



Appeal Decision

Site visit made on 17 September 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2024

Appeal Ref: APP/C2741/W/24/3344312

York Wheatlands Caravan Site, North Field Lane, Poppleton, York YO26 6QF

- 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 and Mrs S Otley against the decision of the City of York Council.
 - The application reference is 23/00314/FUL.
 - The development proposed is the laying of gravel to create internal access track and 5 caravan pitches.
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Decision

1. The appeal is allowed and planning permission is granted for the laying of gravel to create internal access track and 5 caravan pitches at York Wheatlands Caravan Site, North Field Lane, Poppleton, York, YO26 6QF in accordance with the terms of the application, reference 23/00314/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos. 001 P00 (location plan); and 105 P01 (proposed site plan).
 - 3) Prior to the development hereby permitted being brought into use, the access track between the highway and the coded access gate as shown on drawing no. 105 P01 shall be surfaced with a bound material, and the remainder of the access track and pitches as shown on drawing no. 105 P01 shall be surfaced with a type 3 aggregate.

Applications for costs

2. An application for costs was made by Mr and Mrs S Otley against the Council. This application is the subject of a separate decision.

Preliminary Matters

3. The emerging Local Plan has not been adopted, and so while it appears to be at an advanced stage of preparation, I cannot yet accord it full weight. When referring to the emerging Local Plan policies, I have referred to the City of York Local Plan Publication Draft 2018 (the PDLP) as referred to in the Council's reason for refusal.

Main Issues

4. The main issues are:

- whether the proposal is inappropriate development in the Green Belt; and
- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

5. The appeal site comprises a predominantly grassed area of land that is divided into two areas by a wooden fence. The larger area has five caravan/motorhome pitches. The other area is allocated for up to ten tents and trailer tents. The number of pitches is limited by the Camping and Caravanning Club certification that the site benefits from. The appellants identify that this certificate exempts the site from the requirements set out in Class BC of Schedule 2, Part 4 of the GPDO¹.
6. It is not a matter of dispute between the main parties that the proposal would be an engineering operation and I have no reason to disagree. Paragraph 155 b) of the National Planning Policy Framework (the Framework) states that engineering operations are a form of development not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
7. Policy GB1 of the PDLP sets out the circumstances in which planning permission will be granted for development in the Green Belt. This includes where the scale, location and design of development would not detract from the openness of the Green Belt, and it would not conflict with the purposes of including land within it.
8. The proposal would comprise the laying of crushed limestone/granite to a depth of 150mm to create an access track and pitches for the caravans/motorhomes. The proposed site plan was amended during the Council's consideration of the application to include a bounded surface for the initial stretch of access from the highway, to reflect the Highway Authority's consultation response. The material would be laid in the area currently used by vehicles entering and leaving the site and in the location of the existing five caravan/motorhome pitches.
9. The Council is concerned that the formalisation of the access with an engineered surface along with the creation of a more regimented hard surfaced layout of pitches would result in a more formal site capable of a permanent year-round use. As a result, the present informal open countryside character of the site would be eroded, and the openness of the Green Belt would be harmed. The Council's evidence refers to restrictions on the length of usage of the site, referring to periods of 60 and 90 days. On this basis the Council describes the site as being a rural landscape for the majority of the time when the caravans and tents are not present.

¹ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

10. The proposal does not include any changes to the number of pitches. The proposed surfacing would have a limited above ground presence. However, in my view, it is reasonable that I do not decouple the engineering operation from its associated use.
11. The site benefits from considerable screening from the surrounding area due to the boundary hedges, including along its road frontage. Due to seasonal changes, the level of screening is likely to vary to a limited extent given the thick density of planting. Nonetheless, from my site visit observations there are only fleeting views of the site from North Field Lane at the access point.
12. There is currently an area of hardstanding where the access joins the highway. Each of the existing five caravan/motorhome pitches are served by water and electricity connections and have a number peg, safety signs, and pitch parking rules. They are divided by a length of hedge to ensure that each pitch meets the size and spacing standards set by the Camping and Caravanning Club. The pitches are therefore already laid out formally and are clearly discernible as such when in the site. Additionally, there is an area of hardstanding for waste bins and the wastewater and chemical disposal facilities are on a concrete base. Signs are present to identify the one-way system in place for vehicles and to identify the tent area. Consequently, although the site is predominantly laid to grass, it does not have the character and appearance of informal open countryside or an open natural landscape.
13. In terms of the period of use, the appellants' evidence confirms that, while the Camping and Caravanning Club certificate restricts the length of time that individual units can stay, there are no restrictions on year-round use of the site itself. The five caravan/motorhome pitches can therefore already be in permanent year-round use.
14. In my judgement therefore, it cannot be taken that the current use of the site is limited or only takes place for a limited number of days per year. Nevertheless, I accept that the proposed surfacing has the potential to facilitate the use of the site on occasions where it is currently not feasible due to wet conditions. This is because it would address the manoeuvring difficulties that can occur for vehicles due to site conditions following periods of wet weather.
15. The proposal would therefore enable an increased likelihood of caravans and motorhomes using the site in wet conditions, especially over the winter months which the appellants identify as a busy period. Consequently, there would likely be a greater impact on the spatial aspect of openness than is currently the case. Some limited harm to the openness of the Green Belt would therefore arise. Given the extensive screening and the existing character and appearance of the site, the proposal would have a neutral impact on the visual aspect of openness. The proposal would not extend the site further into the open countryside, nor on account of the surrounding pattern of development would it noticeably affect wider views of the countryside. The proposal would not therefore represent encroachment of development into the countryside.
16. Overall, the proposal would not preserve the openness of the Green Belt. It would not therefore fall within the exception at paragraph 155 b) of the Framework. Accordingly, I conclude that the development is inappropriate development in the Green Belt and is inherently harmful to it.

