

North Yorkshire Council
Community Development Services
Thirsk and Malton Area Planning Committee

16 January 2025

ZB23/02504/FUL- Change of use of land, for the siting of holiday homes and a warden's home.

At Field North of Moor Lane, Thornton le Beans, North Yorkshire

On Behalf of Mr And Mrs G Herbert

Report of the Assistant Director Planning – Community Development Services

1.0 PURPOSE OF THE REPORT

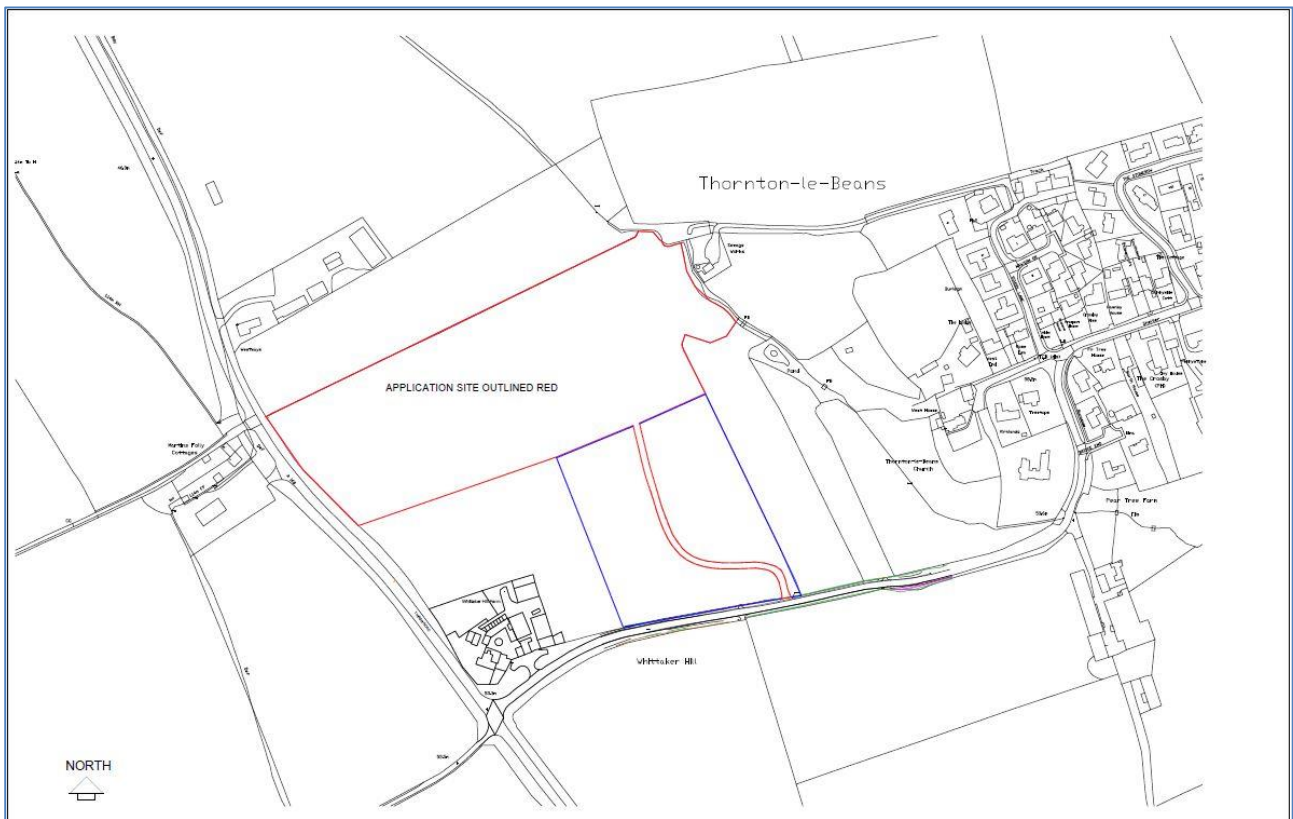
- 1.1 To determine an application for full planning permission for the Change of use of land, for the siting of holiday homes and a warden's home at field north of Moor Lane, Thornton le Beans, North Yorkshire.
- 1.2 The application is considered appropriate to be determined by the Planning Committee due to the proposal raising significant planning issues, the level of public interest in the proposal and following a referral request by Cllr Baker, as considered by the Director of Community Development.

2.0 SUMMARY

RECOMMENDATION:

- 2.1 That planning permission be **GRANTED** subject to the conditions set out in Section 12 of this report.
- 2.2 The proposed development comprises 13no.holiday lodges and a warden's lodge laid out on the lowest part of the application site at the northern end of the site. The existing public footpath would be retained and would run through the proposed layout. Each lodge would measure approximately 7m in height to the ridge and have a footprint of 77square metres. The lodges are proposed to be timber clad with pitched metal tiled roofs. Each lodge would have two allocated parking spaces. The warden's lodge is proposed at the eastern end of the layout at the arrival point and this would provide a management function at the site. A new vehicle access point is proposed on Moor Lane at the eastern extent of the wider field enclosure which would traverse down the gradient to the lower ground where the lodges are proposed to be positioned close to the northern boundary. The proposals also include a landscaping scheme within the site itself together with screen planting to the northern, southern and western boundaries.
- 2.3 Compliance with Local Plan Policy EG8 in terms of this site's suitability for the siting of visitor accommodation is one of the main considerations, with particular regard to the impact on the character and appearance of the surrounding area together with the site's

position adjacent to a settlement and its facilities. Technical matters such as highway safety and drainage are also important material planning considerations.



3.0 PRELIMINARY MATTERS

3.1 Access to the case file on Public Access can be found here:

[Planning documents](#)

Planning history

3.2 No planning history for the application site.

4.0 SITE AND SURROUNDINGS

- 4.1 The application site is located on the north side of Moor Lane c.200m to the west of Thornton le Beans and c.250m from the A168 Thirsk Road which connects to Northallerton. The market town of Northallerton is located c. 4km to the north. Thornton le Beans is a modest village and is classified as a small village (the lowest ranked sustainable village within the settlement hierarchy).
- 4.2 The application site comprises a roughly L-shaped parcel of land with the narrowest section located at the southern end on high ground adjacent to north Moor Lane, whilst the wider section sits on lower ground and abuts the A168 to the west and the water works to the east. The water works are currently being upgraded and the beck runs to the north-east of the application site. Part of the northern extent of the application site suffers from surface water flooding. The wider field enclosure is defined by a variety of fencing and hedgerows.
- 4.3 Vehicle access to the site is currently possible via an existing field gate off Moor Lane and a public footpath crosses the application site on the lower parcel of land in roughly north-

west/south-east direction. This footpath provides a pedestrian route from the A168, across the application site and along the water course and eventually to higher ground within the village close to the Chapel of Ease.

