



1.5 A further letter of support for the application has been submitted by the agents on the 24th August 2009, which can be summarised as follows:-

- articles are enclosed referring to the future rise in tourism demand and referring to support that they are endeavouring to get from independent sources.
- it is reiterated that the level of demand referred to in the statement arises only from e-mails and does not include the many phone calls. Whilst it is accepted that people may have found other accommodation elsewhere this does not diminish the weight of this evidence or the obvious monetary loss.
- The proximity of the site is only bettered by Rowntrees Caravan Park, which does not have good access for caravans.
- New sites of 20 pitches or less further from the city centre would be less beneficial in sustainability terms than the increase in size of the current site
- The letter refers to the Environment Agencies support for the proposals
- Further comments are made about how the agent considers the development to be acceptable within the green belt

An amendment to the description of the application is requested to allow for both caravans and tents at the site.

## Site History

1.5 03/03529/OUT Touring Caravan site for 135 pitches on 3.9ha of land WITHDRAWN following concerns over the effect of the development on the Green Belt and on drainage/flood risk issues

1.6 04/03206/OUT Touring caravan site and ancillary outbuilding & 04/012888/FUL Conversion of agricultural building to caravan storage and rebuilding a former dwelling as a security/reception building. These two were WITHDRAWN from Main Planning Committee agenda in October 2005 following concerns over the effect of the development on the Green Belt; the amount of landscaping required to screen the development, lack of information on foul drainage.

1.7 05/01395/FUL Touring caravan site for 20 pitches and the use of existing buildings for the storage of caravans was granted in 2005

1.8 07/02755/FUL Provision of 20 hardstandings for the 20 pitches approved in 2005 was granted in January 2008

1.9 08/02729/FUL extension to existing caravan park to provide an additional 20 touring caravan pitches was withdrawn by the applicant in January 2009

## 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

Floodland GMS Constraints: Flood Zone 3

Floodland GMS Constraints: Flood Zone 2

Floodzone 2 GMS Constraints: Flood Zone 2 CONF

Floodzone 3 GMS Constraints: Flood Zone 3

## 2.2 Policies:

CYGB1

Development within the Green Belt

CYGP1

Design

CYV1

Criteria for visitor related devt

CYV5

Caravan and camping sites

## 3.0 CONSULTATIONS

### INTERNAL

3.1 Highways Network Management - It is particularly noted that this proposed development would nominally double the size of the site with potentially similar increases of traffic movements into/out of the site. The existing access is not laid out such that car and caravan units can simultaneously pass at the entrance and these units cannot turn left into or out of the site without crossing to the opposite side of the road. It is recommended that the access be formed with effective kerb radii of 9 metres and a drive width of 5.5 metres for 15 metres into the site. Conditions are requested to achieve the required improvements to the access arrangements.

3.2 Environmental Protection - No objections to the proposals. An informative is recommended with regard to the development of the site.

3.3 Countryside Officer - No particular ecological issue. Considers that there may be more than 20 caravans on the site at the moment.

3.4 City Development - City development conclude that the proposed application is clearly contrary to PPG2, Policy GB1 and policy V5 of the City of York Local Plan, on the grounds that the additional pitches would be double the number of pitches allowed by Policy V5, and would therefore affect the openness of the Green Belt. This is particularly a concern as the site lies within a Green Wedge, as designated in the York

Green Belt Appraisal - and is regarded as an area of particular importance to the character and setting of the City. Consequently, it cannot be supported in policy terms.

3.5 Additionally, the site lies within the Functional Floodplain, as designated in the SFRA. Unless the argument put forward by the applicants is acceptable to the Council's Engineers Section, it cannot be supported in policy terms.

3.6 Structures and Drainage - Initially said that the Flood Risk Assessment (FRA) by Weetwood Environmental Engineering states that the proposed site lies within an area of moderate flood risk. The proposed site is actually located within Flood Zone 3a high risk, identified as such in both the Environment Agency's flood risk mapping and the Council's Strategic Flood Risk Assessment (2007). The EA requires consultation with Flood Risk Assessment and Sequential Test Evidence (and where required confirm Exception Test has been applied). Following discussions with the Environment agency there are now no objections on flood risk grounds.

