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East Riding of Yorkshire Council
FAO Mr Gareth Jones - Planning Officer
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27 March 2024

Dear Mr Jones

Ref; Objection to planning application 24/00390/PLF - via email

Please see below Allerthorpe Parish Councils [APC] objection to the above planning application submitted on 09/02/2024 by Allerthorpe Golf and Country Park Limited [ACGP] for "Full planning permission for the siting of 12 static caravans together with landscaping and infrastructure works" [the Application]

1. Introduction

- 1.1 This Objection is submitted on behalf of APC in respect of the Application and the proposed development at this property, AGCP.
- 1.2 The Application was received by ERYC on 09 February 2024 and validated on 20 February 2024; it seeks approval of a further 12 static caravans with landscaping and infrastructure works on top of the initial 150 caravans/lodges appealed application DC15/03678/STPLF/STRAT and the subsequent 75 static caravans' application 21/0017/PLF both approved.
- 1.3 The APC's detailed grounds of objection to the 2024 Application are set out below in 4. It is considered that the Application should be refused by ERYC due to each of these grounds.

2. Executive Summary

2.1 The APC feels that the following material planning reasons apply in order for the Planning Committee to refuse permission;

2.2 The Neighbourhood Plan, a widely consulted upon and legally approved document by ERYC and the Parishioners of Allerthorpe policy ANPO7 states *that*:

2.3 Development proposals for the use of land for stationary lodges, mobile homes or Caravans (residential or touring) will be supported subject to the following criteria:

2.2 *"They would preserve or enhance the character or appearance of the Allerthorpe Conservation area."*

2.3 *"They are of an appropriate scale to their locations and will not result in an unacceptable cumulative impact of holiday accommodation within the neighbourhood area."*

2.4 *"it will not involve an unacceptable loss of Open Space"*

3. History of the site - 2024 Application documents and relevant observations

3.1 The planning history chronology is attached to this objection at Appendix A

3.2 The APC considers that the 2024 Application submitted documents which present a 'selective view' of the history of the site and as such we have the following to say as a general 'levelling up' of this stated position by AGCP;

3.2.1 Tree Survey – The APC have asked the enforcement team at ERYC to compare the agreed 2015 Application conditions of quantum of Tree felling scheme to ascertain if this has been adhered to. And so, any proposed Tree felling contained within this 2024 Application the APC respectfully asks for this proposal to strictly condition, and also closely monitor this, in the event of this application being granted.

3.2.2 It is noteworthy that this 2024 Application has been conveniently submitted prior to the commencement of the Biodiversity Net Gain requirements which came into law on 12 February 2024.

3.2.3 The submitted JBA Flood Risk Assessment and the Technical Note, dated 31 May 2023, states incorrectly throughout that the 2024 Application is proposing *13 additional caravans*, which is incorrect, as it is for 12 additional caravans.

3.2.4 The APC understands that Yorkshire Water have been consulted in regard to the adequate discharge of surface water and of Foul waste for this 2024 Application. Yorkshire Water have replied have made certain conditions which are; *'The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed'* of which we would like to make comment upon as follows;

3.2.4.1 Contained within the JBA 31 May 2023 Technical Note, it deals with surface water in Sections 4/5. Due to Yorkshire Water wishing to condition and separate the site's additional surface water from the foul discharge, specifically in not having this ultimately flowing into the current site's foul disposal which is currently using a private rising sewer main. This seems sensible and the APC does not comment further on this surface run off.

3.2.4.2 However, in regard to some of the statements made by JBA in Section 6 of their Technical Note, APC feels the reader of this report may be left somewhat unclear as to the actual timeframes of the method of discharge of the site foul sewage as of 2019.

3.2.4.3 JBA have stated that an Environmental Agency Permit was used previously as a temporary method for the discharge of the sites foul sewage until a private pumped rising main sewer was constructed. This private rising main sewer was in fact constructed in 2019 by the former owners of the site and the APC understand that the site has been using this rising main sewer since this date.

3.2.4.4 What is of ongoing concern to the APC and (together with many of the residents who have had this site's private rising main sewer pipe installed allegedly within their property curtilage) is who would be responsible in the event of any spillage or environmental issue. To all intents and purposes this rising main sewer is unadopted by Yorkshire Water and is currently disposing waste of up to 225 lodges and caravans. The APC appreciates that the legitimacy (or otherwise) of the existing sites foul waste disposal method will ultimately be resolved by an ongoing civil court case being progressed by the affected residents against the former owners of the site. Although not strictly a planning matter the APC wanted to clarify that the waste disposal capacity currently being used by the site and to ask the Planning Officer to clarify if Yorkshire Water deems the current size of the existing mains sewer pipe to be capable of coping not just with the existing 225 disposal but also the additional 12 Caravans waste disposal proposed within the 2024 Application.