- 4.4 The surrounding context to the north, south and west is defined by the agricultural land with isolated farm complexes and dwellings, that form part of the rural setting to the village. To the east beyond a wooded area and a steep sided valley around the watercourse lies the built form of Thornton le Beans. The village is orientated in an east/west direction with a variety of historic properties laid out along the highway. At the western end of the village is the Grade II listed Chapel of Ease which sits on high ground on the edge of the valley side of the beck.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 The application relates to the siting of 13 no. Holiday lodges and a warden's home laid out on the lowest part of the application site at the northern end of the site. The existing public footpath would be retained and would run through the proposed layout. Each lodge would measure approximately 7metres in height to the ridge and have a footprint of 77square metres. The lodges are proposed to be timber clad with pitched metal tiled roofs with the first-floor accommodation expressed within the roof space. The gable end elevation would be fully glazed within a deep recess. Each lodge would have two allocated parking spaces. The warden's lodge is proposed at the eastern end of the layout at the arrival point and this would provide a management function at the site.
- 5.2 A new vehicle access point is proposed on Moor Lane at the eastern extent of the wider field enclosure. This access track would traverse down the gradient to the lower ground where the lodges are proposed to be positioned. As part of the proposals a substantial landscaping scheme is proposed within the site itself together with planting the northern, southern and western boundaries.
- 5.3 The application proposals have been amended a number of times during the course of the application, following concerns raised by officers, consultees and public observations. The amendments relate to a revised access position, provision of landscape impact assessments, a revised site layout, potential diversion of the public footpath and omission of the pond. Recent amendments have been sought by officers to re-position the lodges out of identified surface water flooding at the northern end of the site. In addition, clarification on the applicant and the application site address was also sought. This resulted in an amendment to the site address to avoid any confusion and association of the proposals with Whittaker Hill Farm which is in separate ownership located to the west of the application site.

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 the Hambleton Local Plan (adopted February 2022).

Emerging Development Plan - Material Consideration.

6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Consideration

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2024
- National Planning Practice Guidance

7.0 CONSULTATION RESPONSES

7.1 The following consultation responses have been received and have been summarised below:

- Initial consultation in December 2023
- 1st re-consultation in March 2024 primarily on the basis of revised highways entrance position
- 2nd re-consultation primarily on the basis of landscape and visual impact assessment
- 3rd re-consultation primarily on the basis of revised site layout position, proposed diversion of the public footpath and landscape assessment
- 4th re-consultation on the basis of revised site layout, omitting the pond and retaining the public footpath on its current alignment.

Initial Consultation

Consultees

7.2 Thornton le Beans and Crosby with Cotcliffe Parish Council – Objects as follows:

- Concerns regarding errors and validity of submitted Transport Assessment.
- Concerns about road safety, vehicle speeds and visibility splay, pedestrian vehicle conflict due to no footpath on Moor Road,
- Public footpath link to village muddy and steep in parts and therefore occupiers are likely to walk on Moor Road
- Landscape and visual impact – proposals sit on high ground.
- Light pollution with dark skies environment
- Amenity impact from noise and disturbance
- Concern regarding design of the lodges
- Concerns regarding flooding, drainage and capacity issues at the adjacent water works.
- The proposal will have a detrimental impact on the countryside and local residents, community and causes road safety concerns
- Concerns regarding the use of the remainder of the Whittaker Hill Farm complex.
- Impact on the setting of the Church and tranquillity
- Loss of agricultural land
- Concerns regarding reduced proposal and previous pre-application advice for 40-60 units
- Concern regarding impact on existing residents to visitors within the village

7.3 Highway Authority – Initial concerns regarding submitted information regarding speed survey and access point position.

7.4 Footpaths Team – Concern regarding position of proposed pond on the lower ground and proximity to public footpath.

7.5 Yorkshire Water – Initial response: The incoming foul discharge would cause the receiving wastewater treatment works to fail the agreed compliance standard.

Second response notes after further consideration, the objection is removed. The receiving wastewater treatment works is due for upgrades that would allow the process of foul water from the site. Given the time frames involved, it is likely that the necessary upgrades will be either imminent or complete by the time the site is occupied. Recommend conditions relating separate foul and surface water disposal systems.

7.6 Drainage Board – Note that surface water entering the Board catchment will require restricting to either 1.4ls/ha or the greenfield rate for the developed area. The College Stell lies to north east of the site which is a Board maintained watercourse and no development within 9.0 metres will be permitted within this area.

7.7 MOD – No objection to this development but recommends signage to discourage bird feeding is installed around the pond.

7.8 Contaminated Land Officer – No objection subject to unexpected contamination condition.

7.9 Environmental Health – Initial query on whether the proposals comprise caravans or lodges.

7.10 Natural England – No response received (expired 11.1.2024).

7.11 Yorkshire Wildlife Trust - No response received (expired 11.1.2024).

7.12 Ramblers Association - No response received (expired 11.1.2024).

Second round of consultation – Where responses received these are summarised below:

7.13 Thornton le Beans and Crosby with Cotcliffe Parish Council – Objects as set out below:

- The agent has failed to confirm that the proposed 12 lodge development is the full extent of and therefore it is considered the approach is to develop the full area in his ownership to contain between 40-60 lodges.
- Also, additional comments on tree planting and his intention to install a stand-alone packaged effluent treatment plant to serve what is described as the 'small lodge development' while discussions with Yorkshire Water continue
- The proposed packaged unit based on the REWATEC 100 tank would require frequent (>4 x per year) tanker access for de-sludging. No access route is shown but if it is stoned surface it would further disfigure the grassed slope. The unit would require an uninterrupted electrical supply and does not employ the technology to deliver the mandatory levels of phosphate removal which the upgraded YW STP should be capable of.
- YW have not yet confirmed to the Parish Council that the proposed new Thornton-le-Beans STW plant will accommodate any additional sewage volumes from the lodges whilst at the same time delivering the mandatory performance in removal of BOD and phosphate.
- The applicant has no association with Whittaker Hill Farm and therefore any attempt to portray the lodge development as diversification by use of the Whittaker Hill Farm address on the application form is highly misleading.

- Planning application 97/51688/P for conversion of a disused Whittaker Hill Farm building does not provide any relevant precedent for the current application in either scale or character.
- Numbers of trees planted to date appears to be overstated or if correct, only 10% have become established. It will take 20 years to deliver the screening of the lodges. By inference clearly the agent now concedes that without screening the lodges would have an intrusive and negative visual impact.
- Linear tree lined field boundaries are out of character within an open and randomly matured landscape.
- The landscape impact statement has been prepared by the applicant's agent and cannot be considered to be a truly independent review as had been requested by NYC at the pre-application stage.
- Traffic speed data has been collected approximately 60 metres to the west of the proposed new site entrance. This, together with the assumption that vehicles travelling on narrow rural roads will be 1.06 metre from the curb invalidates the calculation of visibility splays which we contend cannot be achieved with the newly proposed site entrance.
- The applicant does not own the hedgerows to the east of the proposed development and therefore has no direct control of visibility in this direction.
- Absence of footpaths and street lighting on the route from the development to the pub (the only facility available to holidaymakers in the village) and the unwillingness of walkers to step off the carriageway onto muddy and often rutted verges, particularly in the dark has not been properly acknowledged.

