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Meeting	Planning Committee
Date	18 February 2016
Present	Councillors Reid (Chair), Derbyshire (Vice-Chair), Galvin, Ayre, S Barnes, Boyce, Cannon (Substitute), Cullwick, Cuthbertson, D'Agorne, Doughty, Funnell, Mercer (Substitute), Richardson and Warters
Apologies	Councillor Dew

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**68. Site Visits**

Application	Reason	In Attendance
Proposed caravan site, Northfield Lane	To enable members to familiarise themselves with the site.	Councillors Cannon, Cullwick, Galvin & Reid.
The Gardens, Boroughbridge Road	To enable members to familiarise themselves with the site.	Councillors Cannon, Cullwick, Galvin & Reid.

**69. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

**70. Minutes**

Resolved: That the minutes of the last meeting held on 21<sup>st</sup> January 2016 be approved and signed by the Chair as a correct record.

**71. Public Participation**

It was reported that there had been no registrations to speak under the Council's Public Participation scheme.

## **72. Plans List**

Members then considered the following reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

## **73. Proposed Caravan Site, Northfield Lane, Upper Poppleton, York (15/01439/OUTM)**

Consideration was given to a major outline application for the use of land for touring caravans (91 pitches), 10 camping pods with associated buildings, refuse points, access and landscaping.

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Officers provided an update to the committee report, full details of which are attached to the online agenda for this meeting, the main points were as follows:

- The applicant had offered to plant a 14 metre deep wooded area to the western boundary with Northfield Lane
- A further representation in objection had been received concerned with extra traffic on the roads, change of character to Poppleton and damaging to businesses in the area.
- A correction to the location map. A new map was circulated showing the correct site area.

Diane Davies had registered to speak on behalf of local residents. She advised that development on the land would cause harm to the Green Belt and that currently, the site links together two areas of Green Belt land. She also raised concerns about the loss of agricultural land and the impact upon wildlife and the proximity of the site to homes along Northfield Lane.

Kenneth Crocket had registered to speak as a local resident. He raised concerns about the lack of consultation with residents on the application and the potential impact of light and noise pollution from the 90 caravans that would potentially be on the

site. He also raised concerns about the loss of privacy to homes along Northfield Lane.

Richard Baxter had registered to speak on behalf of the applicant. He advised that the proposal was for a high quality site for touring caravans and that York only had two other sites in the City that would come close to what would be offered at this location. The layout would be low density with 10 caravans per acre. He argued that the site was not in open countryside and as there is already development along Northfield Lane, that the proposals would infill the space.

Edie Jones had registered to speak on behalf of Upper Poppleton Parish Council and the Poppleton Neighbourhood Plan Committee. She advised that the interim Green Belt for Poppleton had been defined in the Neighbourhood Plan and this area of land was important as it prevented coalescence and protected the setting of the Poppleton villages. She also raised concerns about the potential for an increase in traffic, particularly along the A59.

Members commented that having viewed the site on the site visit, they felt that it did fulfil a Green Belt purpose. As the site is not open land, any development on it would result in coalescence.

Resolved: That the application was refused.

Reason: The application site is within the general extent of the Green Belt as set out by policy Y1 of The Yorkshire and Humber Plan - Regional Spatial Strategy. In accordance with paragraph 89 of the National Planning Policy Framework it is considered that the touring caravan site including 91 caravan pitches, 10 camping pods, reception/shop/cycle hire store, wardens accommodation, garage, amenity blocks, service buildings, refuse store, together with an extensive internal road layout, parking spaces, 2 metre high bund surrounding Northfield Terrace, and 2 metre high fence to the western boundary constitutes inappropriate development which, according to Section 9 of the Framework is, by definition, harmful to the Green Belt and should not be

approved except in very special circumstances. The proposal conflicts with the essential characteristics of Green Belts (their openness and their permanence) and the purposes of including land within the Green Belt by resulting in encroachment of development into the countryside, the sprawl, merging and coalescence of development; and is harmful to the openness of the Green. The Local Planning Authority has carefully considered the justification put forward by the applicant in support of the proposals but has concluded that these considerations do not clearly outweigh the harm to the Green Belt and other harm (being loss of Grade 1 agricultural land, harm to visual and landscape amenity) when substantial weight is given to the harm to the Green Belt. As such very special circumstances do not exist to justify the proposal. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework and policy YH9 of the Yorkshire and Humber Plan and also conflict with Draft Development Control Local Plan (2005) policy GB1: Development in the Green Belt

**74. The Gardens, Boroughbridge Road, York, YO26 6QD (15/01836/FUL)**

Consideration was given to a full application by Mr & Mrs Nimmo for the conversion, extension and change of use of outbuildings and adjacent land to pre-school nursery (use class D1), associated car and cycle parking and widening of access.

