

COMMITTEE REPORT

Committee: Planning Committee
Date: 30 August 2007

Ward: Derwent
Parish: Dunnington Parish Council

Reference: 07/01335/FULM
Application at: Dunnington Lodge Elvington Lane Dunnington York YO19 5LT
For: Use of land for a Maize Maze with conversion of farm buildings to associated stores, offices and farm shop including construction of toilet building and 200 space car park (part retrospective) (resubmission)
By: Mr Tom Percy
Application Type: Major Full Application (13 weeks)
Target Date: 5 September 2007

1.0 PROPOSAL

1.1 Planning permission is sought to relocate the York Maize maze visitor attraction currently situated adjacent to the Grimston Bar Park and Ride to Dunnington Lodge Farm off Elvington Lane. The reason for the relocation is down to a lack of car parking and facilities at the existing site and the fact that the existing site and its adjacent land is to form part of the extension to the University of York campus which has recently been approved. The applicant has indicated that this is the last year in which the maze can operate at its present location.

1.2 The application site takes its access from Elvington Lane. It will utilise the existing entrance, albeit upgraded. A bus stop is to be provided close to the entrance to the site. The existing farmhouse stands on the northern boundary of the site adjacent to Elvington Lane and no work is proposed to this as part of this proposal.

1.3 The proposal sees the creation of a 200 bay car park to the south of the farmhouse adjacent to Elvington Lane, the use of the range of existing farm buildings and farmyard area to provide a ticket office, shop, cafe, animal pens, toilet facilities and play areas and the creation of the maze in a field to the east of the proposed car park. The applicant anticipates that the venture will provide employment for 15 people during the season.

1.4 The site is in the Green Belt.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYGB1
Development within the Green Belt

CYGB3
Reuse of buildings

CYGP4A
Sustainability

CYGB13
Sports facilities outside settlements

CYT5
Traffic and pedestrian safety

3.0 CONSULTATIONS

3.1 Highway Network Management.

A full Transport assessment has been submitted with the application. Officers had initial concerns and requested further information on likely traffic generation based on experience of the existing site. Upon receipt of this offered the following comments.

'The proposal is for the relocation of the existing Maize Maze, currently located adjacent to Grimston Bar Park and Ride to Elvington Lane. The application has been supported by a Transport Assessment which has demonstrated that the traffic associated with the development will not have a detrimental impact on the surrounding highway. Due to the nature of the site and growing of the crop the site will only operate for approximately 8 weeks a year.

Access to the site is to be taken from Elvington Lane via an existing access which is to be upgraded. The applicant has confirmed their willingness to fund minor highway improvement works consisting of localised widening to enable through traffic to pass right turning vehicles entering the site. Brown tourism directional signing is also proposed as part of the highway works.

The applicant is also funding the provision of two bus stops consisting of a 1/2 lay-by, associated hardstanding and 900mm footway linking the bus stops to the site in order to promote sustainable travel.

No objections are therefore raised subject to conditions.'

3.2 Landscape Officer.

No objections, provided that the car park area is retained as reinforced grass and used only for the purposes of the application; and provided that the applicant would

not have the right to pave it without further planning permission because it is a large surface area which would otherwise have a permanent visual impact on the character of the greenbelt. Similarly any lighting columns would also have a significant impact and should be prevented.

The reinforced parking area without cars has no detrimental impact on the greenbelt. It is the presence of the cars that will create the impact, which will be temporary and seasonal.

If minded to approve the application recommend that LAND 1 is included in order to secure some additional native evergreen planting, i.e. Holly, Yew, Scots Pine, between the coach parking bays and the edge of the north east boundary adjacent to Elvington Lane. Despite there already being a hedgerow plus trees, there are some triangular patches of remaining ground that could be planted up to reinforce the screening

3.3 EXTERNAL

3.4 Elvington Parish Council

Support the application but comment as follows:

Sufficient parking should be provided for the anticipated level of demand - because there should be absolutely no road parking.

Directions should be issued regarding the placement of signage.

Also wish to highlight that even more traffic will be using an already very busy 'B' road.

3.5 Dunnington Parish Council

No objections.

3.6 Highways Agency.

No objections

3.7 Foss Islands IDB.

The site lies within the Board's District within the catchment of Acomb Drain.

The site is stated as being served by a cess tank plant for the disposal of foul water. There is no indication as to where this discharges (if at all). If the proposed method of disposal is to soakaway then the comment below with regard to the method of surface water disposal applies, should the discharge be to a ditch or watercourse then this Board wishes to be reconsulted.

The suitability of new soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 and to the satisfaction of the Approving Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained.

The suitability of any existing soakaway to accept any additional flow that could be discharged to it as a result of the proposals should be ascertained. If the suitability is

not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained.

