

North York Moors National Park Authority

Plans list item 2, Planning Committee report 18 May 2023

Application reference number: NYM/2022/0568

Development description: Reorganisation of northern section of the existing caravan site to allow for 48 lodges (increase of seven) and associated access arrangement

Site address: Lady Cross Plantation Caravan Park, Egton

Parish: Egton

Case officer: Mrs Hilary Saunders

Applicant: Mr. Kieran Robinson, Lady Cross Plantation Caravan Park, Egton, North Yorkshire, Whitby, YO21 1UA

Agent: Lambe Planning and Design Ltd fao: Mr Jonathan Moore Lambe, The Galeri, Victoria Dock, Caernarfon, Gwynedd, LL54 5EE

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text																											
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.																											
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Amended site layout plan</td><td>LC/MP1.2</td><td>10/10/2022</td></tr><tr><td>Transport Statement</td><td>T22505</td><td>03/05/2023</td></tr><tr><td>BNG Location Plan</td><td>LP/1.3</td><td>03/05/2023</td></tr><tr><td>Prestige Casa da Lusso Lodge S6587 ED</td><td></td><td>03/05/2023</td></tr><tr><td>Proposed Lodge designs (previously approved)</td><td></td><td>03/05/2023.</td></tr><tr><td>4 Bella Vista</td><td></td><td>03/05/2023</td></tr><tr><td>Havana Central Lounge</td><td>210177 Rev B</td><td>03/05/2023</td></tr><tr><td>Plan and elevations</td><td></td><td></td></tr></tbody></table>	Document Description	Document No.	Date Received	Amended site layout plan	LC/MP1.2	10/10/2022	Transport Statement	T22505	03/05/2023	BNG Location Plan	LP/1.3	03/05/2023	Prestige Casa da Lusso Lodge S6587 ED		03/05/2023	Proposed Lodge designs (previously approved)		03/05/2023.	4 Bella Vista		03/05/2023	Havana Central Lounge	210177 Rev B	03/05/2023	Plan and elevations		
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3	MC00	The holiday units hereby permitted shall form and remain part of the Ladycross Plantation Caravan Park planning unit managed by the occupiers of the main house on the site.																											

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4	MC00	<p>The timber lodges hereby approved shall only be occupied in accordance with the following criteria:</p> <ul style="list-style-type: none"> i. the timber lodges are occupied for holiday purposes only. ii. the timber lodges shall not be occupied as a person's sole, or main place of residence. iii. the site operator shall maintain an up-to-date register of the names of all owners/occupiers of individual timber lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.
5	MC00	No fences, buildings or ancillary structures, with the exception of those shown on the approved plans, shall be erected on the pitches or in the surrounding area.
6	MC00	The existing woodland between the boundaries of the site and the development shall be retained and managed by the owners and operators of the caravan site, so as to allow natural regeneration.
7	AC20	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8	MC00	No development shall take place until details of the proposed means of disposal of pumped foul water drainage for the whole site have been submitted to and approved by the Local Planning Authority. Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works, which are to be agreed by the statutory sewerage undertaker.
9	MC00	The site shall be developed with separate systems of drainage for foul and surface water on and off site.
10	MC00	No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water

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		have been completed in accordance with details submitted to and approved by the Local Planning Authority.
11	MC00	The mitigation measures included in the revised EcIA (ref 220282/EcIA/Lodge/Rev 2 Dated 19/03/2023) shall be implemented and maintained in accordance with the approved details for a period of 30 years from the date of this permission.
12	MC00	No work shall commence to clear the site in preparation for the development hereby permitted until a Biodiversity Enhancement Management Plan has been submitted and approved by the Local Planning Authority. This plan shall provide in depth detail as to how the habitats will be created, and a Habitat Monitoring and Management Plan, which shall provide information on how the habitats will be managed and monitored for the next 30years. The approved BEMP shall be implemented and maintained in accordance with the approved details.
13	MC00	Prior to the commencement of development, an arboricultural impact assessment, tree protection plan, and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. A high standard of arboricultural care to be demonstrated at all stages and meet or exceed the requirements of BS5837 and NJUG 4. This is essential to protect both the ecological and amenity value of the retained habitats and to ensure that trees can be retained safely in the longer term. The approved plans shall be implemented and maintained in accordance with the approved details.
14	MISC00	<p>The development must not be brought into use until the access to the site has been set out and constructed in accordance with the ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by the Local Highway Authority and the following requirements:</p> <p>The crossing of the highway verge must be constructed in accordance with the approved details and the following requirements.</p> <ul style="list-style-type: none"> 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 towards the highway.