3.2.5 The Highway Development Management Officer has stated that the *visibility splays at both the existing accesses are adequate for the additional proposed use and vehicle flows on Melbourne Road consequently the use of these accesses do not raise any significant road safety issues and furthermore, no injury accidents have been reported over the period of 2018-2022 close to the access points which indicate the accesses are working safely.* However, as stated in greater detail below, there has in fact been a very serious, high-speed fatality very close to the entrance and exit entrance of this site and the Highway Development Officer has been informed of this and will review and correct this comment.

4. Grounds of Objection

4.1 In 2014 ERYC Planning Committee properly resolved to refuse the AGCP 2014 Application 14/03238/STPLF for siting of 225 lodges and caravans on the basis that 'the proposal' ***by virtue of its size and scale would be inappropriate for the location...and therefore have a significant adverse impact of the character and appearance of the area***" We believe that this view was correctly formed by Planning Committee members following a informed site visit to the Property and the surrounding area and the APC believes that this size and scale resolution is still very applicable in this herein 2024 Application.

4.2 In 2015 and following this failed 2014 Application the AGCP submitted a lesser quantum for 150 lodges, caravans and associated landscaping works, the 2015 Application (15/03678/STPLF) and once again the Planning Committee members resolved to refuse

this application on the basis that ***the size and scale*** of the scheme was wholly inappropriate for the location and would have a significant adverse impact on the character and appearance of the area.

- 4.3 Although the 2015 Application was subsequently approved on appeal and by way of written decision dated 13 June 2017 following a 4-day much contested public inquiry (Planning Inspectorate reference 3151708) (**“the Appeal Decision”**). Some of the key conclusions made by the Inspector are highlighted in this objection. However, what was made clear in the Inspector’s findings were made in the context of (and limited to) the scheme before her for consideration, namely (amongst other matters) the siting of *150 lodges and caravans on the Property*.
- 4.4 A further February 2019 application, the 2019 Application (19/00586/STPLF) for 75 static caravans plus outline approval for an erection of an extension to the existing clubhouse building adding extra leisure facilities, was withdrawn just prior to this being before the ERYC Planning Committee considerations.
- 4.5 AGCP in January 2021 submitted another very similar application, the 2021 Application (21/00107/PLF) for change of use of land to allow the siting of 75 additional static caravans and the formalisation of the existing access road and gas tank compound (retrospective permission). This was approved on 29 April 2021 despite a very robust, detailed objection by the APC. This resulted in the siting of up to 225 lodges and caravans which was the quantum of the AGCP first planning application in 2014 which was refused by the ERYC.
- 4.6 Importantly, it should be remembered that in the AGCP 2014 Application they originally applied for 225 and then subsequently amended this down to 150 lodges and caravans to be heard by the Appeal Inspector. The AGCP have, in their 2021 Application, crept this back up to their original proposed 225 lodges, and now wish in this 2024 Application to increase this yet again with another 12 caravans.
- 4.7 The APC finds both of these not so subtle, incremental increases in the 2021 Application of an extra 75 lodges and caravans and now this additional 2024 Application for 12 caravans, not to accord and to have an adverse impact upon character and appearance with ERYC’s own much considered and adopted in ‘**Development Plan**’ and the four-year in depth consulted upon Allerthorpe Neighbourhood Plan 2019-2034 (**“the Neighbourhood Plan”**) agreed on 08 January 2020.
- 4.8 The Development plan polices seeks to ensure development proposals are only permitted ***where they are appropriate to their surroundings and respect local character***. The Property is located outside of the defined Allerthorpe settlement limits and is situated within open countryside for policy purposes. Policy S4 of the Strategy Document states that proposals will be supported outside of settlement limits where (amongst other matters) ***“it is of an appropriate scale to its location taking into account the need to support sustainable patterns of development”***.

