

Parish: Thirsk

Ward: Thirsk

5

Committee date:

29th July 2021

Officer dealing:

Mr. M. Pearson

Target Date:

23rd April 2021

**Date of extension of
time (if agreed):**

21/00501/FUL

Change of use of agricultural land to mixed use to allow for camping facilities, including up to 10 sleeping pods, temporary showers/wc's, access and parking, which would operate alongside the existing agricultural use for the grazing of livestock.

At: Thirsk Hall, Kirkgate, Thirsk

For: Mrs D Bell

This application is referred to Planning Committee due to the scale of the proposal and related proposals, and the sensitivity of the site.

1.0 Site context and proposed development

1.1 The site application site is located in the curtilage of the Grade II* Thirsk Hall in Thirsk. The hall itself is three storeys in height located on Kirkgate with its principal façade orientated east to face the highway set behind a small front garden area with driveway. To the rear (west) are substantial grounds that extend to Newsham Road, Cemetery Road and Masonic Lane. Officers consider the curtilage of the hall is characterised as follows:

- To the south of the hall is a collection of outbuildings accessed via a driveway off Kirkgate. These buildings comprise of a variety of generally two storey functional buildings that served the estate including stables and a dovecote.
- Lawned area with footpaths and bedding areas immediately to the west and north-west of the hall defined by an L-shaped Ha-Ha that separates the more formal area gardens to the parkland beyond.
- To the west of the Ha-Ha is the grassed parkland. This is the largest area and comprised a grassed area with isolated mature trees that is defined by high brick walls to the west along Newsham Road to south-west along Masonic Lane. At the junction of Masonic Lane and Newsham Road is a gated entrance. This area of the parkland also contains belts of trees that restrict views into grounds from the public and height of the walls. These walls are considered to define the extent of the curtilage and are also considered to be curtilage listed.
- To the north-west of the hall, beyond the formal gardens is the former Kitchen garden. This is rectangular in shape and is defined by high brick walls and also includes an access track to the gated entrance on Cemetery Road. These walls are considered to be curtilage listed.
- To the west of the former kitchen garden are two paddock areas defined by high brick walls. All of the walled areas are linked via existing gated entrances. The smaller paddock (roughly square in shape) contains the former single storey stables

located along the northern boundary, whilst the larger paddock (roughly rectangular in shape) extends down to Newsham Road contains no structures. This is the part of the area subject to application. In south-west corner of the paddock is a short break in walled enclosure that allows for access into the parkland to the south. In the north-east corner is an existing gated entrance that provide access to the field enclosure to the north. These walls are considered to be curtilage listed.

- To the north of the two enclosed paddocks is a large rectangular field enclosure that is defined by hedgerows along Cemetery Road and Newsham Road. to the east along the garden boundaries of the properties on Church View. The southern boundary is defined by the brick walls of the paddocks to the south. The field enclosure has two breaks in the hedgerow, one at the junction of Cemetery/Newsham Road and the other along Cemetery Road. These gaps in the hedgerows afford views across the field enclosure, towards the high brick walls and other structures stables check. This fields provides the extent of the curtilage to hall and part of the field is included within the area subject to the application.

- 1.2 Within the curtilage are a number of other buildings and structures as noted below. Some of these buildings are individually listed whilst other due to their age (constructed pre-1948) and location within the curtilage of the hall are considered to be curtilage listed and thus afforded listed building protection:

Listed

- Wall to south of Thirsk Hall Grade II listed
- Wall to north of Thirsk Hall, extends along Cemetery Road Grade II listed
- Dovecot and outbuildings and the Stables are Grade II listed
- Thirsk Hall Cottages Grade II listed to the north

Curtilage listed

- Perimeter wall along Newsham Road and Masonic Lane
- L-shaped Ha-Ha
- Variety of walled enclosures
- Single storey stables

- 1.3 The application site also located in the Thirsk and Sowerby Conservation Area – Character Area 2 - Kirkgate and within the character appraisal the grounds to the rear of the hall are identified as a key open space and the frontages along Cemetery Road, Newsham Road and Masonic Lane are identified as important frontages and walls. In the wider vicinity there are a number of listed buildings on both sides of Kirkgate to the south-east of the hall and to the north is the Grade I listed Church of St Mary. Immediately to the south of Masonic Lane is the Thirsk Castle Scheduled Ancient Monument.

