

Parish: Thirsk

Ward: Thirsk

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15/01693/MRC

Committee Date : 15 October 2015

Officer dealing : Mrs H M Laws

Target Date: 17 September 2015

**Proposed variation of condition 02 (to increase the number of holiday lodges from 11 to 34) of previously approved scheme (11/01989/FUL) for a change of use of an agricultural nursery to a caravan park (holiday lodges) with associated hardstanding, parking and landscaping
at Hollin Barn Nurseries, Sutton Road, Thirsk
for Evergreen Park Ltd.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 Consideration of this application was deferred at the last meeting to allow additional information to be submitted regarding highway issues; the red line application site boundary; the position of the package treatment plant; and the size of the children's play area.
- 1.2 Additional comments have been received from the Highway Authority and these are detailed within paragraph 4.5 below.
- 1.3 The application site boundary has now been amended to remove an area in the south eastern corner which did not appear to be intended for any particular use. The layout plan now shows the proposed package treatment plant located within the north eastern corner of the site. This is an underground unit, which would discharge fully treated water, in accordance with current standards, through an existing outlet.
- 1.4 The children's play area has not been amended. It is confirmed that this area is 250sqm in size, which, it is stated, "is as large as any village school's" and "As the park is aimed at over 50s....there will not be many young children in any event".
- 1.5 The application site is the curtilage of a former (horticultural) nursery complex at Hollin Barn, which lies on the northern side of the A170 midway between Thirsk and Sutton-under-Whitestonecliffe. The site is rectangular in shape, has a frontage to the main road of 170m and is 105m in depth (approximately 1.7 hectares in size). There is an existing access which serves the (former) Nursery use. The White Horse Lodge Hotel lies immediately adjacent to the site to the east.
- 1.6 The application site has been vacant for approximately 5 years.
- 1.7 Planning permission was granted in December 2011 to change the use of the site to a caravan park. A condition was imposed restricting the number of caravans to 11. The current application is to vary this condition and allow up to 34 caravans on the site. The submitted application includes details that the approved scheme for just 11 units would not be a viable business plan, mainly due to the costs of providing the infrastructure and support costs of groundsmen and maintenance staff.
- 1.8 Much of the site has a generally level surface and lies at a slightly lower ground level than the adjacent A170. Existing mature hedgerows lie along all four of the boundaries of the site. Maturing trees lie along the front (south) of the site behind the hedge. The eastern boundary with the Hotel is partly fenced; a group of maturing trees lies along this boundary in the northern corner. There are also some trees within the site although some are only recently planted. A detailed landscaping

scheme has been submitted to illustrate the proposed planting along the site boundaries and within the site itself.

- 1.9 The proposed lodges are timber clad or Canoxel (compressed woodchip and resin) in muted colours with dark colour tile effect roofs in a range of models.
- 1.10 It is proposed to use the existing access, which previously served the Nursery, and utilise an existing hardstanding area as a site car park with a service road circling the site to serve the units. Parking would be available at each of the units. Visitors' car parking and a children's play area is proposed adjacent to the access.
- 1.11 A Transport Statement has been submitted with the application, which concludes that the existing visibility spays at the access are adequate following a speed survey undertaken on the A170 and that the increase in traffic generated by the siting of 34 lodges compared to the previous use as a nursery, would be negligible. Improvement works are proposed, including extending the central double white overtaking line on the A170 on the eastern approach and the display of additional warning signs.
- 1.12 No on-site facilities such as a shop, restaurant or bar are proposed and 5 jobs are proposed to be created.
- 1.13 Proposed drainage, within the original application, was to a septic tank for foul and to existing disposal systems for surface water. It is now proposed to use a private sewerage treatment plant positioned within the north eastern corner of the site.
- 1.14 An electricity substation is proposed within the site with an underground supply providing electricity for the units. Existing overhead lines could therefore be removed.
- 1.15 It is intended to make the units available for outright sale or timeshare purchase and/or rental but the ownership of the units is not something that can be controlled by the Planning Authority. The occupancy of the units would be holidaymakers and this could be controlled by a planning condition. Development of the site would be over a period of 5-7 years.
- 1.16 Letters of support have been submitted with the application from Welcome to Yorkshire, the adjacent Hotel and the Nisa and Blythway stores in Long Street and Sutton Road in Thirsk.

