

COMMITTEE REPORT

Date: 22 October 2015 **Ward:** Rural West York
Team: Major and **Parish:** Skelton Parish Council
Commercial Team

Reference: 15/01659/FUL
Application at: Grantchester Stripe Lane Skelton York YO30 1YJ
For: Use of land for a 20 pitch touring caravan and camping site
By: Mr G Crosby
Application Type: Full Application
Target Date: 26 October 2015
Recommendation: Approve

1.0 PROPOSAL

1.1 This is a full application for the use of land to the rear of Grantchester, Stripe Lane, Skelton as a caravan and camping site.

1.2 Grantchester is located at the junction of the A19 and Stripe Lane within the parish of Skelton. A replacement dwelling is in the process of being constructed to the A19 frontage of the site. The land to which the application relates is located behind the dwelling and is accessed via a separate access from Stripe Lane. The site has recently been granted a 5 caravan and 10 tent certification by the caravan and camping club and is being operated within the parameters of this licence. A small building has been constructed on the south side of the plot which provides toilet facilities and water and emptying points are located towards the northern boundary. The site area is approximately 0.37 ha.

1.3 The proposal is to increase the use of the site to accommodate up to 20 caravans or tents. The application is supported by a site layout plan which shows the position of the pitches. The pitches are grass (there are no proposals to provide hard surfaced pitches - this has been clarified by an amended plan). Electric hook ups are already provided for the pitches.

1.4 To the north of the site is Stripe Lane which provides access to Overton and to a well used pedestrian and cycle access track into the city. To the south the land borders Skelton Garden Centre and associated domestic property and to the west is an existing residential property. East of the site is the location of the replacement dwelling beyond which is the A19.

PLANNING HISTORY

1.5 Planning permission was granted for the replacement dwelling on land adjacent to the site in July 2012 (planning reference 12/01577/FUL).

1.6 Amendments to the approved dwelling were refused and subsequently allowed on appeal in November 2014 (planning ref: 14/01498/FUL).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

See section 4 paragraphs 4.2 to 4.11

3.0 CONSULTATIONS

INTERNAL

PLANNING AND ENVIRONMENTAL MANAGEMENT

3.1 ARCHAEOLOGY - No objections

3.2 ECOLOGY - There are no statutory or non-statutory nature conservation sites within or in proximity to the site. Immediately south of the site, in the grounds of Skelton Garden Centre, is a pond. There are a number of other ponds within the wider area. The pond within the Skelton Park Trading Estate and one further south west was surveyed for great crested newts in 2014 and none were recorded. The short mown and frequently used grassland is sub-optimal terrestrial habitat for amphibians. It is not indicated that any of the trees or hedgerows will be removed as part of the proposals, however some of the new pitches are shown closer to the trees and it may be beneficial to remove the pitch under the tree within the hedgerow on Stripe Lane to avoid damage to its root zone. Additional lighting for the site is not specified however if required it should be designed in a sensitive manner to minimise light spill.

EXTERNAL

3.3 SKELTON PARISH COUNCIL - The site is in the Green Belt and the application does not demonstrate the exceptional circumstances that are required to allow a development of this size in Green Belt. The highway infrastructure is unsuitable for the proposed use. Stripe Lane is narrow, only one caravan would be able to pass along it at a time and there is no slip road on the A19 junction; with the size of site proposed there would be a danger of caravans queuing on the A19 to turn in.

3.4 ENVIRONMENT AGENCY - No comments

3.5 Three letters of objection have been received covering the following points:-

- The road is only 10 ft wide with 5 ft verges with gulleys beyond on either side - difficult if not impossible for two cars to pass at the present time - access at the junction with the A10 is difficult.
- There is no street lighting.
- The junction of Stripe Lane with the A19 already has significant access and egress difficulties
- The main water stop tap for Glen Cottage is at the road junction
- The lane is a popular walking /cycling route - extra traffic would cause significant danger
- The site is within the Green Belt; the use of land as a caravan site is inappropriate development within the Green Belt. By definition, inappropriate development is harmful to the Green Belt. This harm must attract substantial weight.
- The site contributes to the purposes of including land in the Green Belt.
- The development would result in a material reduction in openness
- Skelton village trust consider that no very special circumstances exist to justify a grant of planning permission.
- If permission is granted conditions should be attached to ensure that the site is occupied for holiday accommodation only and that the sit shall not be used for permanent residence.
- Overton Parish meeting consider that this development affects Overton greatly.
- The road is not of sufficient width to take caravan manoeuvres. The certified site has already caused problems with caravans attempting to enter the site or getting lost on Stripe Lane.