7.14 Highways Authority - Following receipt of the revised traffic survey, the access point has been relocated towards the eastern end of the site. This can provide the required visibility splays with the trimming back of hedgerows within the ownership of the applicant. On this basis no objections are raised subject to conditions relating to access design, surface water, visibility splays, parking and turning, closing up of the existing access and provision of a construction management plan.

7.15 Ramblers Association – Note there is a footpath running across the site, consequently assurances are required that during and following any development the footpath explicitly should be maintained unobstructed, offering a clear and safe route for walking, and in a condition suitable for walking. In particular the footpath must at no point be closer than 10m to the proposed pond to safeguard users from personal risk and avoid flooding of path. There is also there is potential for noise pollution and loss of view which should be mitigated as part of the development.

7.16 Footpaths team - No further comments other than those provided in our initial response dated 4th January 2024. However, we welcome the fact the revised Site plan P01B now shows the proposed pond 10m from the Public Footpath as requested.

7.17 Drainage Board - The Board previous comment still remain.

7.18 Contaminated Land – Previous comments remain valid.

7.19 Environmental Health – No objection subject to conditions relating to a site management plan, lighting scheme and construction hours.

Third round of consultation – Where responses received these are summarised below:

7.20 Thornton le Beans and Crosby with Cotcliffe Parish Council – Objects:

- Concern regarding details of the proposed pond
- Consider the drainage report should be updated.
- Provision of various CGI images of proposed lodges
- No parking provision illustrated.
- Firstly a summary of what we now Know:

1. The existing WWTP is not capable of delivering the total phosphorus reduction performance required under the Water Framework Directive and is the prime reason for the construction of the new WWTP.

2. Design of a new WWTP has addressed this issue by investment in a completely new tertiary treatment facility with new screening for non-digestible solids, rotary biological contactor (RBC) and an additional 'nature based' reed bed/ Armphos phosphate removal system.

3. Design criteria were set to include sewage treatment capacity to serve a 208 Population Equivalent (PE) catchment by 2035 and a total hydraulic load into the WWTP of 2.4 Litres/sec.

4. The new treatment system is designed to meet these flow and load criteria which in terms of raw sewage input equates to around 0.36 litres/second.

5. Although the new WWTP will accommodate total flows of 2.4 litres/second YW have confirmed that it 'will not necessarily load higher'.

6. Flows in excess of the 2.4 litres/sec design capacity will be treated as a storm flow and will overflow into the reedbed where they will receive treatment.

7. The existing 81,900 litre capacity Activated Sludge Plant Aeration Basin is to be retained as an emergency storage tank when flow to the works is in excess of 17.21 litres/second.

8. The projected 208 PE demand in 2035 was based on population data submitted by Hambleton District Council in 2016 and inflated for the additional 19 years.

9. British Water design criteria uses a multiple of the existing housing stock (5 in the case of our existing 80 mostly 3 bedroom dwellings) and calculates 400 PE to better reflect inevitably changing demographics.

10. YW confirmed that this alternative approach was not mandatory and in any case it was already too late to change the design.

11. The design was presented at a public meeting in TLB in December 2022.

12. No evidence has been presented to us suggesting that YW knew of any increased demand at the time when the final design was presented in the Design and Access Statement in March 2023.

13. In December 2023 a planning application was received by North Yorkshire Council (NYC) for the construction of 11 holiday lodges plus a warden's home at the crest of Whittaker Hill. These offered accommodation for a total of 72 people.

14. A flood and drainage report accompanied the application which proposed transferring

sewage from these lodges to the existing YW treatment plant. This report presented these 12 lodges as Phase 1 of a 44 lodge development. In a pre-planning application meeting with NYC the applicant suggested the site could accommodate between 40 and 60 lodges.

15. As statutory consultee YW initially refused to support the 12-lodge application but 3 weeks later reversed this decision stating that the new WWTP could accept the additional volumes and on a timescale to suit the build schedule for the lodges. YW recently amended their completion date from May 2026 to 'beneficial use' by July 2025.

16. NYC suggested that even with screening, the hilltop location had a negative visual impact on the landscape. The applicant returned with a suggested location at the northern edge of the hill which appears to site the now 13 lodges at 10 metres below the level of the WWTP.

17. No new flood and drainage report has been submitted to address this change in location.

So now turning to what we do not know:

1. Has the applicants' proposal to install a packaged treatment plant on his site now been taken off the table?
2. Is YW's acceptance of flows into the WWTP limited to 11 lodges plus warden's home?
3. Have larger volumes from potential future expansion of the lodge park been considered?
4. Can we have an explanation of the YW quote 'but will not necessarily load higher' from point 5 above?
5. In terms of the completion date of July 2025, does 'Beneficial Use' mean the date by which the WWTP will be fully commissioned?
6. Have the village loads been confirmed by measurement of actual flows and loads to confirm the theoretical assumptions contained within the 208 PE design criterion?
7. Two trigger points have been mentioned by YW. Above 2.4 litres/ second and flows will be diverted to the reedbed and above 17.1 litres / sec and flows will be diverted to the recommissioned activated sludge aeration basin. At these points is all the flow diverted away from the tertiary treatment train or just that portion above its 2.4 litre/ second design capacity?
8. It has been suggested that there will always be a rounding-up in capacity when procuring equipment. It appears likely that the 'workhorse' in the treatment chain will be the rotary biological contactor. From their website Messrs Tuke and Bell Ltd (suppliers of equipment to Yorkshire Water) do not appear to have a standard range of BDC's preferring to offer bespoke designs to meet their customers' specifications. Are we therefore to assume that any oversizing of this critical piece of equipment will deliver only a minimal uplift to the 208 PE capacity?
9. Will the screening equipment cope with additional screened solids loading from the holiday accommodation or will these simply increase the manual desludging frequency?
10. Where is the agreed connection point from the lodge park to the WWTP?
11. Have any required permissions been requested from the Swale and Ure Drainage Board and other landowners to allow this routing which at some point will need to cross the IDB controlled College Stell?
12. Can we assume that transfers by tanker from the lodge park to WWTP are not being considered?
13. Is there an agreed specification for quality and quantity of wastes which will be accepted?
14. Will the achievement of this waste water specification require any blending or screening on the applicants' site
15. Will any part of the surface water collected on the site (eg from impervious areas where contamination is possible) be routed to the YW WWTP

16. Has any approach been made by the applicant concerning a potable water supply with confirmation of the routing?

- It would be prudent to apply the same planning approach used in refusal of application ZB24/01567/APN and to actively discourage construction of any further dwellings within 400 metres of the WWTP as an additional reason for refusal of Application ZB23/02504/FUL.