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 11/01989/FUL - Change of use of an agricultural nursery to a caravan park with associated hardstanding, parking and landscaping; Granted 12 December 2011 subject to a condition that no more than 11 lodge style caravans would be on the land at any time. The condition was imposed in limit the visual impact of the development on the landscape and in response to concerns about the safety of the access to the highway.
- 2.2 14/00920/MRC - Variation of Condition 2 of Planning Consent- 11/01989/FUL to allow an increase in the permitted number of caravans from 11 to 34. Permission refused 2 July 2014 for the following reasons:
 1. The proposed development is contrary to LDF Policies CP16 and DP30 where it is important to respect the openness, intrinsic character and quality of the landscape. The proposed development would have an unacceptable visual impact on the surrounding rural landscape, particularly due to the increased

number of units close to the boundaries and reduced opportunities for landscaping within the site, contrary to these policies.

2. The proposed development is contrary to LDF Policies CP2 and DP4, which require all developments to have a safe access. The proposed increase in the number of caravans would give rise to additional vehicles waiting in the carriageway and leaving and re-joining the traffic stream on an open stretch of road where vehicle speeds are high, and would thus cause interference with the free flow of traffic and consequent danger to highway users.

- 2.3 14/02547/MRC - Proposed variation of condition 02 - to increase the number of holiday lodges from 11no to 34 - to previously approved scheme (11/01989/FUL) Change of use of an agricultural nursery to a caravan park (holiday lodges) with associated hardstanding, parking and landscaping; Withdrawn 8 April 2015.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP15 - Rural Regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
Development Policies DP25 - Rural employment
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Good Practice Guide on Planning for Tourism - May 2006
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Thirsk Town Council - all our original comments still stand. This is still not a suitable location for this type of development which will generate a great deal of traffic. Particularly we are concerned that there is nothing to say just what the lodges will look like, nor how many occupants will be in each lodge and so no indication of the number of people accessing the site. Previous comments include the following:

The development is too big for the site and should be refused.

- (a) Traffic - The committee is not convinced that the site is suitable for the number of caravans/lodges (34). It is bound to cause traffic problems, the A174 is a very busy road and the site is on one of the stretches between Thirsk and Sutton Bank where traffic tends to increase speed as it is relatively straight. There have been accidents (especially at Bagby Moor Lane end) and the committee cannot understand how the Highway department, who were originally against the proposal, are now saying it is acceptable.
- (b) Whilst there is no indication as to how many people could be at the site at any one time, including how many people each lodge can accommodate, it seems that the parking provision is inadequate.
- (c) The Planning Committee has asked for details of the dwellings. Are they caravans as in the first page of the application or are they permanent structures?

- (d) Refuse Disposal - There is an area marked on the site plan as 'Refuse Site' adjacent to the visitors' car park. It is also questioned how the refuse will be emptied/removed and will there be adequate space in this respect, particularly given that people on holiday tend to generate a lot of refuse quite often including food waste.
- (e) Visual Impact - The site slopes to the north and will be very easily seen from that side.

4.2 Sutton under Whitestonecliffe Parish Council – wish to see the application refused. The proposal is an over-development of a relatively small site with the only access and egress being on a very fast stretch of road with limited visibility from the east. This could potentially cause a dangerous bottleneck situation. It is felt that there is insufficient on-site parking for the potential number of users. It is felt that drainage issues have not been fully resolved and there is concern for the surrounding agricultural environment and the drainage ditches.

If there is no option but to approve, it is felt that a condition of approval should include double white lines and a 30mph speed limit on the A170 in the vicinity.