- 1.4 The immediate context is varied with residential properties on Church View and Cemetery Road the closest cluster of residential properties to the north-east of the application site. These are generally modern two storey properties. The closest properties are c. 75 metres from the north-east corner of the walled enclosure. These properties have rear elevations and garden areas that overlook the field enclosure subject to the application. There are some residential properties at Croft View and to the rear of west side of Kirkgate c. 250 metres to the south-east of the application site that are located immediately to the south of the of the outbuildings at Thirsk Hall. These are a variety of modern and historic buildings that are generally two storeys in height. Given the separation distance and intervening buildings these residential properties have no direct relationship to the application site.
- 1.5 To the north of the application site on Cemetery Road is the cemetery defined by a low brick wall and agricultural land, whilst to the west is Thirsk Racecourse with its associated stables located opposite the application site and sports pitches with associated pavilions. To the south and east are the remainder of the curtilage of the hall described above.
- 1.6 The proposal is for change of use of the walled paddock area and part of the field enclosure. The application site also includes a route to and through the former kitchen garden to the access gate on cemetery Road this is for the purpose of drainage runs only.

The Proposal

- 1.7 The walled paddock area will be utilised for the erection of 10 tents together with the construction of timber structures to house W/C's and showers to operate on seasonal basis 1st March - 31st October during the calendar year. It is proposed to position the tents in the northern area of the paddock whilst the WC's and showers would be situated adjacent to the east wall of the paddock. With regard to the field enclosure it proposed to provide a new vehicle access point off Newsham Road that would involve the removal and re-planting of a short (c.20m) section of the existing hedgerow on both side of the new access point to provide the required visibility splay. This new entrance would provide access to a small parking area for users of the campsite. Access into the walled enclosure would utilise the existing gated entrance point in the northern corner. The application includes the construction of single storey timber structures to house W/C's and showers and also includes works for the drainage runs for these facilities. The proposal includes a pedestrian route from the walled enclosure through the western edge of the Thirsk Hall grounds to the gated entrance at the junction of Masonic Lane and Newsham Road. No physical works are proposed for this element of the proposal.
- 1.8 During the course of the application the proposed parking layout was amended, further analysis provided and further information on the wider proposals for the estate was included.
- 1.9 This proposal is part of wider plans for the estate and the submitted design and access statement lists the following:
- Conversion of the old stables to create luxury holiday accommodation,

- Sculpture park in the grounds,
- Outside events, such as Thirsk Live Pop Concert, Classical Music Festival, Drive through Cinema, Art & Antique car boot Sales, James Herriot event / Dog Show, Bonfire Night, Santas Grotto, Literary Festival, etc where local suppliers, such as catering vans, will be invited to attend,
- A number of open garden days and Private House Tours during the year,
- Promote Thirsk Hall as a destination for films and photoshoots,
- Use Thirsk Hall as a destination for wedding receptions, using local suppliers such as marquee companies, caterers, etc.,
- Large Barn converted as a gallery space to support the sculpture park but also as an events space moving forward (Literary Festival, Classical Music Concerts, Pop up Supper clubs with visiting chefs, life drawing, art fair)
- Outbuildings converted to offices for local businesses, Farm Shop, covered market, Yoga space (open to hire), Café
- Re-establish Kitchen Garden and 'pocket' garden centre in main stables with the aim to sell produce in the farm shop.

- 1.10 The associated listed building consent has been withdrawn following clarification that no works to any of the curtilage listed structures are proposed and therefore no listed building consent application was required.

