

Appeal Decision

Site visit made on 12 July 2024

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th August 2024

Appeal Ref: APP/E2001/W/24/3336304

Land North-West of Level Crossing, Bridlington Bay Road, Carnaby YO15 3QG

- 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 East Yorkshire Paving and Landscapes Ltd against the decision of East Riding of Yorkshire Council.
 - The application Ref is 23/01323/PLF.
 - The development proposed is the change of use of land to holiday park with new chalets and facilities building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located on Bridlington Bay Road (A165) to the south of the small settlement of Carnaby. There is an existing railway line which runs along the site's southern boundary. There is also an existing holiday park adjacent to the site which, save for a small section, is situated back from the road behind mature landscaping.
4. There is a large industrial estate on the site of a former airfield to the south of the site, however the appeal site is separated from this by the railway line and an agricultural field. There is also a small number of, what appear to be, residential properties close to the level crossing.
5. The appeal site currently comprises undeveloped grassland with low-level shrubbery to the road and railway sides. The low-level shrubbery to the road and railway side gives the site a pleasant open aspect which positively contributes to providing a sense of spaciousness to the rural character of the area that is clearly appreciable from the roadside. There is more mature landscaping to the west, which separates the site from the adjacent holiday park.

6. Aside from the large industrial estate to the south, the appeal site and its surroundings have a distinct rural to semi-rural character. It is located outside of any settlement boundary and therefore is deemed to be open countryside.
7. Policy S4 of the East Riding Local Plan Strategy Document (2016) (the Local Plan) outlines the types of developments which would be supported in the countryside, and this includes tourism development. The proposed development would comprise tourism development. It is, however, a prerequisite of this policy that proposals should respect the intrinsic character of their surroundings.
8. Policy EC2 of the Local Plan directly applies to tourism development in the countryside. This policy outlines that proposals will be supported where their scale and cumulative impact is appropriate for the location. In considering the character and appearance impacts, the supporting text of the policy outlines that in all instances, it will be important that the character of the countryside is protected.
9. The proposed development consisting of 19 chalets, a facilities building, and other infrastructure would contribute to the incremental erosion of the countryside in a location where the site provides an important buffer between the existing holiday park and the roadside. It would have a clear urbanising effect that would spread across the whole site and extend beyond the tightly arranged chalets, to also include parking areas, access roads, play area, office building and toilets. These features would be out of keeping with the otherwise rural character and appearance of the site and would appear prominent given the site's roadside location. I acknowledge that there is an existing holiday park adjacent to the site. For the most part, the features making up this existing site are not prominent, being set further back from the roadside behind established mature landscape features. For these reasons, they do not have the same impact as the proposed development would have.
10. The presence of the industrial estate does not lead me to conclude differently. The industrial estate has a tight linear form, presumably reflecting its former airfield use. The land surrounding it, including the appeal site, takes on a transition role to ensure that the rural character beyond the industrial estate is strengthened and retained. To lose the appeal site to an urbanising form of development would diminish this role.
11. I acknowledge that additional planting on the roadside elevation would screen some of the development. This would however take some time to become established and appear as a somewhat deliberate attempt to conceal otherwise harmful development. It would also be unlikely to screen the development entirely, particularly when not in leaf, and would not overcome the loss of the open land and the positive contribution which it currently makes.
12. I have considered the Landscape and Visual Impact Assessment¹ (LVIA) submitted with the application. This suggests that the appeal site in its current form has a negative impact on the area. Whilst there is invariably an

¹ PDP Landscape and Urban Design Ltd. February 2023

opportunity for improvement, I do not agree that there is currently harm caused. The LVIA also suggests that the development would be beneficial to the visual amenities of the area. Whilst some planting can be seen to be a benefit, I do not agree that the planting of trees and hedges, with the primary intention to screen the built features of the development would amount to a benefit when considered alongside the remaining aspects of the proposed development, and against the current situation of a largely open, natural site.

13. The proposed development would therefore cause harm to the character and appearance of the area. It would be contrary to Policies S4, EC2, ENV1 and ENV2 of the Local Plan. These policies seek, amongst other things, to ensure that development is of high-quality design, be integrated into and enhance the existing landscape, and that development in the open countryside should respect the intrinsic character of their surroundings.
14. It would also be contrary to the requirement of the National Planning Policy Framework (2023) (the Framework) that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

15. The proposal would provide economic benefits in terms of employment from the use of the site and during construction, and also with a knock-on impact in relation to tourist spend in the surrounding area. The economic benefits align with local plan policies which seek to support economic growth and this weighs in favour of the proposal. However, there is limited substantive evidence, and these benefits do not outweigh the harm I have identified in relation to the character and appearance of the area.
16. The appellant has referred to the allocation of land to the south of the appeal site for industrial development. I am not however aware of any extant planning consents or impending development of this land that would alter the current situation surrounding the appeal site.
17. The appellant has referred to other planning decisions in the area. I do not however have full details of these decisions to give them significant weight in the appeal.

Conclusion

18. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
19. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal be dismissed.

A M Nilsson

INSPECTOR