To aid deliberations it was noted that the proposal has approximately a third of the number of dwelling units as has Sutton under Whitestonecliffe, all crammed into a small field with one entrance and a potential population when full, far greater than that of Sutton under Whitestonecliffe and the ensuing quantity of effluent and traffic issues that will be encountered.

- 4.3 Bagby and Balk Parish Council - no comments received (previously objected to the proposed increase in lodges, stating the increase should not be allowed. 11 lodges are more than sufficient for the site)
- 4.4 Hillside Parish Council - no comments received
- 4.5 Highway Authority - conditions recommended requiring the provision of a visibility splay of 215m in both directions.

Following the deferral of the application, further advice has been received as follows:

- A point was marked at 2.4m back from the edge of the carriageway measured along the centreline of the existing access. The 2.4m represents the typical distance between the driver and the front of a vehicle waiting to join a main carriageway. Two wooden ranging rods with horizontal pieces set at a height of 1.05m were then used to establish the visibility splay to the east from this point. The 1.05m represents both the driver's eye height and the object height above ground level. The maximum distance along the carriageway edge and the point marked at the access at which both tops of the ranging rods could be seen. This distance was measured to establish the visibility splay in that direction which was 231m.
- The splay is outside the red line and is over the highway verge. The visibility condition is recommended to ensure that the vegetation local to the access is maintained so the visibility splays remained clear from outgrowing vegetation.
- A review of the highway recommendation was undertaken to ensure that the visibility measurement was measured in accordance with the current guidance. The visibility splays were measured and found to be within the recommended splays found within the Design Manual for Roads and Bridges. On review, it seemed that a lower height of 0.6m was used which gave a lower visibility splay. This object height is normally used in urban areas rather than rural areas. The current visibility is in line with the standards.
- With regard to a previous concern expressed by the Authority, that vehicles waiting in the carriageway to turn right into the site would cause interference with

the free flow of traffic and be a consequent danger to highway users, it is the visibility which is important here. The safety issue was the intensification of use with reduced visibility. Now having re-measured, our position is that the visibility is acceptable in line with Design Manual for Roads and Bridges.

- 4.6 Yorkshire Water - no comments
- 4.7 Environment Agency - no objection. As our records show that the water environment is of a low sensitivity, we have no specific comments about this development.
- 4.8 HDC Environmental Health Officer - no objections to the above planning application. However, the use of land as a caravan site requires a site licence from the local authority for the land, under the provisions of the Caravan Sites Control of Development Act 1960. Should the planning application be successful a Caravan Site Licence will be required.
- 4.9 Site notice/local residents - a letter of support has been received from the adjacent resident who comments as follows: I support the proposal at Hollin Barn to go ahead think the development will be an asset to the area and also generate employment and will add to the local economy. Also I believe this will support the adjoining hotel and holiday cottages, and will be able to work together.
- 4.10 A letter of objection has been received, as follows:
- There are ongoing problems with both surface water from the car park and dirty water running into our ditch from the adjacent hotel. An additional 34 chalets would potentially more than treble this problem.
 - The A170 is very busy with fast traffic; this is a particularly fast stretch of road. There has been a fatal accident less than 500m from the site.
 - As there are no recreational activities within walking distance (the A170 is definitely not suitable for walking), traffic to and from the site would add to the danger around the site entrance.
 - The open countryside is very attractive in this area and would be spoilt with a large intensive holiday park.
- 4.11 Observations have been received from an established leisure business in the locality, which are summarised as follows:
- Agree generally with the controlled development and appropriate expansion of tourism facilities in the area. However, there are 2 static caravan/lodge parks within one mile of the proposal site. One of the lodge parks has three owner occupied units on it and no others. Specific constraints prevented the development of camping facilities here. The second park, opened in 2008, is still far from capacity, with 16 bases free.
 - The owner occupier lodge market in this area is currently at saturation point, consequently the projected increased tourism spend will not be achieved
 - The provision of camping pods and other types of rental units would be a more appropriate development in our opinion creating a wider choice of tourist accommodation to complement the available mix in the locale
 - Notwithstanding the above, it seems that the same important issues which were present when the previous similar application was made, and refused, have not been resolved.
 - Despite the withdrawal of a previous objection from the Highways, it seems difficult to comprehend why. Part of the traffic survey considers the amount of traffic generated to and from a retail nursery in a large urban city, to justify this withdrawal, on the basis that a 34 lodge development would not generate as much traffic as the nursery.