- 7.21 Ramblers Association – Object to the diversion of an attractive field path connecting two villages. The application has no specification for any diverted path and there are no details either of any plans for the future maintenance of an enclosed path.
- 7.22 Footpaths Team - The amended plans now show a proposal to divert public footpath 10.154/8/1. The current route is across a field which offers wide reaching views of the surrounding countryside as shown by the photographs included in the landscape statement. The proposed diversion appears to move the public footpath into an enclosed corridor around the edge of the boundary site, which may not be so pleasant as the current open aspect nature of the route. We would ask that any diversion considers this, and if the footpath is to have a boundary on both sides, with either a fence or hedgerow, then the route needs to have at least a three metre available width, and any adjacent vegetation would need to be cut regularly to ensure this width was maintained throughout the growing season. Any diversion of the public right of way would also need to commence as soon as possible so the Order can be confirmed before any development of the site begins, to ensure a lengthy temporary closure of the route is avoided.
- 7.23 Drainage Board – The comments remain the same as previous.
- 7.24 Contaminated Land – Previous comments remain.
- 7.25 Yorkshire Water – No additional comments to make.
- 7.26 MOD – No objection subject to a condition to for a management plan to ensure ducks and geese are not fed by visitors to the site, or occupants/residents of any lodges and measures that would be taken to ensure that tree/vegetation cover is maintained to minimise both access to the pond for, and the attractiveness to, both ducks and geese.

4th Round of consultation - Where responses received these are summarised below:

- 7.27 Thornton le Beans and Crosby with Cotcliffe Parish Council – Objects:
- Concern regarding impact upon current electricity supply and need for overhead lines at the site.
 - Concern regarding water supply.
 - Previously we expressed concerns about the financial viability of the applicants 'proposal to install 11 holiday-let properties at the above location. Although this number has now crept up to 13 in their latest revision of the plan, we continue to request evidence that this will produce both a profitable and economically sustainable holiday letting business and gainful employment for 7 full time employees. We are reminded that permission is sought on the basis of this being a holiday letting business capable of creating employment and further developing the tourist economy and not as investment properties for largely second-home use which would result in little or no added value to the local economy.
 - We would urge you to insist on either:
 - a properly detailed business plan showing why they think that it is possible to make money from an 11 or 13 holiday lodge park in a way which neither the owners of Flowery Dell or Roseberry View have been able to do at similar scale or
 - an admission now that their business will only be viable with the benefit of future concessions on increasing lodge numbers to be used for expansion of the purely

holiday-let business and/or with the benefit of a relaxation in requirements for their use as second homes.

Concern that documents have not been updated and issues with the following topic areas:

- Details within application form
- Principle of development
- Historic environment
- Business in rural areas
- The visitor economy
- Design
- Amenity
- Natural environment
- Infrastructure delivery
- Transport and Accessibility
- Flood risk and Drainage
- Provision of additional CGI images.

- 7.28 Footpaths Team – Note the public footpath is to remain on its current alignment but suggest the retention of more of the existing open nature. The revised plans now show hedging on both sides of the public right of way, and we would be concerned that this would create an overly enclosed corridor. The required minimum width for an enclosed corridor like this would be three metres. As the route is going to be enclosed an extra metre would also be required from the edge of the footpath to the roots of any hedges or trees. Any hedges or trees would require regular maintenance by the landowner to ensure no encroachment, and the adjacent landowner/occupier would be responsible for the ongoing maintenance of the hedging. Where the public footpath is crossed by a proposed access track, there is an assumption that pedestrians have priority over the vehicles crossing it, and it would be advisable to have the public footpath visible and clearly signed to the users of the holiday site.
- 7.29 Contaminated Land Officer - No further comments to those raised previously.
- 7.30 MOD – Note the pond has been removed and no objection.
- 7.31 Drainage Board - The Boards comment remain the same as previously identified on 12/1/2024.

Local Representations

Initial Consultation:

- 7.32 9 observations are in support and 72 are objecting. A summary of the comments is provided below, however, please see website for full comments.

Objections:

- Concern regarding discrepancy in various reports – reference to 40-60 units. This could equate to 240/360 people plus 80/120 cars, given full occupancy.
- This is a phase 1 with further units likely to follow
- Thornton-Le-Beans has approximately 83 dwellings and would be extended by up to 50% should the entire Development take place
- There is ample existing holiday accommodation across North Yorkshire
- Landscape and visual impact of development on the ridge/high ground – visually prominent in views from the north

- Concern regarding design of lodges – out of character
- Increase in traffic and conflict with pedestrians, horse riders and cyclists
- Moor Lane is vehicle test route for learner drivers
- The A168 junction includes a blind drop and has a history of accidents- concern visitors will not be aware of the danger
- The required visibility splay cannot be provided from the existing junction
- Limited public transport and one bus service refuses to stop at Moor Lane junction due to safety concerns
- The applicant has removed existing trees and hedgerow which would have screened the proposal
- Light pollution and impact on dark skies - The situation will be even worse at night as the lodges have glass gable ends which will produce a wall of light visible from the road and village
- Concern on adequacy of traffic surveys
- Loss of agricultural land
- Concern on impact on foul drainage capacity at the adjacent water works
- Impact on electricity supply – several power cuts per year
- Impact on wildlife, birds, bats - The Ecology Appraisal noted the presence of great crested newts and a badger sett adjacent to the development
- No Biodiversity net gain assessment provided.
- The current Local Plan excludes any further development outside the village boundary, the Wardens house would be continuously occupied which would constitute a permanent home and therefore not in accordance with the Local Plan.
- Concern regarding the future expansion of the site
- Impact on tranquillity of graveyard
- Noise and disturbance to villagers particular those houses at the western end of the village that face the application site.
- Would offer very little if any employment in the village and likely employees have to come from neighbouring towns creating more traffic.
- Increase in litter and waste disposal concerns
- Fire risk due to the use of BBQs
- Lack of local amenities – results in the need to travel by car
- Any support that is being given to this application comes from people from out of the area
- Increase/fear of crime
- Increase in use of public footpath would directly encroach on the residents of these houses will have a detrimental effect on peace and quiet enjoyment of homes. Furthermore, the footpath passes a private pond where we already struggle with trespassers and the fields contain animals, including horses.
- The site is subject to flooding so numerous concrete bases and roads may affect the water run off and drainage.
- Use of lodges as second homes and lodges potentially sold off individually.

Support:

- The pre application advice for this application is for a solid business idea and is supported by the Council planners.
- The small tourist accommodation proposed, will stop local housing being bought for tourism rentals and will keep local people in housing they belong in and create prosperity for all small business.
- The application meets Yorkshires needs now and for the future in relation to tourism and will run alongside all Yorkshires vision for tourists and prosperity for now and the future.
- It will create local jobs for local people and be an environmentally & sustainable development, in keeping with the local area.
- It will bring much needed revenue to the area 365 days of the year.

