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Branch Chair
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Authority: North Yorkshire Council (former Craven District)

Type of consultation: Planning Consultation

Full details of application/consultation: 2023/24893/FUL - Change of Use of land for the stationing of static holiday caravans and lodges and associated infrastructure and landscaping.

At land: Bowland Fell Park, Crow Trees, Tosside, Skipton, BD23 4SD

Type of response: Objection

Date of Submission: 22nd May 2023

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North and East Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on the abovementioned application for a change of use of existing agricultural land to site circa 49 new static caravans at an existing holiday park near Tosside. The proposal has been submitted to Craven District Council ('the Council') on behalf of the landowner, Park Holidays UK Limited ('the applicant').

The application site consists of 2.56Ha of grazing land within the ownership of the applicant. The Holiday Park is an established large site located to the east of Tosside village. The site is circa 400m south of the B6478 with the closest settlements being Tosside (1.25km) and Rathmell (0.5km to the north east). There is a Public Right of Way ('PROW') network in close proximity to the site which provides direct access from the site to Tosside.

The proposed development would extend the existing Holiday Park to the south, providing an additional 49 static caravans – a mix between lodge style (24no. 20x45) and static caravan (25no. 14x45) each unit will have an allocation for 2 cars. Any additional visitors would be able to use the existing Holiday Park's visitor parking area. A new internal access road and soft landscaping has also been proposed as part of the application. The additional 49 units would mean that the Holiday Park would consist of circa 398 static caravans alongside ancillary facilities including an indoor pool, public house, restaurant and children's play area.

The site lies approximately 1.2km from the nearest site of nature conservation interest – White Moss SSSI and is also 1.7km from the Forest of Bowland AONB.

CPRENEY object to the proposals at this location on the following grounds:

1. The detrimental impact on the open countryside due to the scale of the site, including to the setting of the Forest of Bowland AONB;
2. The detrimental impact on the surrounding PROW network.
3. Lack of evidence presented in relation to the protection of dark skies; and
4. Lack of evidence presented in relation to net gains for biodiversity.

As such it is considered that the proposal is contrary to both local and national planning policies.

Planning Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework ('NPPF') (2021) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

c) 'approving development proposals that accord with an up-to-date development plan without delay'

The Council has an up to date Local Plan ('LP'), adopted 2019 following an independent examination. As such, full weight should be given to the Local Plan in the determination of the application.

The Craven LP (para 2.25) sets out that Craven has a *'unique and outstanding natural and built environment, which is reflected in local, national and international landscape and biodiversity designations together with designated and non-designated heritage assets.'*

Policy EC3 of the LP sets out that the rural economy will be supported so that it may grow and diversify in a

sustainable way through a variety of ways including at point C *'helping existing and new rural businesses, including tourism related businesses to succeed, grow and expand...'* The LP goes on to set out that the *'economy which has been built up around tourism is now substantial and important part of the area's overall economy and quality of life'*. There is therefore, policy support for appropriate tourism related development including for new accommodation sites, providing it is considered to be sustainable development and as such beneficial in economic, environmental and social contexts.

The LP must be read as a whole, and any development proposal must accord with the policies contained within it. Ergo, just because there is policy support for tourism related applications, a proposed development must be appropriately sited so as not to detrimentally impact upon residential amenity, the built or natural environment.

The site itself is outwith a settlement therefore is within the open countryside for planning purposes. LP Policy ENV1 sets out clearly that sustainable growth will ensure that the quality of Craven's countryside and landscape is conserved for future generations to enjoy. The proposal for 49 additional units at the Holiday Park will ensure circa 400 units on site – this is significantly more than the number of dwellings in Tosside (circa 100).