Other Considerations

17. The submitted evidence illustrates the importance of tourism to the York economy. This includes Policy EC4 of the PDLP which is supportive of proposals that maintain and improve the choice and quality of visitor accommodation to encourage overnight stays, particularly by higher spending visitors. Paragraph 88 of the Framework is supportive of sustainable rural tourism and leisure developments which respect the character of the countryside.
18. The site is located within a reasonable walking distance of the Poppleton Bar park and ride and the Poppleton train station which provide access to the centre of York. The site is therefore well placed for customers to access the visitor attractions in the city. Although the A59 has to be crossed to get to the train station, there is a signal-controlled pedestrian crossing. In my view therefore, the road would not present a barrier to using the train station. The site is also within a reasonable walking distance of the services and facilities in Poppleton.
19. The improved heating and insulation in modern caravans and motorhomes mean that people seek to make use of them during the winter. This is borne out by the appellants' evidence of booking enquiries. However, due to the ground conditions especially in winter months, the site appears to be under used. The proposed surfacing would enable the site to function more effectively during the winter months and improve the ability to accept year-round bookings. This would improve the choice of visitor accommodation generally and in a location close to sustainable transport modes into the city centre. Although not quantified in detail by the appellants, the proposal would facilitate visitors to stay throughout the year and so would positively contribute to the York visitor economy as well as clearly supporting an existing rural business. I give these economic benefits significant weight.
20. The proposed surfacing of the access track would reduce the risk of mud being carried onto the highway. It would also reduce the risk of vehicles entering the site from becoming stuck and potentially obstructing part of the road. North Field Lane serves two nearby business parks, with the larger of the two being a not inconsiderable size. The proposal would therefore provide some highway safety benefits. Highway safety is a matter of overriding concern and so this carries notable positive weight in the proposal's favour.

Other Matters

21. I note the alternative options identified by the Council for dealing with the wet site conditions. The appellants explain that land drains would not dry out the top surface of the site and a preparatory system which allows grass to growth through sinks into the ground over time and a build-up of earth occurs. In my judgement, the appellants have adequately addressed why these alternatives would not solve the identified site conditions issue. Even if these alternative measures were considered adequate for the site, they would also enable its permanent year-round use by caravans and motorhomes and so would not address the Council's concern in this regard.
22. The appeal decision² identified by the Council involved the creation of an access road on an area of land previously free from vehicle activity and which

² Appeal reference APP/C2741/W/23/3332637

would be clearly noticeable from the surrounding area. This would not be the case with the current appeal proposal, which would involve the surfacing of land currently used by vehicles, and which is well screened. While consistency in the planning process is important and like cases should be decided in a like manner, I do not find that this previous appeal case is so similar that my conclusion on the current appeal proposal should be bound by its findings.

23. I note the concern of the Council that the appeal proposal, if permitted, would potentially act as a precedent for further work which could extend the caravan and camping site into surrounding areas. However, there is no clear evidence to indicate there is a likelihood of this happening. I have considered this appeal on its individual planning merits and any future proposals would have to be considered in a similar way.
24. None of these other matters are of sufficient weight to alter my conclusion on the proposal as set out below.

Planning Balance and Conclusion

25. For the reasons given, the proposal would not harm the character of the landscape. It would enable an increased use of an existing camping and caravan site accessible to local facilities and within walking distance of public transport to the centre of York but without generating a significant volume of traffic. As such, I find no conflict with Policy EC5 of the PDLF.
26. The proposal would be inappropriate development in the context of paragraph 155 of the Framework and Policy PNP1 of the Upper Poppleton and Nether Poppleton Neighbourhood Plan 2016-2036 (the Neighbourhood Plan). I attribute substantial adverse weight to this matter. However, the other identified considerations are of sufficient weight to clearly outweigh the limited harm to the openness of the Green Belt. Thus, the very special circumstances necessary to justify the proposal have been demonstrated.
27. There would be conflict with Policy GB1 of the PDLF. However, having regard to Framework paragraph 153, and Policy PNP1 of the Neighbourhood Plan which does not support inappropriate development in the Green Belt except in very special circumstances, I conclude that the balance of the considerations in this case means that the appeal should be allowed.

Conditions

28. As well as the standard time condition, and for certainty, one is required to ensure that the development is carried out in accordance with the approved plans. To ensure that the proposed surfacing is adequately drained, I have imposed the Council's suggested condition that requires the use of a type 3 aggregate but with amendments to correspond with the revised site plan.

F Wilkinson

INSPECTOR