

COMMITTEE REPORT

Date: 11 April 2013 **Ward:** Strensall
Team: Major and **Parish:** Strensall With Towthorpe
 Commercial Team Parish Council

Reference: 12/03270/FUL
Application at: Country Park Pottery Lane Strensall York YO32 5TJ
For: Variation of condition 3 of approved application 04/01105/FUL (use as caravan site) to allow an increase in number of caravans from 20 to 40
By: Miss Raquel Nelson
Application Type: Full Application
Target Date: 11 December 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 The Country Park Pottery Lane Strensall comprises a 20 pitch touring caravan site with occupancy restricted to March to October lying within the York Green Belt to the north west of Strensall village. Planning permission under Section 73 of the 1990 Town and Country Planning Act is sought for the variation of Condition 3 to the original planning permission ref:- 04/01105/FUL to allow for an increase in the number of caravans within the site from 20 to 40 whilst retaining the seasonal restriction on occupation. A similar proposal to increase the number of caravans from 20 to 40 ref:- 11/01544/FUL has previously been refused on drainage and Green Belt grounds. An acceptable drainage scheme has subsequently been permitted and the previous proposal involved an increase in caravans with a year round occupancy. The current proposal is therefore materially different to that previously refused. The previous approval is currently in the process of being implemented.

1.2 Councillor Sian Wiseman called the application in for consideration by the East Area Planning Committee on the grounds of impact upon the Green Belt and concerns that the site may be expanded to handle static caravans also.

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:

CYGB1

Development within the Green Belt

CYV5

Caravan and camping sites

CYGP1

Design

CGP15A

Development and Flood Risk

3.0 CONSULTATIONS

INTERNAL:-

3.1 Design, Conservation and Sustainable Development raise no objection to the proposal.

EXTERNAL:-

3.2 York Natural Environment Panel raise no objection to the proposal.

3.3 Strensall Parish Council object to the proposal on the grounds that the proposal would have a significant detrimental impact upon the open character of the Green Belt, lack of clarity in terms of the proposed means of foul and surface water drainage, impact upon the required amenity facilities and a possible precedent for the erection of static caravans at the site.

3.4 The Foss Internal Drainage Board object to the proposal on the grounds that insufficient information has been included with the application in respect of the surface water arising from the site.

3.5 One letter of objection has been received from a neighbouring property expressing concern with respect to the impact of traffic from the proposal on adjoining side roads, impact upon the local surface water drainage pattern and impact upon residential amenity of nearby properties through noise and light pollution.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the open character and purposes of designation of the York Green Belt;
- * Impact upon the residential amenity of neighbouring properties;
- * Impact upon the local surface water drainage pattern.

STATUS OF THE DRAFT LOCAL PLAN:-

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations in arriving at Development Management decisions although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

IMPACT UPON THE OPEN CHARACTER AND PURPOSES OF DESIGNATION OF THE YORK GREEN BELT:-

4.3 Policy GB1 of the York Development Control Local Plan states that planning permission will only be forthcoming for development within the Green Belt where the scale, location and design of such development would not detract from the open character of the Green Belt, would not conflict with the purposes of including land within the Green Belt and would be for one of a number of purposes deemed to be appropriate within the Green Belt, which includes essential facilities for outdoor sport and recreation. Central Government Planning Policy outlined in paragraph 89 of the NPPF indicates that new building works are automatically inappropriate development within and therefore harmful to the Green Belt unless for one of a number of defined purposes including the provision of appropriate facilities for outdoor sport and recreation.

4.4 The proposal envisages an increase of the number of caravans to be stationed on the existing formalised pitches from 20 to 40 .Policy V5 of the Draft Local Plan has as a stipulation in terms of new caravan sites that the total number of pitches should not exceed 20 although that policy is outdated and not compatible with Central Government Planning Policy outlined in the Good Practise Guide on Planning and Tourism. The proposal envisages doubling the number of caravans on the existing 20 pitches and would not involve any new building work. The previous planning permission involving an increase in the number of caravans was refused in part on the basis that during the winter months the visual impact of the increased numbers, at a time when the landscaping around the boundary of the site would be denuded of foliage, would materially detract from the open character of the Green Belt.