2.0 Relevant planning history

- 2.1 21/00502/LBC - Listed Building Consent to allow for camping facilities, including up to 10 sleeping pods, temporary showers/wc's, access and parking, which would operate alongside the existing agricultural use for the grazing of livestock. Concurrent application subsequently withdrawn.
- 2.2 21/00911/FUL - Application for Change of Use of agricultural land, building and domestic garden to mixed use to allow for the creation of a sculpture park and gallery, along with the continued use of both existing agricultural land for grazing of livestock and private garden. Pending consideration.
- 2.3 21/00912/LBC - Listed building consent for Change of Use of agricultural land, building and domestic garden to mixed use to allow for the creation of a sculpture park and gallery, along with the existing agricultural use for grazing of livestock and private garden. Pending consideration.

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 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 Policy DP1 - Protecting amenity
 Development Policy DP3 - Site accessibility
 Development Policy DP4 - Access for all
 Development Policy DP16 – Specific measures to assist the economy and employment
 Development Policy DP28 - Conservation
 Development Policy DP30 - Protecting the character and appearance of the countryside
 Development Policy DP32 - General design
 Development Policies DP31 – Protecting natural resources: biodiversity/nature conservation
 Development Policy DP33 - Landscaping
 Emerging Local Plan Policy
 Hambleton Local Plan Publication Draft July 2019
 Policy S 1 - Sustainable Development Principles
 Policy S 3 - Spatial Distribution
 Policy S 5 - Development in the Countryside
 Policy S 7 - The Historic Environment
 Policy E 1 - Design
 Policy E 2 - Amenity
 Policy E 3 - The Natural Environment
 Policy E 5 - Development Affecting Heritage Assets
 Policy E 7 - Hambleton's Landscapes
 Policy CI 2 - Transport and Accessibility
 Policy RM 3 - Surface Water and Drainage Management

As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. The Hambleton Local Plan was considered at Examination in Public during Oct-Nov 2020. Further details are available at <https://www.hambleton.gov.uk/localplan/site/index.php>

The Development Plan for Hambleton is the Local Development Framework and the emerging Local Plan is no more than a material consideration. The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF

National Planning Policy Framework

4.0 Consultations

- 4.1 The application has been the subject of re-consultation exercise following the receipt of updated drawings.
- 4.2 Thirsk Town Council – No objection but note they are aware of the various concerns and issues raised in respect of this application but consider the application should be approved in view of the overall likely long-term benefits to the town as a whole in these difficult times.

- 4.3 NYCC Highways Authority – No objection but recommend conditions regarding surface water, access details, visibility splays, parking and turning and a construction management plan.
- 4.4 Yorkshire Water – No comments received.
- 4.5 Yorkshire Wildlife Trust – No comments received.
- 4.6 NYCC Heritage Services – No objection but recommends a watching brief condition.
- 4.7 Historic England – No comments received.
- 4.8 Environmental Health – No objection.
- 4.9 Site Notice expired on 6.4.2021 and Neighbour Consultation period expired on 1.4.2021.

16 objections have been received as summarised below:

- Impact on the character of the area – views of cars and tents.
- Impact on the conservation area – identified as a key open space within the character appraisal.
- Visual impact of access road and parked cars.
- Impact on the setting of the listed buildings.
- Lighting impact along footpaths and from within the tents themselves.
- Noise and disturbance from occupiers of the campsite and vehicle movements.
- Concern about alcohol consumption and late night arrivals of the occupiers given the link between the applicant and Thirsk Racecourse and the new wedding venue at Thirsk Barns.
- Concern about odour and emissions from campsite cooking or fire pits.
- Concern regarding the use of the gated Cemetery Road access point for vehicles.
- Loss of privacy with potential for occupiers to venture close to residential properties at Church View.
- Highway safety concerns; busy road junction, speeding traffic, parking problems in the roads on race days and when sport activities take place.
- Concern about the site being used as carpark by others.
- Concern that the carpark will expand in conjunction with wider plans across the estate.

- Concern about the carpark attracting anti-social behaviour that exists on the squash club carpark and Castlegarth area.
- Impact on wildlife, particularly at night.
- Loss of hedgerow.
- No footpath from the junction of Newsham Road with Masonic Lane
- Concern about the wider intensification of the use of the wider estate.

