

## Kirkby-in-Cleveland Parish Council

Clerk to the Council – Mrs. Gillian Lane

kirkbyparishclerk@hotmail.co.uk

### **Planning Application 09/03847/FUL**

### **Change of use of agricultural land to caravan park to site 15 additional static caravans for all year round holiday use and the construction of an amenity building**

Kirkby-in-Cleveland Parish Council wishes the following points to be presented to the Planning Committee in addition to their previous representation submitted on 22<sup>nd</sup> December 2009 in support of their request that the above planning application be refused:-

The site visit for today (04/01/10) has had to be cancelled due to the road conditions causing inaccessibility of the site. This has been the case since 17<sup>th</sup> December and the weather forecast does not show any improvement in the immediate future. This supports the Parish Council's argument that this site is too remote to support CP2 which states that 'development and the provision of services should be located so as to minimise the need to travel'

It is also our contention that it is impossible to prove the sustainability of the site when it can be inaccessible for such a long period. On page 2, para 2 of their letter dated 15/12/09, England and Lyle state 'The proposed extension to Toft Hill caravan site, justified by increased demand, would provide additional revenue which would then be recycled into improvements to facilities and services at the site to meet the demands of its users and ensure its overall sustainability as a tourist facility.' The Parish Council challenges the statement 'justified by increased demand'. This is merely the opinion of the applicant's agent. Recent planning applications dealt with by Kirkby Parish Council have been for the change of use from holiday accommodation to some other use for two properties, - 08/01743/FUL and 98/50705/P - indicating that there is not sufficient need for holiday accommodation in Kirkby Parish to make them sustainable in that capacity. A survey of local holiday accommodation conducted by people from Kirkby and sent to you in response to this application ascertained that in the area there is a low occupancy rate for all types of holiday accommodation including self-catering caravans. Has the applicant provided evidence to show that extra accommodation is needed in Kirkby Parish, since under CP4 development in other locations, i.e outside development limits, 'will only be supported when an exceptional case can be made for the proposal in terms of CP1 and CP2 and where it is necessary to meet the needs of ... tourism... and will help to support a sustainable rural economy'.

It is our contention that this exceptional case has not been made since there are no identified tourism needs in the Parish of Kirkby, nor does it support a sustainable rural economy, added to which it does not satisfy the terms of CP1 – 'the use and development of land will be assessed against the community's ...economic and social requirements, protection of the natural environment and minimisation of the need to travel.' This application should

be rejected because it is detrimental to the social requirements of the community since it does not 'protect and enhance the health, economic and social well-being, amenity and safety of the population (CP1 iii).

The extra hazards caused by increased traffic movements generated by this development affects the recreational facility and amenity provided by Hill Road for the whole of the population of Kirkby-in-Cleveland (CP1 iii), there are no community local economic requirements satisfied by this development (the applicant is from outside the area and the community will not benefit in any way from it) (CP1 iii),

the natural beauty of this area of the North Yorks Moors both on the approach from Kirkby and when walking on the paths above this site will be damaged (CP1 ix – proposals should protect and enhance the character and quality of local landscapes and the wider countryside and (CP1 x) the distinctiveness, character and setting of settlements), and this development is not located so as to minimise the need to travel (CP2), quite the opposite.

The applicant's agents also state that the expansion of the caravan park 'would provide additional revenue which would then be recycled into improvements to facilities and services at the site to meet the demands of its users and ensure overall sustainability as a tourist facility.' Upgrading of the current amenity building on the original caravan park site is all the facilities needed if it is to remain 'a small secluded caravan park' as described in the Kirkby-in-Cleveland Village Design Statement, one of your Supplementary Planning Documents, suitable in size and scope close to the secondary village settlement of Kirkby-in-Cleveland of approximately 85 dwellings. This would be all the upgrading needed for the caravan park to 'meet the demands of its users' yet at the same time retain the amenity value of Hill Road as a recreational facility for all the residents of Kirkby village.

