

COMMITTEE REPORT

Date: 2 March 2017 **Ward:** Strensall
Team: Major and **Parish:** Strensall with Towthorpe
 Commercial Team Parish Council

Reference: 16/01766/FUL
Application at: Manor Park Sheriff Hutton Road Strensall York YO32 5TL
For: Siting of 4no. caravans (one each on plots A, B, C and D) for
 holiday use
By: Nelson Park Lodges
Application Type: Full Application
Target Date: 10 October 2016
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission is being sought for the siting of four pitch-roofed, timber-clad holiday lodges (A, B, C and D). All of the lodges meet the legal definition of caravan. Each pitch has a concrete base which has already been constructed. The bases vary in size depending on the size of the lodge to be sited on it. Lodge A measures 9.1m x 4.3m and is in situ. Lodge B would be 12.2m x 6.1m. Lodge C would be 13.7m x 4.6m. Lodge D is 13.7m x 4.6m and is in situ. Each of the pitches has a small area of amenity space and dedicated parking for one car.

1.2 The application has been called in by Cllr Doughty due to the impact on the Green Belt/open countryside.

PLANNING HISTORY

1.3 The Vale of York Caravan Site (sometimes referred to as Manor Park) dates from the early 1990s and lies in open countryside to the north of Strensall village. A former farm, it has grown since the 1990s into a sizeable caravan site and holiday village. In 2012 planning permission was granted for part of the holding to be used for the erection of 14 holiday lodges. In 2016 a certificate of lawfulness was issued for an adjacent part of the holding to be used for the stationing of caravans for permanent residential occupation. The certificate was issued on the basis that a previous planning permission (in the 1990s) placed no restriction on the type of caravan or length of stay at the site.

1.4 The site of the current application comprises (a) part of the land granted the certificate of lawfulness in 2016 for the siting of caravans in permanent residential occupation; (b) part of the land granted planning permission in 2012 for the erection of 14 holiday lodges; and (c) a small area of land that appears to have been previously used as a paddock.

In essence, the application comprises the siting of four caravans in the style of holiday lodges within the general extent of caravan pitches comprising the existing caravan park.

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: City of York Development Control Draft Local Plan (2005)

GB1 - Development in the Green Belt
GP1 - Design
V1 - Visitor Related Development
V5 - Caravan/Camping Sites.

2.3 Policies: City of York Local Plan Publication Draft (2014)

GB1 - Development in the Green Belt
D2 – Placemaking
EC5 - Tourism
EC6 - Rural Economy.

3.0 CONSULTATIONS

INTERNAL

3.1 None.

EXTERNAL

Strensall with Towthorpe Parish Council

3.2 Objection. This site is not sustainable as it is not on a bus route and there are no pedestrian walkways between the site and Strensall village. Any approval must be conditioned for holiday use only. The parish council support the views of the Foss Internal Drainage Board in its entirety. Until the boundaries of the Green Belt are defined in an approved local plan the site falls within the York Green Belt. The applicant must therefore show special circumstances to support the proposed development.

Foss Internal Drainage Board

3.3 Further increases in the impermeable area on the site could result in the existing drainage system (natural dissipation through the ground) becoming overwhelmed. The applicant should therefore be asked to develop a more formalised drainage strategy to ensure that any surface water flows are effectively constrained. Soakaways may be an appropriate solution, subject to the ground being tested for suitability. If the testing proves unsatisfactory the applicant will need to reconsider their drainage strategy. No objection to the development in principle subject to conditions requiring submission of drainage details including attenuation.

Neighbour Notification and Publicity

3.4 No response.

4.0 APPRAISAL

4.1 KEY ISSUES

- Impact on the Green Belt
- Local economy
- Flood risk and drainage
- Planning balance

PLANNING POLICY

4.2 Section 38(6) of the Planning and Compensation Act 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 Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt, saved in 2013. These policies are YH9(C) and Y1 (C1 and C2) and the key diagram insofar as it illustrates the general extent of the Green Belt. It is for the local plan process to identify the precise boundaries of the Green Belt around York but policy Y1(C) states that the outer boundary should be 'about 6 miles from York city centre'. The application site is about 6.5 miles from St Sampson's Square so is not indisputably further than 'about 6 miles from York city centre' stipulated in the RSS. The council's position is therefore that, for development management purposes, the application site should be treated as being within the general extent of the Green Belt.

4.3 In the absence of a formally adopted local plan the most up-to date representation of relevant policy is the National Planning Policy Framework (NPPF). Paragraph 7 of the Framework says planning should contribute to the achievement of sustainable development by balancing its economic, social and environmental roles. This presumption in favour does not apply to the current application because of the site's Green Belt location.

4.4 Although there is no formally adopted local plan the City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of s.38(6) 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. The most relevant Draft (2005) policies are listed at paragraph 2.2 of this report. The proposals map to the 2005 Draft Local Plan shows the application site as being outside, i.e. beyond, the draft Green Belt. This reflects the designation in the North Yorkshire Green Belt Local Plan (1995) when the site was in Ryedale prior to the creation of City of York Council. The exclusion from the Green Belt as shown in the various draft local plan documents does not alter officers' position that the site should be treated as being within the general extent of the Green Belt because the statutory development plan for the area is the RSS.

4.5 The emerging Local Plan is progressing and the 2016 consultation on Preferred Sites ended on 12 September 2016. The main draft policies that cover matters raised by this application are listed at paragraph 2.3 of this report.