There have also been 16 observations in support as summarised below:

- Would add to the tourist appeal and bring visitors to the area.
- Small in scale and seasonal
- Would support local business in the town centre
- Providing access to private spaces is a positive
- The high level walls will provide good degree of screening

4.10 Following the receipt of amended plans and re-consultation further observations received as summarised below:

10 objections received but many of the observations repeat concerns raised as noted above. However further points are noted below:

- Concern that parking will be provided for the proposed conversion of the stables
- Weak economic benefit and this limited public benefit
- Comments on the possible need for other wash facilities
- Concern on how the suggested 10 pm – 7am curfew will be managed.

5.0 Analysis

5.1 The main issues to consider are: (i) the principle of development; (ii) impact on the setting of the listed buildings (iii) the impact on the Thirsk and Sowerby Conservation Area; (iv) archaeology; (v) ecology; (vi) residential amenity and (vii) highway safety.

i) Principle of Development

5.2 The application site is located beyond the identified development limits within the Local Development Framework. A proposal for a tourist function is welcomed and supported by Local Development Framework Policies CP4 and DP16. The proposal is located in close proximity to the centre of Thirsk and as noted by the public observations in support of the application, the additional tourist facility is likely to be of benefit to local retailers and other tourist attractions in and around Thirsk.

On the basis of the above the proposal is considered to satisfy the requirements of Local Development Framework Policies CP4 and DP16. With regard to the emerging Local Plan the proposal is considered to satisfy the requirements of policies S5 and EG8.

ii) Listed buildings

- 5.3 The proposal is located within the curtilage of the Grade II* listed Thirsk Hall and during the course of the application it was clarified that no works are proposed to the identified curtilage listed structures and therefore the listed building consent application has been withdrawn. However, the application site is within the setting of Thirsk Hall itself and its numerous outbuildings together with St Mary's Church on Kirkgate. With regard to the listed outbuildings and structures within the grounds at Thirsk Hall, given their significance as described in section 1 above together with their location, function, separation distance and relationship to the application site they are not considered to be affected by the proposed development. Therefore, in terms of the assessment of the impact of the application upon heritage assets this is considered to involve only the impact on the setting of The Hall, the curtilage listed walled enclosures and the former single storey stables.
- 5.4 With regard to the potential impact on the setting of Thirsk Hall the application site is located in the grounds to the rear of the hall and thus given orientation and separation distance and intervening walls and trees the proposal is not considered to impact upon the principal façade in views from Kirkgate. In terms of the rear façade the hall has been designed to overlook formal gardens and wider parkland. The application site is located towards the periphery of the curtilage to the north-west of the hall and is not within a direct line of sight of the rear façade. Due to Covid-19 restrictions applicant has submitted a photograph of a view from the first-floor window within the rear façade. This provides an elevated view of the grounds and illustrates that the application site is partially screened by the intervening trees and walls. In the view of officers this part of the wider curtilage is of lesser significance to the setting of the Hall than the formal garden and the parkland. It is not uncommon for structures to be visible within the curtilage and indeed the former single storey stables located adjacent to the application site confirm this characteristic. Given the location of the proposed access point and parking within the field enclosure this element of the proposals is not visible from the rear façade of the hall. With regard to the impact of the proposals on the setting it is considered that the interrupted views and separation distance as sufficient to result in no significant impact upon the setting of the Listed Building.
- 5.5 With regard to public views of the rear façade of Thirsk Hall from Newsham Road are generally restricted by the high brick wall, the belts of trees and the section of hedgerow close to the Cemetery Road junction. However, some restricted views are possible from the gap in the hedgerow at the Cemetery Road junction. At this point a partially obscured view towards the Hall can be gained across the field enclosure, over the top of the walled enclosures and between the intervening trees and single storey stable block. This is not a designed view or considered to be an important view. The proposal involves the closing of this gap through the introduction of replacement hedgerow and therefore this incidental view will be lost. However, the proposal will provide a new view across the field enclosure at the proposed access point. This view will not enable views towards the Hall given

the height and proximity of the walled enclosure. However, a view across the field enclosure would be retained.

