

## COMMITTEE REPORT

**Date:** 16 November 2017      **Ward:** Huntington/New Earswick  
**Team:** Major and Commercial Team      **Parish:** Huntington Parish Council

**Reference:** 17/02263/FUL  
**Application at:** Beechwood Grange Caravan Club Site Malton Road Huntington York YO32 9TH  
**For:** Provision of additional 26no. serviced all-weather pitches accessed by new tarmac road and installation of new service point with bin store, water and drainage pump  
**By:** Miss Awa Sarr  
**Application Type:** Full Application  
**Target Date:** 17 November 2017  
**Recommendation:** Refuse

### 1.0 PROPOSAL

1.1 Provision of 26 additional touring caravan pitches with associated tarmac access road and service point with bin store, water supply and drainage pump. In essence, the application is to extend the existing caravan park into an adjacent paddock currently being used as playing pitches for the caravanners.

1.2 The application is a resubmission of 17/01470/FUL, which was withdrawn following concerns raised by officers.

### PLANNING HISTORY

1.3 In October 2017 planning permission was granted for various improvements to the existing caravan park including erection of warden's accommodation building, improvements to site entrance, replacement toilet block and various additional service facilities (17/01942/FUL).

1.4 In 2007 planning permission was refused for 14 additional touring caravan pitches in the same paddock as the current proposal. The appeal against refusal was dismissed due to inappropriate development in the Green Belt, impact on openness, unsustainable location, impact on the character of the countryside and absence of very special circumstances to justify approval.

### 2.0 POLICY CONTEXT

**National Planning Policy Framework (NPPF) March 2012.** See section 4 for more detail.

## **Development Control Local Plan (DCLP) 2005**

2.1 City of York Council does not have a formally adopted Local Plan. Nevertheless The City of York Draft Local Plan Incorporating the Fourth Set of Changes Development Control Local Plan (Approved April 2005) was approved for Development Management purposes (the DCLP).

2.2 The 2005 Draft Local Plan (DCLP) does not form part of the statutory development plan for the purposes of S38 of the 1990 Act. 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, although it is considered that their weight is very limited.

2.3 DCLP policies relevant to the development are:-

CYV1 - Criteria for visitor related devt  
CYV5 - Caravan and camping sites  
CYGB1 - Development within the Green Belt  
CYGP4A – Sustainability  
CYGP15A - Drainage

## **Emerging Local Plan**

2.4 Consultation on a new pre-publication draft local plan and revised evidence base has recently been completed. (30th October 2017).

2.5 The emerging Local Plan policies can only be afforded weight in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight will be very limited. The evidence base that underpins the proposed emerging policies is also a material consideration in the determination of the planning application.

2.6 The following policies from the emerging Local Plan are relevant:-

EC5 – Tourism  
EC5 - Rural Economy  
GB1 – Development in the Green Belt  
DP2 – Sustainable Development

## **3.0 CONSULTATIONS**

INTERNAL

Application Reference Number: 17/02263/FUL

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## Planning and Environmental Management (Archaeology)

The site lies within an Iron Age/Romano-British landscape. Archaeological features may survive so the site is an area of archaeological interest. It will be necessary to record any revealed features and deposits through an archaeological watching brief on all groundworks. This should be made a planning condition if planning permission is granted.

## Flood Risk Management

Objection. Insufficient information has been provided by the applicant for us to determine the potential impact on the existing drainage system and downstream watercourses.

## Public Protection

No objection in principle. If planning permission is to be granted add conditions regarding hours of construction, reporting of unexpected contamination and submission of details of any noisy plant/machinery.

## EXTERNAL

### Huntington Parish Council

No objections.

### Foss Internal Drainage Board

Objection. Insufficient information has been provided to determine the potential impact the proposals may have on the existing drainage systems. Details of the existing surface water system should be provided together with details of the proposals for the new development. This will enable the impact of the proposals on the downstream watercourse to be assessed. If the local planning authority is minded to grant approval conditions should be attached requiring drainage details, including attenuation, to be submitted for approval.

### Neighbour Notification and Publicity

No response received .

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

- Impact on the Green Belt

- Sustainability
- Whether Very special circumstances exist
- The planning balance.

## APPLICATION SITE

4.2 The proposal relates to an all-weather recreational caravan park owned and operated by the Caravan and Motorhome Club. The site has pitches for 112 touring caravans and ancillary facilities all connected by a loop road that meanders through the site. The site is flat, tidy and appears well managed. At the northern end of the site and within its boundaries, are two paddocks. One is used by caravanners for dog walking. The other is laid as lawn and used as playing pitches. These paddocks are separated from the main part of the caravan park by a fence that follows the alignment of a dismantled railway. The new pitches would occupy one of these two paddocks.

4.3 Access is via the Hopgrove roundabout (Hull Road/Ring Road junction). The whole of the caravan park is in the Green Belt and outside any settlement limit. Most of the site, including the two paddocks, abuts open countryside.

## POLICY CONTEXT

4.4 Section 38(6) of the Planning and Compensation Act requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. This is a statutory requirement and is the starting point for consideration of the planning application. The development plan for York comprises the saved policies of the Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt, saved in 2013. These policies are YH9(C) and Y1 (C1 and C2) and the key diagram insofar as it illustrates the general extent of the Green Belt. It is for the local plan process to identify the precise boundaries of the Green Belt around York but the application site lies within the general extent of the Green Belt as shown on the Key Diagram of the RSS.

4.5 In the absence of a formally adopted local plan the most up-to date representation of relevant policy is the National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 14). However, this presumption in favour does not apply to the current application as the more restrictive specific policies in the NPPF apply because of the site's Green Belt location. Sustainable development is identified as having three roles, which are economic, social and environmental (paragraph 7). These roles should not be taken in isolation because they are mutually dependent. Paragraph 17 lists twelve core planning principles that the Government consider should underpin plan-making and decision-taking. They include driving and supporting sustainable economic development and protecting the Green Belt.

