

**Parish: Carlton Miniott**

**Ward: Thirsk**

**3**

**Committee date: 17 August 2017**

**Officer dealing: Laura Chambers**

**Target date: 21 September 2017**

**17/01020/FUL**

**Change of use of agricultural land; siting of 70 holiday lodges (caravans); construction of single storey leisure facilities building; circulation; car parking and landscaping as amended by plans received 21 August 2017.**

**At Woodland Lodges, Carlton Road, Carlton Miniott**

**For Coppergreen Developments Ltd.**

**This application is referred to Planning Committee due to the scale of the proposal**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 Woodland Lodges is a holiday accommodation and leisure site to the south west of Carlton Miniott, currently host to 52 holiday units (39 caravans and 13 lodges) operating on a lettings basis. There are also fishing lakes and a restaurant on the site. Each of the operations on the site is accessed via Coney Garth Lane.
- 1.2 The site is located outside of the Development Limits of Carlton Miniott, within open countryside. The landscape is relatively flat but the existing development is well screened by landscaped bunds and trees.
- 1.3 Permission is sought to change the use of two parcels of land adjacent to the existing site from agricultural use to allow the siting of 70 holiday lodges and the erection of a leisure building hosting a swimming pool, with 'kids splash pool' and fun pool, and two 12m swimming lanes, gym, soft play area, shop and café (65 covers) that would be accessible to both tourists visiting the site and the wider community.
- 1.4 Land to the north east of the existing caravan and lodge site would be used to site 27 lodges, the leisure facilities building and 78 car parking spaces. The land to the north west of Coney Garth Lane would have 43 lodges located around an existing fishing pond "Willow Garth Fish Pond" and two proposed un-stocked ponds; there would also be 83 car parking spaces.
- 1.5 To the north eastern part of the site native woodland planting is proposed to screen the development. The larger area to the north west of the site has a lower density of lodges and a greater proportion of the land used for landscaping to include 2m high bunds, hedgerows and tree planting. The planting extends along the south western boundary of this area.
- 1.6 The proposed lodges are single storey and timber clad with tile effect cladding to the roofs, there are to be three styles of differing sizes but a cohesive style and reflect the design of the existing lodges on the site. The 1028sqm leisure facilities building is also single storey 6.4m high with a curved form, the external treatment includes timber cladding, neutral render and large expanses of glazing to the walls and a standing seam roof system.
- 1.7 Improvements have been secured as follows: the proposed utility building has been reduced in scale and use of materials amended to lessen its potential visual impact and the access to the site is to be widened to improve passing places and reduce potential for congestion.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 05/02197/FUL – 18 holiday cabins, service cabin and formation of a pond; Granted 15 December 2005.
- 2.2 06/02094/FUL – Revised application for the siting of 5 log cabins and 13 static caravans; Granted 28 November 2006.
- 2.3 08/00220/FUL – Revised application for the siting of 6 log cabins and 13 caravans; Granted 14 April 2008.
- 2.4 11/00122/FUL – Change of use of agricultural land for the siting of 32 holiday lodges, laundry lodge, reception lodge, car parking, the formation of two ponds and the siting of an additional lodge on phase 1 of the scheme; Withdrawn 21 April 2011.
- 2.5 11/01467/FUL – Revised application for change of use of agricultural land for the siting of 32 holiday lodges, laundry lodge, reception lodge, car parking, the formation of two ponds and the siting of an additional lodge on phase 1 of the scheme; Granted 6 September 2011.

## **3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

CP1 – Sustainable Development  
CP2 – Access  
CP3 – Community Assets  
CP4 – Settlement Hierarchy  
CP15 – Rural Regeneration  
CP16 – Protecting and Enhancing Natural and Man-made Assets  
CP17 – Promoting High Quality Design  
DP1 – Protecting Amenity  
DP2 – Site Accessibility  
DP3 – Access for All  
DP5 – Community Facilities  
DP9 – Development Outside Development Limits  
DP25 – Rural Employment  
DP30 – Protecting the Character and Appearance of the Countryside  
DP31 – Protecting Natural Resources: Biodiversity/nature conservation  
DP32 – General Design  
DP33 – Landscaping  
National Planning Policy Framework