The applicant has commented as follows on this:

The only additional flow from the proposals will be from the toilet block; the intention is to collect this water and use it to augment the water for flushing, therefore there will be no change to the volume discharged to the existing soakaway and no new soakaways are proposed.

3.8 Third Parties.

Neighbours were consulted by letter, a site notice was placed close to the site entrance on the road side and the proposal was advertised in the newspaper. No objections received.

4.0 APPRAISAL

4.1 KEY ISSUES.

- Green Belt
- Highways safety
- Sustainability.

4.2 Green Belt.

The site is in the Green Belt where there is a general presumption against new development unless it is in connection with uses defined in PPG2 (Green Belts). One of the purposes of the Green Belt is to provide opportunities for outdoor recreation near urban areas and the type of use here would fall under this category and therefore this type of use represents an appropriate form of development in the green belt. However, such development and use of land is considered inappropriate unless it maintains openness and does not conflict with the purposes of including land within the green belt. Any new buildings proposed would have to be essential facilities in connection with the proposed use and which preserve the openness of the Green Belt.

4.3 Policies GB1, GB3 and GB13 of the City of York draft Local Plan reflect Government guidance in PPG2 with regard to leisure based development in the Green Belt, the use of land and the re-use of existing buildings. The proposal here involves the re-use of existing buildings and land and some modest new build.

4.4 Re-use of buildings.

Para. 3.8 of PPG2 says that the re-use of buildings inside the Green Belt is not inappropriate providing:

- it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it
- Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt.

- The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction.
- The form, bulk and general design of the buildings are in keeping with their surroundings.

4.5 There is a range of six existing, traditional farm buildings on the site and these are all been utilised for the purposes of the proposed development. Of these buildings only one is to be extended - this by way of a small lean to extension to the west elevation of the existing 'milking shed'. However this extension is very small and is seen in the context of the existing building and has no impact on the openness of the Green Belt. The remainder of the buildings have been subject to essentially minor cosmetic changes i.e: new windows and doors and rebuilding and recladding where needed. Much of this work has already been carried out and it is the officers' opinion that the re-use of these buildings does not impact on the openness of the Green Belt. It is presumed that outside of the maize maze season these buildings could resort back to the agricultural needs of the holding / applicant.

Proposed use of land.

4.6 With regard to the proposed use of the land, Para. 3.12 of PPG2 states that the carrying out of operations and any material changes in the use of the land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. With regard to the maize maze itself it largely involves leisure based development which takes place within an agricultural crop, being grown for agricultural purposes. The crop is to be grown anyway in connection with the established agricultural use of the land and the only difference will be that there will be pathways through the crop. The creation of the maze itself will not harm the openness of the Green Belt.

4.7 However, the ancillary impacts of the development also have to be considered and in this case the use is likely to attract very high visitor numbers and given its location, a high number of car borne visitors. From information submitted by the applicant the existing facility attracts in excess of 50 000 people each year during the approx 3 month duration it is open. If this is repeated here it will result in a significant number of cars parked on the site and this does have the potential to harm the openness of the Green Belt. However, the maize maze use is limited to a few months of the year and the hours of opening are generally limited to daytime only. Of biggest concern visually is the car parking arrangements given the very high car borne visitors. A 200 car capacity car park has already been created in the field to the south of the farm buildings adjacent to Elvington Lane. An overflow car park area has been designated in the next door field in the case of the main car park being oversubscribed. This is not expected to be required very often and will be retained as a grass field. The designated main car park area is an extensive area of land that is visible from the public highway. The car park has been established using a recognised mat system of meshed material that allows the grass to grow through whilst still creating a hard surface. This has already been carried out and from the main public views from the highway; the area in question does resemble an established grass field. There are established and mature hedges and trees along the south eastern boundary of the site along Elvington Lane and these will help to screen the area to some extent. Conditions are recommended (12 and 13) to enhance this planting and ensure that no existing hedges or trees are lost, unless

agreed by the Council. There will clearly be a visual impact when the car park is in use but this is limited to daytime use (except for the occasional night-time event centred around the maze) and will be for a limited period of the year only. Given the above, officers do not consider the extent or the use of the car park to be significantly harmful to the openness of the Green Belt.

4.8 As an additional attraction the applicant has provided a play area. This stands between the range of buildings and the proposed position of the maze. This is already on the site and it consists of relatively low-level timber play equipment such as slides, climbing frames etc. Such a use falls within an outdoor recreation use and is therefore considered to be an appropriate use in the green belt. Again therefore the use needs to be assessed against Para. 3.12 of PPG2 and consideration given as to whether the play area harms the openness of the Green Belt. The play equipment is low level and uses natural materials. Although occupying quite a substantial area of land it is situated behind the buildings and although visible from the road, it will not offer clear and uninterrupted views from the main public vantage points. Given its low level nature, officers do not consider it will be harmful to the openness of the green belt although there is a degree of permanence to the facility which is unfortunate given that the maze use will be limited to approx. 3 months of the year.