- 5.6 In terms of the proposed access point and parking area this is located within a field enclosure on the periphery of the curtilage. The loss of a short section of hedgerow to provide a new gated vehicle access point together with re-panting to provide the required visibility splay is considered appropriate and the low-key design approach is considered to be acceptable. The precise design of the gates can be controlled through the imposition of a suitably worded condition. The proposal to provide stock fence to segregate the majority of the field enclosure off is considered to be low-key and acceptable approach. The proposed parking area does not involve any grounds works because the intention is for the vehicles to utilise the existing grassed area and therefore would retain the existing appearance of the field enclosure. The proposal to park vehicles within a field enclosure does represent a change in appearance but this only involves a small and discrete area located adjacent to an existing highway. Whilst the parking of vehicles would to a degree increase the current level of activity within the field itself when in use the limited number of vehicles and thus associated activity is not considered to impact on the overall character of the field enclosure as the majority of the field enclosure would retain its current its character.
- 5.7 The seasonal change of use from agricultural/grazing use to a small scale camping use would result in a change to the characteristic of this part of the curtilage. However, given the location of tents and showers within a walled enclosure, public views will be limited. Given the location of the application site adjacent to well trafficked public highways and opposite the racecourse and associated sport pitches/pavilions the proposed use would not be out of character. Furthermore, the proposed use is seasonal and thus the area will be returned to open grassland during the winter months.
- 5.8 There are also a number of other listed buildings within the curtilage of the Hall: Wall to south of Thirsk Hall; Wall to north of Thirsk Hall; Dovecot and outbuildings and the Stables; Thirsk Hall Cottages, The Ha-Ha and the stables. In addition, the application site also falls within the wider setting of Church of St Mary which is located on Kirkgate. However, given their location and relationship to the application site, the separation distance and intervening walls and landscaping these listed buildings and curtilage listed building/structures are not considered to be impacted by the proposal. With regard to the impact on the setting of curtilage structures the following paragraphs assess this issue.
- 5.9 In terms of the walled enclosures and perimeter wall the proposal to provide low key timber structures adjacent to the east wall of the enclosure is considered to be generally reflective of ancillary structures found elsewhere within the curtilage. Their location, scale, height and design are considered to be appropriate. The proposed tents are also considered to be appropriately sited and are also seasonal and are therefore considered to have no impact on the setting of the curtilage listed walls.
- 5.10 On the basis of the above the proposed development is not considered to impact on setting of the identified heritage assets within the curtilage of Thirsk Hall, it will not any impact on the setting of any of the identified curtilage listed structures within the

curtilage of Thirsk Hall and will not impact on the setting of any of the identified listed buildings that surround the application site. Therefore, the proposal would satisfy LDF policies CP16 and DP28. In terms of the emerging Local Plan the proposal would satisfy Policy E5.

iii) Conservation area

- 5.11 With regard to the impact on this part of the Thirsk Conservation Area are similar to issues raised relating to the listed buildings noted above. The proposed change of use to a seasonal camp site of part of an area identified as a key open space is not considered to impact on the overall character of this part of this part of the conservation area. It is noted that the application site is located adjacent to lit public highway and is opposite the racecourse and ancillary sports pavilions that all bring a certain level of existing activity to the character of the area. The proposed tents are to be located within the walled enclosure that provides a degree of screening from public views along Newsham Road and Cemetery Road. In short distance views from Newsham Road the height of the walls will prevent views towards the tents. In medium distance views from the south along Newsham Road the belts of trees will restrict views to the tents, whilst from the north views above the hedgerow views to the very upper level of the tents may be possible. It may also be possible to view the upper level of the tents above the brick wall from the existing field gate entrance on Cemetery Road. However, in these views the tops of the tents would be read against the back-drop of trees within the grounds of the hall and the pavilion buildings within the grounds of the racecourse on the opposite side of Newsham Road. Therefore, the visual impact of the proposed tents is considered to be minimal and would not impact on the character of this part of the designated area.
- 5.12 With regard to the proposed access point and parking area the design of this element was amended following concerns raised by officers regarding the siting of the parking against the walled enclosure. The proposal to locate the parking closer to the access point and in more discrete location closer to Newsham Road is considered to be an acceptable approach that would reduce the prominence of parked cars in views from the field gate on Cemetery Road. Furthermore, views of parked cars in views from the new access point would also be less prominent as result of the amended layout. In addition, officers consider that the parking of vehicles within the field enclosure is not a permanent impact and note the seasonal operation of the proposal. In terms of the loss of a short section of hedgerow and replacement planting this is considered to be limited and it is noted that the closing of gap at the Cemetery/Newsham Road junction to an extent counters some of the loss as result of the new access point.
- 5.13 On the basis of the above it is considered that the proposal would not impact on the character or appearance of this part of the conservation area and will therefore satisfy LDF policies CP16 and DP28. In terms of the emerging Local Plan the proposal would satisfy Policy E5.