4.12 Letters of support have been received from 19 businesses in the Thirsk area, the comments of which are summarised as follows:

- Development will bring growth to the area
- Any new business brings more money into Thirsk
- Development will bring tourists into the town
- Thirsk is a tourist town and development would help us to develop our businesses
- Thirsk needs all new businesses to be able to prosper
- It would create employment for local people
- It would support surrounding local attractions

5.0 OBSERVATIONS

5.1 The issues to be considered relate to the proposed increase in the number of units from 11 to 34, particularly in respect of the sustainability of the operation on the scale proposed; the effect on the local economy; the visual impact of such a change on the surrounding rural landscape; the impact on residential amenity and the impact of the increased number of units on highway safety.

5.2 The application has been resubmitted following the decision to refuse planning permission in July 2014 in an attempt to address the reasons for refusal relating to the visual impact of the increased number of units and the highway safety implications.

5.2 The issues to be considered when determining this application are identified in the Policies within the Local Development Framework Core Strategy and Development Policies document as set out above and relate, in this case, to the location of the site in relation to the Service Centre of Thirsk and other tourist attractions (Policies CP1 and CP2) the impact of the increased number on local visual amenity and landscape character (Policies CP16 and DP30) together with the potential economic benefits to the local economy, particularly the adjoining hotel complex (Policies CP15 and DP25). The principle of the development has been established with the grant of the permission in 2011.

5.3 The Government's "Good Practice Guide on Planning for Tourism" advises that new sites for tourist accommodation of the kind proposed will generally be more sustainable when located close to existing settlements and other services as some local services may be accessed by means other than the car. The Moorsbus service that previously travelled this route no longer operates.

5.4 Paragraph 28 of the NPPF requires planning policies to support the sustainable growth and expansion of all types of business and enterprise in rural areas; to promote the development and diversification of agricultural and other land based rural business and to support rural tourism that benefits businesses in rural areas, communities and visitors. It has been noted above that the site is located directly off the A170 midway between Thirsk and Sutton-under-Whitestonecliffe and is well located for access via the main road network to a significant number of tourist facilities and attractions including, in addition to Thirsk itself, York and the North York Moors National Park.

5.5 The 34 units would help to support the local rural economy in the area and in principle is supported. It is not the role of the Local Planning Authority to address the business viability of the scheme as proposed or competition locally as commented upon by the nearby business operator.