3.7 Structures and drainage, however, still object on the basis that insufficient information has been submitted with regard to surface water drainage

## EXTERNAL

3.8 Heworth Without Parish Council - On the previous application for the original caravan site the site was shown for cattle grazing and included an area described as 'eastern tree belt'. A loop road has been put into the application site without planning permission. The proposal constitutes inappropriate development and exceeds the maximum of 20 pitches and is contrary to policy V5.

3.9 V5 says that development should not adversely affect the openness of the green belt. The site will appear visually distinct in so much as it is almost doubling the overall size and will extend the developed area eastwards into currently undeveloped green fields. The extension would be significant.

3.10 V5 states that caravan sites should be located in well wooded areas, and that the essential screening of the site should consist of already well established tree cover, and any new planting should only be necessary to reinforce the existing cover. The existing Eastern tree belt cannot be described as well established in this context; it may take another 10 years before it has gained any degree of screening ability and only when in full leaf. Because of the colour of caravans they will stand out against the backdrop of the existing tree screen.

3.11 The existing caravan site is not visually dominant when viewed from the adjacent land and from Stockton Lane due to the present application site acting as a visual buffer. The site is visible from the A64 between Hopgrove and York across Monk Stray. Any extension to the site would be highly visible from both the Stockton Lane and the A64.

3.12 The current application if approved would make the increased or extended caravan site very dominant and will significantly reduce the openness of this land and the green belt particularly in the winter months before leaf growth on trees of the eastern tree belt and also hedges along Stockton Lane.

3.13 The additional interior service road extension and additional hedging proposed together with the gravelled hardstandings further alter the character and appearance of the countryside along Stockton Lane (Policy V1).

3.14 The total number of caravans proposed and the concentration of them would significantly reduce the openness of the land and the green belt and is therefore inappropriate development and harmful to the green belt.

3.15 The proposal would double the number of traffic movements. the existing access is not laid out such that car and caravan units can simultaneously pass at the entrance and these units cannot turn left into the site without crossing to the opposite side of the road.

3.16 Policy V5 states that sites should be readily accessible by public transport to reduce the reliance on the private car, particularly once the visitor has arrived at the site. The land does have planning permission for a caravan site on part of it from the November 2007 approval, however this is an historic permission and this new application should be considered against present existing policy, bearing in mind that this application will significantly expand the existing site which also has an approval for two holiday lets. The latest Good Practice Guide for tourism indicates that touring caravan sites are by definition car dependent, once on site it should be as sustainable as possible. It is understood that Stockton lane has a reasonable bus service every day, however the main shopping area is Monks Cross Shopping centre which is off the Stockton Lane bus route and therefore visitors will use their private cars to travel to these shops in the absence of a local accessible shopping area. Therefore notwithstanding the availability of a reasonable good bus service running along Stockton Lane, the location of the site and lack of easy accessed shops means that it is unreasonable to expect public transport to be used and this is contrary to the aims of sustainable development and contrary to policy GP4a.

#### Foss Internal Drainage Board

3.17 The board will require unrestricted access to the beck at all times and will under the Land Drainage Act deposit any arisings on the land adjacent to the Beck. The Boards prior consent is required for planting fencing and buildings within 9 metres of the bank top of any watercourse as will discharge or alterations to the watercourse. The board recommends conditions with regard to the effectiveness of soakaways.

#### Environment Agency

3.18 The proposed development will only be acceptable if the measures detailed in the flood risk assessment submitted with the application are implemented and secured by condition. The measures to be conditioned are caravan floor levels should be minimum 400 mm above ground level, flood warning and evacuation plan should be in place for occupants of the site in the event of flooding.

