

COMMITTEE REPORT

Date: 13 September 2018 **Ward:** Wheldrake
Team: Major and **Parish:** Deighton Parish Council
Commercial Team

Reference: 18/01256/FUL
Application at: Crabtree New Farm York Road Deighton York YO19 6EY
For: Use of agricultural land for siting of 2no. glamping cabins
(resubmission)
By: Mrs Anna Hopwood
Application Type: Full Application
Target Date: 17 September 2018
Recommendation: Refuse

1.0 PROPOSAL

1.1 The proposal is for the erection of 2 glamping cabins measuring 6.5m by 5.1m and with a height of 2.7m. The wooden clad cabins will include cooking and bathroom facilities and so no additional service buildings are proposed. They will be accessed by an existing farm track. Parking and cycle storage is to be provided within the existing farm yard.

1.2 The site is within the general extent of the Green Belt. It is part of a 47 acre holding owned by the applicant and their family. The site is adjacent to a number of existing farm storage buildings and is accessed via a track from the A19 and is currently used for silage. The farm house is further along the track than the farm buildings. The track is a public right of way which links in to the wider cycle and bridle ways network. Since the previous application some saplings have been planted along the track adjacent to the proposed site.

1.3 The site is on the edge of Escrick and about 700m from a bus stop and a similar distance from a petrol station providing local shopping facilities. The site is not within Flood Zone 2 or 3.

PLANNING HISTORY

1.4 Application 17/02824/FUL for 3 glamping cabins was refused by planning committee on 14th February 2018. A site visit was carried out by the committee prior to the meeting.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

City of York Draft Local Plan Incorporating the 4th Set of Changes Development Control Local Plan (Approved April 2005)

GP1 – Design

GP9 – Landscaping

GB1 – Development in the Green Belt

V5 – Caravan/ camping sites

Emerging Local Plan

D1 - Placemaking

D2 - Landscape and setting

SS1 - The role of York's Green Belt

EC5 - Rural economy

3.0 CONSULTATIONS

INTERNAL

3.1 No responses received.

EXTERNAL

Deighton Parish Council

3.2 No objections.

Neighbour notification and publicity

3.3 Ouse and Derwent Internal Drainage Board - No objections subject to planning conditions.

4.0 APPRAISAL

4.1 KEY ISSUES

- o Policy context
- o Principle of the development - Assessment of harm to Green Belt
- o Other considerations - Business need; neighbouring amenity issues; impact on visual amenity and openness.

POLICY CONTEXT

Development Plan

4.2 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

4.3 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 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 as revised in July 2018, although the weight that can be afforded to them is very limited. Relevant policies are:

GP1 - Design

GP9 - Landscaping

GB1 - Development in the Green Belt

V5 - Caravan/ camping sites

Emerging Local Plan

4.4 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF as revised in July 2018, the relevant 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

The Proposals Map accompanying the 2018 plan includes the site within Green Belt land around York.

4.4 Relevant policies are:

D1 - Placemaking

D2 - Landscape and setting

SS1 - The role of York's Green Belt

EC5 - Rural economy

The National Planning Policy Framework NPPF

4.5 The revised National Planning Policy Framework was published on 24 July 2018 (NPPF) and its planning policies are material to the determination of planning applications. The NPPF is the most up-to date representation of key relevant policy issues (other than the Saved RSS Policies relating to the general extent of the York Green Belt) and it is against this policy Framework that the proposal should principally be addressed.

4.6 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, unless specific policies in the NPPF indicate development should be restricted such as policies relating to the Green Belt.

GREEN BELT

4.7 As noted above, saved Policies YH9C and Y1C of the Yorkshire and Humberside Regional Strategy define the general extent of the York Green Belt and as such Government Planning Policies in respect of the Green Belt apply. Central Government Planning Policy as outlined in paragraphs 133 to 147 of the National Planning Policy Framework identifies Green Belts as being characterised by their openness and permanence. Substantial weight should be given to any harm to the Green Belt.

4.8 The NPPF states that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence.

The Green Belt serves 5 purposes:

- o to check the unrestricted sprawl of large built-up areas
- o to prevent neighbouring towns merging into one another
- o to assist in safeguarding the countryside from encroachment
- o to preserve the setting and special character of historic towns
- o and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.9 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It goes to say 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. All development is considered to be inappropriate in Green Belt, unless it falls within the list of exceptions contained in paragraphs 145 or 146 of the NPPF. Paragraph 145 of the NPPF notes that the construction of new buildings within the Green Belt is inappropriate except for certain exceptions. These include the provision of appropriate facilities for outdoor recreation as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Paragraph 146 does allow certain types of development including the material change of use in the land provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

PRINCIPLE OF THE DEVELOPMENT ASSESSMENT OF HARM TO GREEN BELT

4.10 The proposal constitutes a change of use of the land from agricultural use to glamping cabin pitches. The 2012 NPPF made no provision for the material change of use of land within the Green Belt and the previous application was therefore determined the proposal to be inappropriate development. The 2018 amendment to the NPPF allows, at para.146, for a material change of use of land (such as changes of use for outdoor sport or recreation) as not inappropriate in the Green Belt providing that it preserves openness and does not conflict with the purposes of including land within the Green Belt. It is considered that the glamping cabins would harm openness as a result of the erection of structures within a field which is currently characterised by its lack of development and therefore constitute inappropriate development. The cabins would be a permanent addition to the landscape. Their appearance is not considered typical of an agricultural building. While curved buildings of this form can be seen on farms they would typically be constructed from corrugated metal not wood. The large glazed element to one end of the building further adds to the non-agricultural character of the building.

