

North Yorkshire Council

Community Development Services

Richmond Area (Yorks) Area Constituency Committee Planning Committee

11th September 2025

ZB23/01580/MRC - Modification of condition 2 (lodge numbers and height limits) condition 9 (landscaping) and 20 (occupancy) of planning permission 16/02048/FUL (As Amended: amended Application Form [received January, 2025]); Proposed Additional Pitches Plan (H2-210404/4 F), Detailed Landscape Proposals Plan 1 of 2 (H2-210404/1 F) & Detailed Landscape Proposals Plan 2 of 2 (H2-210404/2 F) [received January, 2025]; and amended Nutrient Metric Calculator, amended Habitat Management & Monitoring Plan, Nutrient Neutrality Mitigation Area Plan [received May, 2025].

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

On Behalf Of: Leisure Resorts Ltd.

Report Of The Head of Development Management– Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine (as amended) a 'variation/modification of condition' (Section 73) application to vary conditions 2 (lodge numbers and height limits); 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

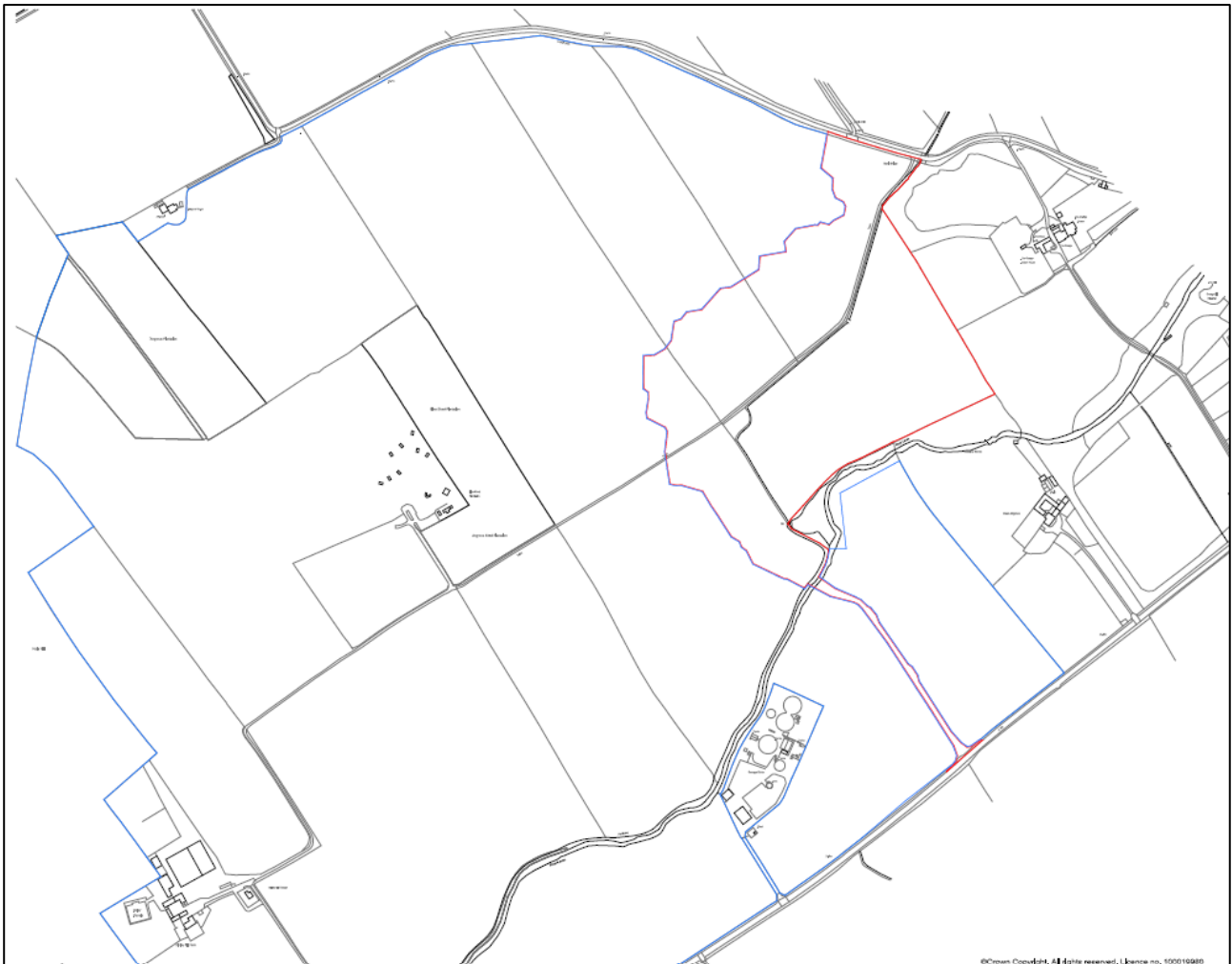
RECOMMENDATION: minded to grant planning permission, subject to:

- (1) Receiving written confirmation that the NYC Footpaths Team have no objections to the development.
- (2) Receiving written confirmation that NYC LLFA have no objections to the wording of the recommended drainage and flood-risk-related conditions within section 12 of this report.
- (3) The completion of a Deed of Variation to make specific reference to the current Section 73 application/reference number and to secure the implementation, retention, monitoring and management of the land to be used for nutrient neutrality off-setting.