3.19 2 Letters of objections have been received covering the following points:-

- The existing site is clearly visible from the surrounding areas of Stockton lane because the site is not adequately screened
- There is no screening to the entrance of the site
- The site can be seen from the A64 between Hopgrove and York across Monk Stray

- Granting this site will present problems for refusing future such schemes along Stockton Lane
- As a diversification from cattle farming this site already has caravan storage, holiday cottages and caravans and now tents are regularly on the site. Could this green belt land be used for something else that would enhance the green belt land rather than detract from one of the best areas of approach to York?
- Stockton lane is a very busy road particularly for pedestrians
- The bus stop on the caravan site side of the road should be repositioned nearer to the caravan site its current position is dangerous.
- Development would adversely affect the openness of the greenbelt
- The existing site has already greatly affected the local wildlife through noise disturbance and 24 hour illumination
- Mr Wilson already seems to have developed the site as if the proposal is a for gone conclusion
- The entrance to the site is dangerous as only one caravan can enter and leave at any one time
- The existing site is more than big enough for this area

3.20 30 letters of support have been received covering the following points:-

- Site is well run and maintained
- Sensible rules are in place in order that all park residents may enjoy the amenities
- The extension and improved wash facilities will only serve to improve the park
- Will allow York to be enjoyed by more visitors
- The new site would not be visibly intrusive from the highway or neighbouring residents
- The proposals would help the financial viability of the caravan park
- Extra business would be brought to the surrounding area
- Most people to the site could use the bus service into the town
- The trees around the site make it an attractive area and keep the sites green belt looks
- Supporter works at the caravan parks and sees how many people are turned away. Many say all other sites within the area are also full
- The proposal would give employment
- Stockton Lane is a relatively quiet road thus access and egress to the park is stress free
- The money invested into the site shows the applicants commitment to making the site a success; it is the City of York that benefits most of all.
- The best sized pitches that the supporter has ever been on
- The reputation of the site has attracted people from all over the British Isles and Europe
- Occupiers of Rowes cottage farmhouse say as neighbours they do not have any problems with the caravan park
- Many writers store their caravans there and consider the site to be well run
- Revenue from the site will be put into the local community
- The site can be access without going through the city centre
- From experience of other sites 20 pitches is really small and viability must be in question
- Impact of the site is limited by existing agricultural buildings. Anyway such concerns seem odd when Monks Cross can be clearly seen from the site
- Evidence of flooding has never been seen at the site

- The Rowntrees site is far more appropriate than the Rowntrees Park site
- Policy Objections seem slight and are surely outweighed by the advantages of attracting visitors
- There is already a site and facilities there why not allow it to expand
- Negative externalities would be outweighed by economic gain to local businesses

3.21 A petition in support of the application has been received. The petition is signed by 60 people who have stayed at the caravan park. All those who have signed the petition confirm they have used local facilities and the local bus service.

## PUBLICITY

3.22 The application was advertised by means of a site notice posted on the 14th July 2009 and via neighbourhood notification letters.

## 4.0 APPRAISAL

### 4.1 Key Issues:-

- Policy background
- Impact on openness of the green belt
- Flood risk and drainage
- Highways issues
- Sustainability
- Tourism

4.2 The following national planning advice in Planning Policy Guidance Notes (PPG) and Planning Policy Statements (PPS) are considered of most relevance to this application:-

4.3 PPS1: "Delivering Sustainable Development" - promotes sustainable development as well as mixed use development, offers guidance on the operation of the plan led system and considerations to be taken into account in determining planning applications.

4.4 PPG2: "Green Belts" identifies the purposes and uses of land within the Green Belt, and states that their most important attribute is their openness. In relation to the change of use of land, this is inappropriate unless it maintains openness and does not conflict with the purposes of including land within the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm is clearly outweighed by other considerations.

4.5 PPS7: "Sustainable Development in Rural Areas" identifies the planning system as having an important role in supporting and facilitating development and land uses in helping to maintain and manage the countryside. It also advises of the importance of protecting the quality and character of the countryside, and supports re-use of buildings in particular for economic purposes. It is also supportive of farm diversification. In relation to farm diversification in the Green Belt, it states, where relevant, favourable consideration should be given as long as the development

maintains openness. The wider benefits of a proposal are capable of constituting very special circumstances.