## **4.0 CONSULTATION**

- 4.1 Parish Council – Raises concerns summarised as follows:
- Questions whether the transport assessment takes account of visitors using the fishing lakes and restaurant as well as the holiday accommodation;
  - Requests alterations to the access to the site at the junction with the A61 and a dedicated footpath along the full length of Coney Garth Lane to improve safety;
  - Queries the visibility at the access point to the eastern part of the site;
  - Queries the intended drainage arrangements and notes existing problems with foul drainage in the village;
  - The proposed bunding is out of character with the area and western extension to the site appears unnatural;

- Tree planting should be of a minimum size to reduce the time it will take to mature;
- Only part of the route to Thirsk from the site is designated as a cycle track;
- Potential for increased litter;
- Requests details of lighting;
- Suggests the lodges should be single storey, should not be used as permanent residences and should not be sold on the open market;
- Queries proposals for signage that may require advertisement consent; and
- Requests changes to the proposed materials used in the leisure building and its overall height, notes lack of detail of fixed plant and machinery that may be required.

4.2 Highway Authority – No objection subject to condition that the layout is provided as shown on the proposed plan.

4.3 Environmental Health Officer – No objection.

4.4 Yorkshire Water – No objection subject to condition to require compliance with the Drainage Strategy that requires surface water to discharge to soakaway and that foul flows are to discharge via a pumped system limited to 6.9l/s to the sewer on Carlton Road, 6.9l/s is the same as the currently approved rate hence there will be no increase in foul flow rates to the public sewer.

4.5 Ramblers Association – No comments received.

4.6 Lead Local Flood Authority – No comments received.

4.7 Public comments – Three objections have been received, summarised below:

- Potential noise nuisance;
- Loss of agricultural land for commercial gain rather than the benefit of the community;
- Lack of public consultation from the developer;
- EIA Screening Opinion has not been carried out;
- No evidence this level of tourist accommodation is needed;
- Tourists would be forced to travel by car to surrounding attractions due to unsustainable location;
- The site no longer represents farm diversification but is a commercial enterprise in its own right;
- The development would increase travel movements rather than minimise the need to travel;
- Harm the surrounding environment;
- Harm to residential amenity;
- Loss of best and most versatile agricultural land;
- The validity of the submitted landscape assessment is questioned;
- The landscaping proposed to screen the development is out of keeping with the existing open landscape;
- It would take so long for the proposed landscaping to mature it would be ineffective;
- Existing noise nuisance is not managed, a management plan for the site has not been submitted;
- Lack of detail regarding fixed plant and machinery required for the leisure building;
- The description of the leisure building as single storey misrepresents its scale;
- The proposed leisure building does not reflect local distinctiveness;
- Light pollution;

- The existing access is not suitable for the potential increase in vehicle numbers;
- Traffic surveys were carried out during school holidays and do not therefore reflect the impact on school traffic on the road network;
- Lack of detail of proposed drainage strategy;
- The scale of proposed development is excessive in open countryside;
- The proposal may exacerbate flood risk in the area; and
- Lack of sustainable transport links locally; the closest bus stop is a substantial distance away from the site and not accessible by footpath.

## **5.0 OBSERVATIONS**

5.1 The first consideration is to determine whether, in principle, the proposed development accords with the planning strategy and policies for Hambleton, as set out in the Local Development Framework, particularly in respect of the site's location beyond the Development Limits of any settlement. Following that, it is necessary to consider the likely impact of the proposal in terms of

- (i) contribution to the rural economy;
- (ii) the loss of agricultural land;
- (iii) landscape impact;
- (iv) the character of the countryside;
- (v) residential amenity;
- (vi) design; and
- (vii) highway safety.