Condition number	Condition code	Condition text
		<ul style="list-style-type: none"> Measures to enable vehicles to enter and leave the site in a forward gear. All works must accord with the approved details.
15	MISC00	The southern access should be prohibited from vehicles towing caravans using it.
16	MISC00	<p>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.</p> <p>The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:</p> <ul style="list-style-type: none"> restriction on the use of the proposed southern access for construction purposes: vehicles entering and exiting the site should be controlled to avoid meeting each other between the public highway and the open field to avoid head-to-head situations where one vehicle will have to reverse to allow the other one through.
17	MISC00	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 215 metres measured along both channel lines of the major 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 1.05 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Informatives

Informative number	Informative code	Informative text
1	MC INFO0	An explanation of the terms used above is available from the Local Highway Authority.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2022/0568

Scale: 1:2500

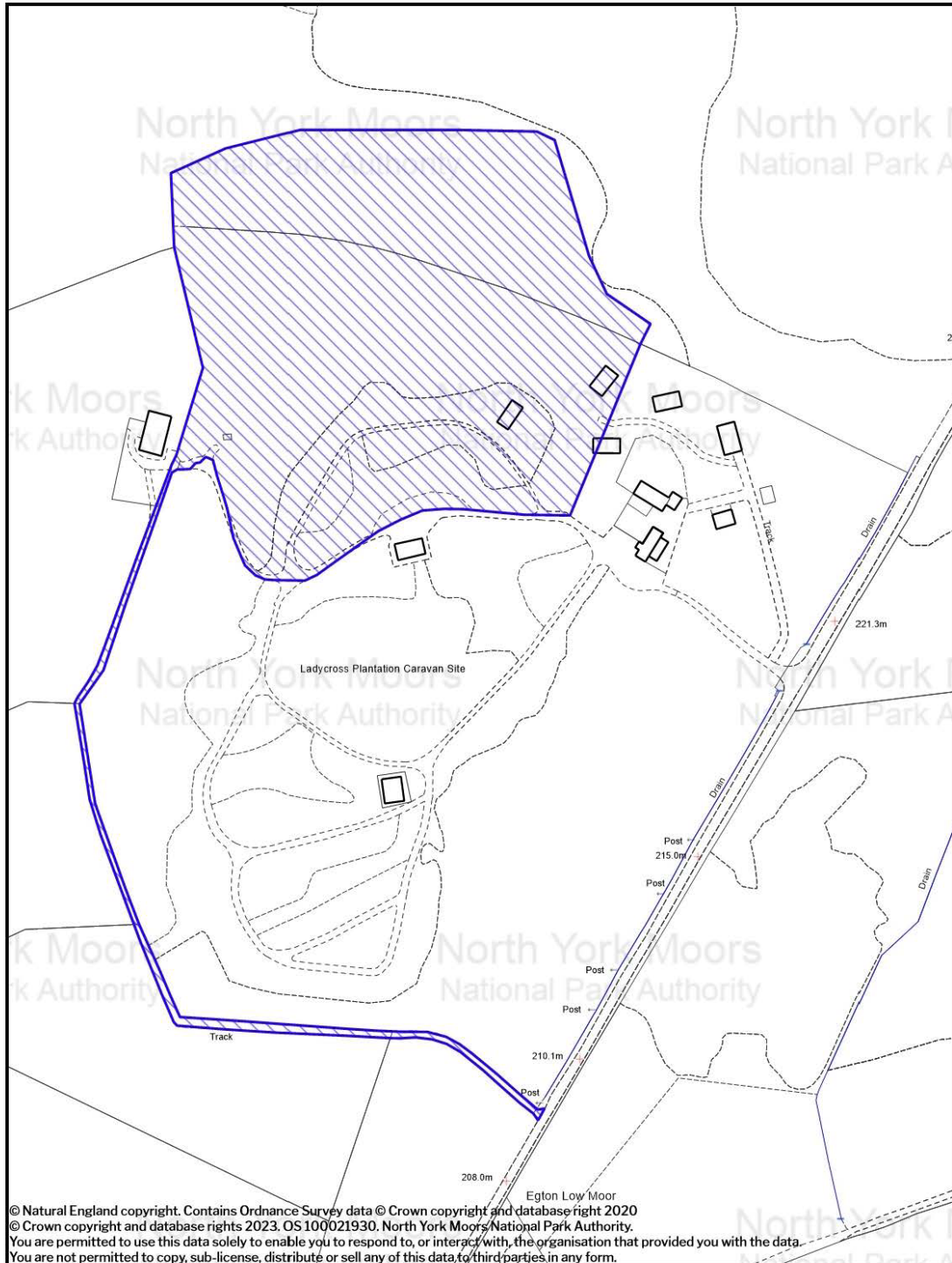


Photo showing aerial view of caravan site in its wider context



ork Moors National Park Authority
interact with the organisation that provided you with the data.

