



Appeal Decision

Site visit made on 24 April 2024

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2024

Appeal Ref: APP/U2750/W/23/3334084

AHUS Ltd, Skipton Old Airfield, Sandhutton, Thirsk YO7 4EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tony Fairless of AHUS Ltd against the decision of North Yorkshire Council.
 - The application Ref is ZB23/01229/FUL.
 - The development is change of use of land for the siting of a caravan and play area to be used by staff of AHUS Ltd.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As confirmed through my findings during my site visit, the proposal subject to this appeal is retrospective.
3. Policies S5 and EG7 were raised by the appellant during the appeal process. The Council has commented on the use of these policies within their statement. For clarity, the Council were requested to provide copies of these policies and the appellant was copied into this correspondence. These policies have therefore been assessed during the process of this decision.

Main Issue

4. Whether there is an essential need for a caravan to accommodate workers near to their place of work.

Reasons

5. The appeal relates to the change of use of land for the siting of a caravan and a play area. The Council raise no concern with the proposed play area in principle or in relation to its form in relation to the character and appearance of the countryside. I find no reason to disagree.
6. With regard to the caravan, it has been sited upon an area of hardstanding and features an attached elevated platform, sited adjacent to AHUS Ltd. AHUS Ltd is located along the edge of Skipton Old Airfield and comprises a large area used for the storage of machinery. Several buildings of varying sizes occupy the centre of the site, with machinery, parking facilities and business facilities such as portable toilet cubicles sited to its perimeter. The immediate locality can be defined as industrial, despite its rural countryside location.
7. Taking the wider area into account, a significant number of large buildings which are industrial in their appearance are visible. These buildings make up an

- assortment of businesses and are situated within the Old Airfield boundary, against a backdrop of green fields typical of a rural countryside location.
8. Policy EG7 of the Hambleton Local Plan 2022 (LP) states that employment generating development will only be supported outside of a defined settlement where it involves the expansion of an existing business, where it is demonstrated that there is an operational need for the proposal which cannot be physically or reasonably accommodated within the curtilage of the existing site, amongst other things.
 9. AHUS Ltd is a well-established business, sited within a remote countryside location. The nature of the business requires the movement of staff at short notice, allowing for members of staff to utilise its facilities for small periods at a time. The caravan therefore reduces hotel use costs and provides a form of business flexibility and sustainability. It also likely reduces overall vehicle movements.
 10. Despite the matters raised above, no substantiated justification has been evidenced to support and establish a need for a caravan and its associated change of use to be located in the open countryside to foster the expansion of the business or meet an operational need. No information has been provided to explain why local hotels could not be utilised, even during unsociable hours, for example due to business viability or practical considerations. I am also not convinced that the proposal would reduce vehicle movements to the extent that this would outweigh the harm to the open countryside.
 11. Overall, whilst business accommodation would provide flexibility to AHUS Ltd, this does not justify a caravan in this countryside location. Due to the absence of evidence, the proposal fails to demonstrate that there is an operational need for the proposal and therefore the caravan conflicts with the requirements set out in Policy EG7 of the LP.
 12. The Council has assessed the proposal against Policy HG4 of the LP. Whilst the appellant has not set out the use of the caravan in the description of development on the planning application form, it is clear that the caravan is being used for residential use directly associated with the operation of AHUS Ltd. However, it is not in use for a single full-time rural worker, rather as ad hoc accommodation for several employees at AHUS Ltd. It does not, therefore, fall within the criteria for a 'home for rural workers' as set out in Policy HG4, or any other of the housing exceptions set out in the policy. Therefore, the development does not comply with Policy HG4 of the LP.
 13. The Council's Environmental Health Officer has suggested a condition which could be used to limit the use of the caravan to temporary short-term stays, preventing its use as a permanent dwelling. Regard has been had to the use of this condition. However, this does not overcome the policy requirements established above for the justification of a caravan in this countryside location. This condition would not offset the conflict found against Policies EG7 or HG4 of the LP.
 14. To conclude, the proposal would conflict with Policies EG7 and HG4 of the LP, whether it is considered as residential or ancillary commercial use, and by extension with Policy S1 of the LP, which sets out the overarching sustainable development principles for the Council.

Other Matters

15. The appellant contends that a caravan has previously been sited within the AHUS Ltd compound for a similar use. I have not been provided with any evidence, certificate of lawfulness, or planning decision which confirms this and therefore, have given very limited weight to this matter in my decision.

Conclusion

16. The proposal would conflict with the development plan read as a whole and the other considerations before me do not indicate that I should make a decision other than in accordance with the development plan. For the reasons given above, I conclude that the appeal should be dismissed.

J Smith

INSPECTOR