

COMMITTEE REPORT

Date: 17 August 2017 **Ward:** Rural West York
Team: Major and **Parish:** Parish of Rufforth with
Commercial Team Knapton

Reference: 16/02303/FUL
Application at: Rufforth Playing Fields Wetherby Road Rufforth York
For: Change of use of land to a caravan and camping site
By: Mr Edward David Preston
Application Type: Full Application
Target Date: 18 August 2017
Recommendation: Approve

1.0 PROPOSAL

1.1 Rufforth Playing Fields comprises a large open playing field area with football and cricket pitches, tennis courts and a two storey brick built club house lying in a visually prominent location within the Green Belt to the east of Rufforth village. The site is presently used for caravan rallies under the auspices of the Caravan and Motor home Club and operates as an exempt site for five caravans or Motorhomes and up to 10 tents or less for a maximum of 28 consecutive days at any one time within the Caravan and Motorhomes Club regulations. Planning permission is sought for the change of use of the site to form a caravan and camping site. The item was deferred from consideration at the December 2016 Planning Committee to allow for detailed information in respect of the site layout, drainage, landscaping and case for "very special circumstances" to be duly submitted and considered. This information has now been submitted.

2.0 POLICY CONTEXT

See section 4 below.

3.0 CONSULTATIONS

INTERNAL:-

3.1 Public Protection expressed concern in terms of the lack of information forthcoming in terms of the layout, numbers of pitches, or the management of the site in respect of the proposal as originally submitted.

3.2 Highway Network Management raises no objection to the proposal.

3.3 Strategic Flood Risk Management were consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

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3.4 Public Health (Sport and Active Leisure) expressed concern in terms of the lack of information forthcoming in terms of layout, numbers of pitches, or the management of the site in respect of the proposal as originally submitted.

EXTERNAL:-

3.5 Environment Agency raises no objection in principle to the proposal but raise concerns in respect of the lack of information relating to foul drainage from the site and the proximity of the waste disposal operations that may give rise to noise and odour at Harewood Whin to the north east.

3.6 The Ainsty (2008) Internal Drainage Board raises no objection in principle to the proposal but expresses some concern in terms of the lack of information in respect of surface water drainage and recommends that any permission be made subject to a condition requiring prior approval of a detailed surface water drainage scheme.

3.7 Rufforth with Knapton Parish Council raises no objection in respect of the proposal as revised.

3.8 Rufforth United Junior Football Club wishes to support the proposal as revised on the basis of the additional funds that the caravanning activities generate to develop and sustain the other sporting and recreational activities at the site.

3.9 Rufforth with Knapton Parish Planning Group wishes to support the proposal on the basis of the additional funds it generates to develop sporting and other recreational activities at the site.

3.10 Three letters of representation have been received supporting the proposal as amended. The following is a summary of their contents:-

- Support for the on-going revenue stream that the caravanning and camping activities at the site provides to reinvest in the provision of sports facilities for children and adults in the locality.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the open character and purposes of designation of the Green Belt;
- Impact upon landscape character;
- Impact upon the residential amenity of neighbouring properties;
- The adequacy of proposed foul and surface water drainage arrangements.

PLANNING 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.

- Relevant draft policies are:
- CGP15A - Development and Flood Risk
- CYGB1 - Development within the Green Belt
- CYV1 - Criteria for visitor related development

Emerging Local Plan

4.4 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, was halted pending further analysis of housing projections. An eight week consultation on a further Preferred Sites document has concluded. Recently, however, announced closures of Ministry of Defence Sites in the York administrative area have given rise to further potential housing sites that require assessment and consideration as alternatives. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging

policies is capable of being a material consideration in the determination of the planning application.

The National Planning Policy Framework (NPPF)

4.5 The NPPF was published in March 2012. It sets out government's planning policies and is 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. Your officer's view is that this presumption does not apply to this proposal as the site lies within the general extent of the Green Belt as identified in the RSS and therefore justifies the application of the Green Belt policies in Section 9 to the NPPF.

4.7 IMPACT UPON RESIDENTIAL AMENITY:- Central Government Planning Policy in respect of amenity as outlined in paragraph 17 of the National Planning Policy Framework "Key Planning Principles" urges Local Planning Authorities to give significant weight to the need to secure a good standard of amenity for all new and existing occupants of land and buildings.