Consultation responses

Scarborough Borough Council

No comments.

Parish

Object. Planning permission has been granted previously for 41 lodges of which six are completed. It is not clear to the Parish Council why the application has been submitted for an additional seven lodges, when there is already approval for a further 35 on the site.

Contrary to Policy UE2. Lady Cross Caravan Park has grown from around 60 caravan pitches to the current position where approval has been granted for 189 caravan pitches and 41 lodges. This is not small scale. The planning application also envisages a new access road to the south of the site. With the large scale of the site, 48 lodges and the addition of another access road, this will cause additional traffic concerns with cars turning onto the Egton Road from two road junctions rather than one.

Contrary to Policy ENV1. A significant number of mature trees will be chopped down in order to make space for the lodges. This results in a net loss of biodiversity (-20.86%), rather than a biodiversity net gain. Strategic Policy A and Strategic Policy E are relevant here.

Concerned about the large number of lodges already with planning permission. The lodges are quite large, and some are being sold on to private owners who are then using them effectively as second homes.

The Caravan Park has a year-round operating licence. It would be impractical and unlikely that a check would be made as to whether all of the lodges are vacant for 1 month of the year. Concerned that if all 48 lodges are built, the result will be the development, by stealth, of a small village in open countryside. It is likely that most of the lodges will become used as second homes. The Parish Council would like clarity on whether any conditions were attached to the previous planning approval for 41 lodges, in terms of how they were to be used. Does the planning approval allow for the lodges to be sold on to individuals? Or was it expected that they would be managed by Lady Cross in the same way that people pay for a caravan pitch. The Parish Council feel there is a real tension here with Policy CO10 - housing in open countryside.

Policy ENV7 - The Egton sewer system has not been upgraded since the 1950s. It regularly overflows into the River Esk in Egton Bridge. Lady Cross Caravan Park discharges wastewater into the Egton sewer system. With a total of 48 lodges on the site, potentially occupied for 11 months of the year, this would increase the impact on the Egton sewer system, likely resulting in more incidents of pollution of the River Esk. The water table around Egton is quite high and fields regularly have standing water in winter. Further thought should be given to the potential impact of this development on the Egton sewage/wastewater system.

Very concerned about the development of, in effect, a small village of 48 dwellings one mile from Egton. If the 48 lodges are occupied as second homes, that also may mean that they are vacant for a considerable period of time. If the lodges were caravan pitches, there would be a much higher turnover of visitors with an increase in the number of tourists visiting the National Park.

Highways

No objections subject to conditions. The Local Highway Authority has no objection to the principle of an access being constructed to be available for the public to use but disagrees with the criteria that the agent has used to quantify the visibility requirements. The design standard for the site is Design Manual for Roads and Bridges and the required visibility splay is 2.4 metres by 215 metres. To achieve this amount of visibility, additional tree pruning will be required.

The design and construction of the access should take into account the kerbing and the gradients to ensure the highway surface water drains into the existing ditch.

The proposed southern access is intended for car type vehicles only. It is a single-track width with passing places to avoid the need for vehicles backing onto the public highway.

The access is not intended for vehicles towing caravans and is not suitable for this type of traffic.

CPRE

On original plans - Neither support nor object however express concern re loss of trees. Also concerned about the applicants submitted biodiversity matrix assessment.

Prior to determination, CPRENEY consider that the applicant should provide further information in relation to Biodiversity Net Gain.

It is hoped that should this proposal be permitted; the National Park Authority would be able to ensure that further expansion or remodelling into other areas of woodland would not be allowed.

Finally, acknowledge the need for rural businesses to adapt to current uncertainties and challenging times, however, the special qualities of the designated landscape are required to be preserved and protected, thus take precedence when necessary.

Amended and reduced scheme – no additional comments.

