

16/02136/FUL

Change of use of agricultural land to provide extension of existing caravan park for provision of 49 permanent static unit pitches.

**At Canvas Farm, Moor Road, Knayton
For Mr & Mrs Cook**

1.0 APPLICATION SITE AND PROPOSAL

- 1.1 The application site is 2.6 hectares in size, and abuts the existing Hillside Caravan Park which itself extends to approximately 6.2 hectares and accommodates 50 touring caravan pitches, timber camping pods (eight approved under 14/02595/FUL) and a single holiday let plus communal amenity block, games room and office/reception plus original farmhouse and storage space. The site lies approximately 2km northeast of Knayton, to the north of Moor Road. The caravan park is a former agricultural (dairy) farmstead and wider holding that has diversified into tourism as the mainstay of the business.
- 1.2 The proposed development is for the creation of an additional 49 pitches for permanent holiday accommodation. The agent has said the units are to be sold as holiday homes, and advises that as holiday homes a reduced traffic flow and low occupancy rate would occur than under a weekly let arrangement with higher traffic flows higher occupancy rates anticipated.
- 1.3 The existing site access would be used. The established well planted boundaries would be retained and bolstered to enhance the sense of enclosure and screening to the site. The layout includes decking areas for each unit with intervening landscaping in the form of grassland and tree clusters. This includes woodland planting across the site and with a specific landscaping scheme being proposed.
- 1.4 An access track would be provided from the existing track which runs north-south with a circular route around the proposed static caravans. The track would be formed of crushed stone. A public right of way (footpath) passes through the Canvas Farm site in a generally east-west orientation parallel with an 130 from Moor Road.
- 1.5 The application site is currently a grassed area bound by shrubs and hedgerows. The site is relatively flat and gently slopes to the north. The boundary to Moor Road is a mature hedge.
- 1.6 The application is supported by a range of documents including a Planning Statement, Design and Access, Flood Risk Statement, Ecological and Landscape and Visual Assessment. A Transport Statement is also included.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 2/02/088/0148 - Alterations to ancillary domestic accommodation for use as tourist accommodation; Granted 21 March 2003.
- 2.2 2/02/088/0149 - Change of use of agricultural land to use as a site for seasonal touring caravans with associated facilities to include the construction of a shower/toilet block; Granted 21 March 2003. The scheme included agreement to form 6 passing places on Moor Road (road number 98R)

- 2.3 2/02/088/0150 - Change of use of agricultural buildings and land to use for the storage of touring caravans; Granted 21 March 2003
- 2.4 2/02/088/0150A - Alterations to disused agricultural building for use as offices; Granted 21 March 2003
- 2.5 05/00287/BOC – Enforcement investigation into alleged breaches of condition 4 of 2/02/088/0148 and condition 9 of 2/02/088/0149 (delay in provision of the approved passing places); Case closed 16 June 2005.
- 2.6 08/04440/MRC - Application to vary condition 2 (months of use of the touring caravan site) of planning permission 2/02/088/0150; Granted 22 December 2008 allowing use from 4th February to 4th of January of the following year.
- 2.7 11/01942/FUL - Alterations and extension to former agricultural building to form a reception, office, recreation and amenity building with a worker/holiday flat at first floor; Granted 16 November 2011.
- 2.8 11/01943/FUL - Change of use of agricultural land for an extension to the caravan park to create an additional 15 touring caravan pitches; Granted 7 November 2011.
- 2.9 14/00614/MRC - Variation of condition 5 of planning permission 11/01942/FUL to allow extension of building; Granted 9 May 2014.
- 2.10 14/02595/FUL - Eight timber camping pods with access; Granted 3 March 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 CP19 - Recreational facilities and amenity open space
 Core Strategy Policy CP21 - Safe response to natural and other forces
 Development Policies DP1 - Protecting amenity
 Development Policies DP2 - Securing developer contributions
 Development Policies DP3 - Site accessibility
 Development Policies DP4 - Access for all
 Development Policies DP8 - Development Limits
 Development Policies DP9 - Development outside Development Limits
 Development Policies DP10 - Form and character of settlements
 Development Policies DP25 - Rural employment
 Development Policies DP26 - Agricultural issues
 Development Policies DP30 - Protecting the character and appearance of the countryside
 Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
 Development Policies DP32 - General design
 Development Policies DP33 – Landscaping
 Development Policies DP37 – Open space, sport and recreation
 Development Policies DP39 – Recreational links
 National Planning Policy Framework - published 27 March 2012
 Written Ministerial Statement on Landscape Character – March 2015

4.0 CONSULTATIONS

4.1 Knayton cum Brawith Parish Council – Objects on the following grounds:

- Question the suitability of drainage;
- Impact of the proposal on highway safety and the suitability of existing passing places;
- The road cannot cope with the additional traffic;
- Cycle safety should also be considered as it is part of the National Cycle Network;
- Speed of traffic through the village from visitors – danger to pedestrians;
- Users of the caravan park provide little or no employment or benefit to the community – apart from the public house; and
- The local facilities and amenities can only be accessed by car.