The application site is not located within a nationally designated landscape, however, Tosside, the nearest settlement to the site and accessible via PROW directly from the site, sits on the boundary of the AONB. As such the Holiday Park is arguably within the setting of the Forest of Bowland AONB. The topography of the site and surrounding area is that of gently rolling hills and as such, figure 2 of the applicant's supporting LVIA shows the Zone of Theoretical Visibility ('ZTV') of the site, showing that with and without visual barriers, the site would be readily viewable from the AONB. As such it is incumbent on the Council to ensure that development within the setting of a nationally designated landscape is at an appropriate scale for the designation. Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues,. It goes on to set out that *'the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'* It is noted that the applicant has proposed a landscape mitigation plan but even with the plan in place, CPRENEY are concerned that the proposed soft landscaping will take some time to mature and views of the site from the surrounding PROW network, in particular, will not be mitigated – furthermore CPRENEY are surprised that the PROW which runs through the proposed site does not appear to have been considered in the proposed site layout (block) plan or within the applicants submitted Design and Access Statement ('DAS').

It is also noted that existing PROWs throughout the site have been obstructed by past development which is in direct conflict with the LP which sets out clearly at Policy EC4e that proposals will be supported which ensure *'that tourism development provides easy access to the network of public transport services, footpaths and cycle routes (including canal towpaths) in the area and, wherever possible, secures the improvement and expansion of the network.'*

LP Policy ENV1e sets out that when determining proposals which affect the setting of the Forest of Bowland AONB the Council will *'give great weight to the conservation of their special qualities, including the landscape, scenic beauty and intrinsically dark landscapes (for the enjoyment and experience of dark skies). In addition, proposals will be considered on a needs basis, should be in scale with, and have respect for their surroundings and be in line with the AONB Management Plan objectives.'*

There does not appear to be any information within the applicants submitted documents in relation to proposed outdoor lighting arrangements within the extension area or whether they would be the same as

existing with the site. CPRENEY are aware from local members that the existing lights used across the Holiday Park do not point downwards and present a glow in the evening which does not appear to be dark-skies compliant.

Local and national planning policies direct the Council to place great weight on the designated landscape and its setting, as such, the Council must consider the need for the proposal relative to the locality. The scale of the park is already significant. The area already benefits from existing large-scale caravan parks (e.g. Gallaber Park) and as such does not offer any different type of accommodation as to that already found within the area. Paragraph 7.17 of the LP sets out that *'those wishing to offer a wider choice of accommodation or activities, which create appeal, interest and enjoyment for visitors, will be supported; and proposals to develop new ideas and opportunities in a sustainable way will be encouraged.'*

Notwithstanding the fact that there is no wider choice available than that found in the area. The scale of the site will be enormous. Not only will there be circa 400 units on site, the units are particularly large with each unit capable of hosting 2 vehicles meaning that the units could sleep 8-10 people. From the extension alone working on a worst case scenario there could be 490 visitors should all units be at a maximum capacity (which is surely the aim of the applicant). With existing units on site this is an overwhelming number for the local services and will significantly add to the local highway network, which whilst capacity may be considered ok must also satisfy highway safety matters to be compliant with the NPPF tests.

Furthermore, having considered the applicants ecological assessment, there does not appear to be any information in relation to the provision of net gains for biodiversity to support the statement found in the Planning Statement at paragraph 4.3.21. Given that the site is to be taken out of use as a grassed paddock and will lose a number of existing trees, the applicant has provided no evidence to show that the developed site would in fact deliver any net gains for biodiversity. This is clearly not in conformity with paragraph 174 which requires decisions to contribute to and enhance the natural environment by *'minimising impacts on and providing net gains for biodiversity.'* Whilst the Environment Act is to be incorporated in the Planning legislation later this year the emerging best practise for a provision of a minimum of 10% net gains is generally already being accepted across the county. LP Policy ENV4 also expects developers to make a positive contribution towards achieving a net gain in biodiversity.

Conclusion

In summary, CPRENEY welcome the opportunity to comment on the proposed development for change of use at Bowland Fell Holiday Park, Tosside.

CPRENEY objects to the proposed development at this location on the grounds that it is considered that the scale of the proposal at the already substantial site is inappropriate within the setting of the Forest of Bowland AONB and the surrounding PROW network. Further, the applicant has not provided any information in relation to the protection of dark skies or the provision of net gains for biodiversity. As such the proposals are contrary to both Local and National Planning Policies where greater weight must be placed on the protection of the designated landscape than the support given through tourism related policies in the adopted LP when undertaking the planning balance and determining this proposal.

Should any further information be submitted in support of the proposals, CPRENEY reserve the right to comment further.