

COMMITTEE REPORT

Date: 6 June 2013
Team: Major and Commercial Team
Ward: Strensall
Parish: Strensall With Towthorpe Parish Council

Reference: 13/00761/FUL
Application at: Country Park Pottery Lane Strensall York YO32 5TJ
For: Siting of mobile home for use as wardens lodge
By: Miss Raquel Nelson
Application Type: Full Application
Target Date: 29 May 2013
Recommendation: Approve

1.0 PROPOSAL

1.1 The Country Park Pottery Lane Strensall comprises a seasonal touring caravan site initially granted planning permission for 20 pitches (ref:- 04/01105/FUL) but recently expanded to cater for 40(ref:- 12/03270/FUL) lying within the York Green Belt to the north west of Strensall village. Planning permission is now being sought for the erection of a 3 bedroom manager's chalet (static caravan) at a location at the northern edge of the site to provide a degree of supervision and security to the site when in operation. The previous permission ref:- 04/01105/FUL was conditioned to prohibit the erection of static caravans at the site.

1.2 The application has been called in for consideration by Committee by Councillor Sian Wiseman in view of concerns in respect of its impact upon the open character and purposes of designation of the Green Belt.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGB1
Development within the Green Belt

CYV5
Caravan and camping sites

3.0 CONSULTATIONS

INTERNAL:-

3.1 Nil.

EXTERNAL:-

3.2 Strensall with Towthorpe Parish Council object to the proposal on the grounds that it would contravene the restrictions on seasonal occupancy and location of static caravans contained within the earlier planning permission and would set a precedent for permanent residential occupation of the site.

3.3 One letter of objection has been received from a nearby residential occupier expressing concern with regard to the incremental nature of development at the site, the conflict with the requirements of the earlier planning permission for the site and the setting of a precedent for permanent residential occupation to the detriment of the open character and purposes of designation of the Green Belt.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the open character and purposes of designation of the York Green Belt;
- * Precedent for permanent residential occupation of the site.

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 for development in the Green Belt will only be forthcoming 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 it is for one of several purposes deemed to be appropriate

within the Green Belt including essential facilities for outdoor recreation. Central Government Planning Policy in respect of planning in Green Belt areas outlined in paragraph 89 of the NPPF indicates that the erection of new buildings within the Green Belt should be considered as inappropriate and by definition harmful to the Green Belt unless they come within one of a number of categories including the provision of appropriate facilities for outdoor recreation. The current proposal envisages the erection of a three bedroom timber built chalet for occupation by a site manager for the caravan site which is in the process of development. As the proposal effectively relates to the siting of residential development the proposal would be inappropriate development within the Green Belt. Thus "very special circumstances" would have to be demonstrated to overcome the usual presumption against inappropriate development within the Green Belt.

4.4 The applicant has submitted a detailed written statement in support of the proposal which outlines a case for "very special circumstances" based upon the need for a regular presence to ensure the effective security and maintenance of the site and to secure compliance with the Central Government Planning Policy on Tourism outlined in the Good Practice Guide for Planning and Tourism. This states in paragraph 24 to Annex A that in respect of caravan and holiday parks the residential presence of a manager is sometimes considered necessary to ensure the security and health and safety needs of users of the site. It is indicated that priority should be given to using existing dwellings or using buildings suitable for conversion. In this particular case it is considered that a residential manager is necessary as a result of the intended level and intensity of use of the site and the need to secure its maintenance and security outside of the operating season from March to October. In terms of its relationship to existing suitable accommodation, the site is relatively remote from Strensall village and there are no buildings suitable for conversion within the environs of the site. Notwithstanding the restriction placed in the previous permission to location of static units on the site, the structure applied for is a timber chalet which would not have a significant impact on the surrounding landscape and could easily be removed in the event of no longer being required. The unit would be located at the north western edge of the site in close proximity to the site office/amenity buildings and on balance it is considered that a suitable case has been put forward for its location on the site.

4.5 A further requirement in respect of development within the Green Belt is to ensure that its openness is secured. The proposed timber chalet would be located at the north western edge of the site in close proximity to the recently established landscape belt. It would be single storey and timber walled which would reduce its impact in long and shorter distance views from outside of the site. It would be seen as visually closely related to the amenity/site office building to the south and the recently constructed agricultural building to the south west. Any impact upon the openness of the Green Belt is therefore considered to be acceptable.

PRECEDENT FOR PERMANENT RESIDENTIAL OCCUPATION OF THE SITE:-

4.6 Concern has been expressed that the proposed development setting a precedent for more permanent occupation of the site. Central Government Planning Policy as laid out in the Good Practice Guide on Planning for Tourism sets out a clear policy basis under which a residential presence for a manager on a caravan site or holiday park may be provided. The level of intensity of the proposed use and the relative remoteness of the site from centres of population provides a clear justification in the current circumstances. The Green Belt location of the site renders it unsuitable for permanent occupation and the principal permission for the site precludes the location of static caravans for holiday use as a consequence of their impact upon the openness of the Green Belt. It is considered that providing any permission is conditioned in line with the requirements of the Good Practise Guide to restrict its occupancy to the site manager and to secure the removal of the unit in the event of it falling out of use, then no precedent would be set for permanent residential occupation of the site.

5.0 CONCLUSION

5.1 The Country Park Pottery Lane Strensall comprises a 40 pitch touring caravan site with a seasonal restriction on use lying within the York Green Belt to the north west of Strensall village. The site is currently being developed and planning permission has been sought for location of a three bedroom single storey timber framed manager's chalet on land at the northern edge of the site. The proposal would not be appropriate within the Green Belt ordinarily. However, a case for " very special circumstances is advanced based upon the level of intensity of use of the site and its relative remoteness from Strensall village together with Central Government Planning Policy in respect of Tourism outlined in paragraph 24 to the Good Practise Guide on Planning for Tourism. On balance it is felt that the proposal would be acceptable and would not set a precedent for permanent residential occupation of the site providing any permission is restricted to occupation by the site manager and requiring the removal of the unit in the event of it no longer being required for occupation by the site manager. Approval is therefore recommended.

COMMITTEE TO VISIT

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: - A1304 06; and PB/13/08.Drawing 1 Rev A.

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

3 VISQ8 Samples of exterior materials to be app -

4 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

5 No development shall take place until 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, shrubs and hard landscaping. This scheme shall be implemented within a period of six months of the completion of the development. 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.

6 The chalet hereby permitted shall be solely used to provide residential accommodation for the site manager of the associated caravan site and for no other purpose including any other within Class C3 to the 1987 Town and Country Planning(Use Classes) Order (as amended).

Reason:- To safeguard the open character and purposes of designation of the York Green Belt and to secure compliance with Central Government Policy in respect of Planning and Tourism outlined in paragraph 24 to the Good Practise Guide on Planning and Tourism.

7 In the event that the chalet hereby permitted is no longer required for occupation by the caravan site manager it shall be removed and the site reinstated to its previous conditions within three months of occupation ceasing.

Reason: - To secure the open character and purposes of designation of the York Green Belt and to secure compliance with Policy GB1 of the York Development Control Local Plan.

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 and precedent for permanent residential occupation of the site. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1 and V5 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:

A detailed statement of justification for the proposal was requested.

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