4.6 In relation to touring caravan parks, it provides particular advice. Authorities should balance the need to provide facilities with the need to protect landscapes and scope for relocating sites away from flooding, and to ensure new sites are not prominent, and visual intrusion is minimised by screening.

4.7 PPG13: Transport seeks to promote more sustainable transport choices for people, and to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and seeks to reduce the need to travel, especially by car in new developments.

4.8 PPS23: Planning and Pollution Control gives guidance on the relevance of pollution controls to the exercise of planning functions, including light pollution and contamination.

4.9 PPS25: Development and Flood Risk sets out the importance the Government attaches to management and reduction of flood risk in the planning process.

4.10 Relevant City of York Draft Local Plan (incorporating the Fourth Set of changes) (April 2005) include GB1, GP1, V1 and V5. GB1 reflects advice within PPG2. Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape and incorporate appropriate landscaping.

4.11 Policy V1 says that visitor related development would be encouraged. In determining applications account will be taken of whether the proposal has made adequate servicing arrangements, is accessible to public transport routes, will result in increased traffic, is likely to improve the prosperity of the tourism industry and the city's economy, will adversely impact on the reasonable use and enjoyment of adjacent buildings and land or adversely impact on the countryside setting of the city.

4.12 Policy V5 relates specifically to touring caravan/camping sites and sets out criteria for assessing proposals. The policy specifies that the number of pitches should not exceed 20, and that there should be no pitches for static caravans. In addition, the proposal should not involve the erection of permanently sited ancillary buildings other than toilets/washrooms and a site office, the site should be associated with an existing settlement and of a compatible scale to the settlement, and should be readily accessible by public transport. Further criteria within the policy are that the proposal has no adverse effect on the openness of greenbelt, it provides a direct benefit to the local residential workforce, the approach roads are of a suitable standard to accommodate caravans, there is no adverse effect on the provision of local services, the proposal is complementary to recreational opportunities in the vicinity and it provides a direct benefit to the local residential rural community.

4.13 City of York Local Plan: The Approach to the Green Belt (February 2003), which now forms part of the evidence base to the Local Development Framework indicates in map form where the most valuable components of the green belt lie. The appraisal identifies the site as being within a green wedge. Green wedges are described as large tracts of undeveloped land, which largely extend from the countryside into the city. They prevent the lateral coalescence of different parts of the open area and help maintain the distinctive characteristics of earlier periods of individual settlements. The green wedges bring a feeling of the countryside within a close proximity to the centre of the city.

4.14 The Good Practice Guide for Planning and Tourism replaced PPG21 in 2006. The guide reiterates much of the advice in PPS7 with regard to planning policy. The guidance says Local Planning Authorities should carefully weigh the objective of providing adequate facilities and sites with the need to protect landscapes and environmentally sensitive sites. They should examine the scope for relocating any existing visually or environmentally intrusive parks away from sensitive areas, or for re-location away from sites prone to flooding or coastal erosion.

#### Impact on the openness of Greenbelt

4.14 The approved application for the existing 20 pitch caravan site was a reduced scheme approved following the withdrawal of an earlier application. The site was reduced in size from 2.4Ha to 1.9 ha so that the caravans were contained within field boundaries and to some extent could be obscured by existing buildings. At the time of the consideration of that application the reduction in site area was considered to significantly reduce the impact of the development on the openness of Green Belt.

4.15 The application now submitted is to extend the caravan site into the area north east of the existing site. Policy V5 of the Draft Local Plan relates specifically to touring caravan/camping sites and sets out criteria for assessing proposals of this nature. The policy specifies that the number of pitches should not exceed 20; the text to the policy confirms that this includes existing pitches together with any extensions. The proposal, which would result in the increase of the site to 40 pitches in total, would undermine the basis of this policy which is to permit small-scale sites which whilst benefiting the tourism industry do not overpower existing settlements or become visually prominent in the Green Belt/open countryside.