Kirkby Parish Council does not want to see the road upgrading – this is the old route to the Moors and further to Chop Gate from Kirkby, and the people of Kirkby from time immemorial have used this route to the hills. There is no other route to the North Yorks Moors from the village of Kirkby – no parallel footpaths, the residents of Kirkby have to use Hill Road as their footpath to access the hills. Any upgrading would render the road less safe for pedestrian users. The Kirby, Great Broughton and Ingleby Greenhow Local History Group have in the last two years used funding and volunteer labour to renovate the old trod on the Moors just above Kirkby known as The Pannierman Way and a continuation of Hill Road, an indication of how important this route is seen as providing a historical context to the village and the use of the Moors by local people, alum miners and jet miners. Hill Road is part of the setting and character of Kirkby-in-Cleveland and any alteration would be detrimental to the setting and character of the village. The Parish Council was very concerned to see in England & Lyle's letter to Mrs. B. Robinson dated 18/12/09, second bullet point, that their client 'is willing to provide passing points on Hill Road to facilitate traffic to and from the caravan site and Kirkby village. Please provide details on cost and number so that the client can begin making preparations.' We sincerely hope that no such details

have been provided in advance of the application going before the Planning Committee and would request the planning department tell the applicants not to undertake any work in relation to this application until a decision has been reached.

Kirkby Parish Council is also concerned about the proposed soakaway unit. There is already a problem with excess surface water on Hill Road running down and causing flooding along Busby Lane in times of heavy rain, and it is feared that this unit could exacerbate this problem. But there is also a perceived problem in dry seasons when the level of water in West Beck is severely reduced. At such times the position of the soakaway on higher land than West Beck would mean that the effluent from the soakaway would run into the Beck and pollute the water for the cattle drinking lower down. As the water level is reduced the pollution would be proportionately higher. As Kirkby Parish is predominantly in agricultural use this application could be detrimental to the main source of employment in the area.

Kirkby Parish Council is also concerned that if this application were to be granted, it would set a precedent for other development along Hill Road to the further detriment of the people of Kirkby. There has already been a canvassing of opinion of residents of Hill Road about another possible development prior to a planning application being put in, so this is a very real concern.

The planning officers do not appear to have taken seriously the concerns of the Highway Authority and the reasons they have given for wishing to see this application REFUSED (Statutory Consultation dated 17/12/09). What is the point of having a Statutory Consultation if the recommendations are going to be ignored? England & Lyle in their letter dated 15th December to Mrs. Robinson, page 2 Highways state that 'it is our view that the application represents a relatively modest, small scale extension . . . which is unlikely to increase traffic generation beyond unacceptable levels.' That is exactly what it is, their view, and they clearly believe that they have more expertise than the Highway Authority in what is likely to cause a traffic hazard. For their part the Highway Authority consider that neither Hill Road nor the junction in the middle of Kirkby are adequate for the intensification of use resulting from this application and it is therefore unacceptable in terms of highway safety.

Also what is a 'modest' extension – the proposed development increases the number of caravans by 50% which with the permission for all year round occupancy which was granted earlier this year amounts to a 300% possible increase in traffic activity. This hardly seems modest. And the proposed new access road allows access not only to the proposed development but also to the whole of the rest of the land the applicant owns. It is the Parish Council's fear that if this application is granted the applicant would then put in future applications to extend the caravan site even further thus affecting even more greatly the amenity for Kirkby villagers and the natural beauty of the area. Please remember there are only about 85 dwellings in the village of Kirby. Planning application 07/00497/FUL for change of use of agricultural land to domestic use within Kirkby was refused 'due to it not serving either a social or

economic need for a rural community' and because 'a refusal would also prevent the cumulative effect of sporadic development'. It is our contention that this application should also be refused on both these grounds.

Finally, the application includes a landscaping /screening plan for the site. This will take at least 20 years for the planting to develop the necessary density and height to give the necessary cover. The replacement hedge planted outside the new Church Hall in Kirby in 2000 is still not dense enough to warrant the removal of the supporting fence. Clearly if this development is allowed it will harm the natural beauty of the area for many years to come, whatever landscaping is planted.

It is for the above reasons, and all the reasons in our representation of the 22<sup>nd</sup> December 2009, that Kirkby parish Council wishes to see this application refused.

Mary Frew  
Chair  
Kirkby-in-Cleveland Parish Council