- 4.9 In summary the APC does not believe that any further increase in caravans to this site is considered sustainable and is not appropriate in scale and location, especially when you take into consideration that Allerthorpe Parish already has two other very close caravan sites, Lakeside Park and Conifer Lakes.
- 4.10 Paragraph B of policy EC2 of the Strategy Document adds that tourism development will be supported in the countryside “*where the scale and cumulative impact (of the proposal) is appropriate for the location*”.
- 4.11 Policy ENV1 further states that all development proposals should “**contribute to the safeguarding and respecting the diverse character and appearance of the area**”. The APC feel that a further 12 caravans mean a further loss of important open space due to large areas of concrete slabs being laid. This does not accord with this ENV1 important policy.
- 4.12 The APC also strongly believes that anything over and above the already agreed 225 quantum of lodges and caravans will have a long-standing detrimental effect and dwarf the character and the quaintness of just 95 residential homes in Allerthorpe Parish.
- 4.13 Policy ANP07 of the Neighbourhood Plan further states that proposals for stationary lodges, caravans, or mobile homes will be supported subject to satisfaction of various criteria, including (amongst other matters):
- they would not result in an unacceptable impact on the highway network or highway safety;
 - they would preserve or enhance the character or appearance of the Allerthorpe Conservation Area;
 - they can be satisfactorily accommodated within the countryside;
 - they are of an appropriate scale to their locations and **will not result in an unacceptable cumulative impact of holiday accommodation within the neighbourhood area**; and
 - they promote sustainable modes of travel appropriate to the location of the site and its size
- 4.14 The APC believe that the increase of another 12 caravans with the possible resultant two cars per caravan, will have an adverse effect on existing, heavy increased traffic for the Parish of Allerthorpe and does not accord to sustainable modes of transport.
- 4.15 Paragraph 5.5.4 of the Neighbourhood Plan expressly recognises the Appeal Decision as having granted planning permission only for the provision of **150 lodges and caravans to be sited at the Property**.

- 4.16 The APC and their much consulted upon and agreed by ERYC Neighbourhood Plan, therefore acknowledges, and accepts that these 150 numbers of units was eventually going to be erected on the Property in the future. However, going forward to any future consideration as to whether an additional 75 lodges and static caravans sited and agreed in the 2021 Application and then on top of this another 12 caravans at the Property would be acceptable plainly engages the requirements of policy ANP07, with each of the bullet points to that policy required to be assessed in the particular context of this 2024 Application.
- 4.17 As was noted by the inspector determining the 2015 Application, Allerthorpe is a small quaint village with 95 houses. The settlement has a linear form which follows the main road, and which is fronted by attractive and traditional cottages. It has a “peaceful and rural character” which is drawn from the context of its surrounding open countryside. The village’s population was last officially recorded in the 2021 census to be 230.
- 4.18 The additional 12 caravans sought in the 2024 Application, albeit seemingly small in number, will we believe, have a cumulative significant and detrimental impact upon many cherished factors which historically have depicted the character and appearance of Allerthorpe village and its quiet tranquil surroundings.
- 4.19 One such example of this is the site does not have any safe public footpath for its visitors to walk to the Parish of Allerthorpe, and families with children in prams have been seen walking on the busy unlit, fast road to Allerthorpe when visiting the village pub or to walk to the nearest bus stop located some distance away in Pocklington.
- 4.20 The APC is also aware that the ERYC has one of the largest occupancies of holiday caravan parks in Yorkshire and the potential for abuse in these holiday use homes becoming a permanent address, along with the necessary enforcement by ERYC of them is an ongoing issue we understand.
- 4.21 The submitted Transport Plan at (3.1.2) confusingly states; ***Melbourne Road is subject to a 30mph speed limit within the village of Allerthorpe, to the north-east of the site Melbourne Road connects with the A1079 and Hodsworth Lane in the form of a four-arm priority-controlled roundabout approximately 1.7km from the primary site access.***
- 4.22 However, what the report fails to mention. which the APC feel is very material, is that the main entrance /exit way to the site resides on a very dangerous, national speed limit section of the Melbourne Road which is at least 1km in distance before you reach the Allerthorpe 30 mph speed limit. An incredibly sad motor bike fatality occurred last year on an unbelievably bad hairpin bend just prior to the site entrance/exit.
- 4.23 The current owners of the site have themselves requested the help of the APC in asking for the ERYC highways to consider limiting the speed to 40 mph on the 1 km stretch of road which borders their site. The APC agrees that this entrance and exit section of Melbourne Road is very hazardous and would support a 40-mph speed limit especially for any visitors walking to and from this site to Allerthorpe Parish or onto Pocklington.
- 4.24 The Transport report also states in 3.2.4 that there are access routes for visitors via Waplinton Lane to the West of the site, however the APC and its nearby residents have

not seen any evidence or use of this route being taken from the site by its visitors who mainly use the busy and hazardous Melbourne Road with a national speed limit.