4.0 APPRAISAL

4.1 Key Issues

- Planning policy
- Green Belt
- Sustainability
- Residential amenity
- Access and parking arrangements
- Ecology and landscape

PLANNING POLICY

4.2 The site is located within the general extent of the Green belt on the north side of York.

National Policy

4.3 Paragraph 14 of the National Planning Policy Framework (NPPF) says that at the heart of the NPPF is a presumption in favour of sustainable development for decision taking this means that where the development plan is absent, silent or relevant policies are out-of-date granting planning permission unless specific policies in the framework indicate development should be restricted. (Foot note 9 indicates restrictions include Green Belt locations).

4.4 One of the twelve core planning principles set out in the National Planning Policy Framework (NPPF) is to protect the Green Belt around urban areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities (Paragraph 17).

4.5 Section 3 of the NPPF says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

4.6 Section 9 of the NPPF says that the essential characteristics of Green Belts are their openness and their permanence (para.79). One of the five purposes of including land within the Green Belt is to assist in safeguarding the countryside from encroachment (Paragraph 80). Once defined Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land (para.81). The re-use of buildings is not inappropriate provided the buildings are of permanent and substantial construction, the openness of the Green belt is preserved and proposals do not conflict with the purposes of including land in the Green belt (paragraph 90).

4.7 The NPPF says at Annex 1, paragraph 216, that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. Weight may also be given to relevant policies in emerging plans according to the stage of preparation

Development Plan

4.8 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt . These are policies YH9(C) and Y1 (C1 and C2) which relate to York's Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt. The policies state that the detailed inner and the rest of the outer boundaries of the Green Belt around York should be defined to protect and enhance the nationally significant historical and

environmental character of York, including its historic setting, views of the Minster and important open areas.

Local Plan

4.9 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are however considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

4.10 The relevant policies applicable to this application include: GP1: 'Design' which requires that development among other things respects or enhances the local environment; policy V1 'visitor related development' encourages appropriate visitor related development and V5 'caravan and camping sites'.

4.11 Policy V5 says that planning permission for new caravan/camping sites outside settlement limits will only be granted provided:

- a) The number of pitches does not exceed 20; and
- b) There will be no pitches for static caravans; and
- c) The proposal does not involve the erection of permanently-sited ancillary buildings other than toilets/washrooms and a site office; and
- d) The site is associated with an existing settlement and of a compatible scale to the settlement; and
- e) The site is readily accessible by public transport; and
- f) There is no adverse effect on the openness of the Green Belt; and
- g) It provides a direct benefit to the local residential workforce; and
- h) The approach roads are suitable for caravans; and
- i) There is no adverse effect on the provision of local services; and
- j) The proposal is complimentary to recreational opportunities in the vicinity; and
- k) It provides a direct benefit to the local residential rural community.

Emerging Local Plan

4.12 The planned consultation on the Publication Draft of the City of York Local Plan, which was approved by the Cabinet of the Council on the 25 September 2014, has been halted pending further analysis of housing projections. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight is limited. The most relevant of the document's policies is policy EC6 which says that York's rural economy will be sustained and diversified through, among other things, permitting camping and caravan sites for holiday and recreational use where proposals can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local

facilities and would not generate significant volumes of traffic. Seasonal occupancy should be conditioned on visitor accommodation.

4.13 In the absence of a formally adopted local plan the most up-to date representation of key relevant policy issues is the National Planning Policy Framework (NPPF). It is against this Framework that the application proposal should principally be addressed.

ASSESSMENT OF HARM TO THE GREEN BELT

4.14 The site is located within the general extent of the Green Belt as described in the RSS; is shown as being within Green Belt on the proposals map in the DCLP and retained within the Green Belt in the emerging Local Plan.

4.15 Although paragraph 14 of the NPPF sets out a presumption in favour of sustainable development, in accordance with the footnote referenced within paragraph 14 the presumption in favour of sustainable development does not apply in Green Belt locations.

4.16 The existing use of the site permitted development as it is certified by The Camping and Caravanning Club, which allows land owners to set up small campsites accommodating up to 5 caravans or motor homes and 10 tents at any one time. As such, the existing use of the land as a caravan site falls within Class A of Part 5, Schedule 2 of the General Permitted Development Order. Thus, the existing use of the application site is lawful and does not require planning permission. The application is to seek full planning permission to use the site as a caravan and camping site so that the use is not restricted to members only and to increase the number of pitches to a total of 20, 5 more than the current certification allows.