Yorkshire Water

21/02/2023 - The Flood Risk Assessment & Drainage Strategy (Revision 03) dated 03/02/2023 prepared by Waterco is acceptable. It details that the existing foul water pumping station will be replaced as it lacks capacity to manage the expected flows as a result of this development.

The report states that septicity can be managed through the design of the pumping system and chemical dosing. Yorkshire Water understand that these matters will be addressed during detailed design.

Lead Local Flood Authority

Awaiting comments on additional information.

Natural England

No objections.

Environmental Health

No objections.

Campaign for National Parks

No comments received.

North Yorkshire Moors Association

No comments received.

Police – Designing out Crime

No comments received.

Third party responses

P.B Lewis, 1 The Avenue, Sleights, Whitby - To allow the expansion with chalets will mean more destruction of trees and there are enough already. It should stop as we have all the noise and pollution we can take. The National Park should not allow big companies to destroy our countryside.

Consultation expiry

15 September 2022

Background

Ladycross Plantation Touring Caravan Park is a large established holiday caravan park located just outside of Egton to the south of the A171.

The site previously gained approval for an extension to accommodate up to 175 touring caravans in 2004. Planning Permission was then granted in 2008 to change some of the touring caravans on site to static caravans. The total number of static van pitches permitted was 60 in total with the remaining 115 pitches being seasonal and touring pitches.

Planning permission was granted in 2012 for the re organisation of the 175 pitch caravan site to a 190 caravan pitch site with 42 lodges; 10 statics; seven new touring areas; 30 new touring area; Nine new motor homes; Five camping pods and 87 existing tourers.

More recently planning permission was granted for extensions to the managers dwelling on site.

This current application is a much-reduced proposal from its initial submission. Originally, planning permission was sought for reorganisation of the northern section of the existing caravan site to allow for 48 lodges (increase of seven) and associated access arrangement together with southwestern extension to site to allow for the siting of 27 static caravans in lieu of ten static caravans and five camping pods.

However, the applicants agent was advised that whilst there were no objections in principle to the re-organisation of the northern section of the park as these would be set in relatively dense woodland and would be unlikely to have any material impact; the southern part of the site is more exposed, with units closer to the edge of the woodland, and this combined with the increase in numbers proposed and type of unit (statics) which are specifically resisted in the current Local Plan, results in a form of development that would be considered to be contrary to adopted Policy and be unacceptable. This southern element of the scheme was consequently omitted from the application.

The revised scheme seeks permission for the reorganisation of northern section of the existing caravan site only, to allow for 48 lodges (increase of seven) and associated access arrangement.

In support of the application, it is stated that: -

The purpose of this proposal is to restructure the existing consented Lodge layout into a more informal, low density layout. This will improve the layout, spacing, setting and aspect of the previously consented Lodges in this area, and make them more attractive to holidaymakers and improve the holiday product and also improve the biodiversity.

The park is already in existence and this proposal seeks to improve and restructure what is already there and what already has the benefit of planning consent. Many other holiday parks are undergoing restructuring and upgrading, and other new parks are being developed in the UK. It is essential that existing parks are allowed to upgrade and restructure to react to market forces and maintain desirability and quality.

A report prepared by Tourism Solutions – Self-Catering Shortage Study, advised that: -

"Trends in product development have pointed towards the development of higher quality units; people have increasingly experienced quality self-catering apartments & villas abroad and living standards generally have risen in the UK over the past 10 years. People continue to expect - and demand, quality that is at least as good as their own homes, and preferably better".

It is therefore essential that Ladycross is allowed to upgrade and restructure, this is specifically supported by the Local Development Plan and Government policies and guidance. To not enable this to proceed will have a significant detrimental impact upon this existing business, the local economy and employment in the area.

In terms of ecology, offsite tree planting, which will offset the onsite losses and deliver net gain has already been completed and was undertaken as pre-application planting for this scheme and was done prior to the planning application submission to: -

- a). show that the additional planting would be undertaken.
- b). enable early establishment of the planting due to the tight planting window - thus to enable for maximum establishment / and beneficial effect to be achieved as early as possible.

The applicant has confirmed that this planting was done to create offset as part of this application and did not form part of any alternative offsetting. The proposed upgrading of the park has been in its inception for over four years, hence the previous and ongoing pre-application enquiries with the North York Moors National Park Authority (NYMNPA) dating back over the last two years, to fine tune the proposals and to enable the NYMNPA responses to inform the final scheme.