- 5.6 The detail of the caravan lodge structures was the subject of a condition attached to the previous planning permission requiring details to be submitted for approval. The details now submitted propose a timber clad lodge to be finished in 'muted colours' with a dark roof therefore making the units less prominent in the landscape. The proposed units, in respect of design, are considered to be in accordance with LDF Policy CP17.
- 5.7 The approved layout for 11 units within the same site area is obviously much lower in density with greater spacing between units and a greater amenity area for each of the occupants. The proposed layout is much denser with units positioned closer together. The application justification is for the provision of 'luxury accommodation' on a scale that would make it a viable business although the specific type of business or its viability are not directly relevant to the planning issues.
- 5.8 The landscape within which the application site is set is relatively open with wide ranging views. The site is not low lying, nor is it set within an undulating landscape; the existing field pattern is of large fields with hedgerow boundaries and occasional trees. The site is immediately adjacent to the road and the site would be clearly visible when viewed through the access by passers-by but this would affect only a short distance on the A170. The site would be visible above the existing rear boundary hedge from long range views from the hills beyond the site to the north east but at so great a distance that the impact would be limited. The existing landscaping at the site is well established and is proposed to be supplemented by additional tree and hedgerow planting around the periphery and within the site. The lodges previously positioned close to the boundary have been moved further from the periphery so that they would be less prominent. An additional native hedgerow is proposed to be planted on a proposed 1m high bund immediately adjacent to the existing boundary hedge. The existing and proposed tree planting would, within a relatively short space of time, have the ability to provide a mature and effective screen to protect the character and appearance of the surrounding countryside and is considered to overcome the previous reason for refusal.
- 5.9 The neighbouring properties include the Hotel and two holiday cottages; it is not considered that the amenity of these properties would be seriously affected by the proposed use as they also accommodate holidaymakers. Illumination may however be an issue that affects the surrounding landscape, and this is a matter that could be controlled by planning condition. It is not considered that there would be any significant noise nuisance arising from the use of the site that would adversely affect local residents.
- 5.10 The site is accessed from the A170 and it is proposed to use the existing access that served the previous nursery. Permission was granted to use this access to serve the 11 units as approved in 2011. Vehicles along this stretch of road are generally fast moving and the Highway Authority has undertaken a speed survey on which to base their recommendation. Additional measurements have now been undertaken, which establish that the required visibility of 215m in both directions can be achieved. There are no objections to the proposed intensification of the use from 11 to 34 units and appropriate conditions are recommended.
- 5.11 The proposal to drain the foul water to a package treatment plant is in accordance with the recommendations of the Environment Agency.
- 5.12 The proposed increase in the number of units to 34 would help to support a sustainable rural economy, would not detract from the visual appearance of the existing rural landscape and would not be detrimental to highway safety; approval is therefore recommended.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. No more than 34 lodge style caravans shall be on the land at any time.
 3. No lodge style caravan shall be brought onto the site until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. 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.
 4. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the lodge style caravans, together with those for the site access road, storage and service yard and visitor parking area and any other external surfaces, shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of, and be retained in accordance with, the approved materials in accordance with the approved method.
 5. The development must comply with the following requirements: (i) The lodge style caravans are occupied for holiday purposes only; (ii) The lodge style caravans shall not be occupied as a person's sole or main place of residence; (iii) The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the individual lodge style caravans on the site, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.
 6. No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. Such works shall be completed in accordance with the approved details prior to the occupation of any chalet style caravan and shall thereafter be maintained in accordance with the approved scheme.
 7. There shall be no access or egress by any vehicles between the highway and the application site unless splays are provided giving clear visibility of 215m measured along the southern channel line in an easterly direction and 215m measured along the northern channel line in a westerly direction of the A170 from a point measured 2.4m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 1.05m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
 8. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on the drawing marked Project No 291 Sheet 4 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

9. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.
10. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c.The approved areas shall be kept available for their intended use at all times that construction works are in operation.
11. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawing marked Project No 291 Sheet 4 received by Hambleton District Council on 23 July 2015 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:

1. 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. In order that the Local Planning Authority can control the development in the interests visual impact of the development on the landscape and the safety of the access to the highway in accordance with the Local Development Framework Policies CP1, CP2, CP4, CP16, DP3, DP4 and DP30.
3. In the interest of local visual amenity and landscape character in accordance with Policies CP16 and DP30.
4. In the interest of local visual amenity and landscape character in accordance with Policies CP16 and DP30.
5. To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy as holiday accommodation without undue demands on local schools, social and health services etc., and in accordance with the objectives of the Local Development Framework.
6. In the interest of environmentally satisfactory drainage in accordance with Policy DP42.
7. In accordance with LDF Policies CP2 and DP4. and in the interests of road safety.
8. In accordance with LDF Policies CP2 and DP4 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

9. In accordance with LDF Policies CP2 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
10. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
11. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies.