

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Fylingdales	App Num. NYM/2013/0628/CU
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Proposal: Use of land for the siting of 20 no. touring caravans for up to 11 months as an extension to existing operational period

Location: Middlewood Farm, Fylingthorpe

Applicant: Mr Peter Beeforth, Middlewood Farm, Fylingthorpe, Whitby, North Yorkshire, YO22 4UF

Agent: Peter Lead Planning Consultant, Friarsfield, Convent Lane, South Woodchester, Stroud, Gloucestershire, GL5 5HR

Date for Decision: 11 November 2013

Grid Ref: NZ 494472 50446

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN02 Strict Accordance With the Plans/Specifications or Minor Variations
3. RSUO00 This permission permits the use of the land for 20 touring caravan pitches for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owner/operators shall maintain an up-to-date register of all owners/occupiers of individual caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.
4. RSUO18 Use for 11 Months of the Year Only (07 February in one year to 07 January in the following year)
5. GACS07 External Lighting - Submit Details

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to provide facilities for visitors in line with NYM Development Policy 16.
4. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
5. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.




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Scale: 1:2500 



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Consultations

Parish - Object. Due to the impact of traffic on the local area for longer than the normal holiday season. Also because of the impact on country lanes especially during the winter months. The Parish Council also asks that if this is given approval care must be taken to make sure that people do not stay any longer than the statutory time allowed.

Highways - No highway objections in principle to the application because the drivers taking the vehicles and caravans to the site should always drive to the conditions of the road. However, it should be noted that the Highway Authority does have concerns particularly in wintry conditions, the roads leading to the site are not of a suitable gradient to cater for the traffic which would be likely to be generated by this proposal.

Environmental Health Officer -

Yorkshire Water - No comments are required from Yorkshire Water.

Fylingdales Village Trust -

Site Notice Expiry Date - 15 October 2013.

Others - Mrs Freda Hodgson, 12 Middlewood Close, Fylingthorpe - Object. The site is open from March to the end of October which is adequate for the tourist season. The roads in the area were not built for all this extra traffic and in winter we do not benefit from grit wagons or snow ploughs. The roads become treacherous with hard packed snow turning to ice. Local residents going to work have enough problems in winter without the extra headache of cars towing caravans in snow and ice on narrow roads and hills. Both roads to Middlewood Farm are bad to access. Thorpe Green Bank has residents cars parked down one side, it is bad enough to negotiate in summer with all the extra traffic due to Middlewood Farm. In winter residents will also have to contend with strangers with vehicles pulling caravans not knowing the roads or conditions. Every road into Robin Hoods Bay is very steep, all have many corners and some are narrow. When it snows, Arriva busses do not operate through Robin Hoods Bay and Fylingthorpe. There are also a lot of farm vehicles in the area. The static site at this farm consisting of 30 large caravans is open 11 months of the year and the camp site near the farmhouse is open all year so there is additional traffic using them. The pavements along Middlewood Lane are not brilliant so pedestrians are at risk in bad weather.

The follow people support the application for one or more of the following reasons:

John Brown, Bolts House, The Bolts, Robin Hoods Bay

Michael and Helen Chapman, 16 Elishaw Green, Ingleby Barwick

Rob Rymer, Station Waiting Rooms, Robin Hoods Bay

Peter and Jane Haigh, 76 Westwood Road, Leek

June Roberts, 5 Brook Park, Briggswath, Whitby

Barbara P Billam, The Glen, Thorpe Green Bank, Fylingthorpe

Robin Hoods Bay Tourism Association

David Wright, 158 Park Lane, Keighley

Mr C M Gent, Sunnybrooke, Thorpe Lane, Fylingthorpe

P McCallum, Linden Lodge, Hutton Rudby

Mr R Cooper-Noble, 4 Stray View, Staxton, Nr Tadcaster

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- Have not heard of any complaints about the operation of the site, only the highest compliments.
- His customers are extremely important to my business and other businesses in the old village.
- Customers exclusively use the footpath through Little Wood and therefore pose no traffic problems and leave parking spaces for other visitors.
- Assists local business to provide longer employment for their staff and to turn part time jobs into full time thereby aiding employment for local people.
- Supports and boosts local economy in quieter months and over the Christmas period.
- Middlewood Farm is ideally situated to utilise the good public transport.
- The touring park is well screened by high hedges and trees, therefore does not visibly impact on the surrounding areas.
- Middlewood Farm Holiday Park is a well run five star park and has been established for many years.
- Only natural and just to allow Mr Beeforth to pursue his business unless there are good reasons to limit him.
- I live on the main route to this site, my house is a pavements width from the actual road and I see no additional problems or disturbance in having the vehicles passing in the 'low season'.
- The benefits of this application fit the criteria for sustaining the local economy.
- The benefits to the area and especially Robin Hoods Bay and Fylingthorpe would be a positive result at an economically quiet time of year.
- October half term often runs into November, which, without this permission precludes people staying for the half term.
- Had many delightful weekend at Middlewood and have been recently disappointed to find out that we couldn't have a winter weekend there.

Background

Middlewood Farm comprises a large working farm and a long established caravan and camping site situated on the northern edge of Fylingthorpe village, close to the residential areas of Middlewood Lane and Middlewood Crescent. The Grade II Listed Farmhouse and associated mix of traditional and modern large agricultural buildings are located at the north side of the lane with the static caravan park (30 vans) and overspill camping site. The touring caravan (20 pitches) and camping site (76 tent pitches and 4 no. camping pods) are at the opposite side of the lane extending into open countryside. Views into the farm yard and caravan sites are fairly limited from the surrounding roads and lanes. However, the large, modern agricultural buildings can be seen in longer distant views from the rising Church Lane at the most northerly end of the village.

Planning permission was granted in April 2013 for the siting of 4 no. camping pods sited to the north-west edge of the touring site, close to the existing toilet and shower block on the western boundary. These camping pods replaced four existing tent pitches. Occupation of the static caravans and camping pods is permitted for 12 months (subject to 28 day holiday use rule) whereas tenting and touring caravans are restricted to eight months of the year; March to October. Currently, the touring caravan site and tented camping site operates under a certificate of lawful use reference NYM4/029/0125A/LU granted 14 June 1996, in accordance with the numbers and dates specified in the accompanying letter. The number of touring caravans permitted at the site varies between two to 20 at different times of year.

This application seeks permission to extend the period of occupation of the touring caravan site for up to 11 months per year. The application does not seek to increase the number of pitches but would allow the maximum number of 20 vans at the site throughout this 11 month period rather than having the numbers restricted to as few as two caravans at differing times of the year.

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Background (continued)

The applicant's agent has submitted a supporting statement which advises that demand for pitches is received from touring caravan owners all year round, particularly during November, Christmas, New Year and February half term. Occasionally, some customers arrive having not booked and are asked to leave. The caravan pitches are already all-weather pitches and are well screened by substantial hedges, situated adjacent to the toilet block.

Main Issues

The main issues are considered to be whether the proposal would result in an intensification of the site to the detriment of the amenities of local residents or the surrounding landscape.

Policy Context

The relevant NYM Local Development Framework policies are Development Policy 14 (Tourism and Recreation) and Development Policy 16 (Chalet and Camping Sites).

Development Policy 14 states that the expansion or diversification of an existing tourism business will be supported where the special qualities of the Park are enhanced and conserved and are not undermined; access can be made from the key road network; the activity levels are acceptable and use will be made of an existing building.

Development Policy 16 states that with regard to new sites or expansion of existing sites, such sites should be located within established woodland; should be physically and functionally linked to an existing business; should be in close proximity to the key road network; the scale and activity should be appropriate for the location and buildings and structures should be removed if no longer required. Applications for the expansion of existing sites will also need to be well screened or involve improvements.