4.17 Paragraph 89 and 90 of the NPPF set out those developments that may be considered exceptions to inappropriate development in the Green Belt. All other development is inappropriate and by definition, harmful to the Green Belt and should not be approved except in very special circumstances

4.18 The proposal does not fall within any of the exceptions to inappropriate development in paragraphs 89 and 90. It therefore constitutes inappropriate development within Green Belt policy terms. Paragraph 87 says that inappropriate development is by definition harmful to the green belt and should not be approved except in very special circumstances. Paragraph 88 says that substantial weight should be given to harm and that 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Whether there are such other considerations which amount to very special circumstances is assessed below at paragraph 4.26.

Openness

4.19 NPPF Paragraph 79 establishes that openness is an essential characteristic of Green Belt. The proposal would increase the use by 5 pitches. The access gates would need to be set back 11 metres into the site and there would be a level of change to traffic and site usage resulting from the additional pitches. The site has established landscaped boundaries to bordering development and has an established hedge row to Stripe Lane. Beyond the site is an open flat landscape.

4.20 Because of the increase in the number of units, the change to the access arrangements needed to accommodate the development and the associated additional traffic movements, it is considered that overall the development will occupy the site in a more intense way which will reduce openness. The harm arising from the loss of openness given the existing use will be small.

Purposes of Green Belt

4.21 The Green Belt purposes are to check unrestricted sprawl of built up areas; prevent neighbouring towns merging into one another; assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns and to assist in urban regeneration. In this case the site area of the existing certified caravan and camping use and the site area of the proposed intensified use are the same, so that the impacts are contained within the same boundary and will not in officers' view undermine the purposes of Green Belt.

SUSTAINABILITY

4.22 It is an accepted principle that visitors to caravan and camping sites are more likely to arrive by car. The site is however located adjacent to the A19 which has a good bus service into York; provides opportunities to cycle into the city via a well used and recognised cycle track and is close and accessible to amenities within Skelton. The site is considered, for its rural location, to be well located to access facilities without the use of a car.

ACCESS

4.23 The certified caravan site utilises what was an existing field gate on the Stripe Lane frontage. The entrance is located some 100 metres from the junction with the A19. Stripe Lane is about 3.5 metres wide with good width grass verges to each side. The lane provides access to Overton and access to a cycle and pedestrian right of way into the City. The cycle way forms part of a national cycle route. Highway Network Management do not object to the application but require a number of conditions to ensure that the caravans arriving at the site can be accommodated without blocking the lane and to ensure the entrance gate area is properly surfaced. A number of the local objections have raised concerns about the width of the road, the potential for vehicles to miss the entrance with limited potential to turn round beyond the site and concerns about the site causing conflict between other highway

users and the proposed traffic movements. Officers consider that the traffic associated with a further five touring pitches is unlikely to significantly alter the traffic levels to the site and with the addition of the highway conditions which will require off- road vehicle parking for cars and caravans arriving at the site would improve the accessibility of the site. No objections are raised to the development from a highway perspective.

RESIDENTIAL AMENITY

4.24 To the west of the application site is a detached dwelling with a number of outbuildings. The outbuildings are located on the joint boundary with the application site. The rear area of the property is screened from the site by a substantial, mainly conifer hedge. To the south is a dwelling associated with Skelton Garden Centre. The southern boundary is well screened and landscaped. The site is well contained from its neighbours. The existing certificated site has plots located adjacent to the side boundaries and this will continue with the additional usage. With appropriate conditions which seek to enhance landscaping adjacent to the outbuildings associated with the property to the west of the site and seeking details of night time lighting the relationship between the site and its neighbours is considered to be acceptable.

ECOLOGY/LANDSCAPE

4.25 The Council's Countryside Officer is generally satisfied that ecology will not be affected by the development. Concerns about the siting of a pitch close to an existing tree are raised. This pitch has been relocated. A restriction on the provision of additional lighting is to be conditioned although the applicant informs me that no additional lighting is proposed. The only light currently used for the certified site is a light attached to the toilet block building.

4.26 In summary, the proposal would be inappropriate development. According to the NPPF, paragraph 87, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would also cause a small loss of openness. No harm is associated with the sustainability, highway and residential amenity implications of the development.

OTHE CONSIDERATIONS - Very Special Circumstances

4.27 The applicant has set out in a supplementary statement the other considerations considered to be very special circumstances in this case and which Members are asked to consider when applying the NPPF policy in respect of an application in the Green Belt.