Main issues

Local Plan

Strategic Policy J - Tourism and Recreation - seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Policy UE2 seeks to permit small scale holiday accommodation such as cabins, chalets, caravans and motorhomes etc.) but in order to respect the sensitivity of the local landscape all sites must be screened from wider views. The policy refers to 'small scale' developments and it is explained that this is intended to be development (when considered cumulatively with any existing development) that conserves the natural beauty, wildlife and cultural heritage of the National Park. Sites comprising no more than 12 units (including any existing units) are likely to be considered small in scale.

Strategic Policy E - The Natural Environment – seeks to ensure that the quality and diversity of the natural environment of the North York Moors National Park be conserved and enhanced and states that development which has an unacceptable impact on the natural environment, the wildlife it supports and the environmental benefits it provides will not be permitted. All development will be expected to ensure that natural capital is used in efficient and sustainable ways; and demonstrates, where appropriate, how it makes a positive contribution to natural capital and its ability to provide ecosystem services.

Policy ENV1 - Policy ENV1 - Trees, Woodlands, Traditional Orchards and Hedgerows states that there will be a presumption in favour of the retention and enhancement of existing trees, woodland, traditional orchards and hedgerows of value on all developments.

Where the wider sustainability benefits of the development clearly outweigh the loss, proposals will be expected to minimise harm and provide a net biodiversity and amenity gain, with appropriate replacement of lost trees or hedgerows.

Policy ENV7 - Environmental Protection – sets out that in order to protect the natural environment, development will only be permitted where it does not risk harm to water quality, including groundwater, rivers, streams and coastal and bathing waters; does not compromise surface and groundwater; does not have an unacceptable adverse impact on soil quality; most versatile agricultural land; air quality; levels of noise, vibration or odour; and pollution which would impact on the health, safety and amenity of the public and users of the development.

Policy CO2 – Highways - only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety; the external design and layout and associated surfacing works take into account, as appropriate, the needs of all; and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

Material considerations

Numbers of holiday units and visual impact

In terms of Policy UE2, the existing site at Lady Cross does not meet the criteria of small scale (as referenced in the current Local Plan), however, on the basis that this is already a well-established substantial tourism accommodation facility, it is not considered that in this case an increase in numbers by seven would have a noticeable impact on activity levels on this location or justify a refusal of the scheme.

It is not considered that the re-organisation of this northern section, with a small expansion into the woodland area would be visible from outside the site as the extended site would still be well screened by relatively dense woodland.

The Parish Council have asked about the applicants' pitch ownership/leasing arrangements and justification for ability to stay for holidays for more than 28 days at a time at the new pitches, members will be updated at the meeting.

Ecology, woodland and biodiversity

Significant negotiations have been undertaken with the Authority's Ecologist and Woodland Officer. The Ecology team has advised that having reviewed all the information submitted, they are satisfied that although a 10% net gain in bio-diversity would be preferable, this is not mandatory until November and the revised Ecological Impact Assessment does demonstrate that enhancement measures can be provided, and additional habitat will be created and restored, to show some net gain can be achieved. The assessment also details additional enhancements that are not calculable in the biodiversity metric.

The Authority's Woodland Officer has expressed some concerns that the expansion of the development into an area of established semi-natural woodland could be damaging to habitat. However, given the assurance to minimize the loss of woodland and the commitment to additional habitat creation and management off site, there are no objections providing the ecology teams stipulations are met.

Highways

Whilst the Parish Council has expressed concerns regarding highway safety the Highway Authority has no objection to the proposal subject to conditions relating to highway improvement works which have been agreed as pre-commencement conditions with the applicant. Consequently, it is not considered that a refusal could be upheld on highway safety grounds.

Flood risk, drainage, surface water

The Parish Council have raised concerns regarding the drainage; however, Yorkshire Water have confirmed they have no objections to the proposals and whilst the Lead Local Flood Authority's formal comments haven't yet been received, they have verbally indicated that it appears that sufficient information has been submitted; it is anticipated that their formal response will be available at the Meeting.

Conclusion

In view of the above, it is considered on balance, that on the basis that this is already a substantial tourism site, the addition of 7 units would not cause harm to the character of the area and consequently approval is recommended.

Pre-commencement conditions

Conditions 8, 12 & 15 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

Contribution to Management Plan objectives

Approval is considered likely to help meet Outcome 4, Objective 17 which seeks to create a place that lifts the nation's health and well.

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the omission of the southern section of the proposals, so as to deliver sustainable development.