4.6 One of the twelve core planning principles set out in the NPPF is the protection of the Green Belt around urban areas, recognising the intrinsic character and beauty of the countryside (Paragraph 17). Another core principle states that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus development in sustainable locations (paragraph 17). Section 3 of the NPPF says that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development.

## IMPACT ON THE GREEN BELT

4.7 The NPPF lists the types of development that are acceptable in the Green Belt. All other development is inappropriate and therefore, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In short, within the Green Belt the “tilted balance” in favour of sustainable development does not apply. Instead, the onus is very much on the applicant to demonstrate that very special circumstances clearly outweigh harm to the Green Belt.

4.8 The siting of caravans is not among the uses described as 'not inappropriate' at paragraph 89. The provision of the proposed additional pitches and the associated access road would therefore be inappropriate development in the Green Belt and, by definition, harmful. Furthermore, the use would reduce the openness of the site and conflict with one of the purposes of the Green Belt, which is to assist in safeguarding the countryside from encroachment.

4.9 The site is largely screened from outside the site by existing hedges, although some public views are likely to be possible when the hedges are not in leaf. Whilst this screening would reduce the visual impact of the caravans, it does not alter the inappropriateness of the development in the Green Belt. For the development to be considered acceptable there would need to be very special circumstances clearly outweigh the harm to the Green Belt and any other harms identified

4.10 The proposal is also harmful due to the site's unsustainable location. It lies beyond the outer ring road and outside any settlement limit. The site is poorly served by public transport with only one bus service, and with the nearest stop being almost 1km from the caravan site. In addition, the site is not readily accessible by bicycle. Cyclists heading towards York would have to dismount and walk across the outer ring road at Hopgrove roundabout. Whilst the roundabout has a pedestrian refuge the manoeuvre is inconvenient and unpleasant and not conducive to walking or cycling, particularly for visitors to the area.

## DRAINAGE

4.11 The NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere and only

consider development appropriate in areas at risk of flooding where the most vulnerable development is located in areas of lowest flood risk (paragraph 103).

4.12 The application site is in low risk flood zone 1 and should not suffer from river flooding. However, no foul and surface water drainage details have been submitted to enable the local planning authority assess the impact on the foul and surface water network. The application form states that surface water from the site is to be disposed of via a main sewer and/or to an existing watercourse. The plans provided with the application provide no details as to which areas of the development are to be drained via which mechanism, how the overall drainage strategy would operate and where the discharge routes would be. In addition, some aspects of the development appear to be reliant on infiltration but no evidence has been provided to confirm that infiltration would be effective in this location. Regarding foul water, disposal by septic tank, as is proposed, would not be an acceptable solution. These matters are fundamental to the proper drainage of the site and, if planning permission were to be granted, should not be left to be dealt by planning conditions.

#### VERY SPECIAL CIRCUMSTANCES AND THE PLANNING BALANCE

4.13 The NPPF states that when considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Inappropriate development should not be approved except in very special circumstances that clearly outweigh harm to the Green Belt. 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. In the current case the other harms include impact on openness, encroachment into the countryside, conflict with sustainable development objectives and potential risk to existing drainage infrastructure and downstream watercourses.

4.14 The applicant argues that the proposed screening and the tourist income that the development would generate constitute very special circumstances to justify approval of the application. The boundary hedges would be supplemented with mature, native species and, along part of the site, a new 1m-high earth bund. Whilst these measures would reduce the visual impact resulting from the development they would be mitigation, not benefits to weigh in favour of the development. The NPPF says that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development but this policy does not negate the need to consider the Green Belt policies in the NPPF, which must be read as a whole. The contribution a development makes to the local economy could be substantial enough to outweigh harm to the Green Belt. In the current case however no proper assessment has been made of the need for additional pitches nor of the economic benefits they would create. Other caravan sites exist in the local area and a planning permission was granted in 2015 for a new 40-pitch caravan site within 300m of the application site (14/02112/FULM). Officers understand that the approved application is likely to be implemented shortly.

4.15 In the planning balance, when giving substantial weight to the potential harm to the Green Belt, the applicant has not demonstrated that harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

## **5.0 CONCLUSION**

5.1 The 26 additional caravan pitches would be harmful to the Green Belt due to inappropriateness, impact on openness and encroachment into the countryside. Other harms include conflict with sustainable development objectives and potential harm to drainage infrastructure and downstream watercourses. These harms are not clearly outweighed by any other considerations and there are no very special circumstances that would justify the proposal.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION: Refuse**

1 Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the Green Belt around York with an outer boundary about 6 miles from the city centre. Beechwood Grange lies within the general extent of the Green Belt. The proposed siting of 26 serviced caravan pitches, the internal access road and the ancillary structures constitute inappropriate development in the Green Belt and are, by definition, harmful to the Green Belt as set out in section 9 of the National Planning Policy Framework. No very special circumstances have been put forward by the applicant that would clearly outweigh harm by reason of inappropriateness and other harm including impact on openness, conflict with the purposes of including land within Green Belt, conflict with sustainable transport objectives and potential harm to drainage infrastructure and downstream watercourses. The proposal is therefore contrary to national planning policy in the National Planning Policy Framework, in particular 'Core Planning Principles', 'Achieving Sustainable Development', section 9 'Protecting Green Belt Land' and paragraph 103 relating to flood risk.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### **1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) by seeking solutions to problems identified during the processing of the application. In an attempt to achieve an acceptable outcome the council was advised that the application was being recommended for refusal. The applicant did

not withdraw the application, resulting in planning permission being refused for the reasons stated.

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