevant to the amended scheme subject to the current 'variation of condition' application. If the Committee is minded to grant permission for the current proposals, it is recommended the permission is conditional on the prior completion of a Deed of Variation to amend the existing Section 106 to make specific reference to the current application and reference number so that the aforementioned covenant still applies to the owner should the amended scheme be implemented.
- 10.60 The Case Officer is aware of concerns expressed by some existing lodge owners on the Angrove Country Park site regarding the impact that the additional lodges would have on the ambience of the Park, and a feeling that the additional lodges, if approved, would erode the existing 'Park character' that they bought into. Issues of amenity and landscape impacts as a result of the additional 35 lodges has been considered in separate sections of this report, however issues relating to the changes to the 'character' and 'feel' of the Park and how this would affect the enjoyment of existing lodge owners and patrons is not a material planning matter and would need to be considered/addressed outside of the planning process between the Park owners and the concerned lodge owners/patrons.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed additional lodges would have positive benefits to the local economy and result in a sustainable expansion of an existing rural business according with the relevant criteria of Local Plan policies S1, S3 and EG7. This should be afforded moderate positive weight in the Planning Balance. In terms of design and landscape character impacts, the proposed amendments are not considered to have an adverse impact on wider landscape views or the existing character of this part of the countryside more generally, according with the relevant parts/criteria of Local Plan Policies E1 and E7 in these respects. This is afforded a neutral weighting in the Planning Balance. While the proposed development would have a negative impact on localised views of the development within its landscape setting, this adverse impact is afforded minor negative weight in the Planning Balance. The amended proposals would comply with the relevant Local Plan policies regarding green infrastructure, ecology, amenity, PROW impact, highway safety/amenity, nutrient neutrality,

heritage and flood risk/drainage (subject to receiving positive recommendations from the Northumbrian Water Limited and the Lead Local Flood Authority). This is afforded a collective neutral weighting in the Planning Balance.

- 11.2 The moderate positive benefits of the proposed development to the local economy would outweigh the minor localised harm to specific local views of the development.

12.0 RECOMMENDATION

- 12.1 A 'minded to grant' recommendation that planning permission be **APPROVED**, subject to:

(1) No additional material planning issues having been raised following the expiry of the 10 day reconsultation undertaken in relation to the amended Proposed Layout Plan and Habitat Management and Maintenance Plan.

(2) Receiving confirmation from Natural England that they consider the proposals to be 'nutrient neutral' and that the Council's Habitats Regulations Assessment has demonstrated that they would be no significant impact on the Teesmouth and Cleveland Coast SPA/Ramsar site.

(3) Receiving a positive recommendation from the Lead local Flood Authority (LLFA) and Northumbrian Water Limited (NWL) regarding flood risk and surface water & foul drainage.

(4) The completion of a Deed of Variation to make specific reference to the current Section application/reference number.

(5) The completion of a Unilateral Undertaking to secure the implementation, retention, monitoring and management of the land to be used for nutrient neutrality off-setting.

(6) The imposition of the recommended planning conditions below as well as any highway and/or drainage-related conditions recommended within any subsequent positive NWL and LLFA recommendations:

Conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be undertaken in accordance with the following plans:

- a. Amended Proposed Layout Plan (November 2024)

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

3. The proposed holiday lodges, including the associated reception building, shall be single storey only.

Reason: To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole, in accordance with Local plan Policies E1 and E7.

4. All additional holiday lodges and associated decking hereby approved that are sited within parts of the application site prone to surface water flooding as shown on the Environment Agency's surface water flood risk maps at the time of their installation shall have floor levels no less than 300mm above the existing ground level and shall be of a design to allow surface water to flow underneath each relevant lodge.

Reason: To ensure that the additional holiday lodges that not adversely affected by surface water flooding and to prevent fan potential additional flood risk elsewhere on the site from surface water displacement, in accordance with Local Plan Policies RM2 and RM3.

5. Prior to the first use of any the additional lodges hereby approved, a parking plan for the additional lodges shall be submitted and approved in writing by the Local Planning Authority. The parking plan shall make provision for suitable on-site parking for a minimum of two vehicles per additional lodge. Thereafter, the additional lodges shall be occupied in accordance with the approved parking plan, and the areas within the site designated for parking for the additional lodges shall be kept available for their proposed use without obstruction at all times during the lifetime of the development.

Reason: To ensure that there is sufficient on-site parking provision for the additional lodges, and that the parking areas are available for use in relation to the development at all times, in accordance with Local Plan Policy IC2.

6. The additional lodges hereby approved to be installed on-site shall be done so in accordance with the site-wide, lodge design code as previously approved by the Local Planning Authority through the discharge of condition 3 of planning permission ref. 16/02048/FUL on 08.02.2023.

7. Prior to the first use of any the additional lodges hereby approved, details of any external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall adhere to the requirements and principles as set out in the lighting scheme approved by the Local Planning Authority through the discharge of condition 4 of planning permission ref. 16/02048/FUL on 26.01.2018, and shall include include details of: the lighting model and specifications; the number and locations of all external lighting; the angle of installation (where applicable); and details of

measures/features to avoid light spill. All external lighting installed in relation to the development shall be in accordance with the approved external lighting scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason To avoid unnecessary light spill and light pollution to the detriment of ecology and the rural character of the countryside, in accordance with Local Plan Policies E1, E3, and E7.