(4) The imposition of the recommended planning conditions within Section 12 below.

- 2.1 The (as amended) 'variation/modification of condition' (Section 73) application seeks to amend the wording of conditions 2 (lodge numbers and height limits), 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 approved 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 Additional Pitches Plan (H2-210404/4 F) was submitted in January, 2025 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. Two amended Landscape Proposals Plans were also submitted at the same time which have taken on board comments on the landscaping scheme provided by the Case Officer.
- 2.3 Since the original submission the application has become partially retrospective as the provision of concrete bases, the laying of infrastructure and the installation of additional lodges has already been undertaken.
- 2.4 The application has also been amended in May, 2025 through the submission of an amended Nutrient Metric Calculator, amended Habitat Management and Monitoring Plan and amended Nutrient Neutrality Mitigation Area Plan that were submitted to the Council in May, 2025. The amended 'nutrient neutrality' documents reflect the proposed amendment of the off-site 'nutrient neutrality' land from grassland to woodland, in accordance with Natural England advice. The Council have undertaken a revised Habitat Regulations Assessment (HRA) based on the amended documents which Natural England have considered and raised no objections to.
- 2.5 The recommendation is to **grant** planning permission, subject to:
- (3) Receiving written confirmation that the NYC Footpaths Team have no objections to the development.
 - (4) Receiving written confirmation that NYC LLFA have no objections to the wording of the recommended drainage and flood-risk-related conditions within section 12 of this report.
 - (3) The completion of a Deed of Variation to make specific reference to the current Section 73 application/reference number and to secure the implementation, retention, monitoring and management of the land to be used for nutrient neutrality off-setting.

(4) The imposition of the recommended planning conditions within Section 12 below.



3.0 PRELIMINARY MATTERS

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

[Planning Documents](#)

3.2 This application (as originally submitted) included proposed layout plans showing a different arrangement of the proposed lodges and landscaping scheme. The latest amended Proposed Additional Pitches Plan (H2-210404/4 F) has been submitted following discussions with the Case Officer to more accurately reflect the existing Leisure Park's layout as well as changes the applicant wished to make regarding the positions/siting of the proposed additional lodges and to the landscaping scheme. A reconsultation exercise was undertaken in January, 2025.

3.3 This application was considered at the 12th December, 2024 Richmond (Yorks) Area Planning Committee. However, the Committee resolved to defer the application (in

accordance with an updated Officer recommendation within the 'Supplementary to Committee Reports' document) in order: "to allow officers time to consider the implications of recent correspondence received from the Council Solicitor (for Planning & Environment) regarding concerns expressed in relation to the appropriateness of a 'Section 73' (variation/removal of condition(s)) application to amend the original planning permission (ref. 16/02048/FUL) as is currently proposed."

3.4 The applicant addressed the procedural issue through the submission of a Section 96A (non material amendment) application. This non material amendment application (ref. ZB24/02419/NMC) was approved under delegated powers by North Yorkshire Council Officers on 24th January, 2025 and has resulted in the following amendments to the original planning permission ref. 16/02048/FUL:

- amended the application to: "Change of use of land to holiday lodge park 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.", and
- amended the wording of condition 2 to: "The development shall provide no more than 54 holiday lodges on site. No lodge hereby approved, including the associated reception building, shall have more than one storey."

3.5 Following the approval of this non material amendment application, the agent submitted an amended application form for this Section 73 application which has included the addition of condition 2 in respect of the conditions that the Section 73 is seeking to vary. To clarify, the amended application form states that it is proposed to vary the wording of condition 2 (as previously amended by the approval of the aforementioned non material amendment application) to permit the proposed increase in holiday lodges to a maximum of 89 units (from an existing approved maximum of 54) A reconsultation exercise (21 days) on this amendment/amended application form was undertaken in January 2025.

3.6 Natural England were reconsulted in June, 2025 following receipt of the aforementioned amended 'nutrient neutrality' documents and the Council's amended Habitat Regulations Assessment.

3.7 The representations received in respect of the original consultation and the aforementioned reconsultation exercises are included within section 7 ('Consultation Responses') below.