- The NPPF requires that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside setting. This includes the expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
- Tourism already makes a significant contribution to the local economy and is forecast to become even more important, with the Employment Land Review (2016) highlighting the potential for growth in the tourism related sectors of accommodation and food services.
- The tourism potential of the district is derived from its proximity to both the North York Moors and Yorkshire Dales National Parks and the attractiveness of its market towns and countryside. There are also a number of architectural, historical and natural features and cultural associations that are important in attracting visitors to the area.
- Visitor accommodation has a very important role to play in supporting tourist-related attractions and activities. Although the district contains a range of visitor accommodation, from camping and caravan sites and self-catering accommodation to bed and breakfast establishments and small hotels, there is scope to increase this range in terms of size, quality and type. The policy provides support for tourism-related development, particularly where it would improve the tourism offer and encourage the growth of the visitor economy. However, it seeks to ensure that any development or expansion of existing facilities is sustainable by controlling the type, scale and location of facilities and protecting the character, appearance and amenities of the area, with reference to other relevant policies such as policy E 1 'Design' and E 2 'Amenity'. It is also important that development can be accommodated within the capacity of existing or planned infrastructure and makes use of any existing local public transport services in the vicinity of the application site and that all opportunities to improve accessibility to the district's main centres are explored.
- The footpath is not currently used very much and maybe the improvements to the footpath could be conditioned to any approval.
- The pre-application advice given was very encouraging and positive. This was for a larger number of lodges and therefore a lower number should be more acceptable. If not would have a serious Judicial review calling to the application.
- Consider the application should be approved with landscaping conditions and occupancy conditions and landscaping improvements.
- Open to new houses being built in the village as it is a beautiful place to live and should be shared with others. We have neighbours who would love to stay in the village if they could find say a two-bedroom bungalow with a small garden. Sadly, most properties have larger gardens and this is a problem for older people.
- Pleased if the site on the land north of Whittaker Hill was going to be used to construct bungalows or houses with small gardens. So, in principle, we do not oppose the building of the holiday homes. But we would feel very unhappy if the site of the original twelve lodges grew to be a site with many more holiday homes.

Second Consultation:

7.33 Neighbours and Site Notice – 7 Objections were received (as summarised below):-

Where additional comments received to those issues raised previously these are summarised below:

- Concern regarding the limited and selective viewpoints illustrated within the submission
- No photographs at all of the view from Northallerton on Thirsk Road travelling south towards the site.
- Concern regarding views from churchyard not considered.

- The relocation of the entrance further east would bring traffic movement nearer the village. This would potentially make site traffic more audible.
 - Concern regarding updated traffic survey, vehicle speeds, required visibility and lack of analysis of the junction with the A168
 - The traffic survey submitted is not a true reflection of the movement of traffic through Thornton le Beans. Agricultural passing through this village is continuous from April to September.
 - There is a proposal to plant 4000 trees within the site that would completely alter the historic open aspect of this sensitive high quality landscape.
 - The applicant claims that the trees will help "dampen noise disturbance". However, it would be years before these whips mature. In the meantime there would be no protection whatsoever for neighbours from noise disturbance.
 - Use of the Whitaker Hill Farm address is false.
 - Other similar business in the area in administration.
 - Use of farm diversification justification incorrect
- In view of the location of the proposed pond how will the only mains cold water supply to 'Westways' be protected during the construction phase and how will we be able to access it in the future if repairs are necessary.

Third Consultation

Where additional comments received to those issues raised previously these are summarised below:

7.34 Neighbours – 14 Objections and 4 observations in support received.

- Alteration to site layout to provide units on lower ground is recognised
- Still visual impact in this revised location, particularly in winter
- Given that the new plans show lodges sited to the west, bordering the A168, there is no longer any good reason for the access road to originate on the rural country lane which leads to Thornton le Beans. Therefore suggest the access point is amended.
- Request that 'change of use' should not in any event be granted for the southern section adjoining the village access road.
- Visual impact of access road down the slope to the new location of the units
- Object to the proposal to reroute the public footpath. This would change what is a path through open pastureland with rural views into a corridor squeezed beside a new partial hedge running behind the rear of closely packed holiday units.
- The applicant has not updated many parts of the planning support document in light of the new plans, making it difficult to know what still applies versus what does not.
- The earlier ecological and biodiversity assessment was carried out for the old location of the lodges versus the proposed new location, meaning that it can no longer be considered in any way comprehensive.
- Confusion over correct drawing references.
- Further information/clarification required on flooding, drainage, car parking, pond design/function/maintenance.
- Waste removal not provided.
- Concern regarding 24/7 hours of operation with no enforced quiet hours
- Inaccuracies of planning submission still not rectified.
- Query 7 full time employees
- Concern of extent of proposed planting.
- Concerned as to the water pipes running from our property to our neighbours Mr Garnet at Westways. As far as we are aware these pipes which are either water or sewage or both, run across the field where the lake and lodges are now to be situated connecting both properties.

- The applicant states their application to justify the change of use of the land by saying it is disused farmland but the land is class 3 agricultural land of an average cost of £10,000 per acre for agricultural purposes. Interestingly the land has been very quickly taken up by two local neighbouring farmers who have made bumper crops of hay each year and hard grazed by sheep and lambs. Historically this land has grown both barley wheat and other cereals. This hardly sounds like disused agricultural land.
- Concern that a new application has not been submitted.
- Concern regarding impact on drainage of adjacent farmland
- Concern regarding security of livestock on adjacent farmland.
- Lodges now too close to residential properties and will impact upon residential amenity.
- Potential unhygienic conditions caused by low pond water throughput can result in smell due to weed/algae, and other contagions or insect (mosquitos, midges etc.) infestations. If the pond influences the local water table local properties and any boreholes may be affected.

Support

- The relocated development to the north will improve the inward look of the site.
- Highway Authority have asked for the entrance to be relocated for clarity.
- LPA have asked more landscaping to be placed around the footpath and lodges.
- Understood from reading the Pre Application that the LPA now think the development meets their polices and new polices announced today by the Labour Government.

4th Consultation

Where additional comments received to those issues raised previously these are summarised below.

7.35 Neighbours 24 objections received.

- Sewage treatment in location of surface water flooding
- Attenuation pond removed for surface water disposal
- The footpath which currently runs through pastureland with open rural views would instead run through a holiday park beside rows of holiday chalets, with no open aspect at all.
- Now up to 13 from the original 11 units
- Fear of crime from occupiers of the units to users of the footpath
- Environmental sustainability issues, relating to power and water supply.