4.9 Two large 'play teepees' are proposed to the west of the farm buildings and these measure 10 metres in diameter x 8 metres high and these will stay up whilst the facility is open. They will stand on newly installed timber decking. Whilst these are quite substantial in size, the farm buildings will stand between them and the road and they will largely screen the teepees from view. Officers are prepared to accept these given their temporary nature but recommend a condition that they are taken down once the maize maze has closed. The timber decking has already been put down in order to form a safer and more substantial surface for the public to walk on than the concrete footprint of the farmyard. Whilst this type of surface would not normally be found within a range of farm buildings, the impact on the openness of the Green Belt is minimal as it is largely flat to the ground and is close to the existing range of buildings and hard standing.

4.10 New build.

The erection of new buildings in the Green Belt is generally inappropriate unless it is in connection with the uses as described in Para. 3.4 of PPG2. In this case, essential facilities in connection with outdoor recreation uses which preserve the openness of the Green Belt are considered appropriate providing they preserve openness. Other than the small-scale extension to one of the existing buildings, the only new development would be the erection of a single storey building for toilet facilities. This building measures 14.4 metres x 4 metres x 3.6 metres and will stand to the south of the existing buildings, adjacent to the access driveway and car park. It is modest in size and resembles a stable block in appearance. Whilst the proposed maze use will be limited to approx. 3 months of the year, given the high numbers of expected visitors, officers consider it to be reasonable to provide more permanent toilet facilities. Temporary portaloos accommodation is provided at the existing site and this can be inadequate when there are large numbers of visitors. The proposed building stands within the concrete apron of the farmyard and will be viewed in this context.

Officers consider that this building is an essential facility in connection with the maze and will not be harmful to the openness of the Green Belt.

4.11 Highway Safety.

A full traffic impact assessment has been undertaken and this has been assessed by both the Council's highway officers and the Highway Agency. The main issue is the impact on highway safety as a result of the increase in traffic along Elvington Lane (B1228), which is a long straight stretch of road, subject to the national speed limit of 60mph. The highway comments of the Council's highway officers are included in section 3.2 of this report and members are referred to these. Officers were particularly concerned about southbound vehicles stopping in the carriageway and waiting to make a right turn into the application site given the relatively high speeds of vehicles travelling along this road. However following negotiations, the applicant has now agreed to fund the localised widening of the road by the entrance in order to allow through traffic to pass any stationary right turning vehicles waiting to enter the site. Even accounting for the likely increase in traffic along this road, this safety feature is considered sufficient to negate highway safety concerns. Two bus stops will also be provided, one on each side of the road in order to promote the use of public transport to the site and hopefully reduce the number of vehicles driving to and from the site. Three directional warning road signs will also be provided. Two of these will be approx. 150 metres either side of the entrance with the remainder at the site entrance itself. All will read 'York Maze'.

4.12 The Highways Agency were consulted after officers raised concerns over the impact of the additional traffic using Elvington Lane at the nearby Grimston Bar roundabout, approx 1.8 miles north west of the application site. This roundabout is under the control of the Highways Agency. The right turn onto Elvington Lane is off the A1037 slightly south east of the roundabout via a traffic light controlled junction with vehicles held in a right turn box. Concern was raised about the possibility of traffic backing up out of this box and out into the roundabout and causing congestion and possible danger. However this issue has been considered as part of the Traffic Impact Assessment and the Highways Agency have consequently raised no objections to the proposal.

4.13 Concern has been raised by Elvington Parish Council about the capacity of both the car park and its overflow addition. Based on visitor numbers last year to the existing site, the average number of cars needing to be accommodated at any one time is predicted to be approx 122. The main car park will hold 200 vehicles. The peak day last year for visitors at the present site was on the August Bank Holiday where 338 cars visited the site (throughout the course of the day) The car park and overflow area will provide spaces for approx. 620 cars and this is considered more than sufficient. There should therefore be no requirement for parking on the road.

4.14 Sustainability.

The attraction itself (in terms of the use of the maize crop) is a sustainable use of the land, although the need to visit the site by car is not. Whilst the site will be served by public transport it is acknowledged that the vast majority of the visitors to the site will be car borne. The use therefore generally encourages car borne travel and this is contrary to National and local policy which seeks to reduce the dependency on the use of the car, although it is accepted that this is now tempered by the proposed

provision of the bus stops. A maize maze type visitor attraction is strongly linked to agriculture and therefore often such a facility will be found in areas of open countryside where there will be a stronger reliance on the use of the private car. Such uses will therefore always be regarded as unsustainable to some degree.