4.28 These are:-

- The existence of the 15 pitch certified site
- The development will not impact on openness
- Applicant is turning away customers. There is a need for more accommodation in the north of York
- Access is along a straight length of road from the junction with the A19, visibility is good at the junction. The gated entrance provides a passing place for all traffic along Stripe Lane. The lane is used by farm vehicles and concerns about caravans causing a problem are unfounded.
- There is a regular bus service into the city
- Local businesses benefit from the site use.
- The vast majority of visitors bring cycles and use the cycle track
- Existing refuges on the A19 allow easy access to Skelton

4.29 In addition the applicant has provided a list of those that have enquired about availability of pitches but that it has not been possible to accommodate within the site. This details 31 enquiries between June and September.

4.30 Paragraph 81 of the NPPF says that once Green Belts have been defined, local planning authorities should plan positively to enhance its beneficial use by, among other things, looking to provide opportunities for outdoor sport and outdoor recreation. The NPPF is also supportive of development that is beneficial to the rural economy.

4.31 The site is already used as a caravan and camping site. The additional 5 pitches will add in a small way to the benefits suggested by the developer and the applicant has shown that there is clear demand for the use of the site. In addition the development offers the opportunity to apply conditions which seek additional landscaping and better arrangements at the site access particularly for towing vehicles. Even when attaching substantial weight to the harm to the Green Belt these benefits are considered to amount to very special circumstances in this case sufficient to outweigh the potential harm to the Green Belt and any other harm.

5.0 CONCLUSION

5.1 The application site is within the general extent of the Green Belt. The proposal constitutes inappropriate development for the purposes of paragraph 88 of the NPPF, and by definition causes harm to the Green Belt. The proposed intensification of the use would result in some limited harm to the openness of the Green Belt but the use is not considered to conflict with the purposes of Green Belt set out at paragraph 80 to the NPPF.

5.2 It is considered that the other considerations put forward by the applicant together with the mitigation of other harm through the imposition of planning conditions clearly outweigh the potential harm to the Green Belt by reason of

inappropriateness and any other harm, and thereby amount to very special circumstances to justify the inappropriate development in the York Green Belt even when substantial weight is given to any harm to the Green Belt.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

To be confirmed

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

3 The development shall not be begun until details of the junction between the internal access road and the highway have been [submitted to and] approved in writing by the Local Planning Authority, and the development shall not come into use until that junction has been constructed in accordance with the approved plans.

Reason: In the interests of road safety. The approval of details is required at this stage in order to ensure that the additional caravans arriving at the site can be accommodated within the site without compromising the free flow of traffic along Stripe Lane.

4 Prior to the development being brought into use details of a cycle parking area, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking area and means of enclosure shall be provided within the site in accordance with such approved details before the additional pitches are brought into use, and this area 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.

5 The use shall not be implemented until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall

be retained solely for such purposes.

Reason: In the interests of highway safety.

6 No barrier or gate to any vehicular access shall be erected within 11 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.

7 Notwithstanding the provisions of Schedule 2 Part 5 'Caravan Sites' Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order), no buildings shall be erected on site without the prior written consent of the Local Planning Authority through the submission of a planning application.

Reason: In the interests of the protection of the openness of the Green Belt.

8 The accommodation hereby approved shall not be used for residential purposes other than holiday letting. For the purpose of this condition "holiday letting" means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 nights in any one calendar year. The site operator shall maintain an up-to-date register of the names and main home addresses of all occupiers of the accommodation on site, including dates and durations of each stay by each occupier, and shall make this register available for inspection at all reasonable times when requested by the Local Planning Authority. No individual caravan, motor home or tent (whether occupied or otherwise) shall be located on the site hereby permitted for a total of more than 28 nights in any one calendar year.

Reason: In order to prevent the full time residential occupation of the site. The site is not considered appropriate for full time residential use due to its position in the Green Belt.

9 This permission allows the siting only of touring caravans, motor homes and tents. No more than twenty touring caravans and/or motor homes and/or tents shall be accommodated on the site hereby permitted at any one time. At no time shall static caravans be permitted on site.

Reason: In the interests of the protection of the openness of the Green Belt as static caravans and a larger number of touring vans/ tents would have a materially greater impact on the openness of the green belt and would be likely to require increased amenity facilities.

10 Before the use is implemented there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs to be placed on the western boundary of the site adjacent to the neighbours outbuildings. This scheme shall be implemented within a period of six months of the additional pitches being brought into use. 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.

11 No additional external lighting shall be provided at the site without the prior written approval of the Local Planning Authority through the submission of a specific planning application.

Reason To protect the openness of the Green Belt

7.0 INFORMATIVES:

STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- Further information requested about the demand for the use and the very special circumstances considered to exist to justify the development.
- Amended plan to look at positioning of pitches, highway requirements and to confirm use by both touring caravans and tents.

Contact details:

Author: Diane Cragg Development Management Officer (Mon/Tues/Wed)

Tel No: 01904 551351