4.11 The glamping cabins would conflict with one of the purposes of including land within the Green Belt by failing to safeguard the countryside from encroachment. The site is currently agricultural in its character with a range of modern agricultural buildings constructed from profile sheeting and Yorkshire boarding adjacent to it. Alongside the impact from the cabins themselves, there would be inevitable intrusion in to the rural landscape from the paraphernalia associated with holiday accommodation. While parking will now be contained in the adjacent farm yard, the potential for additional domestic type items (ie picnic benches, barbecues, play equipment) to be sited within the land adjacent to the cabins is significant and the consequent intrusion into an otherwise agricultural landscape is considered harmful to the character of the area. Additional planting around the cabins is mentioned within the submission but not shown on plans. While this planting could be secured

via planning condition, additional planting would further harm openness by adding a further intrusive element in the landscape.

4.12 Therefore the proposal does not fall within the exceptions set out in paragraphs 145 or 146 of the NPPF. It is inappropriate development and harmful to the Green Belt, to which substantial weight attaches.

LANDSCAPE CHARACTER

4.13 Officers consider that the cabins will be clearly visible in the landscape as a result of their scale, design and siting. The introduction of the 2 glamping cabins into the landscape will appear alien and out of keeping with the rural character of the area. The development extends over open fields and increases the built development in to open countryside beyond the existing farm buildings. The area around the site is flat with boundary hedging with a public right of way which follows the access road and will give views of the cabins beyond the existing barns. Like wise views will be visible from Escrick Surgery. The addition of the cabins will be a visual intrusion in to the landscape changing the character of an area that is clearly agricultural at present. The impact of the cabins combined with the associated domestication of the site is considered to result in significant harm to visual amenity.

OTHER CONSIDERATIONS VERY SPECIAL CIRCUMSTANCES

4.14 The proposal results in harm to openness and conflicts with one of the five purposes of including land within the Green Belt and is therefore inappropriate development that should only be approved in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations. The applicant has therefore provided the following statement detailing these 'other considerations':

- The farm is currently 47 acres of arable land which was reduced from 325 acres in 2016. The additional land was rented from Escrick Park Estate. The holding was reduced as a result of the financial pressures of low commodity prices and high input and maintenance costs based around rented land which eventually proved unsustainable. The farm was forced to reduce its size to reduce the high financial burden and risk. The income from 47 acres is not sufficient to run a viable business and so the farm now needs to diversify. Following Brexit it is clear that European Union farming subsidies will not be available on the same scale as previously and the loss of these will mean that the farm trades at a loss.
- The location of the farm is excellent for the proposal as it is close to the city of York and a number of cycle and bridle ways.

- The proposal complements the existing farming operation without overly disrupting it and will provide benefits to the local economy.

4.15 The submitted information indicates financial pressures on arable producers in general terms but it does not amount to a case for "very special circumstances" in respect of the holding itself. Whilst viability issues are highlighted in respect of the farm no specific detail is given and it is noted that the holding has been substantially reduced in recent years. The land is a mix of Grade 2 and 3 and therefore of average yield and the only indication of other proposals to diversify is a proposal for a wind turbine which was withdrawn in 2011.

4.16 It is noted that there will be some benefit to the local economy but this will be small given the scale of development proposed.

4.17 The NPPF does support sustainable rural tourism and leisure developments but these should respect the character of the countryside. As stated above, officers would argue that the introduction of glamping cabins in to an otherwise agricultural landscape does not respect the character of this part of the city. The NPPF goes on to say that local plans should support the provision and expansion of tourist and visitor facilities where identified needs are not met by existing facilities. The applicant has failed to indicate whether there is any lack of such holiday accommodation in the locality but has relied on the argument that the farm needs to diversify to remain viable to lend weight to their proposals.

5.0 CONCLUSION

5.1 The site lies within the general extent of the Green Belt as identified in the RSS to which S38 of the 1990 Act applies. The proposal is therefore assessed against the restrictive policies in the NPPF relating to protecting the Green Belt.

5.2 The NPPF indicates that very special circumstances cannot exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm caused by the proposal, is clearly outweighed by other considerations. In this case, the proposal conflicts with one of the five purposes of including land within the Green Belt and has significant impact on the openness of the Green Belt as a result of the introduction of the cabins within an otherwise undeveloped location. The proposal is inappropriate development and substantial weight is to be attached to these harms to the Green Belt. In addition, the proposal would also significantly harm the character and appearance of the landscape through the urbanising impact from the cabins. The applicant has put forward a case for very special circumstances to clearly outweigh these harms which include the future viability of the farm and need to diversify; the good location of the site and the impact on the local economy. Officers do not consider that these considerations collectively are of sufficient weight to clearly outweigh the significant harm identified to the Green Belt (to which substantial weight attaches) and other harm identified to the character and

visual amenity provided by the rural landscape. Therefore the very special circumstances necessary to justify the inappropriate development in the Green Belt do not exist and planning permission should be refused.

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed glamping cabins will result in harm to the openness of the Green Belt and will conflict with the purposes of including land within it by failing to safeguard the countryside from encroachment. Additional harm has also been identified as a result of the impact of the introduction of the glamping cabins into an otherwise rural landscape. The considerations put forward by the applicant do not clearly outweigh this harm and therefore do not amount to very special circumstances for the purposes of the NPPF. The proposal is, therefore, considered contrary to advice within the National Planning Policy Framework, in particular section 13 'Protecting Green Belt land'.

7.0 INFORMATIVES:

Contact details:

Author: Alison Stockdale Development Management Officer (Tues - Fri)

Tel No: 01904 555730