Officers provided an update to the committee report, full details are attached to the online agenda for this meeting, the main points were as follows:

- Additional comments had been received from the neighbours at Wheatland House to advise that although not ideal, providing the new access was in accordance with the latest plans (enabling the two way traffic flow along the drive and a separate footpath), their main concerns had been addressed. They also requested that

they have a right of access over the drive and plan details are strictly enforced. Officers reminded members that a private right of access is not a matter for the planning authority.

- Additional conditions to limit the occupancy to 90 children at a time, removal of permitted development rights and the removal of permitted change of use rights.

Russell Trudgen spoke as the agent on behalf of the applicant. He advised that the site provided the best location for the relocation of the nursery and would also provide the applicant with an opportunity for expansion. The applicant, through the operation of the current business, had demonstrated that there is a need in the area for a nursery and the majority of parents had indicated they would be willing to travel the small extra distance to use the new site.

Members queried a number of points, in particular the traffic arrangements and number of children on site at any given time and sought assurances from the applicant that disruption to the neighbours would be minimised during the construction phase.

Resolved: That the application was approved subject to the conditions outlined in the committee report and update.

Reason: ,Whilst the proposals are considered to be inappropriate development in the Green Belt, and therefore harmful by definition, for which the presumption in favour of development does not apply, the impact on the permanence and openness of the Green Belt is moderate in scale and localised. The particular considerations here cumulatively amount to very special circumstances, that in this particular instance are considered to clearly outweigh the harm to the green belt by reason of inappropriate development and localised limited harm to the purposes and openness of the Green Belt. As such the proposals are in accordance with core principles of the NPPF, and specific principles and policies protecting the Green Belt in Section 9 of the NPPF and Policies SP2, GB1 and GB3 of the DCLP.

Overall the proposals are considered to comply with relevant sections of the NPPF (paras 14, 17 and 70) and GP1, GP9 and C7 of the DCLP.

**75. York Caravan Park, Stockton Lane, York, YO32 9UA (15/02073/FUL)**

Consideration was given to a full application by Mr Richard Wilson for the replacement of six all weather surfaced camping pitches with six camping pods on land forming part of the York Caravan Park.

It was reported that there was no update to the committee report.

Some members referred to previous planning applications for caravan sites within the Green Belt which had recently been considered by the committee and queried why this similar application was being recommended by officers for approval when other applications had not. Officers advised that the site was already being used as a camping and caravanning site and the pods would allow a rural business to diversify in accordance with Government policy.

Some members disagreed with allowing permanent camping pods to be placed on the site and asked whether a condition could be added to ensure that out of season, the pods are removed and stored elsewhere. The applicant's agent who was in attendance confirmed that such a condition would be acceptable.

**Resolved:** That the application was approved subject to the conditions outlined in the committee report and the amended condition 4 as suggested by members, to ensure the pods were stored elsewhere on the site during the winter period.

**Reason:** The application site is within the general extent of the Green Belt. The proposal constitutes inappropriate development for the purposes of paragraph 88 of the NPPF, and by definition causes harm to the Green Belt. The proposed intensification of the use would result in some limited harm to the openness of the Green Belt

but the use is not considered to conflict with the purposes of Green Belt set out at paragraph 80 to the NPPF.

It is considered that the other considerations put forward by the applicant, the benefits to tourism on this existing camping and caravan site and the more efficient use of an existing sites which reduces the need for new facilities in rural locations and supports the Government aim of enhancing the beneficial use of the Green Belt together with the mitigation of other harm through the imposition of planning conditions clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm, and thereby amount to very special circumstances to justify the inappropriate development in the York Green Belt even when substantial weight is given to any harm to the Green Belt.

## **76. Appeals Performance**

Members considered a report which informed them of the Council's performance in relation to appeals determined by the Planning Inspectorate between 1 October and 31 December 2015 and provided them with a summary of the salient points from appeals determined in that period.

Resolved: That the report be noted.

Reason: To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate.

Cllr A Reid, Chair

[The meeting started at 4.40 pm and finished at 5.50 pm].