3.8 There is a 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.
- ZB24/02419/NMC: Application for a non material amendment (description and wording of condition 2) following a grant of planning application 16/02048/FUL, APPROVED, 24.01.2025.

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 (PV) 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 'variation/modification of condition' (Section 73) application (as amended) seeks to amend the current wording of conditions 2 (lodge numbers and height limits); 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 Additional Pitches Plan (H2-210404/4 F) 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 Additional Pitches Plan (H2-210404/4 F) differentiates between the new lodges and the existing lodges on site. 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 located immediately to the north of the northern boundary of the

Park for the purposes of 'nutrient neutrality'. This area of land is within the 'land-edged blue' (i.e. within the applicant's ownership), outside but adjacent to the application site.

- 5.3 The amended Proposed Additional Pitches Plan (H2-210404/4 F) and the two amended Detailed Landscape Proposals Plans also include alterations and additions to the approved landscaping scheme. During the course of this application, the landscape proposals have been 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.

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 December 2024 (NPPF)
- National Planning Practice Guidance (PPG)

7.0 CONSULTATION RESPONSES

- 7.1 In addition to the original consultation (August 2023), a 10 day reconsultation exercise was undertaken in November, 2024. A further 21 day reconsultation was undertaken in January 2025 in relation to the amended application form submitted by the agent. A specific reconsultation of Natural England was undertaken in June, 2025 with regards to the amended 'nutrient neutrality' documentation and the Council's amended Habitat Regulations Assessment.

Great Ayton Parish Council: The following comments were received from the Parish Clerk in relation to the 10 day reconsultation undertaken in November 2024: "I have been asked to lodge the Parish Council objection on this application due to the overdevelopment,

the changes to the nature of the site and the proposals not being appropriate for the location.”

The Parish Council have made the following comments/observations in response to the original consultation: “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): The following comments were received in relation to the original consultation: No objections to the proposals.

NYC Footpaths Team: No response received. Response requested by 07.09.2025. Any representation received before the Committee will be reported to the Committee during the meeting or prior (depending on when received) as part of the update document.

Ramblers Association: No response received.

NYC Regulatory Services (Environmental Health): The following comments/observations were received in relation to the 10 day reconsultation undertaken in November 2024: Memorandum in reply from: Environmental Health Service This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance, and consider that there will be no negative impact. Therefore the Environmental Health Service has no objections to the application. The following Informative Note (‘Advice for the applicant’) has been attached to the aforementioned representation:

“The applicant will need to ensure the proposed site layout for the increase in statics will meet all spacing requirements as per the conditions that will be issued as part of a new licence being granted for the site. The proposed site layout will be required to meet all minimum separation distances in between each unit and also meet the minimum distance from site boundaries. Further advice can be sought from our Regulatory Support Team. If planning approval is granted, the occupier of the land will be required to obtain a new Caravan Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. This will be issued subject to certain conditions being met. The applicant will need to contact our Regulatory Support Team on Regsupport@northyorks.gov.uk to obtain the necessary advice and guidance. Further information can also be found on our website: www.northyorks.gov.uk” [if the Committee resolved to approve planning permission, it is recommended that the above informative is added to the Decision Notice.]

The following comments were received in relation to the original consultation: 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 (Environmental Health):: The following comments were received in relation to the 10 day reconsultation undertaken in November 2024: “This service has no comments to make in relation to requested changes to conditions 9 or 20 from 16/02048/FUL which do not relate to land contamination.”

NYC Ecologist: The following comments were received from NYC Ecology in relation to the 10 day reconsultation undertaken in November 2024: “...With regards to the ecological impact of the proposals themselves upon local habitats and species, I do not have any concerns to raise. The works are largely retrospective and have been undertaken within the main amenity areas of the site. I would expect to see control measures in place with regards to lighting, particularly where this falls within close proximity to the site boundaries and existing semi natural habitat. The site should utilise the landscaping scheme to incorporate native species planting that will enhance the value of the site for biodiversity providing corridors across the site and connecting with habitats offsite. With regards to nutrient neutrality and the associated HMMP, whilst the HMMP appears to contain habitat creation, establishment and management prescriptions that are appropriate to the habitats proposed. We would defer to Natural England with regards to the accuracy of the applicant’s nutrient budget calculator and how this impacts on the proposed size and type of habitat proposed to allow the scheme to be nutrient neutral. Natural England would also need to approve the associated Habitat Regulations Assessment that relies on the nutrient offsetting land to ensure no adverse effects on the Teesmouth and Cleveland Special Protection Area (SPA) & Ramsar. Once Natural England are satisfied with the proposals for nutrient offsetting, I would recommend that the area of offset land and the works set out within the HMMP are secured via a legal agreement for the lifetime of the development...”