The current proposal however envisages retention of the previous restriction to prevent caravans being brought on to the site and used from November through until March. As a consequence any intensification of the use would be largely sheltered in views from outside of the site by the increasingly mature landscaping. The applicant has submitted a detailed landscape assessment which demonstrates that the proposal would not be readily perceptible in long and short distance views from outside of the site whilst the existing and proposed landscaping is in leaf between March and October. The proposal as now submitted would not therefore have such a serious material impact upon the open character of the Green Belt as to justify a further refusal.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.5 Policy GP1 of the York Development Control Local Plan expects new development, amongst other things, to respect or enhance the local environment and ensure that residents living nearby are not unduly affected by noise or disturbance. Concern has been expressed in relation to the levels of noise, additional comings and goings along the site access, and lighting in terms of impact on the residential amenity of the property directly to the north of the site access on Pottery Lane. The area of the proposal has been provided with 2 metre high low intensity "street lights" around the pitch layout. This is some 500 metres from the residential property in question. There is therefore unlikely to be any material impact in terms of noise and light pollution. The site access additionally serves Park House Farm and an area of industrial units behind. The access arrangement is considered to be acceptable in terms of the volumes of traffic associated with the three activities without harm to residential amenity or the safe and free flow of traffic in the locality.

IMPACT UPON THE LOCAL SURFACE WATER DRAINAGE PATTERN:-

4.6 Policy GP15a) of the York Development Control Local Plan states that developers must satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect and ensure that the site can be developed and serviced effectively. The proposal relates to an increase in the number of caravans that may be allowed to use the already defined pitch layout and as such any increase in surface water arising from the proposal would be minimal. The detail of the foul water disposal to the site was resolved at the time of the recent permission for retention of the pre-existing amenity block incorporating an office. The effect of the application under Section 73 of the 1990 Town and Country Planning Act would be to create a new permission including any unresolved conditions from the previous permission including surface water drainage. The site as laid out has not had a material impact upon the local surface water drainage pattern sufficient as to warrant refusal of the proposal and the condition requiring submission and prior approval of a surface water drainage scheme from the original permission can be carried forward.

OTHER ISSUES:-

4.7 Concern has been expressed in relation to a potential precedent for the stationing of static caravans at the site. However, the proposal seeks a modification to the existing planning permission for the use of the site as a touring site and should be determined on that basis. Concern has also been expressed in respect of the impact of the proposal upon the level of amenity facilities at the site. The issue of amenity facilities has been considered in relation to a previous permission and found to be adequate for the needs of the site.

5.0 CONCLUSION

5.1 The Country Park Pottery Lane Strensall comprises a 20 pitch touring caravan site with occupancy restricted from March to October set within the York Green Belt to the north west of Strensall village. Planning permission is sought under Section 73 of the 1990 Town and Country Planning Act to vary 3 of the original planning permission ref:- 04/01105/FUL to allow for the location of 20 caravans at the site by doubling up their arrangement on each pitch whilst retaining the seasonal occupancy restriction. It is felt on balance that with the seasonal restriction retained in place that any impact upon the openness of the Green Belt would be acceptable. Concern has also been expressed in relation to the impact of the scheme upon the residential amenity of neighbouring properties. However, the nearest residential property to the north lies some 500 metres distant. Any impact is therefore considered to be acceptable. The proposal is therefore considered to be acceptable in planning terms and approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications or as may be otherwise agreed in writing with the Local Planning Authority.

Reason:- For the avoidance of doubt and to achieve an acceptable form of development.

2 The number of caravans on this site shall at no time exceed 40 and none shall be static caravans.

Reason:- In order to safeguard the open character of the Green Belt.

3 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details:-

Ancillary Buildings/Layout of Pitches.

Reason:- So that the Local Planning Authority may be satisfied with these details.

4 There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters whether directly or via soakaways.

Reason:- To prevent pollution of the water environment.

5 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed prior to the development being first brought into use.

Reason:- To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

6 Flood warning notices shall be erected in numbers, positions and with wording all to be agreed in writing with the Local Planning Authority. The notices shall be kept legible and clear of obstruction.

Reason:- To ensure that occupants of the site are aware that the land is at risk of flooding.

7 No caravan on the site shall be occupied between 31 October in any one year and 1 March the succeeding year.

Reason:- To avoid the use of the caravans as permanent residences, which would not be acceptable to the Local Planning Authority in this location, and to protect the open character of the Green Belt.

8 No caravan shall be stored on the site between 31 October in any one year and 1 March in the succeeding.

Reason:- It is considered that such a use would constitute an unacceptable visual intrusion within 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 impact upon the open character and purposes of designation of the York Green Belt, impact upon residential amenity and impact upon the local pattern of surface water drainage. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1, V5, GP1,GP15a) of the City of York Development Control Local Plan and Government policy contained within paragraphs 79 - 92 of the National Planning Policy Framework.

2. 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:

The submission of a revised landscape appraisal.

Contact details:

Author: Erik Matthews Development Management Officer

Tel No: 01904 551416