iv) Archaeology

- 5.14 NYCC Heritage services have been consulted on the application and recommend that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal. A condition

can be imposed to protect archaeology. Whilst the application site is located in the wider setting of the Thirsk Castle Scheduled Ancient Monument, given the relationship to the site, the separation distance and intervening, buildings and landscaping it is not considered the proposal will impact on this designated heritage asset. On the basis of the above it is considered that the proposal would satisfy LDF policies CP16 and DP28. In terms of the emerging Local Plan the proposal would satisfy Policy E5.

v) Ecology

- 5.15 It is noted a number of public observations relates to the potential impact on wildlife. The Yorkshire Wildlife Trust has been consulted on the application and has not provided any formal response to the application. However, the Trust has suggested informally that they would expect to see an ecology assessment and is noted that a number of public observations have been made regarding impact on wildlife. However, given the existing use of the application site is for grazing sheep on grassland officers do not consider the proposal raises any concerns in this regard and it would not be proportionate to request an ecology survey for this application. On the basis of the above it is considered that the proposal would satisfy LDF policies CP16 and DP31. In terms of the emerging Local Plan the proposal would satisfy Policies HG5, E3 and E7.

vi) Residential Amenity

- 5.16 Within the vicinity of the application site are number of residential properties to the north-east at Church View/Cemetery Road and to the south-east at Croft View and to the rear of west side of Kirkgate. It is noted that the residents at Church View have submitted observations regarding the impact of the proposal on residential amenity with concern regarding noise and disturbance from the occupiers of the campsite into the night, concern about vehicle movements along the access road, noise from the shutting of the vehicle doors and the impact of vehicle headlights shining into properties. Concern has also been raised regarding the potential for light pollution from the tents themselves, the showers and W/C's together with those that may be required along the footpaths.
- 5.17 With regard to the issues regarding noise and disturbance from the campsite it is noted that the Environmental Health team raises no objection to the proposal. The closest properties are c.75 metres from the north-east corner of the walled enclosure. Low level ground lighting proposed along the footpaths in the walled enclosure only and down lights are proposed at the showers and WC's that are also situated in the walled enclosure. This approach to the lighting across the site is considered to be low key, considerate to the character of the area and appropriate to the function of the proposed use. The precise details of the location and type of lighting to used can be controlled through the imposition of a suitably worded condition. Furthermore, a management plan for the site to set out agreed arrival and departure times for vehicles together with site rules for quite times could be conditioned to any approval. On the basis of the above, it is considered that the proposals do not raise any amenity concerns to the surrounding properties and would therefore protect amenity in accordance with LDF Policy DP1. In terms of the emerging Local Plan the proposal is considered to satisfy Policies E1 and E2.

vii) Highway Safety

- 5.18 NYCC Highways have been consulted on the application and raise no objections subject to the imposition of conditions regarding surface water, access details, visibility splays, parking and turning and a construction management plan. It is noted public observations refer to the fact that whilst the proposal also includes the provision of a pedestrian route to the existing gated access at the Newsham Road/Masonic Lane junction, there is no footpath along either of these highways for some distance but NYCC Highways do not raise any concern regarding this matter. Nevertheless, the provision of a separate pedestrian route as an alternative to along the full length of Newsham Road is welcomed. In addition, NYCC Highways are satisfied that the new hedge planting at the Cemetery/Newsham Road junction does not cause any visibility issues. On this basis the proposal would satisfy requirements of LDF Policies DP3 and DP4. In terms of the emerging Local Plan the proposal would satisfy Policies CI 1 or CI 2.