4.8 DRAINAGE MATTERS: - Central Government Planning Policy in respect of surface water drainage as outlined in paragraph 103 of the National Planning Policy Framework indicates that in determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere.

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

4.9 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 79 to 90 of the National Planning Policy Framework identifies Green Belts as being characterised by their openness and permanence.

4.10 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:

- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns merging into one another

- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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

4.12 The proposal seeks planning permission for change of use of a part area of the existing playing field to form a camping and caravan site operated under the auspices of the Rufforth Playing Fields Association. The site has been used on an ad hoc basis since the early 1990s for caravan rallies of various sizes and as a Caravan Club exempt site for five caravans or less as a touring site over the summer months for the same period. The current proposal as amended seeks to continue that on a more formalised basis under the direct control of the Association and as such it would no longer benefit from the Permitted Development Rights that would otherwise apply. The field in use is accessed via the northern access to Rufforth Airfield to the north east with the club house and car park bounding the site to the north. The remainder of the site is extremely open, being particularly visible in longer distance views to the south and south west. With the exception of the northern edge of the site the area remains largely open and undeveloped in character. With the amended application details the applicant has submitted a detailed landscape character survey which examines the wide context of the site and locates specific areas to accommodate both the continuing caravan rallies and the proposed small scale touring caravan use. The two areas have been identified in order to lessen impact upon openness and further opportunities for internal landscaping in order to mitigate further any harm have been identified.

4.13 Paragraph 89 of the National Planning Policy Framework identifies certain forms of development as not inappropriate in the Green Belt. One such exception exists in respect of facilities for outdoor recreation providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposal on the basis of the information that has been submitted is simply for a material change of use and is therefore deemed to be inappropriate within the Green Belt because the exceptions do not permit a material change of use. The proposal is therefore inappropriate development and should only be approved where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations amounting to very special circumstances.

4.14 In terms of the impact upon the openness of the Green Belt, the site lies within a gently rolling agricultural landscape at the periphery of Rufforth Airfield. Its surroundings are characterised by the local traditional pattern of field boundaries with mature hedges in native species with isolated mature trees. The amended proposal indicates no greater degree of intensity than the existing arrangements however, by its very nature it falls outside of the categories of development identified as being appropriate in paragraphs 89 and 90 and the requirement to present a case for "very special circumstances" therefore applies in this case.

4.15 Paragraph 80 of the National Planning Policy Framework identifies five purposes of designation for Green Belt areas two of which may be considered to be of some relevance in the current context. In terms of safeguarding the setting of historic towns the operation would follow the existing pattern of intensity and so would not be of such a scale or character as materially harm the setting of the Historic City. At the same time the proposal envisages securing the continuance of a pattern of usage that has occurred under different management arrangement over a long period. As such it can not be seen to lead to an encroachment into open countryside.

4.16 In submitting the revised details the applicant has emphasised the longevity of the operation albeit on an ad hoc basis. A detailed statement outlining the degree to which revenue from the caravanning activities under pin sports provision at the site for the wider community has been submitted. The intensive involvement of local clubs based at the site at both senior and junior level in local and regional leagues covering cricket, football and tennis is also emphasised. Through the submitted detail it is made clear that the community provision for Rufforth is of a high quality and that the revenue generated by the caravanning activities comprises an important element of securing its long term maintenance. These considerations are put forward as a case for "very special circumstances" to overcome harm to the Green Belt as required by paragraphs 87 and 88 of the NPPF.

IMPACT ON LANDSCAPE CHARACTER

4.17 The application site comprises a large gently rolling area with lightly landscaped boundaries to the south of the B1224 Wetherby Road and to the south east of Rufforth village. It is largely sheltered in long and short distance views from outside of the application site by the local topography and elements of the landscaping. The applicant has agreed to undertake additional boundary landscaping and as such the proposal is felt to be acceptable in landscape terms.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.18 The proposal lies within an area of open countryside directly to the east of Rufforth village however there two groupings of dwellings to the north east and

south east of the site associated with the former airfield use at the site and the agricultural holding presently occupying the eastern and central sections of the former airfield. The amended application details clearly indicate that the site would be operated on identical basis to that previously arranged under the auspices of the Caravan Club with regular weekend rallies and a low level touring caravan use through the summer months. There would not as a consequence be an intensification of the usage of the site which would as a consequence give rise to any material harm to the residential amenity of neighbouring properties I.E. There will be no increase in touring pitches above the current maximum number of 15.