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 on the agent's submission of the original Habitat Management and Maintenance Plan) and the LPA's original undertaking of a HRA. In response to the reconsultation exercise undertaken in November 2024, Natural England confirmed that they were still seeking amendments to the nutrient budget calculations for the proposed off-site nutrient mitigation and maintained their objection to the application until such appropriate amendments are made.

Following the submission of additional nutrient neutrality documentation (including an updated metric calculator) based on the agent's proposed amendment of the off-setting land from grassland to woodland, and the completion by the Case Officer of a subsequent updated Habitat Regulations Assessment, Natural England confirmed the approval of the Council's latest HRA in July 2025 that they no longer object to the application, subject to the securing of appropriate mitigation as detailed within the updated Habitat Management and Monitoring Plan (HMMP), i.e.:

1. The permanent land use change of 2.35ha agricultural land to woodland (minimum. of 100 trees per hectare)
2. The undertaking of all relevant management/monitoring measures as detailed in the HMMP.

Natural England advise that these mitigation measures should be secured by condition and/or planning obligation, as appropriate.

NYC Lead Local Flood Authority (LLFA): The LLFA responded/commented in July 2025 to state that in assessing the proposals they have no comments to make with regards to this 'Section 73' application as the conditions [proposed to be amended/modified] do not relate to the LLFA. Following further correspondence between the Case Officer and LLFA Officers, LLFA clarified that further LLFA comments should be provided, i.e. with regards to whether the recommended drainage conditions (see section 12) are sufficient. Any further LLFA representation received before the Committee will be reported to the Committee during the meeting or prior (depending on when received) as part of the update document.

Northumbrian Water (NW): Made the following comments in May 2025 (repeating the comments NW state that they made in March 2025) confirming that having reviewed the capacities for the Great Ayton Sewage Treatment Works (STW), the STW can accommodate the increase in unit numbers, therefore NW have confirmed that they have no further comments.

Environment Agency: No response received.

Yorkshire Wildlife Trust: No response received.

Local Representations:

- 7.2 An additional detailed representation (as summarised below) was received in relation to the 21 day reconsultation exercise undertaken in January, 2025 and following the Area Planning Committee's (in December 2024) resolution to defer the consideration of the

application (objecting to the proposal) This representation is from the same individual who made representations in relation to the November, 2024 reconsultation summaries below):

- The original application (16/02048/FUL), although illustrative, was supported by a proposed site layout plan, a material consideration when planning permission was approved....the current proposed site layout plan is 'in breach' of the original permission, in respect to several issues:
 - The proposed site layout plan does not show the lodges in clusters of 3 or 4 as per the original permission, with particular intensification of pitches in specific parts of the application site.
 - The proposed layout would leave areas of 'undeveloped area' that would be available for additional lodges as part of a future planning application (to vary condition 20 again)
 - In providing concrete bases for some lodges, the applicant has undertaken unauthorised works... the original permission did not allow for further concrete slabs (as shown on the updated Proposed Site layout Plan)
 - The original permission was granted on the basis that the approved lodges met the legal definition of a caravan, however a number of the existing lodges on site are oversized and do not meet the definition of a caravan, and thus are not in accordance with the original planning permission and therefore unauthorised (in breach of planning control) No information has been submitted with the application to demonstrate that the 'over-sized' lodges meet the legal definition of a caravan, and thus constitute 'buildings' requiring planning permission.

7.3 Two additional representations (as summarised below) were received in relation to the 10 day reconsultation exercise undertaken in November, 2024 (objecting to the proposal):

- Notwithstanding the revised site layout plan and HMMP, their original objections are still valid in light of the revised submission.
- The [variation of condition] application should not allow further lodges to be approved, and the provision of additional lodges should be subject to a separate application.
- Concern that the proposed variation of condition 20 ("occupancy") in particular will allow 'all year round occupancy', resulting in occupation of the lodges as permanent dwellings.
- It is quite clear that the site is slowly evolving into what was originally submitted under returned application 15/02420/FUL.
- A copy of *Court of Appeal Case Law CA-2023-001910 issued 12/10/24*. The respondent states that this decision (in respect to the alteration of an extant permission) essentially confirms the consultee's objections relating to the additional of 35 lodges under the application currently under consideration. The respondent states that the 'Section 73' application should be refused in line with the aforementioned Case Law that clarifies that if a section 73 application is to be granted with the same conditions (as those of the original planning permission), the application should be refused.

7.4 The local representations received and summarised below were all received in relation to the original consultation exercise: 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 a 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.); and
- 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) as well as criteria a. and c. of paragraph 88 of the NPPF that state that planning decisions should enable the sustainable growth and expansion of all types of businesses in rural areas and enable sustainable rural tourism and leisure developments which respect the character of the countryside.