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:

- Principle of development
- Design, impact upon the character and appearance of the site and locality
- Impact upon the amenity of neighbouring properties
- Impact on the local highways system

- Flood Risk and Drainage
- Ecology and Biodiversity Net Gain
- Other Matters

10.0 ASSESSMENT

Principle of Development

- 10.1 National and local policies are supportive of developing the tourism sector as part of the diversification of the Former Hambleton District's economy, with Policy S3(g) stating a desire to enhance the visitor economy in towns through the former district. Local Plan Policy EG8 states that: A proposal for new, or the extension of an existing, tourism attraction or facility will only be supported where it is demonstrated that:
- a. the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside;
 - b. it would not cause unacceptable harm to the living conditions of neighbours or prejudice the operation of existing land uses; and c. where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy, see policy 'S3: Spatial Distribution', and will be accessible by sustainable travel options.
- A proposal for new tourist accommodation will only be supported where it is demonstrated that:
- d. the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside;
 - e. it would not cause unacceptable harm to the living conditions of neighbours or prejudice existing land uses;
 - f. occupation can be limited to holiday purposes only;
 - g. a proposal for a new, or an extension to an existing, caravan, camping or holiday chalet site is accessible to local services and public utilities; and
 - h. where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy, see policy 'S3: Spatial Distribution', and it will be accessible by sustainable travel options.
- 10.2 With regard to the location, Local Plan policy EG8 requires proposal to not unacceptably harm the character of the locality (part d) or cause unacceptable harm to the living conditions or neighbours or prejudice neighbouring land use (part e). These matters are discussed in detail below but the proposals considered to satisfy parts d and e of the policy. Local plan policy EG8 demonstrates a preference for the siting of tourist accommodation within the built form of settlements or, where this is not available, on land adjacent to the built form. Local Plan policy S5 sets out the Council's approach to determining the built form of settlements, and it is considered that, falling under S5(c), the site is not within the built form but is c.200m from the built form of the village. EG8 also encourages tourist accommodation within areas that benefit from sustainable travel options. The application site is located close to the village itself and is close to the A168 and local bus services. However, it is noted that public observations downplay the ability to travel by bus along the A168 due to stopping restrictions. In addition, the application site is located within 4km of Northallerton which has a wide range of public transport services including the East Coast railway line.
- 10.3 As a result of the location, the site benefits from easy access to the local public house within the village but it is noted there are no local shops. However, as noted above a wide range

of public amenities are located in Northallerton within a short driving distance and is therefore considered to be in compliance with Local Plan policy EG8(g) and (h).

- 10.4 Local plan policy EG8(f) states that sites be limited to holiday purposes only. By imposing a condition on any planning permission to restrict the use of the proposed units to holiday use only, it will be possible to guarantee compliance with the policy and it is not considered that the relatively limited scale of the proposal would place an undue burden on any local services.
- 10.5 Public observations note the loss of agricultural land and the agent has confirmed the agricultural land classification as Grade 3 and this has been checked against the Councils internal mapping system. Local Plan policy S5 requires the protection of the best and most fertile land (Grades 1, 2 and 3a) from significant development. Given the limited scope of the proposals the application is not considered to represent significant development and therefore does not conflict with the policy in this regard.

Design, Character and Appearance

- 10.6 Local Plan policies S3 and EG8 allow for the siting of visitor accommodation where it is shown that the development will not have a detrimental impact on the character and appearance of an area or on neighbour amenity. Furthermore, Local Plan 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, including natural, historic and built environment 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.);
 - Achieves a satisfactory relationship with adjacent development and does not 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 (criterion c.).
- 10.7 The revised position of the lodges on the lower ground is considered to alleviate the previous concerns relating to long distance landscape and visual impact of the initial proposals when the lodges were proposed to be located on the highest ground adjacent to Moor Lane. However, public observations note concern relating to the impact of the two storey proposals within short and medium distance views from the adjacent A168 and from the public footpath that crosses the site. The wider field enclosure currently benefits from perimeter hedgerows that provide a degree of screening in the summer months, but the upper storey of the proposed lodges would be visible in views from the A168. It is noted that the proposals also include further significant landscape planting that would, once established, would bolster existing landscaping and provide enhanced screening but glimpsed views to the upper storey may still be possible. However, glimpsed views to the upper storeys are considered acceptable. With regard to short distance views from public footpath that crosses the site, it is acknowledge that this short section of the footpath, the character would be altered, However, this is only for a short section of current open ground but will inevitably alter the character to a certain degree but this is not considered harmful. With regard to concerns raised regarding lighting and the access road design it is considered that such matters can be design sympathetically and can be controlled via suitably worded conditions to require low key and low-level lighting to minimise light pollution and provide an appropriate rural aesthetic to the access road (such as a wheeled track). In addition, sufficient parking for each lodge can be provided within the layout and this can be controlled via condition.

- 10.8 It is considered that the scheme would not unacceptably impact the character and appearance of the wider area and that the scale, form and appearance of the site is appropriate to its use and location. The proposal is therefore in accordance with Local Plan policies S1, S5, EG8(a), E1 and E7.

Residential Amenity

- 10.9 Local Plan policy E2 requires all proposals will be expected to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 10.10 The majority of residents are located c.200m to the east of the application site within the village. However, the two nearest properties are Westways (c.70m to the north and Whittaker Hill Farmhouse c.120m to the south-west). The Environmental Health Service have been consulted and have stated that a site management plan to include procedures for maintaining good public relations including complaint management, public consultation, and liaison; measures to mitigate and control noise from the site; measures to mitigate and control emissions from the site (open fires, log burners, BBQ's, patio heaters etc.). In addition, a lighting condition to reduce light pollution and a construction hours condition are also proposed to protect amenity. It is considered that the conditions set out above, in addition to the mitigation offered by the distance between the site and potential receptors, together with the presence of a warden on site, would limit the potential negative amenity impact from the proposal. This would also control the noise and use of BBQ's or fires etc. With regard to the impact on residential amenity for the occupiers of the lodges it is not considered the retention of the footpath along their current alignment would impact on amenity given the infrequent use of the path. Furthermore, whilst it is noted the public footpath could be used more frequently to connect to the village it is not considered the limited footfall would cause amenity impact to those residents surrounding the footpath. On this basis, the proposal is considered to comply with Local Plan policies S1, EG8(b) and E2.

Heritage

- 10.11 Local Plan policy E5 requires where a heritage asset is identified, a proposal will be required to assess the potential for adverse impacts on the significance of the historic environment. Proposals will only be supported where those features that contribute to the special architectural or historic interest of a listed building or its setting are preserved. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification. Less than substantial harm to the significance of a designated heritage asset will only be supported where the harm is outweighed by the public benefits of the proposal including, where appropriate, securing its optimum viable use. Substantial harm to, or total loss of, the significance of a designated heritage asset will only be supported where it is necessary to achieve substantial public benefits that outweigh the harm caused, or in the exceptional circumstances set out in the NPPF.
- 10.12 Whilst the Grade II listed Chapel of Ease is located c. 200m to the east, the intervening topography and tree coverage results in no intervisibility between the heritage asset and the application site and thus raises no direct impact concerns. Nevertheless, it is noted that the application site is within the wider setting given the separation distance and intervening landscape. Furthermore, given the suggested management plan conditions to control noise it is not considered that the proposal would impact upon the tranquillity of the area to cause any harm to the setting of the heritage asset. On this basis the proposal satisfies Local Plan policy E5.