4.2 The applicant has written to suggest that the submitted comments summarised above are not an accurate reflection of the Parish Council meeting held on 14 November, which they attended.

4.3 Hillside Parish Council – expects the Highway Authority to comment on increased traffic using the road. No other comment.

4.4 Highway Authority – No objection however consider that three extra passing places on Moor Road would be required to mitigate the extra traffic associated with the proposal. Conditions are recommended to deliver these improvements.

4.5 Yorkshire Wildlife Trust - recommends that the mitigation and compensation (such as the planting of the south boundary hedge) in the supporting ecological report should be secured by condition and all opportunities to enhance the site for wildlife and biodiversity are taken.

4.6 Environment Agency - The application includes proposals for foul drainage to be connected to a package treatment plant. The Local Planning Authority should be satisfied that the applicant has given due consideration to the drainage hierarchy as set out in national planning policy and detailed below. Following consideration, should connection to the public sewer not be a feasible option, the applicant is advised to contact the Environment Agency at the earliest opportunity to discuss Environmental Permitting requirements for the existing and proposed new package treatment plants.

4.7 Natural England - no objection to issues of nature conservation. The landscape impact should be considered against national and local planning policy.

4.8 Ministry of Defence – No safeguarding objection

4.9 Ramblers – No objection but the physical impact should be mitigated.

4.10 Lead Local Flood Authority – Requested further detail on drainage (since submitted).

4.11 Swale and Ure Drainage Board – No objection subject to a condition on drainage detail. The appropriate greenfield run-off rate is 1.4 litres per second per hectare.

4.12 Environmental Health Officer – No objection

4.13 Yorkshire Water – No comment

- 4.14 Public Comment – a total of 16 submissions have been received. Eight raise the following points of concern and objection:
- Highway Safety;
 - Amount of additional traffic;
 - Landscape impact of additional units;
 - Impact on rights of way;
 - Light pollution; and
 - Drainage concerns.
- 4.15 Eight expressions of support have been received from local residents, users of the caravan park and businesses. The points made are:
- Provides local employment and sustains other nearby businesses by encouraging visitors to explore the local area;
 - The addition of further pitches can only enhance the local economy;
 - The proposal delivers further quality accommodation in the area;
 - Hard to identify any real impacts on local traffic given the small scale of this proposal;
 - The design would have minimal impact on the landscape;
 - The development would support the local public houses; and
 - It is a good location for exploring the Dales and Moors.

5.0 OBSERVATIONS

- 5.1 The key determining issues are (i) the principle of development in the rural setting; (ii) the impact on the character of the area and the countryside; (iii) highway impacts; (iv) impact on ecology and wildlife; and (v) drainage.

Principle

- 5.2 The Local Development Framework (LDF) at Policies CP1, CP2 and CP4 sets the local policy context for consideration of the proposal. Policy CP4 in seeking to exercise constraint on development in locations outside the settlements of the settlement hierarchy provided within Policy CP4 (and updated in 2014) allows for exceptions. CP4i allows for development in the countryside where it is necessary to meet the needs of, amongst other things, tourism, that has an essential requirement to locate in a smaller village or the countryside and help to support a sustainable rural economy. It is also required by CP4 that the development should not conflict with environmental protection and nature conservation policies of the LDF and that mitigation and compensatory measures may be required to address harmful impacts.
- 5.3 Paragraph 7 of the National Planning Policy Framework highlights that there are three dimensions to sustainable development: economic, social and environmental.
- 5.4 Paragraph 28 of the National Planning Policy Framework (NPPF) encourages support for a prosperous rural economy requiring planning policies to take a positive approach to sustainable new development. It also 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 and where it would respect the character of the countryside. This also includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

- 5.5 The proposal is for an extension to the caravan park and therefore it would support the growth of an existing business. The occupiers of the proposed 49 units would be likely to support local businesses and facilities such as the public house in Knayton and, as referenced in supporting comments would represent a good location as a base for walking on the Dales and Moors but also for visiting tourist attractions that are easily accessible on the A19.