Other Matters

- 5.19 A number of observations refer to the potential impact of the plans for the expansion of wider estate as noted in paragraph 1.8 above. Officers can only assess the submitted application and cannot determine an application upon the basis of future expansion plans that may not materialise. In any event planning permission would be required for any further proposals and therefore the potential for cumulative impact or intensification of use of the carpark can be assessed accordingly in due course.

Planning Balance

- 5.20 The proposed development is considered to preserve the setting of the identified designated heritage assets (including curtilage structures) and would preserve the character and appearance of this part of the Thirsk and Sowerby Conservation Area. It therefore satisfies the requirements of s.66 and s.72 Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, as no harm to the significance of the designated heritage assets has been identified, the requirements of paragraphs 195 and 196 of the NPPF are not engaged on this occasion. It is considered that the proposed development complies with the relevant Local Development Framework policy in terms of the principle of development, access, ecology, design, amenity, highways and drainage and is otherwise in accordance with local and national policy requirements.
- 5.21 The proposal will result in modest economic benefits, and social benefit from those on holiday in a sustainable location.

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 3904/PD/09 rev B received by Hambleton District Council on 4.6.2021 unless otherwise approved in writing by the Local Planning Authority.
3. Above ground construction shall not be commenced until details relating to boundary walls, fences, gates and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
4. The construction of the development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted to and approved in writing by the Local Planning Authority.

These details are required prior to the construction because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

5. A) No demolition/development shall commence until a Written Scheme of Archaeological Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
6. Prior to the occupation of the approved development the full details of the proposed landscaping including the new off-site hedge planting in the gap in the hedgerow at the junction of Cemetery Road with Newsham Road shall be submitted to the Local Planning Authority for approval. The approved landscaping scheme shall be retained thereafter.

7. No lighting shall be provided within the approved except for the within the walled enclosure. Prior to the occupation of the approved development a detailed lighting scheme for footpaths, buildings and the tents shall be submitted to the Local Planning Authority for approval. The approved lighting scheme shall be retained thereafter.
 8. There must be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
 9. The development must not be brought into use until the access to the site has been set out and constructed in accordance with following requirements:
 - The access must be formed with 6 metres radius kerbs, to give a minimum carriageway width of 5 metres, and that part of the access road extending 6 metres into the site must be constructed in accordance with Standard Detail number A1
 - Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
 - The final surfacing of any private access must not contain any loose material that is capable of being drawn on to the existing public highway.
- All works must accord with the approved details.
10. The development must not be brought into use until the existing access onto Newsham Road has been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
 11. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 43 metres measured along both channel lines of Newsham Road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
 12. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the approved drawing reference Block Plan 3904/PD/09 Rev.B. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
 13. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

- details of any temporary construction access to the site including measures for removal following completion of construction works;
- wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

14. Prior to the use of the parking area and occupation of the camping pods an operational management plan to minimise noise and disturbance shall be submitted to and approved by the Local Planning Authority. The approved details shall remain in force unless otherwise approved by the Local Planning Authority.
15. The approved development shall only be used between April – October during any calendar year. The approved tents shall be dismantled whilst the development is not in use during the period November to March
16. There shall be no amplified music allowed at the approved development.

Reasons

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 CP17 and DP32.
3. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
4. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework Policies CP21 and DP43.
5. This condition is imposed in accordance with Section 16 of the NPPF as the site is of archaeological interest and Local Development Framework Policies CP16 and DP28.
6. To ensure the proposals are carried out in accordance with an approved scheme in order to provide the necessary off-site works.

7. To ensure the lighting scheme is appropriate to the context in accordance with Local Development Framework Policies CP1, CP16 and DP1 and DP28.
8. In the interests of highway safety.
9. To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
10. In the interests of highway safety and the amenity of the area.
11. In the interests of highway safety.
12. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
13. In the interest of public safety and amenity.
14. In the interest of residential amenity.
15. To ensure the permission is implemented in accordance with the approved details.
16. In the interest of residential amenity.