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 At the request of the Case Officer, the applicant and agent have provided the following information (received and uploaded to Public Access by the Council in December, 2024)

about the anticipated economic benefits (including employment opportunities) of the proposed development:

"In terms of economic benefits, I refer to "Pitching the Value - 2019 Economic Benefit Report: Holiday Parks and Campsites England" by the UK Caravan and Camping Alliance. This report provides a breakdown of onsite and offsite visitor expenditure and the estimated number of jobs created/supported per pitch on a regional basis. For Yorkshire on site expenditure suggests that each pitch supports 0.15 FTE roles, irrespective of whether or not the pitch is privately owned or hire fleet. In terms of off site expenditure a privately owned pitch is estimated to support 0.11 FTE jobs and a hire fleet pitch will support 0.13 FTE jobs. The GVA generated by the off site expenditure will support more jobs in the local area. An analysis of the figures provided within the report suggest that 35 privately owned pitches would likely generate annual visitor expenditure of circa £713,000 and a further £400,000 is likely to be generated annually by way of the GVA generated by the development, supporting in the region of 13 FTE roles both on and off site. In terms of the development itself and the expected impact for Leisure Resorts would enable them to employ new staff on site for the following roles:

- *2 x Housekeepers*
- *2 x Maintenance Staff*
- *Receptionist/ Administrative Assistant*
- *Additional restaurant staff*

Existing roles within the wider Leisure Resorts remit will be extended across the company, these roles include:

- *Sales Manager*
- *Ownership Manager*

The development process will enable Leisure Resorts to engage local contractors and businesses for construction, utilities installation and marketing whilst building on the visitor capacity of the site will generate footfall for a range of local businesses as Angrove Visitors use local restaurants (not just the G & T House), local pubs, local leisure and recreational businesses (golf, horse riding) as well as local services (shops, supermarkets, butchers greengrocers etc, taxis)."

- 10.9 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

- 10.10 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.)

- 10.11 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.)
- 10.12 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.
- 10.13 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.
- 10.14 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.
- 10.15 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, although such vantage points are likely to be very limited. The proposed landscaping scheme (as per the amended Proposed Additional Pitches Plan and Detailed Landscape Proposals Plans) show 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, further limiting views of the proposed development from viewpoints outside of the Angrove site.
- 10.16 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.

10.17 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.

10.18 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 are considered to comply with Local Plan Policy E1 in this regard.

10.19 Overall, while it is considered that the proposed development would have a neutral impact on views and the character of the wider landscape, there is the limited potential for localised views to be negatively impacted by the proposed development, primarily 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 on the local landscape would be contrary to criteria a. of Local Plan Policy E7 as set out above, and is considered to carry minor weight in the overall planning balance.

Green Infrastructure

- 10.20 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.
- 10.21 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 Additional Pitches Plan and Detailed Landscape Proposals Plans) 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

- 10.22 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.)
- 10.23 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.
- 10.24 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.

- 10.25 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 NYC Ecology representations as detailed in the 'consultations' section above, 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).
- 10.26 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, i.e. the original planning permission ref. 16/02048/FUL was granted planning permission on 30th June, 2017. Notwithstanding this, paragraph 187(d) of the NPPF does state that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks. There are clear (if unquantified) ecological enhancements resulting from the development overall as a result of the additional planting and landscaping features that form part of the current proposals which are considered to meet the requirements/expectations of the NPPF in this regard.
- 10.27 Overall, the proposals would meet the relevant requirements and expectations of Local Plan Policy E3 and the NPPF in terms of the conservation and protection of ecology and with regards to unquantified gains in BNG.

Amenity

- 10.28 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.);

- 10.29 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.
- 10.30 The conditions of the original permission do not allow for the existing lodges to be used as anything other than holiday accommodation, thus there are 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 some of the existing lodges, given the relatively generous existing space between these 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 lodges is taken into consideration.
- 10.31 Overall, the proposals would therefore be in accordance with the relevant criteria of Local Plan Policy E2.

Highway Safety and Connectivity

- 10.32 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.)
- 10.33 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 that were 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.

- 10.34 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.
- 10.35 The amended the amended Proposed Additional Pitches Plan 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.
- 10.36 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.
- 10.37 Therefore, subject to the condition requiring the submission of a parking plan for the additional lodges, it is considered that the proposals would not compromise or have an unacceptable impact on highway safety, provide sufficient on-site parking and ot have a severe impact on the road network, thus complying with the relevant criteria of Local Plan Policy IC2 and requirements of the NPPF.

Impact on the Public Right of Way (PRoW) Network

- 10.38 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.)