### Policy Principle

- 5.2 The site is in a rural location where, under policies CP1 and CP2, development will not normally be supported unless an exceptional case can be made. Policy CP4 sets out criteria where an exception may be considered, including where (under criterion i) "it is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy". Objectors have suggested the claim that holiday accommodation is needed has not been substantiated and that suitable accommodation exists in other parts of the district. Holiday lodges are invariably found in rural locations and the proposal would expand an already successful operation where the scope for growing the size and quality of the business is limited by the number of units and therefore the proposal is for a form of development that is considered to have an essential requirement for a rural location, and accords with the Local Development Framework policy in principle.
- 5.3 Policy CP4 does not qualify the exception that allows for tourism development by reference to the scale or type of development. These are matters which are more appropriately considered in relation to the policies covering the considerations outlined (i) to (vii) in paragraph 5.1. Any exception under policy CP4 must also rely on an exceptional case being made in terms of policies CP1 and CP2.
- 5.4 As a potential exception to CP1 and CP2, the application is to be considered in terms of the overall sustainability of its location. In this case the site is close to one of the district's larger villages (Carlton Miniott, designated a Service Village in the Council's

Settlement Hierarchy) where there is a good range of services, and to a market town (Thirsk, designated a Service Centre in the Settlement Hierarchy). There are bus services connecting Carlton Miniott to Thirsk (services 70 and 153) and Thirsk railway station (on the East Coast Main Line) is at the eastern end of the village, approximately 3km away. Overall, and considering the likely extent of private car use by tourists, and potential for access for some purposes on foot and by cycle the site location is considered to be a sufficiently sustainable location to be an exception for tourism accommodation under CP1 and CP2.

- 5.5 The National Planning Policy Framework (NPPF) offers support to sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors and which respect the character of the countryside. This includes support in appropriate rural locations where identified needs are not met by existing facilities. The degree to which this proposal would respect the character of the countryside is considered later.
- 5.6 The submitted details include a Tourism and Economic Impact report which shows the site to be in a good location relative to the competition and type of tourism offer and notes that demand is strong for high quality operations and properties. The report further shows that lodges, log cabins and barn conversions are effective businesses in the area and also that the holiday rental sector is performing well, with North Yorkshire doing better than other areas. The report refers to the well-established economic benefits of tourism as a whole, and that self-catering accommodation is particularly important in the economies of rural areas. The statement is supported by a note from Hoseasons stating that it is their experience that demand is outstripping supply in the area around the North York Moors. The application does not demonstrate a specific need for a site of this capacity, however the applicant has drawn attention to the economics of scale in providing the site, and operation of the leisure facilities building, bearing in mind the focus of the NPPF on economic growth, the large-scale proposal can be considered on its merits. The likely environmental impacts of the proposal are considered later.
- 5.7 For the above reasons, the proposal is considered to be in accordance with the principles of the Local Development Framework (LDF) and the NPPF in relation to tourism development. Whether the proposal would achieve accord with all policies of the LDF or achieve full compliance with the NPPF is dependent on further assessment with particular regard to the scale of the development and its likely impact on the area. The relevant considerations, identified in paragraph 5.1, are examined below.

#### Contribution to the local economy

- 5.8 Policy CP15 gives support to the expansion of existing businesses outside of service villages and service centres. The applicant has undertaken an audit of the expenditure of the business on goods, equipment and services, which reveals that current expenditure is £427,000 per annum (almost exclusively in the Yorkshire region) of which £308,500 is spent in Hambleton district. Of that total, £101,470 is spent securing goods and services from companies and tradesmen in Carlton Miniott. The applicant estimates that the proposed 85 lodges and leisure facilities building would increase the turnover of the business to approximately £6 million per annum, and would necessitate a significant increase in staff levels: the site currently employs 25 staff locally, and the applicant estimates that the new development would bring this to 80-90 full time equivalent jobs.
- 5.9 As the site would operate on a rental model, rather than owner-occupation, visitors would maximise their contribution to the rural economy by way of visiting tourist attractions and spending within the local area. The application originally proposed 85

units and with an assumed 85% occupancy rate with an average of four visitors per lodge, the applicant estimated that the enlarged development would attract approximately 930 visitors per week, or 48,500 per annum. If these visitors were to spend an average of £5 per person per day in the local area, this would result in about £850,000 being injected into the local economy each year. Following a reduction in the number of units, a consequent reduction in visitor spend would be anticipated; however the uplift would still be considerable and on that basis it is considered that the development would comply with policy CP4's expectation that tourism development should help to support a sustainable rural economy.