Landscape Impact

Officers consider that the proposal is broadly in accordance with the objectives of Development Policies 14 and 16 of the NYM Local Development Framework. This is a well established caravan and camping site located in a fairly unobtrusive position. The touring caravan site is not located within woodland but is well screened along the north-west boundary, which protects the views of residents of Middlewood Crescent to the north of the site. Whilst the screening species are mainly native, losing their leaves in winter months, they are mature plants which still afford a good degree of screening by reason of their dense branches. Furthermore, it must be noted that this application relates solely to an extension of the time period from 8 months to 11 months in a calendar year, and not for the creation of an additional site.

Relationship to Existing Business

The site is physically and functionally linked to the established camping and caravan site and will be managed as part of the existing business. No additional permanent residential accommodation will be required to serve the development.

Effect of Proposal on Traffic and Activity Levels in the Locality

It is noted that a resident of Fylingthorpe objects to the application, principally on the effect of additional traffic through the village during winter months when the roads are icy and dangerous.

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Effect of Proposal on Traffic and Activity Levels in the Locality (continued)

However, the Highway Authority has not objected to the proposal and has stated that motorists should be driving to the conditions of the road. The residents have continued to raise concerns in respect of wintry conditions and has identified that the roads leading to the site are not of a suitable gradient to cater for the traffic which would be likely to be generated by the proposal.

The applicant's agent has taken note of these comments and has responded to the points raised. In brief, he states:

Middlewood is a working dairy farm and therefore has a daily visit by a milk tanker all year round and frequent visits by 48 ft articulated feed lorries. The access used by heavy goods vehicles is Middlewood Lane from the Scarborough direction to avoid Fylingthorpe and this is the route advertised for visitors. These large vehicles have no problem accessing the site so caravans should have no problems either.

Part of the management procedure for the static holiday caravans is to ensure open dialogue with visitors as to weather conditions. If adverse conditions exist or are forecast the visitors will most likely cancel their visit or will be told that the Park is closed. Visitors arrive during the middle of the day to avoid morning frosts and ice.

There has only been very few times in Mr Beeforth's memory that snow and ice has made the roads very hazardous and only one occasion when the roads have been closed. Never have there been any reported accidents involving visitors to the Caravan and Camping Park.

The season is not long enough, this is proven by demand.

Touring caravans visiting Robin Hoods Bay only have Middlewood Farm as an option to stay at. Visitors have been asked to leave as the permitted season has ended, in these situations they have to travel up the moor and set up overnight on the car park.

I would suggest that the one month closed period be between 7 January and 7 February each year.

This application does not propose an increase in the numbers of touring caravans using the site at any one time or any alteration to the nature of the touring use. Within the National Park area there has been a general approach of approving of 11 month operational period which is in line with the way the caravanning sector is evolving with a month (avoiding February half term school holiday) excluded to assist planning enforcement monitoring. In the circumstances of this case and due to its established and screened nature, Middlewood Farm Holiday Park is considered capable of accommodating touring caravans for a longer period without the need for additional permanent residential accommodation in connection with the management of the business or undue impact on neighbours.

Whilst the concerns of a nearby resident in relation to the likely impact of caravans using the route in winter are noted, the applicant's agent has confirmed that some customers have been known to arrive during the closed season and asked to leave. Therefore, refusal of the application would not necessarily prevent vehicles towing caravans from attempting to make their way to the caravan park. Furthermore, the Highway Authority has not formally objected to or recommended refusal of the application on highway safety grounds.

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Recommendation

Development Policy 14 supports tourism and recreation within the National Park providing the associated activity levels are compatible with the surrounding area and do not detract from the quality of life of local residents. Officers consider that this proposal would not have any adverse effect in terms of associated activity levels or landscape impact and would be managed from the existing accommodation on site. The proposal has beneficial economic impacts and complies with the general approach of the NPPF and the government's agenda for planning to promote sustainable economic growth. The proposal also accords with Development Policies 14 and 16 and approval is recommended.

Contribution to Management Plan Objectives

Approval would help the aims of the National Park Management Plan in relation to encouraging tourism development and extending the tourism season and assist in meeting the Authority's aspiration to achieve an extra 1.6 million visitors to the Park.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.