4.15 However, the season of the maze is limited to the cycle of the crop which in this case would be limited to approx. 3 months of the year. The venture promotes a form of farm and economic diversification which government guidance and local policy encourages and is a strong tourist / visitor attraction in the area. It is a sustainable use of land and therefore the only issue would be environmental sustainability from increased traffic. However, this is offset by the fact that the existing buildings are proposed to be re-used, natural features such as the hedgerows and trees will be retained (and additional planted) and the play equipment has been erected using natural materials. The site / land will continue to be used for agricultural purposes. The applicant has stated that any effluent from the toilet facility will be collected in a tank and disposed of off site and all waste generated will be separated into the site bins and recycled. The public use of the land may reduce any possible spraying of the crop and this would offset the environmental issues raised by the short-term increase in car journeys to and from the site. Therefore, given the above, and in particular the yearly short-term use of the site, officers consider that the proposal is acceptable in sustainability terms.

4.15 The planning permission on the existing site was limited to the months of 1st July to 1st October and given its isolated location in the Green Belt and level of traffic generation, officers do not consider that a year round D2 leisure use should be permitted at this stage without further information as to what this might entail and the implications this might have. The applicant has not applied for any other use other than the maize maze and associated development. The maze use is self-limiting to the life cycle of the maize crop and a time restriction to reflect this is considered advantageous. It is therefore recommended that a similar time restrictive condition be placed here.

5.0 CONCLUSION

5.1 The use of the land constitutes an appropriate form of development in the Green Belt and any likely structures associated with the proposal are unlikely to harm the openness of the Green Belt. The use is generally limited to the daytime and the extent of the maize growing season and therefore the visual harm caused by the parking of cars will be short term. The proposal also includes the re-use of the existing buildings on the site and this is acceptable. The newly constructed toilet building is considered essential to the needs of the enterprise and does not harm openness.

5.2 Despite the increased traffic generation along Elvington Lane, the proposed highway widening works and directional signs will negate any concerns over highway safety.

5.3 Subject to conditions officers consider the proposal to be acceptable.

6.0 RECOMMENDATION: Approve

1 TIME1 Development start within five years

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing no's
-AL(03)001 rev D
-AL(03)003 rev C
-AL(03)004
-51367-P-001

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used on the proposed new toilet building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials. All external materials used to rebuild or make good any external part of the existing farm buildings proposed to be used in connection with this approved use shall match those of the existing buildings in colour, size, shape and texture.

Reason: So as to achieve a visually cohesive appearance.

4 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details to approved in writing by the Local Planning Authority prior to development commencing.

Reason: To prevent the egress of water and loose material onto the public highway.

5 HWAY14 Access to be approved, details reqd

6 Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads in the interests of sustainability and the amenity of nearby residents.

7 HWAY19 Car and cycle parking laid out

8 HWAY23 Vehicular sight lines protected

9 No barrier or gate to any vehicular access shall be erected within 6 metres of the rear of the verge abutting the site, without the prior written approval of the Local Planning Authority, and shall at no time open towards the public highway.

Reason: To prevent obstruction to other highway users.

10 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same. This work is as follows:

- Highway works including localised widening, signage, friction surfacing, bus stops and associated footways as indicatively shown on drawing no. 51367-P-001)

Reason: In the interests of the safe and free passage of highway users.

11 The use of the fields and buildings as a visitor attraction shall only be used as such during the months of July, August and September in any calendar year unless otherwise agreed in writing by the Local Planning Authority beforehand.

Reason. The site is an unsustainable site within the Green Belt and a year round leisure use and visitor attraction is considered unacceptable in this location without the full and proper assessment of the local Planning Authority.

12 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping and tree planting scheme for the north east boundary of the site with Elvington Lane adjacent to the car and coach park. This scheme shall illustrate the number, species, height and position of trees and shrubs and shall be implemented within a period of six months of the date of this permission unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site, and to filter views of the car and coach park from Elvington Lane in the interests of visual amenity in the Green Belt.

13 None of the existing trees or hedgerow situated within the site shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees or hedgerow removed without such consent or dying or being severely damaged or becoming seriously diseased before the end of that period shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: The Local Planning Authority considers it important to safeguard these trees in a positive manner so as to secure their continued well-being and in the interests of visual amenity in the Green Belt.

14 The 'activity hat tepees' as shown on plan drawing no. AL(03) 001 and all other temporary structures and paraphernalia associated with the use as a visitor attraction shall be removed from the land within 2 weeks of the end of the season prescribed in condition 11 (1st October) above.

Reason. There permanent presence would harm the openness, character and appearance of the Green Belt.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact of the Green Belt, local highway safety and issues of sustainability . As such the proposal complies with Policies E8A, E9, R1 and R2 IN of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1, GB3, GB13, GP4A and T5 of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

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