- 4.25 The APC has also not seen any evidence of a shuttle bus which the site was conditioned to have put into place within their 2015 Application transport plan.
- 4.26 There has also been recorded incidents of anti-social behaviour in the Parish of Allerthorpe where Police have been called arising, we understand, from visitors from this site. APC Councillors have personally witnessed anti-social behaviour instances which they believe is sadly affecting a once very tranquil and peaceful village.
- 4.27 The total number of units now proposed by the 2024 Application would be 237 which the APC feels far exceeds the total number of households within the neighbourhood area, and the occupancy of these units to capacity would result in a higher number of residents to the permanent population of the village. This increase of 12 caravans would therefore plainly result in an imbalance in the local community between the holiday-related population and the resident population in the village the kind of which is expressly referred to at paragraph 5.5.5 of the Neighbourhood Plan, and to which policy ANP07 of the Neighbourhood Plan very much seeks to prevent.
- 4.28 The development is of a wholly inappropriate size and scale for its location and would result in significant harm to the character and appearance of the area. Indeed, the inspector determining the 2015 Application expressly noted at paragraph 57 of her Appeal Decision that in the context of that scheme, a condition ***“limiting the number of units on the Property to 150 was considered necessary in order to ensure (amongst other matters) that a satisfactory layout and appearance for the development could be achieved”***.
- 4.29 The golf facilities on the site have been reduced down from an 18-hole course to that of a 9/11-hole course due to the increased quantum of lodges and caravans.
- 4.30 Policy ANP07 of the Neighbourhood Plan further states that development proposals for use of land for lodges, mobile homes, or caravans will be supported where (amongst other matters) they would *“not involve an unacceptable loss of any open space as designated in policy C3 of the Strategy Document”*.
- 4.31 It is clear that the 2024 Application additional caravans would result in a loss of open space.
- 4.32 ERYC Open Space Area Supply Report (2020) identifies Allerthorpe as having a shortfall in provision of all types of open space, including amenity green space (-0.13 hectares) young people’s recreation play (-238 hectares), natural space (-0.26 hectares), outdoor playing pitches (-0.26 hectares), and parks / gardens (-0.04 hectares). The additional 12 caravans proposed by the Application would exacerbate this shortfall by removing further open space land from this designation without any replacement or compensatory facilities being secured.
- 4.33 The 2024 Application would similarly conflict with paragraph 97 of the National Planning Policy Framework, which envisages that existing open space should not be built on unless one of the requirements of parts 1 to 3 of policy CS3 are satisfied. Rather than preserve the current extent of allocated open space, the Development would involve piecemeal

erosion of such land, further exacerbating existing shortfalls in provision and undermining policy targets.

- 4.34 The Inspector determining the 2015 Application attached a condition to that permission limiting the number of units on the Property to 150 so as to (amongst other matters) ensure retention of sufficient areas of open space (see paragraph 57 of the Appeal Decision). The 2024 Application now before the ERYC envisages the construction of additional lodges to that already approved by developing open space land, and without any compensatory or replacement provision. The proposals materially conflict with local and national policies for these purposes, and APC respectfully asks for and on behalf of its residents that if the four-year in depth consulted upon Allerthorpe Neighbourhood Plan 2019-2034 has any meaning whatsoever, this 2024 Application ought to be refused for the above material considerations.

4 Conclusions

- 4.1 For the reasons detailed above, the APC believe that the 2024 Application would conflict with the statutory laid down and much consulted upon Development Plan and the agreed Neighbourhood Plan and request that the application be rejected on this material basis.
- 4.2 The additional 12 caravans proposed would result in an inappropriate size and scale of development in the context of the local area and would continue to cause incremental ongoing harm to the village of Allerthorpe.
- 4.3 If this 2024 Application was to be approved, then it would conflict with Policy C3 and ANP07 and be endorsing an out of size and scale holiday park containing double the number of holiday lets to the number of households within the Parish of Allerthorpe. The imbalance of this ever-encroaching community would continue to be felt by the parishioners of Allerthorpe and nearby Waplinton which is clearly not sustainable nor, is it in any agreed and consulted Development Plan or Neighbourhood Plan.

Yours sincerely

Jane Smith

Jane Smith
Clerk for and on behalf of the Allerthorpe Parish Councillors
Att Appendix A

Appendix A

Reference	Description	Decision
14/03238/STPLF	Change of use of land for the siting of 225 lodges and static caravans (for holiday use only) with associated access, hard and soft landscaping, drainage and engineering works	Refused 9 th June 2015
15/03678/STPLF	Change of use of land for the siting of 150 lodges and static caravans (for holiday use only) with associated access, hard and soft landscaping drainage and engineering works (Re-submission of 14/03238/STPLF)	Refused 10 th March 2016 Appeal Allowed 13 th June 2017
19/00238/STPLF	Lying of private foul sewer to serve holiday park	Approved 9 th August 2019
19/00586/STPLF	Hybrid Application consisting of Full Planning Permission for: 1. Change of use of land for siting of an additional 75 holiday static caravans and associated works; 2. Re-location of maintenance building; 3. Construction of outdoor sports pitched, golf training rea, attenuation pond and alterations to internal access road; and Outline Planning Permission for: 4. Erection of an extension to existing clubhouse to provide spa, gym and indoor sports facilities (all matters reserved).	Withdrawn 8 th October 2019
21/00107/PLF	Change of use of land to allow the siting of 75 additional static caravans and the formalisation of the existing access road and gas tank compound (retrospective permission), with associated landscape and infrastructure works.	Approved 4 th of May 2021