8. Any additional groundworks associated with the provision of the additional lodges hereby approved shall take place/commence in accordance with the Written Scheme of Investigation approved by the Local Planning Authority through the discharge of condition 8 of planning permission ref. 16/02048/FUL on 08.02.2023. The additional lodges shall not be first used/occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the aforementioned approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the approved Written Scheme of Investigation is adhered to in order to suitably protect and record any archaeological remains within the site, in accordance with local Plan Policies S7, E5 and the NPPF.

9. Unless otherwise approved in writing by the Local Planning Authority, the development shall be undertaken and implemented in accordance with the Construction Environmental Management Plan (CEMP) approved by the Local Planning Authority through the discharge of condition 10 of planning permission ref. 16/02048/FUL on 08.02.2023.

Reason: To ensure that biodiversity is offered protection during the construction of the development in accordance with Local Plan Policy E3.

10. Unless otherwise approved in writing by the Local Planning Authority, the relevant landscape management and monitoring and other requirements as set out in the Landscape and Ecological Management Plan (LEMP) approved by the Local Planning Authority through the discharge of condition 10 of planning permission ref. 16/02048/FUL on 08.02.2023, shall be adhered to.

Reason: In order to satisfactorily mitigate the visual appearance of the development and deliver biodiversity benefits in accordance with Local Plan Policies E1, E3 and E7.

11. Unless otherwise approved in writing by the Local Planning Authority, and prior to the commencement of any additional groundworks or construction traffic movements associated with the approved development, wheel washing facilities shall be provided on site in accordance with the wheel washing facilities approved by the Local Planning Authority through the discharge of condition 14 of planning permission ref. 16/02048/FUL on 08.02.2023. These facilities shall be retained on site and be kept available and in full working order until the completion of the development.

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety in accordance with Local plan Policy IC2.

12. Unless otherwise approved in writing by the Local Planning Authority, the development shall be operated and occupied as applicable in accordance with the Travel Plan for the site approved by the Local Planning Authority through the discharge of condition 15 of planning permission ref. 16/02048/FUL on 08.02.2023.

Reason: To establish measures to encourage more sustainable non-car modes of transport in accordance with Local Plan Policy IC2.

13. There shall be no additional delivery of the approved lodges to site until details of measures to maintain the free flow of traffic on the highway network have been approved in writing by the Local Planning Authority in consultation with the Highway Authority and the development shall thereafter be carried out and operated in accordance with the Construction Traffic Management Plan. The measures shall include but not be limited to: (a) Details of the routes to be used by HCV construction traffic; (b) Traffic Management Plan; and (c) Parking / Storage areas.

Reason: In the interests of the safety and convenience of highway users, in accordance with Local Plan policy IC2.

14. There shall be no additional delivery of the approved lodges to site until a Construction Phase Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the development shall thereafter be carried out and operated in accordance with the Construction Phase Management Plan. The Plan shall include arrangements for the following: (a) Protection of carriageway and footway users at all times during demolition and construction; (b) Erection of hoardings, security fencing and scaffolding on/over the footway & carriageway; (c) Protection of contractors working adjacent to the highway; (d) Removal of materials from site; (e) Delivery of materials and plant to the site; (f) Loading/unloading of materials and plant; (g) Storage of materials and plant; (h) Parking of contractors vehicles; and (i) Programme for the works.

Reason: To avoid interference with the free flow of traffic and to secure safe and appropriate access and egress to the site in the interests of safety and convenience of highway users and the amenity of the area, in accordance with Local Plan Policy IC2.

15. There shall be no access or egress between the highway and the application site at the approved emergency access by any vehicle save in an emergency. The access shall be maintained in a safe manner which shall include a means of locking to allow emergency use but prevent unauthorised use and approved by the Local Planning Authority in writing. For clarity emergency use shall be defined as use by emergency vehicles or unforeseen circumstances which prevent vehicles from using the main access for a period of time. In

the latter circumstances a plan for traffic management, approved in writing by the Local Planning Authority in consultation with the Highway Authority shall be employed.

Reason: In the interests of both vehicle and pedestrian safety and the visual amenity of the area, in accordance with Local Plan Policies E7 and IC2.

16. Prior to the occupation of any of the additional lodges hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority to confirm the number of lodges that will be retained by the park and restricted in their occupation for holiday letting purposes only. No occupier of those lodges shall use any of the retained units for more than 12 weeks in any single calendar year.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy without undue demands local schools and services.

17. Prior to the occupation of any holiday unit hereby approved that forms part of the remainder of the additional lodges units not identified under the condition directly above, a scheme for the promotion of holiday letting of those units shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall make provision for the holiday letting of those units and shall specify the manner in which holiday letting will be promoted to potential purchasers. This scheme shall be implemented in full and continuously so long as any lodges are on the site.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy without undue demands local schools and services.

18. The development must comply with the following requirements that: (1) the lodges shall be occupied for holiday purposes only; (2) the lodges shall not be occupied as a person's sole, or main place of residence; (3) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy without undue demands on local schools, social and health services etc.

19. Based on the landscaping areas and species details on the approved Proposed Layout Plan (November 2024) and also incorporating the principles and details of any landscaping specified within the wording of condition 9 of the original planning permission (ref.16/02048/FUL) that have not yet been fully undertaken, a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs shall be submitted to and approved by the Local Planning Authority within 3 months of the date of

this permission. The development shall not be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situated within the site have been implemented. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.

Target Determination Date: 11th July 2022

Case Officer: Ian Nesbit – ian.nesbit@northyorks.gov.uk