Highway Safety

- 10.13 Local Plan policy IC2 notes that the Council will work with other authorities and transport providers to secure a safe and efficient transport system that supports a sustainable pattern of development that is accessible to all. Proposals will only be supported where it is demonstrated compliance with a number of criteria. Of relevance to this proposal are: Development located where the highway network can satisfactorily accommodate, taking account of planned improvements, the traffic generated by the development (criterion a.); Highway safety would not be compromised, and safe physical access can be provided to the proposed development from the footpath and highway networks (criterion e.); Appropriate provision for parking is incorporated (criterion g.).
- 10.14 The Highways Authority has been consulted and the updated transport information and revised access position is satisfactory subject to conditions relating to access design, surface water, visibility splays, parking and turning, closing up of the existing access and provision of a construction management plan. It is also noted that public comments relate to the increase in vehicle trips, poor visibility and accidents at the junction of the Moor Lane with the A168. Nevertheless, the Highways Authority raise no concern in this regard. Public comments regarding the lack of footpath adjacent to Moor Lane are noted but given the potential limited footfall and the option to use the public footpath to connect to the village this does not raise any concerns.
- 10.15 The Footpath team has been consulted note that the public footpath is now proposed to be retained along its current alignment. However, they suggest less planting along the route and this revised plan has now been provided to illustrate less planting along the route. Therefore, on this basis the revised proposal overcomes this particular issue and in any event landscaping can be controlled via suitably worded conditions. Furthermore, it is noted that public observations raise concern regarding personal safety along the route footpath but given the nature of the proposal and removal hedgerow planting this is not considered to raise concern.
- 10.16 It is considered that the proposal does not raise any highway safety concerns and is therefore compliant with Policy IC2.

Flood Risk and Drainage

- 10.17 Local Plan policy RM2 notes the Council will manage and mitigate flood risk by:
- a. Avoiding development in flood risk areas, where possible, by applying the sequential test and where necessary applying the exception test in accordance with national policy.
 - b. Protecting areas of functional floodplain as shown on the Strategic Flood Risk Assessment, from development, except for water compatible uses and essential infrastructure.
 - c. Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate.
 - d. Reducing the speed and volume of surface water run off as part of new build developments.
 - e. Making space for flood water in high risk areas.
 - f. Reducing the residual risks within areas of rapid inundation.
 - g. Encouraging the removal of existing culverting where practicable and appropriate.
 - h. Supporting development and management of flood alleviation schemes.”
- 10.18 The site is located within Flood Zone 1 but the Environment Agency’s mapping illustrates that the northern extent of the field enclosure is within an area at risk of surface water flooding. Lodges are no longer proposed in this location and therefore the proposal raises no concern with regard to surface water flooding. It is noted from public observations concern relating to the capacity of the adjacent water works and surface water flooding.

However, Yorkshire Water raise no concern regarding connection of foul water to the adjacent waterworks given the current improvements works to the facility. The Drainage Board require surface water entering the Board catchment to be restricted to either 1.4ls/ha or the greenfield rate for the developed area and a 9m development restriction from the adjacent College Stell to the north-east. On this basis the proposals for the foul and surface water disposal can be agreed via a future discharge of condition process in consultation with Yorkshire Water and the Drainage Board. In addition, public comments regarding the presence of private water supply associated with the two nearest properties crossing the application site are noted but this is a private matter between the relevant parties.

- 10.19 Subject to conditions it is considered that the proposal is therefore compliant with Policy RM1, RM2 and RM3.

Ecology and Biodiversity Net Gain

- 10.20 Local Plan policy E3 requires all development to demonstrate the delivery of a net gain for biodiversity. The submission includes an Ecology Assessment that does not identify any protected species on the application site. However, it does note the presence of protected species in the vicinity of the application site and makes a number of recommendations regarding precautionary measures for Badgers and further survey work on the surrounding water bodies relating to Great Crested Newts. On this basis there is a low risk of impact on the application site itself. Nevertheless, it is noted further survey work is required and this can be controlled via a suitably worded condition.
- 10.21 With regard to biodiversity net gain, it is noted that the application was submitted prior to April 2024 and therefore Local Plan policy E3 requires all development to demonstrate a net gain for biodiversity. Given the extent of the wider field enclosure, it is considered that a proposal to deliver biodiversity net-gain can be secured via the standard condition.
- 10.22 Subject to the standard landscaping and biodiversity net gain conditions it considered that the proposal is therefore compliant with Policy E3.

Other matters

- 10.23 Public comments regarding the fear of crime in the village are noted but the proposal is not considered to generate a substantial footfall to the village to raise concern in this regard.
- 10.24 Public observations relating to impact on existing utility provision, electricity, internet, water supply pressure are noted but this is a matter for the utility companies and is beyond planning control.
- 10.25 Public observations relating to the need for documents to be amended and re-submitted following alteration to the proposals are noted, together with calls for a fresh application to be submitted. Whilst there have been a number of alterations to the scheme, given the nature and limited extent of the changes sufficient information has been provided by the applicant to enable an assessment to be made and this has not warranted the need for a fresh application to be submitted.
- 10.26 Concern regarding the impact of security of livestock on adjacent farmland is noted by given the proposals for additional landscaping along the perimeter it is not consider to raise concern.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposal complies with Local Plan Policies S1, S3, S5, EG8, E1, E2, E3, IC2, RM1, RM2, RM3 and the NPPF.
- 11.2 Sustainable development is achieved through the balancing of Economic, Social and Environmental objectives within a proposal. The economic benefit to Thornton le Beans and Northallerton is clear – the proximity of the site means that it is likely that any tourists using the site would use the facilities available there, contributing directly to the local economy. Furthermore, the landscaping (including biodiversity net gain) can also be considered to be environmental benefits. The social benefits of the scheme are less clear, but there are no perceived negatives introduced into the area through the scheme which could not then be managed through the imposition of conditions.
- 11.3 As such, there are positive impacts on the area resulting from the proposal and one neutral impact. As a result, the development is considered to be sustainable development and is therefore recommended for approval.