#### Loss of agricultural land

- 5.10 The site is identified by the applicant as including some land that is "Best and Most Versatile" agricultural land, as such the NPPF requires that consideration is given to sites of a lesser quality as preferential. The site is about 40% class 3a and due to the mosaic of 3b and 4 agricultural land it would be impractical to avoid all the 3a land. As noted above, the location of the proposal is necessitated by the already established business on site and it would not therefore be practical to locate the development substantially further away. The loss of grade 3a land is acknowledged to be a factor that weighs against development. Notwithstanding this, it is considered that the economic benefits of the scheme identified above would outweigh the consequent loss of agricultural land.

#### Landscape Impact

- 5.11 The landscaping proposed to the smaller parcel of land to the east of Coney Garth Lane would reflect the existing landscaping in the area that effectively screens the fishing lakes and existing holiday accommodation. The proposed lodges are single storey and would not therefore be of a scale detrimental to the surrounding area given the screening proposed. This element of the proposal is smaller in scale than the adjacent site and would relate well to the existing uses and landform; its impact would therefore be minor.
- 5.12 Objectors raise concerns about the design of the proposed leisure facilities building being more suited to an urban location. The building reflects its intended purpose, however the reduction in height now proposed from 7.8 to 6.4m, the greater use of timber cladding rather than aluminium and the building's location at a lower level to the south-eastern corner with a backdrop of the landscaped bunds to the fishing lakes mean it would not be perceptible within the landscape from further afield and would complement the lodges when viewed from within the development itself. Accordingly it is not considered the leisure facilities building would detract from the character of the rural setting.
- 5.13 The larger parcel of land to the west of Coney Garth Lane has the potential to be more visible from the A167 and A61 and thereby have a greater impact on the landscape. For that reason the layout of lodges is less dense in this area and substantial areas of landscaping are proposed, including gentle contouring, hedgerows and native trees, principally to the boundaries but also forming landscaped embankments within the site.
- 5.14 The proposed landscaping scheme is consistent with the existing development on the site but also the landscape more widely. While it may take some time for it to establish it is noted that the cabins being single storey and in dark brown and grey colours would help reduce visual impact in the landscape. As identified in the submitted landscape and visual assessment, it is considered the proposal would not have a significant landscape impact.

#### The character of the countryside

- 5.15 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. This was a significant consideration when 179 lodges were proposed at Angrove Park, Great Ayton (application 15/02420/FUL, withdrawn) and resulted in the scheme being reduced to 54 units (16/02048/FUL, granted).
- 5.16 Although the location is relatively well protected from general public view, the existing agricultural surroundings in this area are intrinsically quiet and tranquil in character and thus sensitive to development. With the proposed expansion the site would be large for this type of land use within Hambleton (the total of existing and proposed units would be 83 lodges and 39 caravans, 122 units overall) 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.
- 5.17 The use of 122 units for holiday purposes would give rise to a higher level of associated activity, equivalent to some villages in terms of the numbers of occupiers, which would be unusual in agricultural surroundings. Despite this, the site benefits from good screening as noted above, and is in close proximity to substantial settlements, a railway station and major road links, the A1 being approximately 7km to the west and the A19 approximately 5.5km to the east. These changes would include outdoor recreational activity and traffic movements, however in this context the increased activity is not considered inappropriate, particularly following the reduction in scale now proposed by the applicant, and is therefore considered to be compliant with Policy DP30.

#### Residential Amenity

- 5.18 Objections from neighbours refer to the potential of increased activity on the site to generate noise and nuisance issues. The closest residential properties to the site are a substantial distance from the proposed lodges (about 380m) which would be screened by landscaped bunds; given this distant relationship the Environmental Health Service has raised no concerns with regard to noise or the general amenities of the area. The increased use of the access on to the A61 (that is within 30m of neighbouring properties) is also considered but the proportion of traffic from the additional units relative to the traffic flow on the A61 is considered to be small and the impact would accordingly be also be small. It is therefore difficult to attribute weight to objections made in this respect.

#### Design

- 5.19 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.20 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.21 The National Planning Policy Framework Planning supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 66 sets an expectation that

applicants engage with the local community in drawing up the design of their schemes:

“Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.”