Character of the area and the countryside

- 5.6 The application site is relatively low lying in the landscape and therefore its visual prominence is limited. The submitted Landscape and Visual Assessment (LVIA) has identified the wider and local impacts as well as the impacts on the public rights of way network, both the public footpath through the site and the network of paths and bridleways outside and within the North York Moors National Park. The LVIA concludes that when the effects of localised topography, built form, and particularly the intervening trees and hedgerows in the landscape are taken into consideration, the development would be seen from very few small and isolated parts of the surrounding area.
- 5.7 It is agreed that most views would be restricted to a greater or lesser degree by the level of tree, woodland and hedgerow cover in the landscape. There are few views from close range or from intermediate distances. The clearest views are from the high open ground of the North York Moors National Park, but these views would in themselves be restricted by distance (1.5 to 2.0km), atmospheric conditions, light levels and by the proposed mitigation measures built into the site layout.
- 5.8 There are no farmsteads or residential properties with the potential for significant views of the site. The potential for significant views is primarily from a small number of recreational footpath users. The impact on these footpath users has also been considered carefully in the design and mitigation within the proposal by the planting of a new field hedge and tree groups to screen the development to footpath users. There would be pedestrian links to the holiday homes at the mid-point of the southern boundary of the application site and the south-eastern corner of the site, to allow park users access to the public footpath. The surface of the path would not change and its route will not be narrow or confined by the planting of the new hedge. It is considered that the main users of the footpath are likely to be the users of the caravan park itself. Overall the proposal would not harm the enjoyment of the use of the public footpath and would provide further opportunity for the use of this as a recreational resource.
- 5.9 It is concluded in the LVIA that the proposal would create a visually pleasant and biodiversity-rich environment which would protect and enhance key landscape features and incorporate new features and spaces that would reflect local landscape character and contribute to character, appearance and sense of place.
- 5.10 These conclusions are considered to be reasonable and, together with the mitigation proposed, the development would accord with policies DP30 and CP17 in particular such that there would be no significant adverse landscape or visual effects.
- 5.11 The issue of the impact of external lighting is raised in representation, it is considered that the use of external lighting can be controlled by planning condition and prevent harm to the landscape.
- 5.12 Separate from the question of how the proposal would sit within the landscape, which is primarily a visual matter, it is necessary to consider whether the proposed development, by reason of its nature and scale and associated activity, would have any impact on the character of the countryside.

- 5.13 The location is relatively well protected from general public view and the wider landscape, the existing agricultural surroundings in this area are intrinsically quiet and tranquil in character and thus sensitive to development. The proposal is relatively large and it is necessary to take into consideration whether the extent of the use would itself be harmful to the character of the countryside, along with the activity it would generate.
- 5.14 The use of 49 static caravans for holiday purposes would give rise to an increased level of associated activity. The approved 50 touring caravan pitches, 8 camping pods, a Certificated site (5 touring caravans) and a holiday cottage together with the new 49 lodges will increase the level of activity at and around Canvas Farm. The development would result in a change to the character of the countryside. These changes would include additional outdoor recreational activity and traffic movements, both of which would generate a type and level of noise that is not typical of the countryside and would contribute to some change in the quiet and tranquil surroundings, the extent of change in this case is considered to be sufficiently small to not generate a harmful impact in terms of Policy DP30.

Highways

- 5.15 The comments of Knayton Parish Council are noted. As part of its representation, to amplify the level of traffic, the Parish Council highlights that a traffic survey was carried out in March 2015 over a seven-day period that there were 2,265 vehicles going towards Canvas Farm and 2,481 going towards the A19. This equates to approximately 323 and 354 vehicles per day. It is not clear from the submission where the survey was carried out or the number of hours observed. Given the area of land and number of properties with access to the A19 at the Knayton junction, the comings and goings associated with farming and other rural activities, the level of traffic does not appear significant.
- 5.16 The Parish Council also comment about the speed of traffic on the highway and through the village. This cannot be attributed to the caravan park alone and would not be a sustainable consideration. An increase of 49 holiday units at Canvas Farm would increase the number of movements, however there is no evidence to associate an increase in holiday homes with traffic speed.
- 5.17 The Highway Authority notes that the submitted Transport Statement discusses the suitability of the existing passing places and ultimately concludes that the existing road and three additional passing places would be able to accommodate the extra traffic as a result of the proposal.
- 5.18 The assumptions relating to trip generation in the Transport Statement rely on observations recorded on CCTV on the busiest days at the caravan park. This does not include any traffic on the single track section of Moor Road that is not associated with the caravan park. Moor Road is a part of the road network around the villages of Kirkby Knowle, Cowesby and Knayton and serves the surrounding farms. Given that the peak tourist season can coincide with peaks in farming activity in the area then the issue of conflict between any increase in traffic from the caravan park and other traffic on Moor Road would become more apparent.
- 5.19 The Highway Authority considers that three extra passing places (in addition to the 5 existing) are required to prevent the additional traffic that would be generated by the proposal causing damage to the highway verge or existing access points. A survey of the route was undertaken by the Highway Authority in late November which is an off-peak period in terms of the operation of the site. There were areas where vehicles had overrun the verge or used private made and unmade accesses as passing places. The use of unmade accesses and verges by passing vehicles can lead to the