4.16 A further requirement of Policy V5 is that proposals of this type should not adversely affect the openness of Green Belt. The site is located in a relatively open and undeveloped area, which is agricultural in its appearance. The north-east boundary of the site has been well planted and it is apparent that they afford some visual protection for the site, although this may be less beneficial at the beginning and end of the season. Furthermore hedges adjacent to the roads surrounding the site are mature and have been allowed to grow and again in summer provide visual protection for the site. The new planting and existing hedging provide good screening to the existing site however officers are concerned that the components of the proposal will impact on the openness of green belt. The proposal will necessitate hardstandings, landscape features dividing plots, lighting, access road (the road is already in place without permission) and improvements to the entrance of the site. Some internal

signage may also be needed. In Officers opinion the introduction of these features would have an impact on the openness of the green belt.

4.17 As PPG2 states that material changes of use are inappropriate unless they preserve openness, it is considered that the proposal constitutes inappropriate development, which is, by definition, harmful to the Green belt. In these circumstances it is for the applicant to show why permission should be granted. The applicant's agent within his supporting statement concludes that the proposal is appropriate development however also sets out issues, which are considered to be very special circumstances that it is considered outweigh harm by reason of inappropriateness. The agent considers in terms of very special circumstances that the site is inconspicuous, cannot be considered to impact upon the setting or special character of any town and has no special character or setting to preserve. The agent also says that there is a need for additional touring caravan sites and that this is proven by the number of enquiries to the site. The number of enquiries representing significant demand. It is also considered that the site is sustainable.

4.18 In terms of the special character or setting the site is identified as being within the green wedge in the York Green belt appraisal (2003). Green wedges contribute to the character and setting of York providing an important interface between the urban form and the open countryside. Officers cannot agree that the site does not contribute to preserving the setting and character of historic towns, one of the purposes of including land within green belt.

4.19 Whilst it is accepted that the current site may indeed help the local economy and may be so well liked as to create a demand it is also clear from some supporting letters that sites are generally over subscribed at busy periods and some amount of advanced booking is needed at bank holidays. Policy V5 does allow for small caravan sites based on a set of criteria within the City of York the purpose of the criteria is to balance the negative effects of caravan sites with the economic benefits brought through tourism. The issues of economic benefit and demand are not considered to be very special circumstances sufficient to outweigh harm by reason of inappropriateness identified above.

4.20 For the reasons set out in paragraph 4.26 below this proposal is not considered to be so sustainable that this amounts to a very special circumstance outweighing harm by reason of inappropriateness.

4.21 In relation to Draft Policy V5, the justification text to the policy considers that small scale proposals for touring caravans 'are unlikely to compromise Green Belt objectives and may be acceptable' subject to meeting the criteria of the policy. However officers have found that the proposal does impact on the openness of the green belt which is contrary to criteria within Policy V5.

4.22 Furthermore Policy V1 of the Local Plan states that in determining applications for visitor related development account will be taken of whether the proposal adversely impacts on the countryside setting of the City. Officers consider that such adverse impacts would be likely to be caused for the reasons stated above.

Flood Risk and Drainage

4.23 PPS25 entitled 'Development and Flood Risk' (PPS25) advises a sequential risk based approach to determining the suitability of land for development in flood risk areas is central to the Policy Statement and should be applied at all levels of the planning process. Annex D of the statement says that the overall aim of decision makers should be to steer new development to flood Zone 1. Where there is no reasonably available sites in flood Zone 1 account should be taken of the flood risk vulnerability of land uses and consider reasonably available sites in flood zone 2. The application site is located, according to the Environment Agency flood risk maps, partly within flood zone 2 and partly within flood zone 3. However the application is supported by a flood risk assessment that concludes that on the basis of an appraisal of channel capacity of the adjacent Old Foss Beck that the site lies in flood zone 1 or 2. The Environment Agency are not objecting to the application subject to a condition which requires caravans to have a minimum floor level of 400mm above ground level and an evacuation procedure being put in place. Our own Structures and Drainage section originally object to the application considering the site to fall within flood zone 3 where a sequential test and exceptions test should be fulfilled in accordance with annex D of PPS25. However having discussed the matter further with the Environment Agency they have withdrawn their objection on flood risk grounds.

