

## COMMITTEE REPORT

**Date:** 18 December 2014      **Ward:** Huntington/New Earswick  
**Team:** Major and Commercial Team      **Parish:** Huntington Parish Council

**Reference:** 14/02112/FULM

**Application at:** Beechwood Malton Road Huntington York YO32 9TH

**For:** Full application for the use of land as a 40 pitch touring caravan site and conversion of farm buildings to form reception, shop and managers accommodation. Outline application for associated shower and toilet block (resubmission)

**By:** Damar Farms Limited

**Application Type:** Major Full Application (13 weeks)

**Target Date:** 26 December 2014

**Recommendation:** Refuse

### 1.0 PROPOSAL

1.1 The application is part full and part in outline. Full consent is sought for the use of land as a 40-pitch touring caravan site and conversion of farm buildings to form reception, shop and managers accommodation. The layout includes a bund along the northern boundary, footbridge over an existing ditch, landscaping, outdoor keep-fit area, parking, two internal loop roads, refuse/recycling facilities, underground waste water treatment plant, putting green, croquet lawn and lighting. Outline consent is sought for an associated shower and toilet block which would be located within the caravan pitches.

1.2 The caravan pitches would be located in an irregular-shaped paddock forming part of a working farm. A redundant farm building would be extended and improved to provide a reception building and managers accommodation. Access from the public highway would be via an existing farm track from Old Malton Road. Part of the track would be rerouted and improved to provide parking and manoeuvring space, particularly in front of the proposed reception building.

1.3 The application is a resubmission of 13/00923/FULM, which was withdrawn following concerns by officers.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

## DC Area Teams GMS Constraints: East Area (2) 0005

### 2.2 Policies:

CYV1 -Criteria for visitor related devt

CYV5 - Caravan and camping sites

CYGB1 - Development within the Green Belt

CYGP1 - Design

CYGP4A - Sustainability

### **3.0 CONSULTATIONS**

#### INTERNAL

Environmental Protection Unit

3.1 No objections. Add an informative drawing attention to the need to report and investigate unexpected contamination.

Flood Risk Management

3.2 The development is in low risk Flood Zone 1 and should not suffer from river flooding. Insufficient information has been provided by the applicant for the council to determine the potential impact of the surface water runoff and foul water discharge on the existing drainage system and downstream watercourse.

Design, Conservation and Sustainable Development (Ecology)

3.3 Two of the buildings surveyed were identified as having low potential to support roosting bats. An emergence survey in May 2014 did not identify any roosts although bats were recorded foraging in the vicinity. Evidence of birds nesting in the buildings was also recorded and vegetation on site identified as providing suitable habitat for nesting birds. A condition to protect breeding birds is recommended. There is the opportunity to enhance the development by the inclusion of artificial bat boxes/bricks and bird boxes. Additional planting in hedges etc should be of native species wherever possible.

Highway Network Management

3.4 No objections. Comments and conditions as per previous application i.e. The proposals seek to use an existing access, which is suitable and in accordance with

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guidance. The signalised junction onto Malton Road/A1237 would provide a safe access to the wider highway network. Traffic to the site is likely to arrive/depart outside the am/pm peak so the impact on the highway network would not be perceivable. Passing places and turning within the site would be provided. If approved, add standard conditions regarding provision of car parking, road surfacing and cycle storage.

## EXTERNAL

Huntington Parish Council

3.5 No objections.

Environment Agency

3.6 No objections.

Foss Internal Drainage Board

3.7 No objections. Add a condition requiring the suitability of soakaways to be demonstrated or, alternatively, drainage proposals, including attenuation, to be submitted for approval.

Yorkshire Water

3.8 No objections.

Public Consultation

3.9 The consultation period expired on 7 November 2014. No representations have been received.

## **4.0 APPRAISAL**

### 4.1 KEY ISSUES

- Appropriateness within and impact on the green belt
- Very special circumstances
- Sustainability

## APPLICATION SITE

4.2 The application site, farmhouse and outbuildings are located outside the ring road, close to Hopgrove roundabout. The site of the caravan pitches mainly abuts agricultural land, part of which is in the applicant's ownership. The short south-west

boundary abuts the A1237 (ring road). The easternmost part of site abuts the large grounds of the adjacent house at Calm Cottage. To the north-east is Beechwood Grange, a 115-pitch caravan site operated by the Caravan Club. The whole of the application site is in the green belt and outside any settlement limit.

## PLANNING POLICY

4.3 National planning policy is set out in the National Planning Policy Framework (NPPF). The essence of the framework is the presumption in favour of sustainable development which, for decision-taking, means approving without delay development proposals that accord with the development plan. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or (2) specific policies in the framework indicate development should be restricted (paragraph 14). Footnote 9 to Paragraph 14 specifically includes green belt policy among those policies in the Framework which indicate that development should be restricted.

4.4 One of the twelve core planning principles set out in the NPPF is the protection of the Green Belt around urban areas, recognising the intrinsic character and beauty of the countryside (Paragraph 17).

4.5 Another core planning principle states that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus development in sustainable locations (paragraph 17).

4.6 Section 3 of the NPPF says that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development.

4.7 The application site falls within the general extent of the Green Belt as shown on the Key Diagram of the RSS (the Yorkshire and Humber Plan) (RSS) saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. Policies YH9 and Y1 (C1 & C2) and the key diagram on page 214 of the RSS form the statutory Development Plan for York. Policy YH9 says the detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. All other policy documentation can be accorded weight as material considerations in accordance with Annex 1 of the NPPF.

4.8 The City of York Development Control Local Plan was approved for development control purposes in April 2005. Its policies are material considerations although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework. Relevant local plan policies are listed in

section 2.2 of the report. The green belt policies in the plan are in general accordance with those in the National Planning Policy Framework.