APPLICATION SITE

4.6 Part of Vale of York Caravan Site on the east side of Sherriff Hutton Road to the north of Strensall village. The caravan site, together with the adjacent Manor Park Caravan Site (also in the applicant's control), has a mixture of holiday cottages, timber lodges in holiday use, caravans for permanent residential occupation, touring caravan pitches and storage areas. The site is outside any settlement limit and is enclosed on all sides by mature trees, hedges, fences and earth bunds.

IMPACT ON THE GREEN BELT

4.7 The Framework makes clear at section 9 that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open (paragraph 79). Paragraphs 89 and 90 of the Framework specify the types of development that are 'not inappropriate' in the Green Belt. All other development is inappropriate and, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The application proposal does not fall within any of the categories of appropriate development in paragraphs 89 or 90. It therefore constitutes inappropriate development for the purposes of paragraph 88 of the Framework and by definition causes harm to the Green Belt which must be given substantial weight.

4.8 Paragraph 80 the Framework lists the five purposes of the Green Belt, which are:

- 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; and
- o To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.9 The four pitches comprising the current application are located at the heart of the caravan park. They would not increase the extent of built development. Nor would they be seen from outside the site, due to the substantial bunds and tree screening along the boundaries. Officers therefore consider that the proposal would not conflict with the first four purposes of the Green Belt and would have negligible impact on the fifth.

4.10 When considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Whether there are such other considerations, amounting to very special circumstances, is assessed below in 4.16-4.17 below.

LOCAL ECONOMY

4.11 Paragraph 28 at section 3 of the NPPF says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. The application would support an established local business and contribute to the local economy.

FLOOD RISK AND DRAINAGE

4.12 The National Planning Policy Framework (NPPF) aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas of highest risk. The development is in low risk Flood Zone 1 and should not suffer from river flooding.

4.13 Although the additional impermeable area created by the current application is relatively small no details of the existing and proposed drainage system have been submitted. The increase in impermeable area caused by the additional pitches together with other changes to the site (including new concrete pads, access roads and parking spaces recently approved as 16/01085/FUL) would increase total surface water run-off. This should be addressed by a condition requiring submission of drainage details - as it was for planning permission 16/01085/FUL.

4.14 No details of foul water drainage have been provided but officers understand that at least part of the accommodation on the Vale of York Caravan Site drains to cess pits or septic tanks. The four additional holiday lodges (together with the other recent changes described above) are likely to increase the demands on the foul drainage facilities. The use of cess pits or septic tanks would not be acceptable. Submission of foul drainage details should be made a condition of approval.

CYCLE STORAGE

4.15 The site is outside any settlement limit but is close to Strensall village. A standard condition should be attached requiring provision of cycle storage.

THE PLANNING BALANCE

4.16 The proposal constitutes inappropriate development in the Green Belt. It is therefore, by definition, harmful to the Green Belt and should only be approved in very special circumstances. The proposal would not have any material impact on openness and would not conflict with the purposes of including land in the Green Belt. The site is well screened from outside the site and no additional land would be taken up by the proposal. Subject to conditions being attached to the planning permission, the proposal would have no material impact on the character of the area, neighbour amenity, traffic, highway safety or drainage. The harm to the Green Belt would be confined to harm due to inappropriateness.

4.17 The main benefit of the development is that it would support a local business, tourism in York and the local economy generally. Notwithstanding that substantial weight must be given to any harm to the Green Belt (in this case due to inappropriateness) the economic benefits are sufficient to constitute the very special circumstances that justify approval, in accordance with paragraphs 28 and 87-89 of the NPPF.

5.0 CONCLUSION

5.1 Notwithstanding that the proposal represents inappropriate development in the Green Belt very special circumstances exist to justify approval, in accordance with paragraphs 28 and 87-89 of the NPPF.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development shall not be carried out otherwise than in complete accordance with approved plan PB16/48 received 25 July 2016.

Reason: To achieve an acceptable form of development.

2 The accommodation hereby approved shall not be used for residential purposes other than holiday letting. For the purpose of this condition "holiday letting" means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 nights in any one calendar year.

The site operator shall maintain an up-to-date register of the names and main home addresses of all occupiers of the accommodation on site, including dates and durations of each stay by each occupier, and shall make this register available for inspection at all reasonable times when requested by the Local Planning Authority.

Reason: To ensure that the holiday accommodation is not used for unauthorised permanent residential occupation, which would constitute inappropriate development in the Green Belt for which no very special circumstances have been shown. Furthermore the site is in an unsustainable location in the countryside, has no separate curtilage and insufficient dedicated amenity space for permanent residential occupation.

3 No more than four holiday caravans shall be accommodated within the application site.

Reason: In the interests of the protection of the openness of the Green Belt and the character of the area as static caravans and/or a larger number of holiday caravans would have a materially greater impact on the openness of the Green Belt and the character of the area and would be likely to require increased amenity facilities.

4 Within two months of the date of this planning permission details of foul and surface water drainage works shall be submitted to the Local Planning Authority for approval in writing. The approved drainage works shall be completed prior to the first occupation of the lodges hereby approved.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

5 Within two months of the date of this planning permission details of cycle parking areas, including means of enclosure, shall be submitted to the Local Planning Authority and approved in writing. The dwelling shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application the Local Planning Authority implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and took account of all relevant local policies.

The planning authority considers the proposal to be satisfactory subject to appropriate planning conditions being applied. For this reason, no amendments were sought during the processing of the application.

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