4.24 The Environment Agencies response requests a condition that proposes that floor levels of the caravans should be no lower than 400mm. This condition is not considered to be enforceable and therefore inappropriate to be attached to any permission. Officers have spoken to the Environment Agency who have confirmed that even without this condition the proposal is acceptable

4.25 Structures and Drainage are objecting to the lack of information with regard to drainage. Should members propose to approve this development a condition requiring further drainage details would be required

4.26 The Internal Drainage Board note that there are elements of the development, which are located within 9 metres of the bank top. An amended plan has been requested to show the development modified so that no part is within 9 metres of the bank top. The applicant has confirmed by letter that it is not proposed to amend the application given that it is possible to apply for bylaw consent to operate within the 9 metres. Further clarification is being sought on this point and will be reported direct to committee

#### Highways Issues

4.27 Highways Network Management are satisfied that the proposals can be supported subject to the access being improved so that cars pulling caravans can enter and leave the site without having to cross to the other side of Stockton lane to enter the site. Conditions are recommended to ensure the improvements to the radii of kerbs and to widen the entrance to 5.5 metres.

#### Sustainability

4.28 The applicant contends that the site is sustainably located given the position of a bus stop outside the site and the frequent bus service both in to York and beyond.

However officers consider that the site is less sustainable when considering either walking or cycling given the nature of Stockton Lane adjacent to the site. Along Stockton Lane the speed limit is 60mph there are no footpaths and the road is relatively narrow, this makes cycling and walking from the site difficult and in officers view potentially dangerous. Furthermore the lack of suitable walking and cycling facilities from the site to the Stockton-on-the-Forest is likely to mean that accessing any services within the village is unlikely unless by car. However, on balance, given the existence of a caravan site granted when the circumstances around the site were similar in 2005, officers do not consider that there is sufficient basis to refuse the application on sustainability grounds. However, this deficiency adds to officer concerns regarding the proposal.

## Tourism

4.29 Whilst undoubtedly the letters of support show that this site is well liked by visitors the Good Practice Guide for Planning and Tourism indicates that such development should be steered away from sites vulnerable to flooding or which are considered to be visually intrusive.

## 5.0 CONCLUSION

5.1 The proposal is considered to adversely impact on the openness of Green Belt. PPG2 states that material changes of use are inappropriate unless they preserve openness; it is considered that the proposal constitutes inappropriate development, which is, by definition, harmful to the Green Belt. No very special circumstances sufficient to outweigh harm to the Green Belt have been put forward by the applicant.

5.2 The Environment Agency flood zone maps identify the site as being within flood zone 2 and 3, the flood risk assessment identifies the site is flood zone 1 and 2 taking in to account the channel capacity of Old Foss Beck and the Environment agency whilst not objecting to the proposals request a condition that is unenforceable. However they have since indicated their support for the proposal even without such a condition. Our own Structures and Drainage section object to the application.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Refuse

1 The site is located within an area of Green Belt, which is characterised by its generally agricultural appearance. The extension of the touring caravan site would compromise the openness of this area and would conflict with the purposes for including land within Green Belt. The proposal is therefore inappropriate development in terms of the advice contained in Planning Policy Guidance Note 2 "Green Belts", and is, by definition, harmful to the Green Belt. No very special circumstances have been shown by the applicant, which would outweigh the harm to the Green Belt. The proposal would also conflict with Policy V5 of the City Of York Draft Local Plan (CYDLP), which does not permit touring caravan sites in Green Belt where there is an

adverse effect on the openness of the Green Belt and GB1 of the CYDLP, which does not support development that detracts from the open character of the green belt.

2 The proposal would enlarge the area currently occupied by caravans, thereby encroaching into open countryside to the detriment of visual amenity and the attractive rural character of the area. This is considered contrary to policies V5 and V1 (f) of the City of York Draft Local plan and the evidence base to the Local Development Framework entitled 'The Approach to the Green Belt'

## **7.0 INFORMATIVES:**

### **Contact details:**

**Author:** Diane Cragg Development Control Officer (Mon/Tues)

**Tel No:** 01904 551657