PROPOSED FOUL AND SURFACE WATER DRAINAGE ARRANGEMENTS:-

4.19 Central Government Planning Policy as outlined in the National Planning Policy Guidance indicates a hierarchy of foul drainage disposal arrangements with a connection to a public foul sewer the ideal solution with a package treatment plant as the most favoured alternative where a public connection is not for any reason achievable. The submitted documentation however indicates a septic tank would be used as the means of foul water disposal. The amended details indicate no intensification of the existing pattern of usage and the proposal is on that basis acceptable.

4.20 In terms of surface water drainage the submitted application details indicate that surface water would be discharged to a nearby watercourse. Again the proposals as amended indicate no degree of intensification from the current situation as such the proposal is felt to be acceptable.

5.0 CONCLUSION

5.1 This scheme to create a caravan and camping site has been amended since submission to clarify the site layout and management arrangements. It is indicated that the site would be operated according to the same management regime as presently but under the direct control of the Rufforth Playing Fields Association with the consequence that the Permitted Development Right accruing to the Caravan and Motor home Club would no longer apply.

5.2 The site lies in visually prominent location within the Green Belt to the east of Rufforth village and the nature of the development is by definition inappropriate in the Green Belt and is additionally harmful to its character and openness. It is felt that the proposal by its low key nature would not of itself give rise to harm to the purposes of designation of the Green Belt and would not give rise to material harm to the character of the landscape. Substantial weight should be given to the harm to the Green Belt. In order to overcome the presumption against inappropriate development in the Green Belt the applicant must supply a case for "very special circumstances". The applicant has submitted detailed information to indicate that the money generated by the caravan rallies and the low intensity touring caravan use is

invested back into the on-going improvement of the sport facilities at the site with the consequence that the village has a higher level of provision than would otherwise be the case with local clubs and individuals competing at a high level in sports as varied as cricket and tennis.

5.3 It is felt that, having attached substantial weight to the harm to the Green Belt, these considerations are sufficient to clearly outweigh the harm by reason of inappropriateness and the other identified harm generated by the development and that "very special circumstances" exist to justify the grant of planning permission. The applicant has indicated a further willingness to consider additional landscaping to enable the site to blend in with its surroundings. The proposed means of foul and surface water drainage would be as currently. The proposal is therefore felt to be acceptable in planning terms and approval is recommended.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing Refs:- Rufforth Playing Fields:- Proposed Uses and Landscape Context Rev 00; Rufforth Playing Fields Site Location/Existing Rev 00.

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

3 LAND1 IN New Landscape details

4 HWAY18 Cycle parking details to be agreed

5 HWAY19 Car and cycle parking laid out

6 This permission allows the siting only of touring caravans, motor homes and tents for the purposes of holiday use only within the touring caravan and rally areas identified on plan ref:- Rufforth Playing Fields:-Proposed Uses and Landscape Context Rev 00.. 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.

7 Within 28 days of the date of this permission a detailed Management Plan for the use of the rallying and touring areas dealing with the maximum duration of stay,

rubbish and foul water collection arrangements and the means to deal with complaints and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved thereafter.

Reason: - To safeguard the residential amenity of nearby properties.

8. A maximum number of 5 caravans or motor homes or 15 tents shall at any one time be located within the touring caravan area and 15 caravan or motor homes and 30 tents within the rally area identified with plan ref:- Rufforth Playing Fields:- Proposed Uses and Landscape Context Rev 00.

Reason:- To safeguard the open character of the Green Belt.

7.0 INFORMATIVES: Notes to Applicant

1. 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:

- i) Sought a detailed layout and landscaping proposal for the site;
- ii) Sought a detailed justification for the proposal that would outweigh the harm to the character of the Green Belt by reason of inappropriateness and any other harm.

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