

3.2 Highway Network Management were consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

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.

3.4 Public Health(Sport and Active Leisure) object to the proposal on the grounds that the proposed usage by caravans and tents would materially conflict with the use of the playing field for sporting activities, would harm the playing surfaces and would allow for the potential change of use of the entire playing field area for camping use by stealth.

EXTERNAL:-

3.5 Environment Agency raise 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 raise no objection in principle to the proposal but express some concern in terms of the lack of information in respect of surface water drainage and recommend 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 was consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

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 the residential amenity of neighbouring properties;
- The adequacy of proposed foul and surface water drainage arrangements.
- Harm to the existing playing field use.

PLANNING POLICY:- POLICY FRAMEWORK

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.

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.

NPPF

4.5 The National Planning Policy Framework (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 more restrictive 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. Substantial weight should be given to any harm to the Green Belt.

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. Paragraph 90 does allow certain types of development providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. This application does not preserve openness and therefore 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.

4.12 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 although no indication despite requests of the applicant has been given as to the layout or arrangement of pitches. The field 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. Whilst little detail has been submitted with the proposal it is clear that in order to be commercially viable the operation of the site would fundamentally alter the character of the site and its operation. Paragraphs 89 and 90 of the National Planning Policy Framework outlines a number of types of development incorporating new building which are felt to be appropriate in the Green Belt providing they do not harm its openness. An exception exists in respect of facilities for outdoor recreation that are deemed to be appropriate providing they give rise to no additional harm to openness. 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. In terms of the specific 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 proposal by virtue of introducing a large but indeterminate number of brightly painted caravans together with the associated comings and goings through much of the day would fundamentally harm the open character of the Green Belt. Significant weight is given to the harm to the openness of the Green Belt caused by the proposal in considering this application.

4.13 As a consequence of the prominence of the field relative to the surrounding landscape there would be significant additional harm to the openness of the Green Belt arising from the proposal.

4.14 In order to be acceptable and to overcome the general policy presumption against inappropriate development in the Green Belt the proposal would need to evidence other considerations that would clearly outweigh the harm to the Green Belt. (para 87 and 88 NPPF). No evidence of any such very special circumstances

despite repeated requests has been submitted by the applicant to justify harm to the Green Belt.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.15 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 proposal envisages the introduction of a significant number of caravans and or tents of an indeterminate layout and at indeterminate time in close proximity to the residential property. Insufficient information has been submitted to enable an appropriate assessment of the impact of the proposal upon the residential amenity of the neighbouring properties or the need for any mitigation.

PROPOSED FOUL AND SURFACE WATER DRAINAGE ARRANGEMENTS:-

4.16 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 without any detail as to the size, location or pattern of usage of the tank and why a connection to the public foul sewer operated by Yorkshire Water in Rufforth village a short distance away may not be practicable. Insufficient information has therefore been forthcoming to enable an informed judgement to be made in terms of the suitability of the proposed foul drainage arrangements.

4.17 In terms of surface water drainage the submitted application details indicate that surface water would be discharged to a nearby watercourse. However, no detail has been forthcoming in terms of new areas of hard surfacing, the location of the water course to receive the additional surface water or its capacity and the rate at which the surface water would be discharged. Again despite requests of the applicant insufficient information has been forthcoming to enable an informed assessment of the proposed means of surface water drainage and any implications in terms of flood risk to be undertaken.

HARM TO THE EXISTING PLAYING FIELD USE:-

4.18 The application site comprises a playing field area with occasional use for caravan rallies and a caravan club site exempt site for five caravans or less. Concern has been expressed in relation to the impact of the proposal upon the operation of the playing field by virtue of potential conflict with users and harm to the

playing surface. The applicant has indicated that the proposal seeks a formalisation of the existing arrangements but has not supplied precise detail as to what these existing arrangements are. As such it is not possible to properly assess the impact of the proposal upon the recreational usage of the site. Paragraph 74 of the NPPF sets out a presumption against harm to or the loss of existing recreational land and as such the proposal is unacceptable.

5.0 CONCLUSION

5.1 Planning permission is sought for the change of use of the Rufforth Playing Fields to form a caravan and camping site. However no information has been forthcoming in terms of layout, pitches or total numbers of tents or caravans or servicing arrangements.

5.2 The site lies in visually prominent location within the general extent of the Green Belt to the east of Rufforth village as identified in the RSS to which S38 of the 1990 Act applies. Having regard to the purpose of the RSS policies it is considered appropriate and justified that the proposal is therefore assessed against the more restrictive policies in the NPPF relating to protecting the Green Belt.

5.3 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, is clearly outweighed by other considerations. In this case, harm has been identified by way of impact on openness. In accordance with paragraph 88 to the NPPF, substantial weight is given to the harm to the Green Belt. The applicant has not submitted any evidence to show that other considerations providing a clear case for "very special circumstances" clearly outweigh the harm to the Green Belt and therefore the development is recommended for refusal.

5.4 Furthermore notwithstanding the submission of a "management plan" insufficient information has been submitted with the proposal to enable an appropriate assessment of its impact upon the residential amenity of neighbouring properties, the local pattern of surface water drainage or the appropriateness of the proposed means of foul drainage to be properly undertaken. The proposal is also recommended for refusal on grounds of insufficient information relating to foul and surface water drainage and impact upon residential amenity.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposal lies within the general extent of the Green Belt as set out in the saved RSS policies YH9C and Y1C. The application has therefore been considered against the policies in the Framework at Section 9 relating to development in the

Green Belt. The proposal causes harm to the openness of the Green Belt and there are no other considerations that clearly outweigh the harm to the Green Belt

2 Insufficient information has been submitted with the proposal to enable an informed assessment of the impact of the proposal upon the residential amenity of neighbouring properties and the need for appropriate mitigation contrary to Central Government Policy as outlined in Paragraph 17 "Core Planning Principles" of the National Planning Policy Framework.

3 Insufficient information has been forthcoming to enable an informed assessment of the appropriateness of the chosen means of foul water disposal or the suitability of the proposed means of surface water disposal contrary to Central Government Planning Policy as outlined in paragraph 103 of the National Planning Policy Framework.

4. Insufficient information has been forthcoming to enable an informed assessment to be undertaken in respect of the impact of the proposal upon the continuing usage of the playing field area contrary to Central Government Planning Policy as outlined in paragraph 74 of the National Planning Policy Framework.

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 an attempt to achieve a positive outcome:

- i) Clarification as to the proposed means of surface and foul drainage;
- ii) Clarification as to the operating arrangements for the site including total numbers and proposed layout;
- iii) Submission of a case for "very special circumstances" to justify otherwise inappropriate development within the Green Belt.

Notwithstanding the above, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

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