- 5.22 The Council’s Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any significant impact to explain how public comments have influenced the chosen design.
- 5.23 The Design and Access Statement identifies the existing fishing lakes and holiday lodge operations being sited within an agricultural landscape and widely screened by earth bunding and landscaping. Notable features within the landscape include two copses.
- 5.24 The existing screening is identified as an acceptable landscape feature that could therefore be reasonably employed to allow expansion of the holiday accommodation on the site without detracting from the landscape character. The density of the proposed development and proportion of land afforded to landscaping are identified as appropriate means to integrate the development into the landscape.
- 5.25 There are no site features identified as warranting retention, the use of best and most versatile land is acknowledged and while the justification for this is elaborated on earlier in this report, it is noted that the proposed design ensures the development is close to the existing operations on the site and is not therefore unduly isolated and would not introduce a use that is out of keeping with the character of the area.
- 5.26 The statement details the pre-application discussions that took place with planning officers ahead of submission and the changes that were made to the proposals in light of that guidance, demonstrating a refinement of the proposed design. The statement does not identify pre-application discussions with the local community; however following submission the applicant has attended a community meeting and submitted amended details to take account of concerns raised.
- 5.27 The design of the proposed cabins and leisure facilities building are sympathetic to the surrounding area and in combination with the proposed landscaping scheme will not detract from the character of the landscape.

#### Access

- 5.28 The existing access into the site is to be utilised to serve the new development. Although wide at its junction with the A61, this narrows on entry to the site to a single track with passing places and includes a number of bends. The application includes proposals to widen the lane, particularly at the entrance to improve safety given the number of visitors would increase on change over days.
- 5.29 It is highlighted by objectors that traffic surveys were carried out during school holidays and therefore does not capture traffic flows during term time associated with the local school. While that is true, the survey was carried out during peak holiday time when the numbers of visitors to the site are likely to be greatest and the two are unlikely to occur simultaneously. As such, the timing of the survey is considered appropriate in this instance.
- 5.30 The Highway Authority has raised no objection to the proposed development but has requested a condition to ensure alterations to the access and parking and turning facilities are implemented on site prior to the intended use commencing.

## Environmental Impact Assessment

- 5.31 Screening has been undertaken of the proposal under the EIA Regulations. The development falls with the threshold of Schedule 2 development. The site is considered not to be in a sensitive area however it is considered that the development would not be likely to have significant effects on the environment in the terms of the EIA Regulation and as such an Environmental Statement is not required.

## Planning balance

- 5.32 The scheme provides an opportunity to increase the capacity of tourist accommodation in the district and provide a substantial increase in the number of jobs created by the development. Whilst there is some harm caused through the loss of some "Best and Most Versatile" agricultural land this harm is to be weighed against other social, economic and environmental factors including the potential to increase the bio-diversity of the site by the landscape planting that is proposed to accompany the proposed holiday units. Consideration has been given to all the views expressed as summarised above and where these require control measures these are provided in the conditions that follow or are controlled by other bodies. The development is considered to be in general accord with the Local Development Framework policies and sustainable development capable of support.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission 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 3708-PD-04, 3708-PD-02, 3708-PD-03, and drawings named Essence Collection, Woodsman Collection and Caboose Collection received by Hambleton District Council on 09/05/17 drawing(s) numbered C01 Rev A and 16/330/TR/001 Rev A received by Hambleton District Council on 19/06/17, drawing(s) numbered 3708-PD-01 Rev A received by Hambleton District Council on 05/07/17 and drawing(s) numbered 2743/5 received by Hambleton District Council on 18/07/17 unless otherwise approved in writing by the Local Planning Authority.
  3. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
  4. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference 3708-PD-02). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
  5. The development shall be carried out in complete accordance with the details shown on the submitted Drainage Strategy prepared by Phil Reaney Sewerage Consultancy

- Report Woodland Lakes Ph3/Drainage/26/04/2017 dated 26/04/2017, unless otherwise agreed in writing with the Local Planning Authority.

6. The development shall not be commenced 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.

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 Policy(ies) CP1, CP2, CP3, CP4, CP15, CP16 and CP17.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17 and DP32.
4. In the interests of a satisfactory form of development.
5. In the interests of satisfactory and sustainable drainage.
6. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.

#### Informatives

1. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
2. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
3. If planning approval is granted, the occupier of the land will be required to obtain a Caravan Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. This will be granted subject to certain conditions being met. Environmental Health Technical support will write to the applicant further, providing the necessary details.