deterioration of the edge of the road and should not be encouraged. Additionally private accesses should not be considered as part of or to supplement the existing passing place system.

- 5.20 Subject to the extra passing places being provided, the highway impact of the proposal on all highway uses (including cyclists) can be mitigated.

Ecology and Wildlife

- 5.21 The application is supported by a detailed ecological assessment which includes levels of mitigation and enhancement to the ecological features of the site. The proposal includes new planting and ecological features as part of the proposed layout.
- 5.22 As recommended by Yorkshire Wildlife Trust the conclusions and recommendations of the submitted Ecological Assessment can be secured by condition.

Drainage

- 5.23 The application proposes a number of detailed elements, including a new pond and detail relating to drainage. The comments of the Local Lead Flood Authority and the Drainage Board have been carefully considered.
- 5.24 A bespoke drainage strategy is prepared for the site which will address the needs of the present accommodation and the proposed units. This would involve an upgrade of the existing package treatment plant system for foul water and also proposals for surface water to limit flow to no more than greenfield run-off rates.
- 5.25 Additional detail has been submitted to address the concerns raised and the information is considered appropriate to allow for the issue to be dealt with by condition.

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. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 160602/2, 160602/3 and caravan detail received by Hambleton District Council on 23 September 2016 as amended by plans and information on 13 December 2016.
 3. The development must comply with the following requirements that: (i) the caravans are occupied for the holiday purposes only; (ii) the caravans shall not be occupied as a person's sole, or main place of residence; (iii) the caravans shall not be occupied by any persons or connected group of persons for a period exceeding 28 days in any one calendar year; and (iv) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual chalets 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.
 4. Prior to the first use of the development the mitigation measures shown on the submitted plans and identified in the submitted Ecological Impact Assessment carried

out by MAB Environment & Ecology Ltd (reference 2016-124) shall be implemented. These specifically include 3m wildlife margins being left along hedgerows. Thereafter the mitigation measures shall be retained in accordance with the approved recommendation.

5. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.
6. Prior to the commencement of development details of surface and foul water drainage including full details of the proposed pond, swale and sustainable drainage systems shall be submitted to and agreed in writing by the Local Planning Authority. The appropriate greenfield run-off rate is 1.4 litres per second per hectare. The development shall be carried out in accordance with the agreed details.
7. The development shall be carried out in accordance with the submitted landscaping scheme shown on drawing 160602/3 submitted on 13 December 2016. 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.
8. There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until: (i) details of additional passing places on Moor Road have been submitted to and approved in writing by the Local Planning Authority; (ii) An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/15 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works; and (iii) A programme for the completion of the proposed works has been submitted to and approved writing by the Local Planning Authority. The development shall not be brought into use until highway works have been constructed in accordance with the approved details.
9. 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 drawing no. 160602/2 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
10. The number of caravans shall not exceed 49.

The reasons 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 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 CP16, CP17, DP30 and DP32
3. 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, and in accordance with the objectives of the Hambleton Local Development Framework Policies CP15 and DP25.

4. In order to prevent harm to habitat of protected species and to secure the implementation of mitigation measures submitted in the Ecological Assessment as part of the application and in accordance with Local Development Framework Policies CP16 and DP31
5. In order that the development is undertaken in a form that is appropriate to the character and appearance of its rural surroundings, proposes adequate mitigation to prevent light pollution and impact on ecological and wildlife features and would be in accordance with the Development Plan Policies CP16, CP17, DP30, DP31 and DP32.
6. To ensure that the site is adequately drained and does not result in flooding elsewhere.
7. 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 CP16, CP17, DP30 and DP32
8. In accordance with policies CP2, DP3 and DP4 and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
9. In accordance with policies CP2, DP3 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.
10. To control the extent of the approval to that sought in the application and to ensure that the layout of the site can achieve a suitable density to maintain an appropriate design quality and allow for the landscaping of the site to mature.

Informatives

1. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.