- 10.39 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. Subject to receiving confirmation from the NYC Footpaths Team that they have no objections to the proposals, 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

- 10.40 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.)
- 10.41 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.)
- 10.42 Paragraph 173 of the NPPF states that a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, i.e. located development in available alternative locations with less of a flood risk. This includes fluvial and surface water flooding. The flood risk Exception Test also applies to certain development classifications that pass the Sequential Test but cannot be located in lower-risk areas. Holiday caravans and camping are classed as a more vulnerable use.
- 10.43 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.).

10.44 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) Although the site's existing vehicular access passes briefly through Flood Zones 2 & 3, alternative escape routes are available to the north of the site (e.g. access onto Yarm Lane) However, the application site does contain some areas that are prone to surface water as per the Environment Agency's surface water flood risk map, although based on the latest proposed site layout plan, the vast majority of additional lodges would not be directly affected by surface water flooding. As part of the application site is located within Flood Zones 2 and 3, both Policy RM2 and the NPPF require that a sequential approach to site section has been undertaken, i.e. demonstrating that there are no 'sequentially preferable' alternative sites available for the proposed development at lower fluvial and surface water flood risk than the site.

10.45 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) Although the site's existing vehicular access passes briefly through Flood Zones 2 & 3, alternative escape routes are available to the north of the site (e.g. access onto Yarm Lane) However, the application site does contain some areas that are prone to surface water as per the Environment Agency's surface water flood risk map, although based on the latest proposed site layout plan, the vast majority of additional lodges would not be directly affected by surface water flooding. As part of the application site is located within Flood Zones 2 and 3, both Policy RM2 and the NPPF require that a sequential approach to site section has been undertaken, i.e. demonstrating that there are no 'sequentially preferable' alternative sites available for the proposed development at lower fluvial and surface water flood risk than the site. No sequential test or exceptions test information has been submitted with the application. 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. An important material consideration in the case of this application is that the additional development is taking place within the context and boundaries of the established Park site, with no changes to the approved access arrangements. With the exception of the existing access, the additional development would avoid areas of fluvial flood risk (Flood Zones 2 and 3), with minor exceptions avoid areas of higher surface water flood risk. This is considered to be an important material consideration that in the case of this application would take precedent over the failure to demonstrate that the site has passed the sequential and exception tests as required by Policy RM2 and the NPPF.

10.46 It is 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 resolves to grant planning 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.

- 10.47 A Flood Risk & Drainage Assessment and associated plans were submitted with the original application (16/02048/FUL) 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.
- 10.48 While the amended proposals would increase both surface water and foul flows as a result of the provision of the additional lodges, the principles of the foul and surface water drainage strategies (as detailed within the Flood Risk and Drainage Assessment (FRDA) submitted with the original application) are still considered to be appropriate and the most sustainable means of drainage available for the development. The Proposed Additional Pitches Plan includes additional ponds which the agent has confirmed could be used to provide additional surface water attenuation for the proposed development, however subject to agreeing the precise details of the additional surface water scheme and any on-site attenuation (by condition) the proposal would be in general accordance with the drainage principles as detailed within the aforementioned FRDA and would not compromise the existing (as approved) surface water and drainage schemes for the existing lodges. Northumbrian Water have confirmed that there is sufficient capacity at the local Sewage Treatment Plant to accommodate the additional foul flows of the proposed development. The location and soil composition of the site means that controlled discharge to watercourse is considered to maintain the most sustainable means of surface water disposal for the development, particularly as the amended Proposed Additional Pitches Plan shows that two additional ponds would be created in the east of the site which, if necessary, have the potential to facilitate additional on-site surface water attenuation.
- 10.47 The NYC Lead Local Flood Authority (LLFA) have been consulted on the application and have responded stating that they have no comments as the 'Section 73' application does not relate to any amendment/modification of conditions relevant to the LLFA. While this Section 73 is not seeking to remove or vary/modify the drainage-related conditions (5 and 6) of the original planning permission (which have already been complied with and discharged as relevant in relation to the original permission), it is evident that the proposals involving 35 additional lodges would lead to additional surface water and foul flows. While the drainage principles as set out in the 'Flood Assessment' submitted with the original permission remain applicable (including discharge of surface water to watercourse [River Leven] and the discharge of foul drainage to Northumbrian Water's foul sewer, it is important that it is demonstrated that the existing (approved) or an improved surface water drainage scheme is capable of sustainably accommodating the existing surface water flows in accordance with North Yorkshire Council's Sustainable Drainage Systems Design Guidance, as well as

ensuring that an appropriate surface water management and maintenance scheme is submitted to and approved by the Local Planning Authority. These matters can be ensured by condition and recommended conditions in these regards have been duly included in the 'recommended conditions' section (section 12) below. The LLFA have confirmed that they will review the contents and acceptability of the aforementioned flood risk conditions to ensure that they are acceptable and are able to provide a sustainable surface water drainage scheme for the development. Any response received prior to the Committee will be reported to the Committee (depending on when the response is received) either during the meeting or prior to it as part of the update document.

- 10.48 Overall, and subject to the aforementioned conditions, the proposals are considered to comply with the relevant criteria of Local Plan Policies RM1, RM2 and RM3 with regards to flood risk and surface water drainage, and while it has not been demonstrated that the development has passed the sequential and exceptions test (as required by Local Plan Policy RM2 and the NPPF), there are considered to be material considerations based on the established site and siting and floor levels of the built development within it that would avoid any material adverse flood risk impacts (subject to conditions) that would take precedence in the determination of this application in these specific policy requirements in respect of this development.

Nutrient Neutrality

- 10.49 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 affects 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/Appropriate Assessment. LPAs can only approve a project if they are sufficiently certain it will have no negative effect on the habitat site's condition.
- 10.50 As confirmed in Natural England's 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.
- 10.51 A revised Nutrient Budget Calculator (metric) has been submitted during the course of the application based on the amended nutrient off-setting proposals discussed below), confirming that there would be a neutral nitrogen load as a result of the development. This would mean the proposed development would be 'nutrient neutral'.
- 10.52 Taking into consideration the concerns of Natural England with regards to the previous nutrient off-setting proposals involving grassland 'improvement', the applicant has proposed

to off-set the calculated positive nitrogen load of the proposed development by planting woodland in a 2.35ha 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 for the lifetime of the development and suitably managed and maintained during this time. A revised Habitat Management and Maintenance Plan (HMMP) has subsequently been submitted as part of the application which includes details regarding its implementation, management and maintenance.

10.53 The LPA (as the Competent Authority) has undertaken an updated Appropriate Assessment (AA) in relation to the implications of the proposed development on the Teesmouth and Cleveland Coast SPA. Natural England have been consulted on this and have raised no issues with the Council's AA and have removed their objections to the proposals, subject to the Council securing the permanent land use change of 2.35ha agricultural land to woodland (minimum of 100 trees per hectare) and the applicant undertaking of all relevant management/monitoring measures as detailed in the HMMP. This would be secured through a Deed of Variation of the Section 106 Agreement completed in relation to the original permission.

10.54 Subject to the agreement of the details of the aforementioned Deed of Variation to secure the provision and future management/maintenance of the proposed off-set woodland area in accordance with the completed Metric and the revised HMMP, the proposed development would be 'nutrient neutral' and would meet the requirements and expectations of Policy E3 of the Local Plan with regards to the impact on ecology.

Heritage

10.55 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.

10.56 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.

10.57 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.

- 10.58 The Council's Principal Archaeologist has 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.
- 10.59 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

- 10.60 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 resolves to approve planning permission, it is recommended that the issuing of planning 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.
- 10.61 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.

- 10.62 It has been expressed in consultation/reconsultation responses submitted by local residents that the proposal is 'in breach of the original planning permission' for a number of reasons (see paragraph 7.2 above). It is important to clarify that a Section 73 permission is a new planning permission in its own right, that involve material (minor) amendments to the originally approved permission. Every Section 73 application needs to be considered on its own merits and the proposed amendments must be in accordance with the original application's description. While the proposals involve the installation of 35 additional lodges, this is within the context of the existing established Angrove site which already includes 54 approved 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 and various additional facilities. 35 additional lodges and additional landscaping within this context (located within the existing, established boundaries of the Park) would not constitute more than a minor material amendment to the original planning permission and would not be contradictory to its (as amended) description.
- 10.63 Another expressed concern in the representations submitted by local residents is with regards to the lodges not meeting the definition of a caravan (as defined within the Caravan Sites Act 1968), i.e. due to their size and lack of mobility. The acceptability or otherwise of the proposed additional lodges (as per the dimensions and layout as shown on the submitted amended Proposed Additional Pitches Plan) need to be considered through the determination of the current planning application in relation to relevant Local Plan and national planning policy and guidance. For the purposes of the consideration of this Section 73 application therefore, it makes no material difference whether the proposed lodges fall within the definition of a caravan or not.
- 10.64 A local resident has also made reference in their representation to case law that he considers pertinent to the consideration of this Section 73 application, i.e. *Court of Appeal Case Law CA-2023-001910 issued 12/10/24*. This case law clarifies that if a section 73 application is to be granted with the same conditions as the original planning permission, then the application should be refused. While this matter is acknowledged, it is important to state that if Members resolve to grant planning permission for this Section 73 application as submitted, then there would be varied/modified conditions attached, e.g. condition 2 which would now include reference to the amended Additional Pitches Plan. Therefore, the Section 73 permission would not be granted with the same conditions as the original permission and the aforementioned case law would have no consequential relevance to the decision.

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.

- 11.2 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.
- 11.3 While the proposed development would have a negative impact on a limited number of localised views of the development within its landscape setting, this adverse impact is afforded minor negative weight in the Planning Balance having taken into consideration the screening effects of the landscaping scheme.
- 11.4 The amended proposals would comply with the relevant Local Plan policies regarding green infrastructure, ecology, amenity, PROW impact, highway safety/amenity, nutrient neutrality, and heritage. Overall, these matters are afforded a collective neutral weighting in the Planning Balance.
- 11.5 While the development is considered to meet most of the relevant criteria of Local Plan Policies RM2 and RM3 with regards to flood risk and surface water drainage (afforded neutral weight in the Planning Balance), the failure to demonstrate that the development has passed the sequential and exception tests is contrary to the requirements of criterion a. of Local Plan policy RM2 and the NPPF. There are however considered to be material considerations based on the established site and siting and floor levels of the built development within it that would avoid any material adverse flood risk impacts (subject to conditions) that would take precedence in the determination of this application in respect of these specific policy requirements for this development.
- 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. It is therefore recommended that planning permission is granted, subject to the requirements listed in section 12 below.

12.0 RECOMMENDATION

12.1 MINDED TO GRANTED PLANNING PERMISSION, subject to:

- (5) Receiving written confirmation that the NYC Footpaths Team have no objections to the development.
- (6) Receiving written confirmation that NYC LLFA have no objections to the wording of the recommended drainage and flood-risk-related conditions within section 12 of this report.

(3) The completion of a Deed of Variation to make specific reference to the current Section 73 application/reference number and to secure the implementation, retention, monitoring and management of the land to be used for nutrient neutrality off-setting.

(4) The imposition of the recommended planning conditions within Section 12 below.

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. Proposed Additional Pitches Plan (H2-210404/4 F)
- b. Detailed Landscape Proposals Plan 1 of 2 (H2-210404/1 F)
- c. Detailed Landscape Proposals Plan 2 of 2 (H2-210404/2 F)

As per the aforementioned plan, the development shall provide no more than 89 holiday lodges on site, and no more than one sales enquiry office. No lodge hereby approved, including the sales enquiry office and associated reception building, shall have more than one storey.

Reason: In order that the development is undertaken in a form that is appropriate to, and compatible with, the character and appearance of its surroundings as a whole, in accordance with the Local Plan Policies S1, E1 and E7.

3. All additional holiday lodges and sales enquiry office as well as all 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/unit.

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.

4. 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.

5. 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.

Reason: To ensure that the design and appearance of the additional lodges are in keeping and appropriate to the existing Angrove development, in accordance with Local Plan Policies E1 and E7.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. The development must comply with the following requirements that: (1) the holiday 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.

18. Based on the landscaping areas and species details on the Proposed Additional Pitches Plan (H2-210404/4 F), Detailed Landscape Proposals Plan 1 of 2 (H2-210404/1 F) & Detailed Landscape Proposals Plan 2 of 2 (H2-210404/2 F), 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.

Reason: To ensure that the landscaping is appropriate with regards to the context of the existing development and its rural surroundings and to secure its appropriate implementation, in accordance with Local Plan Policies E1 and E7.

19. Prior to the first use of any of the additional 35 lodges hereby approved, the approved drainage strategy, pond design and micro drainage calculations shall be updated and submitted to and approved by the Local Planning Authority. The aforementioned updated plans and calculations shall demonstrate how the existing or an improved sustainable surface water drainage scheme for the whole site will be able to sustainably accommodate and discharge surface water for the development in accordance with sustainable drainage principles and the recommendations contained within North Yorkshire Council's Sustainable Drainage Systems Design Guidance or any subsequent updated document. Where an

improved sustainable surface water drainage scheme is demonstrated to be required, the improvement works (including all attenuation features) shall be completed in accordance with the updated details and plans and be fully operational prior to the first use of the 35 lodges hereby approved.

Reason: To ensure that an appropriate surface water drainage system is installed in relation to the development, in accordance with Local Plan Policies RM2 and RM3.

20. Within one month of the date of this permission, a management and maintenance scheme for the surface water drainage scheme shall be submitted to the Local Planning Authority. Once the scheme is approved by the Local Planning Authority, the surface water drainage scheme for the site shall be managed and maintained in accordance with the approved management and maintenance scheme for the operational lifetime of the development.

Reason: To ensure that an appropriate management and maintenance scheme for the surface water drainage scheme is implemented for the development, in accordance with Local Plan Policies RM2 and RM3.

21. All foul flows from the development shall discharge to the Northumbrian Water combined sewer at manhole 0001.

Reason: To ensure that foul flows from the development are sustainably disposed of, in accordance with Local Plan Policy RM1.

Target Determination Date: 11th July 2022

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