12.0 RECOMMENDATION

- 12.1 That permission be **GRANTED** subject to the imposition of the below listed 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 permission hereby granted shall not be undertaken other than in complete accordance with the following drawings unless otherwise approved in writing by the Local Planning Authority:

- Location plan received 7.1.2025
- Site plan THO1-P12 rev B received 7.1.2025
- Lodge Type D received 1.7.2024

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. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the hard surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

Reason: In the interests of the visual amenity of the area in accordance with Local Plan Policy E1 and to ensure that the proposal does not contribute to existing drainage issues in accordance with Policy RM3.

4. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels

shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

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.

5. No development shall take place until a Site-specific Management Plan has been submitted to and been approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, site lighting and loss of amenity from neighbouring properties.

The plan shall include, but not be limited to:

1. Procedures for maintaining good public relations including complaint management, public consultation, and liaison.
2. Measures to mitigate and control noise from the site including hot tubs.
3. Measures to mitigate and control emissions from the site (open fires, log burners, BBQ's, patio heaters etc).
4. Details of quiet hours
5. Access and egress restriction
6. Details of site operator
7. Nuisance procedure and control measures
8. Maximum number of people per lodge
9. Management of large bookings

Reason: In the interest of residential amenity in accordance with the Local Plan Policy E2.

6. Construction activities which are audible beyond the site boundary, including deliveries, ground works and earth movements, shall be restricted to the following days and times:
- 08:00 – 18:00 Monday to Friday
 - 08:00 – 13:00 Saturday
 - Construction shall not be undertaken on a Sunday or a Public Holiday.

Reason: In the interest of residential amenity in accordance with the Local Plan Policy E2.

7. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the following requirements:
- The proposed access must be located in accordance with drawing reference T1071-003.
 - The access must be formed with 6 metres radius kerbs, to give a minimum carriageway width of 5.5 metres and that part of the access road extending 10 metres into the site must be constructed in accordance with Standard Detail number A1.
 - Any gates or barriers must be erected a minimum distance of 10 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
 - The final surfacing of any private access must not contain any loose material that is capable of being drawn on to the existing public highway.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

8. There must be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing highway together with a programme for

their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.

Reason: In the interests of highway safety as required by Local Plan Policy IC2.

9. The development must not be brought into use until the existing access has been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of the area in accordance with Local Plan Policies IC2 and E2.

10. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 103.4 metres westerly and 111.5 metres easterly measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety as required by Local Plan Policy IC2.

11. No part of the development must be brought into use until the parking, manoeuvring and turning areas for all users have been constructed in accordance with the approved drawing reference THO1-P01B. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

12. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:
- details of any temporary construction access to the site including measures for removal following completion of construction works;
 - wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
 - the parking of contractors' vehicles;
 - areas for storage of plant and materials used in constructing the development clear of the highway;
 - contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in accordance with Local Plan Policies IC2 and E2.

13. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification

report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) guidance document, Development on Land Affected by Contamination Technical - Guidance for Developers, Landowners and Consultants (Version 11.2 dated June 2020) may assist the developer in providing the correct information.

14. There shall be no external lighting installed until full details of the proposed lighting scheme have been submitted to and approved by the Local Planning Authority. The lighting scheme shall comprise of minimal lighting and be of a low-level in accordance with good practice in rural locations.

Reason: In the interest of neighbour amenity and to assess the landscape impact of the proposal in accordance with Local Plan Policies E2 and E7.

15. Prior to development, measures (including protective fencing, etc.) to protect the existing hedges and trees within the site shall be submitted for approval to the Local Planning Authority. The approved scheme shall then be carried out in the approved manner for the duration of the works.

Reason: To ensure the continuity of amenity afforded by existing hedges in accordance with Policies E1 and E7.

16. All existing hedges and trees shall be retained, unless shown on the approved drawings as being removed. Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as specified by the Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges in accordance with Policies E1 and E7.

17. No part of the development shall be used after the end of the first planting and seeding seasons following the first occupation or completion of the structure(s), whichever is the sooner, unless a landscaping scheme received and approved by the Local Planning Authority has been carried out in addition to any required Biodiversity Net Gain planting.

Reason: In order to soften the visual appearance of the development and in the interests of enhancing the biodiversity of the site in accordance with Local Plan Policies E1, E3 and E7.

18. Prior to the commencement of development, a landscaping and biodiversity net gain scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide a) a landscape scheme including details of any change in surfacing materials and any planting schemes and shall show the retention of any significant existing landscape features and shall provide b) details to show how a 10% net gain of biodiversity will be achieved on site using the DEFRA biodiversity metric 3.1 (or the latest published

version) and include a programme of work and subsequent maintenance arrangements. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To ensure the requirements of Policy E3 are met in full and to provide the required landscape screening.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended), no ancillary structures or hot tubs shall be erected or installed within the site.

Reason: To limit the potential for negative impacts on neighbour amenity in accordance with Hambleton Local Plan Policies E1 and E2.

20. The occupation of the accommodation hereby approved shall be as follows: (i) the holiday accommodation is occupied for holiday purposes only; (ii) the holiday accommodation shall not be occupied as a person's sole, or main place of residence; (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the holiday accommodation on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority. For the avoidance of doubt this decision does not permit the use of the properties as a dwellinghouse(s).

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the rural economy without undue demands on local schools, social and health services etc, and in accordance with the objectives of Local Plan Policy EG8.

21. No construction shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the Local Planning Authority. These details are required prior to construction because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

Reason: In the interest of satisfactory drainage and to avoid pollution of the water environment in accordance Local Plan policies RM1, RM2, RM3 and RM5.

22. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to the completion of the approved foul drainage works.

Reason: In the interest of satisfactory drainage and to avoid pollution of the water environment in accordance Local Plan policies RM1, RM2, RM3 and RM5.

23. This permission only permits the provision of 13 holiday Lodges and the wardens lodge shall be retained for such purposes and not occupied for a holiday use or as a dwelling in order to provide a management function for the lifetime of the development.

Reason: For clarity on numbers and provision of the management function in perpetuity.

24. Prior to the commencement of development details of the proposed access road design shall be submitted in writing to the Local Planning Authority for approval. The details shall include section plans and materials. The development shall be implemented in accordance with the approved details.

Reason: In the interests of the visual amenity of the area in accordance with Local Plan Policy E1.

25. Prior to the commencement of development further Ecology survey works for Great Crest Newts as specified within Section 4 of the Preliminary Ecology Appraisal dated November 2023 prepared by Esk Ecology shall be submitted in writing to the Local Authority for approval. In addition, the precautionary measures for other species as noted in section 4 shall be undertaken in full and any other recommendations required by the further survey works shall be implemented in full in accordance with a timetable to be submitted to and approved in writing by the Local planning Authority.
26. Surface water entering the Board catchment will require restricting to either 1.4ls/ha or the greenfield rate for the developed area.

Reason: Reason: In the interest of satisfactory drainage having regard to Policy RM2 of the Local Plan.

Target Determination Date: 5.3.2024

Case Officer: Mr Marc Pearson
Marc.pearson@northyorks.gov.uk