## IMPACT ON THE GREEN BELT

4.9 The NPPF lists the types of development that are acceptable in the Green Belt. All other development is inappropriate and therefore, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In short, within the Green Belt the usual presumption in favour of sustainable development is reversed. Instead, the onus is very much on the applicant to demonstrate that there are compelling reasons why planning permission should be granted for inappropriate development. This makes Green Belt designation a very restrictive policy.

4.10 Whilst the NPPF supports the provision in the Green Belt of facilities for outdoor sport and recreation (paragraph 81), use of land as a caravan site is not among the uses described as 'not inappropriate' at paragraph 89. The change of use is therefore inappropriate development in the Green Belt. Furthermore, the buildings and engineering operations involved in the application (the amenity building, loop roads, bund, passing places, caravan hardstandings, car parking, bin store and lighting) together with the presence of caravans and cars would undermine the openness of the Green Belt and conflict with one of the purposes of the Green Belt, which is to assist in safeguarding the countryside from encroachment. Therefore these structures and engineering operations, also, constitute inappropriate development in the Green Belt (NPPF, paragraph 90).

4.11 The applicant contends that, except for the northern boundary, the site is well screened from outside the site by the existing bunds and hedges. Furthermore, that the application includes a proposed landscaped bund along the northern boundary which would screen the caravan site from the adjacent agricultural land, which has no public viewpoint. In response, whilst these characteristics of the site would reduce the visual impact they do not alter the inappropriateness of the development in the green belt. The onus is still on the applicant to demonstrate very special circumstances.

4.12 In addition to the harm due to inappropriateness is harm due to the site's unsustainable location. It lies beyond the outer ring road and outside any settlement limit. The site is served by only one bus service (No.181, five times per day, not Sundays) with the nearest stop 500m from the site entrance. The applicant is proposing to provide a dedicated shuttle service from the site to Monks Cross shopping centre/park & ride, a distance of 2.5km. The service would be secured by a s106 obligation. Such a service is unlikely to be of significant benefit. Caravans

are either motorised (camper vans) or towed by a vehicle. In both cases the caravanners would have their own transport and would be unlikely to choose, in significant numbers, a shuttle bus, particularly as it would take them no further than the local shopping centre and park & ride service.

4.13 The applicant argues that the park & ride would be readily accessible by bicycle. Along the western boundary of the site is a public bridleway - northbound to North Lane and southbound to Hopgrove - but the route is a rough, unmade field track, unsuitable for general cycle use. Visitors could, instead, cycle to Monks Cross via Old Malton Road/Malton Road but first cyclists would have to dismount and walk across the outer ring road at Hopgrove roundabout. Whilst the roundabout has a pedestrian refuge the manoeuvre is inconvenient and unpleasant and not conducive to walking/cycling, particularly for visitors to the area.

4.14 The applicant contends that the Hopgrove Inn/Toby Carvery is an easily accessible local facility, but it is 500m from the site entrance and over 900m from the nearest caravan pitches.

4.15 In summary the application site is not considered to be in a sustainable location, contrary to one of the core planning principles of the NPPF. This harm is in addition to the harm caused by inappropriateness.

#### VERY SPECIAL CIRCUMSTANCES

4.16 The applicant submits that the principal benefit of the application is the contribution it would make to the local economy and that this benefit constitutes very special circumstances that justify approval. The NPPF says that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development. However, this policy does not outweigh green belt policy in rural areas. Furthermore, the application provides no evidence of the scale and nature of the economic benefit. Nor does it provide evidence of need other than to say that there is clearly unsatisfied demand for additional touring caravan pitches because the owners of three other caravan sites in the area have submitted schemes for their expansion. These applications were submitted in 2007, 2010 and 2012 (one was dismissed at appeal and the other two are not directly comparable). Willingness to submit an application does not in itself demonstrate such need that it would amount to very special circumstances.

#### OTHER MATTERS

4.17 If planning permission were to be granted all other matters (particularly highway details, drainage and ecology) could be dealt with by condition.

## 5.0 CONCLUSION

5.1 The proposal is inappropriate development which, by definition, causes harm to the green belt. The permanent features of the development and its use would cause harm to the openness of the green belt which the NPPF states is its most important attribute. This harm would be compounded by the effects of the site's unsustainable location. These harms caused by the development are not outweighed by any other considerations and there are no very special circumstances that justify the proposal. Consequently the application conflicts with national and local planning policy which seeks to control new development in the green belt and is unacceptable.

## 6.0 RECOMMENDATION: Refuse

1 Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the Green Belt around York with an outer boundary about 6 miles from the city centre. Beechwood and its environs are located in Green Belt as identified in the City of York Development Control Local Plan (Approved April 2005). It is considered that the proposed touring caravan site including 40 caravan pitches, internal loop roads, toilet/shower block, bund along the northern boundary, footbridge, refuse/recycling facilities, landscaping, recreation areas, parking, external lighting and conversion of farm buildings to form reception, shop and managers accommodation constitutes inappropriate development in the Green Belt as set out in section 9 of the National Planning Policy Framework which is by definition harmful to the Green Belt. No 'very special circumstances' have been put forward by the applicant that would outweigh harm by reason of inappropriateness and any other harm, including the impact on the openness of the Green Belt, conflict with the purposes of including land within Green Belt and conflict with sustainable transport objectives. The proposal is therefore considered contrary to advice within the National Planning Policy Framework, in particular section 9 'Protecting Green Belt Land' and 'Core Planning Principles' relating to sustainable transport.

## **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) by seeking solutions to problems identified during the processing of the application. In an attempt to achieve an acceptable outcome the council was advised that the application was being recommended for refusal. The applicant did not withdraw the application, resulting in planning permission being refused for the reasons stated.

#### **Contact details:**

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